

Board of Selectmen's Meeting
May 15, 2017 -- 7:00 PM
Sanford Hall, Town Hall
155 Village Street
Agenda

Present: Glenn Trindade, Chair; Richard D'Innocenzo, Clerk; Dennis Crowley, Member; John Foresto, Member.

Absent: Maryjane White, Vice Chair.

Staff Present: Michael Boynton, Town Administrator; David D'Amico, Director, Department of Public Services.

At 7:02 PM Chairman Trindade called the meeting to order and led the Pledge of Allegiance.

Public Comments: None

Vote - Terminate Ascertainment for Verizon Cable License Renewal:

There were no background materials.

Mr. Boynton stated that the ascertainment period is the time that the Town took to determine whether to renew its license with Verizon. We are now closing out the process.

Selectman Foresto moved that the Board terminate ascertainment for the Verizon cable license renewal; Selectman D'Innocenzo seconded. No discussion. VOTE: 4-0-0.

Approval – Verizon Cable Television Franchise License Renewal (2017-2024):

The Board reviewed the following information: (1) Executive Summary provided by Town Counsel; and (2) Proposed Cable License Renewal.

Present: David D'Amico, Director, Department of Public Services; John Harrington, Kirby, Harrington and Pinkard, counsel for Verizon.

Mr. Boynton reported that this is a seven-year contract which is now before the Board. He briefly explained that the industry has changed significantly in the past decade, and what we negotiated years ago is vastly different from the industry today.

Selectman Foresto added that the Town goes through these agreements for each provider and it takes months to finalize each agreement. Now it is time to renew the agreement. The companies are losing subscribers to entities who provide streaming services and other new technologies. He briefly listed some of the things included in the agreement such as financial support of the studio. Brief discussion followed.

Mr. D'Amico explained that Verizon had wanted to put in FIOS when they were doing some road work years ago, but the Department of Public Services was never able to nail down specifics. Verizon has not applied for the appropriate permits since then. It does not seem that there is no sense of urgency on getting this type of work done.

At this time, Mr. Harrington, outside counsel for Verizon, stated he will take this information back to the appropriate people. Technically it is not part of the cable franchise agreement, but he offered to relay the message. He thanked Town officials for working diligently and cooperatively in getting the license done.

Selectman D’Innocenzo offered the following motion: Whereas the Town of Medway conducted cable license ascertainment and a public ascertainment hearing, and whereas the Town negotiated an acceptable renewal license with Verizon which meets the Town’s future community cable-related needs; now therefore I move that the Board grant to Verizon the cable television renewal license dated May 15, 2017; Selectman Foresto seconded. No discussion. VOTE: 4-0-0.

Contract Approval – 2 Year Contract with Pacella Enterprises for Catch Basin & Manhole Adjustments - \$30,000

The Board reviewed the following information: (1) Memorandum dated May 15, 2017 from the Director of Public Services; (2) Bid Results; and (3) Contract.

Present: David D’Amico, Director, Department of Public Services.

Mr. D’Amico explained that this contract is for structure adjustments in the road when road work has been completed. Selectman Crowley asked about the difference in price quotes in the bid and the contract. Mr. D’Amico responded that \$30,000 will be spent this year and \$30,000 next year. If the work costs more, he will return to the Board with a change order. Brief discussion followed.

Selectman D’Innocenzo moved that the Board authorize the Chairman to execute a two-year contract with Pacella Enterprises for catch basin and manhole adjustments in an amount not to exceed \$30,000 in year one, and subject to funding in year two; Selectman Foresto seconded. Selectman Crowley objected to the wording of the motion relative to year two, namely, why specify a dollar amount in the contract and not in the motion. Mr. Boynton clarified that both interpretations are correct in that any funding of projects is subject to available funding as determined by Town Meeting and the budget process. Discussion followed. Selectman D’Innocenzo withdrew his motion.

Chairman Trindade offered the following motion: That the Board authorize the Chairman to execute a two-year contract with Pacella Enterprises for catch basin and manhole adjustments in an amount not to exceed \$30,000 in year one, and subject to funding in year two in an amount not to exceed \$30,000; Selectman Crowley seconded. No further discussion. VOTE: 4-0-0.

Contract Approval - Stumpy’ s Tree Service for Tree Maintenance Services – \$25,470:

The Board reviewed the following information: Memorandum dated May 15, 2017 from the Director of Public Services; (2) Bid Results; and (3) Contract.

Present: David D’Amico, Director, Department of Public Services.

Mr. D’Amico stated this is a responsible contractor who has worked for the Town before. This is a one-year contract.

Selectman Crowley expressed concern about the price breakdowns, especially for services that may be performed after the initial contract amount is used up. Mr. D’Amico responded that the contractor is hired at the crew rate for both the contracted work and any work that may come after. He added that the bids are arranged in a standard framework so that all bidders can be compared on the same items. Selectman Crowley pointed out that the standard prices on work done after the contracted time is much higher than the crew rate, theorizing that the contractor may bid low knowing he will get the higher fees

later. Mr. Boynton explained that any work outside of the contract period would be on an emergency basis. Discussion followed.

Selectman D’Innocenzo moved that the Board authorize the Chairman to execute a contract with Stumpy’s Tree Service for tree maintenance services in an amount not to exceed \$25,470; Selectman Foresto seconded. No discussion. VOTE: 3-1-0 Crowley opposed on the basis on the contract process.

Notice of Grant Award – Sustainable Materials Recovery Program Grant

The Board reviewed the following information: (1) Notice of Grant Award dated May 11, 2017; and (2) Contract.

Mr. Boynton explained that these funds are used to aid communities in technical assistance, equipment, and the support of efforts in waste and toxicity reduction, air quality, climate protection/adaptation and resilience as well as sustainable development, and water conservation and quality. He added that the funds have previously been used for recycling carts, compost bins, and recycling program education.

Selectman Foresto moved that the Board accept the sustainable materials recovery program grant, authorize the Town Administrator to execute the associated grant program contract, and authorize its expenditure in an amount not to exceed \$7,000; Selectman D’Innocenzo seconded. No discussion. VOTE: 4-0-0.

Approval - Reappointment of KP Law as Town Counsel for Three Year Term: Approval - Rate Increase

The Board reviewed a proposal letter dated April 20, 2017 from Town Counsel.

Mr. Boynton noted that the Town has enjoyed a good relationship with Attorney Barbara Saint Andre and KP Law. We have done well managing the legal budget as well.

Selectman D’Innocenzo moved that the Board re-appoint KP Law as Town Counsel for a three-year term, and further that the Board approve the hourly rate increase from \$195 per hour to \$200 per hour for FY18 and FY19, and from \$200 per hour to \$205 per hour for FY20 Selectman Foresto seconded. No discussion. VOTE: 4-0-0.

Grant Expenditure Authorization– SAFE Grant - \$4,566

The Board reviewed the following information: (1) Letter dated January 27, 2017 from Governor Baker; and (2) Notice of Grant Award dated April 20, 2017.

Mr. Boynton explained that this is a State formula grant designed to fund education of students and senior citizens as well as provide smoke detectors and carbon monoxide detectors for senior citizens.

Selectman D’Innocenzo moved that the Board authorize the expenditure of the SAFE Grant to purchase smoke detectors, carbon monoxide detectors, for associated labor costs, and for student and senior citizen fire education in an amount not to exceed \$4,566; Selectman Foresto seconded. No discussion. VOTE: 4-0-0.

Special Event Permits – Braking AIDS Ride, Monster Mash 5K and Turkey Trot:

The Board reviewed Event Requests and Police Chief Recommendations for the following events and dates: (1) Braking AIDS Ride – September 8, 2017; (2) Monster Mash 5K – October 28, 2017; and (3) Turkey Trot – November 23, 2017.

Selectman D’Innocenzo moved that the Board approve special event permits for the Braking AIDS Ride on September 8, 2017, the Monster Mash 5K on October 28, 2017 and the Turkey Trot on November 23, 2017 subject to Police Chief’s recommendations; Selectman Foresto seconded. No discussion. VOTE: 4-0-0.

Banner Display Request – Medway Youth Football & Cheer

The Board reviewed a Banner Display Request.

Chairman Trindade explained the process for getting permission to hang banners across the road.

Selectman D’Innocenzo moved that the Board approve the banner display request for Medway Youth Football & Cheer; Selectman Foresto seconded. No discussion. VOTE: 4-0-0.

Selectman Crowley asked if the Board would consideration of a waiver of the fee for non-profit groups at a future meeting when the full Board is available.

Approval of One-day Liquor License Requests for Events to be Held at Thayer Homestead

The Board reviewed Applications and Police Chief Recommendations for the following events: (1) Alexandra Kerr – May 27, 2017; (2) Sarah Mowry – June 16, 2017; (3) Traci McKenna - June 18, 2017; (4) John & Jennifer Carter – June 24, 2017; and (5) Jamie Finazzo – August 12, 2017

Selectman Foresto moved that the Board approve one day liquor licenses for Alexandra Kerr, Sarah Mowry, Traci McKenna, John & Jennifer Carter and Jamie Finazzo for their events to be held at Thayer Homestead on May 27, June 16, June 18, June 24, and August 12, 2017 subject to Police Chief’s recommendations and proof of appropriate insurance coverage; Selectman D’Innocenzo seconded. No discussion. VOTE: 4-0-0.

Approval of Minutes

The Board reviewed draft meeting minutes from April 3, 2017 and April 18, 2017.

The Board postponed review of the minutes until Selectman White could be present.

Town Administrator’s Report

Mr. Boynton announced that S&P has re-evaluated Medway’s bond rating which has been set as AAA, the highest attainable rating. A press release will be prepared for posting on social media.

A multi-town board meeting will be held on May 25 at the Thayer Homestead.

Mr. Boynton reported that, out of the \$50,000 from Exelon, \$29,000 has been used at the high school. There are no planned expenditures at this time. Some potential ones may include a new boat trailer. The can be covered.

Medway Pride Day is scheduled for July 15 with the 16th as the rain date.

Mr. Boynton concluded his report with a brief discussion on the FY17 close out, mentioning various accounts including new hire salaries.

Selectmen’s Reports:

Directing his question to Mr. Boynton, Selectman Crowley asked if there has been any new from the legislative delegation on the state budget. Mr. Boynton responded there has been nothing final, noting

that thus far the numbers are not very different from last year. He added that there is no way to know if the final number would be higher or lower than previous years.

Chairman Trindade reminded viewers that tomorrow is Election Day and urged everyone to vote.

**At 7:48 PM Selectman Foresto moved to adjourn; Selectman D’Innocenzo seconded. No discussion.
VOTE: 4-0-0.**

Respectfully submitted,
Jeanette Galliardt
Night Board Secretary