

Board of Selectmen's Meeting  
August 21, 2017 - 7:00 PM  
Sanford Hall, Town Hall  
155 Village Street

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

**Staff Present:** Michael Boynton, Town Administrator; Allison Potter, Assistant Town Administrator; Susy Affleck-Childs, Planning and Economic Development Coordinator; Carol Pratt, Finance Director; Joanne Russo, Treasurer/Collector; Jeffrey Lynch, Fire Chief.

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At 7:00 PM Chairman White called the meeting to order and led the Pledge of Allegiance.

**Public Comments: None**

**Appointment Consideration – Cultural Council – Winnie Nayak:**

*The Board reviewed an email letter of interest from Winnie Nayak. It is noted that an email from Cultural Council Chair Carla Cataldo confirming recommendation is on file in the Town Administrator's Office.*

**Selectman Trindade moved that the Board appoint Ms. Nayak to the Cultural Council for a three-year term; Selectman Foresto seconded. No discussion. VOTE: 5-0-0.**

**Introduction – Metropolitan Area Planning Council (MAPC), SouthWest Advisory Planning Committee (SWAP) Coordinator, Kasia Hart:**

*The Board reviewed the following information: (1) Memorandum dated 8/16/17 from the Planning & Economic Development Coordinator; and (2) PowerPoint presentation at meeting.*

**Present:** Susy Affleck-Childs, Planning and Economic Development Coordinator; Kasia Hart, SWAP Coordinator; Annis Sengupta, Arts & Culture Planner.

Ms. Hart explained that there are monthly meetings covering a wide variety of topics including housing, GIS, resources, regional cultural and economic development. These meetings often involved outside speakers with professional expertise.

Utilizing a PowerPoint presentation, Ms. Sengupta stated that the primary goal of the Arts and Culture Division is to establish arts and culture as a core competency for planners in the Metropolitan Boston region and outlined the contents of the Arts and Cultural Planning Toolkit. Potential topics of focus include Landline Collaborative Sculptures, Sheep and Fiber Arts, Upstream/Downstream, Stormwater Filtration Art and Floating Wetlands. Brief discussion followed.

Ms. Affleck-Childs suggested that some brainstorming sessions with the Cultural Council may be fruitful as well as investigating what other organizations in the community might benefit such as underground artist groups. We are also getting ready to update the Master Plan, and the section on cultural arts is usually the most underdeveloped one. MassDevelopment also has a new program for performing arts, sculpture, and other activities.

Selectman Foresto suggested things that could possibly be done with youth groups, but the challenge is to keep activities going. He added that there were some youth activities a few years back. Ms. Affleck-Childs noted that the Cultural Council could host an event and the MAPC contingent could actively participate. Selectman Foresto asked what other towns are doing. Where do they find the leadership piece?

Selectman Crowley directed everyone's attention to the SWAP portion of tonight's discussion, introducing himself as the Medway SWAP representative on the MPO. There was recently a discussion on how the MPO re-evaluates the scoring of the TIP program to aid in some of the outlying areas sharing in the funding. There is \$500 million in funding out there, but some areas get small percentages because we are farther away from major arteries. Additionally, the towns don't want to pay for the engineering but a project does not get on the TIP list without having the engineering piece done. Brief discussion followed.

Ms. Affleck-Childs will coordinate the Arts and Cultural Initiative with the Cultural Council.

**Discussion – Potential Fiscal Year 2018 Tax Title Auction:**

*The Board reviewed the following information: (1) PowerPoint Presentation including map of listed parcels; and (2) Tax Title List as of 8/15/17.*

Present: Carol Pratt, Finance Director; Joanne Russo, Treasurer/Collector.

Mr. Boynton reminded the Board Ms. Pratt made a presentation to the Board on the money outstanding in the tax title program. He briefly explained how the tax title program works, beginning with putting the property in and trying to work something out with the property owner with regard to payment plans or some other means to get the outstanding taxes paid to the Town. At the time of the winning-bid, the third-party vendor will be in charge of securing the payment on the Town's behalf. The collected funds would come into the Town as free cash, and utilizing this method allows for the collection to occur quicker. Not all parcels would be offered on bid. We have now provided you with an updated property list along with a map.

Selectman Foresto expressed interest in the listed owners of record, noting that many appear to be realty trusts who may have gone into bankruptcy and no longer exist. Who should the Town go after? Mr. Boynton responded that there is value in the land, even if no one is interested in whatever structures might be present. If a bidder pays the taxes, the Town is out of it and the vendor will then try to locate the owner or go into litigation to acquire the land so it can be resold at a profit. Selectman Trindade added that he attempted to locate some of these trusts online without success. Ms. Russo clarified that the listed address is the last known one.

Selectman Crowley asked what they were seeking from the Board. Mr. Boynton responded the Board had asked for an update, noting he will get more copies of the map prepared. He noted that he needs to know which parcels the Board wishes to withhold approval on so that they are not offered for bid. We need to know which properties the Board wants to keep control of at this time. Mr. Boynton emphasized that if any Board member was truly opposed to going into this bidding process, he needed to know now before any further steps are taken.

Selectman Foresto pointed out that there are people on other elected boards who have much more knowledge on these parcels and they should weigh in on this. Selectman Crowley concurred, stating that knowing their opinion why it should or should not be offered for bid would be helpful information for the Board. He and Selectmen Trindade will work on it.

Selectman Crowley expressed concern that there are real reasons why taxes have not been paid and suggested that the first letter be a softer than "it's going into tax title". Selectman Trindade disagreed,

noting that these property owners have been approached numerous times and they have been ignoring the notices. Ms. Russo pointed out that anyone can come in to meet with us to work something out. Until we know their story, we keep billing for the taxes. Brief discussion followed.

Selectman Crowley suggested breaking the list into two or three portions based on anticipation of success, i.e., low hanging fruit, etc. Mr. Boynton responded that the Town needs to find a way to clear up the land of low value with unknown owners which would be those properties with a value of only several hundred dollars. Could the eminent domain process be utilized here? We will investigate them further, and there may be warrant articles for the Fall Town Meeting or the Annual Town Meeting. He clarified that this would not apply to any lots that fall into the bottle cap group in Oak Grove.

This will be placed on the Action Items List for a future meeting.

**Report – Other Post-Employment Benefits (OPEB) Trust Fund Management:**

*The Board reviewed the following information: (1) Proposed OPEB Investment Policy Statement; and (2) OPEB Declaration of Trust approved by BOS 5/30/2017.*

Present: Carol Pratt, Finance Director; Joanne Russo, Treasurer/Collector.

Ms. Pratt reported that the account has approximately \$500,000 in it now and we need to investigate ways to invest those funds to help them grow.

Selectman Foresto asked who would establish the criteria for the portfolio to establish the risk. Ms. Russo responded that this would be an investment advisor who deals strictly with OPEB funding, funds we don't want to touch for other purposes. Selectman Crowley suggested that the Board should be able to have some input into where these funds will go, or have a group meet with the investment advisor to determine it. Ms. Pratt responded that the group would consist of Ms. Russo, Mr. Boynton and herself as outlined in the investment policy. Selectman Crowley stated that he believes there is a lot of talent in the community, adding that there should be some professional oversight in addition to the advisor.

Mr. Boynton reported that there was a Trust Fund Commission in Walpole. If that is of interest, one could be developed for this and other trust fund management. If the three of us will comprise the group, we will be conservative. If the Board wants a more aggressive stance, we need additional expertise. With a good investment return, we may, at some point in time, be able to deposit OPEB funds back into the annual budget via appropriation back into the OPEB account in order to pay retirement health insurance costs to meet current needs. This might involve legal research, advice from someone in the banking community, or a finance person.

After discussion, it was decided that Ms. Pratt, Ms. Russo and Mr. Boynton will collectively work on developing a Trust Fund Commission with the intent to present something to the Charter Review Committee.

**Grant Expenditure Authorizations:**

Exelon Foam Appliance Vehicle & Training Donation – \$650,000

*The Board reviewed the Donation Expenditure Authorization Form.*

Mr. Boynton reported that the Town has received the check. He explained that the Board needs to vote to accept the check and identify its purpose as specified in the agreement.

**Selectmen Trindade moved that the Board approve the receipt of the Exelon donation for the Foam Appliance Vehicle & Training in the amount of \$650,000. Selectman D’Innocenzo seconded. No discussion. VOTE: 5-0-0.**

MIIA Flex Grant - \$1700

*The Board reviewed the Notice of Grant Award and Application.*

Mr. Boynton reported that this is a grant award from the insurance company and also needs to be accepted by a vote of the Board.

**Selectman Trindade moved that the Board approve the receipt and expenditure of the MIIA Flex Grant in the amount of \$1,700. Selectman Foresto seconded. No discussion. VOTE: 5-0-0.**

Commcan, Inc. Donation - \$65,000

*The Board reviewed the following information: (1) Donation Expenditure Authorization Form; and (2) Excerpt from COMMCAN HCA.*

Present: Jeffrey Lynch, Fire Chief.

Mr. Boynton reported that this is a four-year lease, and this is an annual amount. The equipment was authorized at Town Meeting.

Responding to a question from the Board, Chief Lynch stated the department will purchase 30 apparatus. Some have thermal imaging devices built into them which is cutting edge technology. Responding to a question from Selectmen Crowley, Chief Lynch reported that the old ones were falling apart, some electronics were not working, etc. Mr. Boynton reported there has been some discussion with another community to use some of the parts for repair of their units.

Brief discussion followed on other uses of funds under the COMMCAN Inc. agreement.

**Selectman Trindade moved that the Board approve the receipt and expenditure of the COMMCAN, INC. donation of the breathing apparatus devices in the amount of \$65,800. Selectman Foresto seconded. No discussion. VOTE: 5-0-0.**

**Approval – Contract with Bulldog Fire Apparatus for new Fire Truck - \$638,841:**

*The Board reviewed the following information: (1) Bulldog Fire Apparatus, Inc. Contract; and (2) Draft letter to KME Fire Apparatus Inc. regarding the purchase of new the Fire Truck.*

Present: Jeffrey Lynch, Fire Chief.

Chief Lynch provided a brief description of the existing fire truck, and the need for a new one.

**Selectman Trindade moved that the Board of Selectmen award a contract for the purchase of a new KME Severe Service foam and structural firefighting vehicle as proposed and specified to Bulldog Fire Apparatus, Inc. of Woodville, MA in the amount of \$638,841, and, further authorize the Chair of the Board of Selectman and Town Administrator to sign the contract on behalf of the Town. Selectman D’Innocenzo seconded. No discussion. VOTE: 5-0-0.**

Mr. Boynton reported that there will be some training necessary as well as some new equipment. The truck will be a replacement of an existing truck and not an additional one for the fleet. There is no space

to house an additional vehicle. The only true value is in scrap value but it still has life in it. We would like to offer the truck to another community/region that may have use for this truck but limited resources.

**Selectman Trindade moved that the Board authorize the Town Administrator and Fire Chief to take all appropriate steps to dispose of the 1990 Pemfab/FMC fire engine, Engine #4, at a time in a manner that they determine best serves the Town of Medway which may include offering the vehicle to other Fire Departments who may have an interest in utilizing this vehicle as an active appliance in their community. Selectman Foresto seconded. No discussion. VOTE: 5-0-0.**

**Approval – Contract with MAPC for Hazard Mitigation Plan Update - \$21,000:**

*The Board reviewed the MAPC Contract.*

Mr. Boynton reported that funds were approved at Town Meeting to work on the Hazard Mitigation Plan.

**Selectman Trindade moved that the Board approve a contract with the MAPC in the amount of \$21,000 for the Hazard Mitigation Plan update subject to Town Counsel and Town Accountant approval. Selectman D’Innocenzo seconded. No discussion. VOTE: 5-0-0.**

**Route 109 Project – Town Funding Responsibility and Change Order:**

*The Board reviewed a Change Order for fiber wiring from Comm-Tract Corp.*

Mr. Boynton reported that Town Meeting authorized the borrowing for certain things, but not others. In this case, how do we fund items such as fiber optic cameras on the traffic signals? He reported that Selectman Crowley had indicated that the Board should approve the change order.

**Selectman Trindade moved that the Board authorize the Town Administrator to execute a change order with Comm-Tract Corporation in the amount of \$29,700 for the Route 109 Fiber Optic Municipal Area Network. Selectman D’Innocenzo seconded. No discussion. VOTE: 4-1-0 Crowley opposed. Selectman Crowley stated that his opposing vote was more of a principle thing, noting that he has always asked for the details of change orders be presented at the same time as the current level of expenses. Mr. Boynton responded that a change order is typically connected to a contract, and there is no contract in this scenario. It is a MassDOT project.**

Selectman Crowley continued, noting that there are a lot of projects in the works and there could be a lot of change orders associated with those projects. He suggested giving the Town Administrator authority to approve a change order up to \$20,000, and report it to the Board at its next meeting. In this case a change order would require authorization to execute updates from the original Town Meeting authorization. This will be placed on next meeting agenda.

**Opening of November 13, 2017 Fall Town Meeting Warrant:**

*The Board reviewed the 2017 Fall Town Meeting Calendar.*

**Selectman Trindade moved that the Board open the November 13, 2017 Fall Town Meeting Warrant. Selectman Foresto seconded. No discussion. VOTE: 5-0-0.**

Brief discussion followed on potential articles.

**Annual Appointments:**

*The Board reviewed the following information: (1) List of incumbents who have requested reappointment; and (2) Attendance Records received as of 7/14/17 for Affordable Housing, Agricultural Committee, Capital Improvement Planning Committee, Christmas Parade Committee, Memorial Committee,*

*Community Preservation Committee, Conservation Commission, Council on Aging, EPFRAC and Thayer Governance Committee. It is noted that the Historical Commission representative to EPFRAC is not interested in being reappointed; he also has not attended any EPFRAC meetings. The Medway Pride Day Committee has only one appointed member so it technically cannot meet; there is no attendance record to provide.*

It was noted that Selectman Crowley had expressed interest in seeing the attendance reports from the various boards before voting on appointments. Chairman White stated that the Board will be voting only on the ones listed here.

**Selectman Trindade moved that the Board appoint the incumbent board and committee members as listed on the meeting agenda; Selectman Foresto seconded. No discussion. VOTE: 5-0-0.**

**One-day liquor License Applications:**

*The Board reviewed the following applications and Police Chief Recommendations for the following events to be held at the Thayer Homestead: (1) DeSorbo, 8/25/17; (2) Lambert, 8/26/2017; (3) Joannette, 9/1/2017; (4) Tracy/Harrison, 9/2/17; (5) Lumala, 9/16/17; (6) Balajan/Doherty, 9/17/17; (7) Collier, 9/23/17; (8) Williams, 9/30/17; (9) Rooney/Hakim, 10/15/17; and (10) Pillard, 12/10/17. It is noted that the submitted applications are on file in the Selectmen's Office.*

At this time, Ms. Potter directed the Board's attention to the revised agenda which included the Tracy/Harrison event.

**Selectman Foresto moved that the Board approve one-day liquor licenses for the requested events, subject to the Police Chief's recommended conditions and evidence of appropriate insurance coverage; Selectman D'Innocenzo seconded. No discussion. VOTE: 5-0-0.**

**Action Items from Previous Meeting:**

*The Board reviewed the Action Items List.*

Chapter 90 Funds Expenditure Policy – Mr. Boynton reported that he expects it in October, noting that a list of roads and sidewalk recommendations will also be presented to the Board in October.

Unaccounted for Water Loss Status Report - Work on researching status of unaccounted for water is ongoing.

Urban Renewal Plan – The Town has received MEPA clearance and the plan is presently at the state level.

Recreational Facility Improvements – The applications are in; Planning Board hearings for the site plans will begin this week.

**Approval of Minutes:**

*The Board reviewed draft minutes from public sessions held on February 6, 2017; March 6, 2017; and March 20, 2017.*

**Selectman Trindade moved that the Board approve the minutes of February 6, 2017 as presented; Selectman Foresto seconded. No discussion. VOTE: 5-0-0.**

**Selectman Trindade moved that the Board approve the minutes of March 6, 2017 as presented; Selectman Foresto seconded. No discussion. VOTE: 5-0-0.**

**Selectman Trindade moved that the Board approve the minutes of March 20, 2017 as presented; Selectman Foresto seconded. No discussion. VOTE: 4-0-1 D’Innocenzo abstained.**

**Town Administrator’s Report:**

Mr. Boynton reported that the outages in the telephone system have been isolated to Windstream; a new part is expected tomorrow.

Stormwater Update – DPS and Kleinfelder are moving forward with the Town’s Integrated Water Resources Management Plan. The portion on assessing future needs is 100% done, while the section on alternative solutions is in progress. It is anticipated to have the costs determined February-March with a plan presented to the Board in March or April. A public workshop is tentatively earmarked to take place in May. Brief discussion followed.

Main Street & West Street Intersection Construction – A plan has been developed by the Town of Bellingham to finish its work on the Milford end of West Street. It will involve some drainage work and result in a T-intersection.

Exelon Update – Mr. Boynton provided a brief update on the Construction, Offsite improvements and Revenue & Expenditure Projections. He is putting together a list of recommendations that will be submitted to the Board in the near future, noting that the Board may want a presentation to Town Meeting in November as to the status of the funds and potential uses.

**Selectmen’s Reports:**

Selectman Crowley expressed concern about the traffic lights near the new Shaw’s supermarket on Route 109, reporting that he met with the Town Administrator and Mr. D’Amico of DPS about the lights not syncing up. It was noted that the equipment was struck by lightning. It is still in the process of being repaired.

There were no other reports.

**Executive Session:**

**At 8:58 PM Selectman Trindade moved that the Board go into Executive Session under Exemption 3: To discuss strategy with respect to collective bargaining or litigation of an open meeting may have a detrimental effect on the government’s bargaining or litigating position and the Chair so declares [Collective Bargaining] and Exemption 6: To consider the purchase, exchange, taking, lease, or value of real property if such discussion may have a detrimental effect on the negotiating position of the governmental body and the Chair so declares [123 Holliston St, 158 Main St]; Selectman Foresto seconded. Chairman White did so declare. No discussion. Roll Call Vote: 5-0-0 (Crowley, aye; D’Innocenzo, aye; Foresto, aye; Trindade, aye; White, aye). Selectman Trindade added to the motion “without the intent to return to public session”; Selectman Foresto seconded the amended motion. No discussion on the motion. Roll Call Vote: 5-0-0 (Crowley, aye; D’Innocenzo, aye; Foresto, aye; Trindade, aye; White, aye)**

Respectfully submitted,  
Jeanette Galliardt  
Night Board Secretary