

**Board of Selectmen's Meeting
October 16, 2018 – 6:00 PM
Sanford Hall
155 Village Street**

Present: Dennis Crowley Chair; John Foresto, Vice Chair; Richard D'Innocenzo, Clerk (at 7:45pm); Glenn Trindade, Member (6:02); Maryjane White, Member.

Staff Present: Michael Boynton, Town Administrator; Carol Pratt, Finance Director; Barbara Saint André, Director of Community and Economic Development; Susy-Affleck-Childs, Planning and Economic Development Coordinator; Jeff Lynch, Fire Chief.

Others Present: Lauren Goldberg, KP Law; Jeffrey Segarra, Charter Review Committee.

At 6:00 PM Selectman Crowley called the meeting to order and led the Pledge of Allegiance.

Approval of Minutes: September 17th and 24th, and October 1, 2018

The Board reviewed the draft minutes of (1) September 17, 2018, (2) September 24, 2018 and (3) October 1, 2018.

Selectman Foresto moved that the Board approve the minutes of September 17, 2018. Selectman White seconded. Discussion: Selectman Crowley requested that line 22 on page 1 be changed from at the time to prior to the opening. **VOTE: 3-0-0.**

Selectman Foresto moved that the Board approve the minutes of September 24, 2018. Selectman White seconded. No Discussion. VOTE: 3-0-0.

Selectman Foresto moved that the Board approve the minutes of October 1, 2018. Selectman White seconded. No Discussion. VOTE: 3-0-0.

Discussion/Vote: Municipal Fire Alarm System Conversion from Mechanical (Hard-Wired) to Wireless
The Board Reviewed the DRAFT Policy.

Town Administrator Boynton explained that as part of the Salmon development project the Town has moved to wireless radio boxes. He noted moving away from the hard-wired system was imperative due to the outdated technology and unreliability of this antiquated system. We have businesses, institutions and facilities that will need to transition to either the Town wireless system or some other central notification system per the State fire code. We need the Board to vote on the policy stating the time period for compliance for this changeover.

Selectmen Foresto and Crowley asked: (1) how many call stations are impacted, (2) the estimated cost of the conversion, and (3) how those impacted will be notified. Chief Lynch stated fifteen call boxes are impacted noting the cost is dependent on building size. The cost for a larger building is approximately \$7,600 and \$7,200 for a smaller building. This pricing is from the vendor he received the quote from. Those impacted are free to contact their own alarm company to transition over. Chief Lynch stated those impacted will receive a notification letter via certified mail. Selectman Foresto asked about the options for those moving forward. Chief Lynch stated the two options are to tie into the Town's wireless

system via a wireless radio box or to contract with a central alarm station company. Town Administrator Boynton noted that the Town has never billed any of these locations for costs associated with the maintenance of this notification system and, theoretically, the new wireless system is mostly maintenance free. He reiterated that this notification system is a requirement of the State fire code. There was discussion on the monetary value of the old red boxes and the Town's plans for their disposition. Chief Lynch stated the options are to trade them in noting they are worth little monetarily or attempt to sell them. The Board requested the Town Administrator to investigate the most beneficial way to dispose of these old fire boxes. Selectman White asked what happens if they do not comply with the transition. Chief Lynch stated they will be in violation of the State fire code and he will need to address that if that occurs.

Selectman Foresto moved that the Board vote to approve the Municipal Fire Alarm System Conversion from Mechanical (Hard-Wired) to Wireless Policy as discussed. Selectman Trindade seconded.

Discussion. Mr. Boynton stated the expectation is that all existing hard-wired boxes will have completed the transition by January 1, 2021. **VOTE: 4-0-0.**

Public Comments: None

Discussion: Charter Recommendations

The Board reviewed the (1) Medway Charter with recommended changes and (2) list of general Charter changes document.

Mr. Segarra explained the structure of the Town Charter changes incorporated in each of the Fall Town Meeting Warrant articles noting Article 13 includes general changes only: (1) cleaning up the language to be non-gender specific, (2) spelling and grammatical errors, and (3) name changes of Town Administrator to Town Manager and Department of Public Services to Department of Public Works. Article 14 is just the name change from Board of Selectmen to Executive Board. These changes do not impact in any way how the Town currently operates. Articles 15 through 18 are more substantive changes to the way the Town currently operates. Selectman Crowley asked if the Board had any questions on the Fall Town Meeting warrant Articles 15-17. There were no questions from the Board. The Board only wanted to discuss Articles 14 & 18 and to review the Charter page by page to address any specific questions of the Board.

Selectman Crowley asked for Mr. Segarra to explain on page 1 the rationale for the name change from Board of Selectmen to Executive Board. Mr. Segarra explained this was initiated as part of the effort to remove gender specific terminology in the Charter noting several other towns have changed from Board of Selectmen to Select Board. No one liked the name Select Board and Executive Board was the term that was most agreeable. Selectman Crowley stated his opposition to this change just to be politically correct noting the 200 year history of the term Board of Selectmen. He supports keeping current name. Selectmen White and Trindade concurred with Selectman Crowley. Selectman Foresto stated the change was not initiated due to political correctness but to consistently remove gender specific Charter references. He stated his dislike of the proposed name change and would have been willing to move forward with a change if there was a different option presented. Selectman Crowley asked why on Page 10, the economic development committee is not capitalized. Ms. Goldberg stated the General Court which approves Charter changes will not accept anything that is capitalized. Selectman Crowley asked for the rationale related to the need for up to four appointments to fill a potential vacancy for the Town Manager. Ms. Goldberg stated that it takes time if a search firm is used to find a permanent replacement so they wanted to allot sufficient time if that route is utilized and confirmed the appointments would be up to three months duration and no longer than a one year period so

potentially that would require a total of four appointments. Selectman Trindade asked if the appointee would be under the same or a new contract. Mr. Boynton stated this would require a new contract. Selectman Crowley asked why all of Chapter 8 on page 26 was eliminated. Ms. Goldberg explained this was due to the General Court preferring to see severability language in outside sections of a Charter so it was moved further down. There was further discussion on the specific changes that would need to be addressed in the Town's general by-laws.

The rationale for the change of the Town Clerk from an elected to appointed position was then reviewed. Selectman White recused herself from this discussion since she is the current Town Clerk. Mr. Segarra stated the Charter Review Committee looked at best practices and trends in other towns noting this position is a paid position yet not under the authority of the Town Administrator but rather the Town residents and is also responsible for very sensitive documents. Selectman Crowley asked for a breakdown of elected versus appointed in the researched Towns. Mr. Segarra stated it was a 50/50 breakdown noting the trend is to move this to an appointed position. There was discussion on how this change would impact the current Town Clerk and the transition of this role to an appointed position. It was noted the current Town Clerk would remain until her decision to step down by completing her current elected term and then moving into the appointed role. After the current Town Clerk retires, a new appointment to this position would occur.

Ms. Goldberg explained that the changes to the Charter were written in such a way as to allow a one-time submission to the General Court for their final approval. Selectman Crowley asked how long it historically takes the General Court to approve Charter changes. Ms. Goldberg stated it could take up to one year but if the Town stays in contract with their Senator, the process can be expedited. It was noted that the Finance Committee will hold their public hearing to review the Fall Town Meeting warrant Articles next Wednesday night. The Board thanked both Mr. Segarra and Ms. Goldberg for all of their efforts.

Vote Recommendations: November 19, 2018 Fall Town Meeting Warrant Articles

The Board reviewed the November 19, 2018 Fall Town Meeting Warrant.

Town Administrator Boynton and Selectman Crowley reminded the Board that they have reviewed all of these articles multiple times in the past except for Article 25. Mr. Boynton stated the Board needs to vote on each article tonight noting the warrant can be updated up to the end of next week to allow the Finance Committee enough time to send the warrant to the printer.

ARTICLE 1: _____ (Repurpose Funds to Middle School Paving Project): Town Administrator Boynton stated this is for the repurposing of left over funds from two prior Town Meeting Middle School Articles to create the new recreational play area behind the Middle School.

Selectman Foresto moved that the Board approve Article 1 as presented. Selectman Trindade seconded. No Discussion. Vote: 4-0-0.

ARTICLE 2: _____ (CPA Funds Trail Infrastructure): Town Administrator Boynton stated this is \$88,000 of Community Preservation funds for designing and constructing a portion of the Medway Trail link noting the updated cost projections were discussed with Chairman Crowley. The Community Preservation Committee voted unanimously to approve this funding.

Selectman Foresto moved that the Board approve Article 2 as presented. Selectman Trindade seconded. No Discussion. Vote: 4-0-0.

ARTICLE 3: (Transfer CPC Funds to Trail Improvements): Town Administrator Boynton stated this is repurposing funds that were previously intended for the Kiosks for additional Kiosk work.

Selectman Foresto moved that the Board approve Article 3 as presented. Selectman Trindade seconded. No Discussion. Vote: 4-0-0.

ARTICLE 4: CPC Historical Reserves: Town Administrator Boynton stated the Board has not seen this article but this is to support all of the efforts required to place Evergreen Cemetery on the National Register of Historical Places. The Historical Commission is requesting \$13,000. The Community Preservation Committee voted unanimously to approve this funding.

Selectman Foresto moved that the Board approve Article 4 as presented. Selectman Trindade seconded. No Discussion. Vote: 4-0-0.

ARTICLE 5: (Transfer from Debt Service to DPS Facility): Town Administrator Boynton stated this is the situation where we can no longer BAN (short-term borrow) the full \$1.1 million that was previously approved. This is paying down \$367,000 of that BAN by transferring the funds from the current debt service budget to the DPS facility capital account. We will still have the ability to borrow \$733,000 but \$367,000 is essentially considered expended.

Selectman Foresto moved that the Board approve Article 5 as presented. Selectman Trindade seconded. No Discussion. Vote: 4-0-0.

ARTICLE 6: (Free Cash Appropriation: Transfer to Debt Stabilization): Town Administrator Boynton stated this is the \$1.25 million from free cash to the debt stabilization account to implement the "Crowley Tax Reduction Program".

Selectman Foresto moved that the Board approve Article 6 as presented. Selectman Trindade seconded. No Discussion. Vote: 4-0-0.

ARTICLE 7: (Free Cash Appropriation: Capital and Other Items): Town Administrator Boynton stated these are some holdover capital items from the spring along with a few additional ones including the Idylbrook field fencing, Choate Park LCD sign, Green Communities match - which came down from \$50,000 and the 19 defibrillators. Selectman Crowley reiterated that the Board has seen all of these warrant articles two to three times before therefore there is minimal need for further discussion/deliberation.

Selectman Foresto moved that the Board approve Article 7 as presented. Selectman Trindade seconded. Discussion: Selectman Crowley reported he spoke with Kelly O'Rourke today, Chair of the Capital Improvement Planning Committee (CIPC), and she is aware of and agrees with this article. Her only concern is the CIPC has not voted its recommendation yet. She will inform the Board should any changes be required which would result in the need for a reconsideration by the Board. **Vote: 4-0-0.**

ARTICLE 8: (Free Cash Appropriation to Street Acceptance Account): Town Administrator Boynton stated this is a special street acceptance account requesting \$30,000 to bolster that account. There is \$12,000 left currently. This is for legal work related to Speroni Acres, Little Tree and Rustic Roads, Candlewood Drive, and Island Road. There is also additional work at Broad Acres, Stable Way, Redgate, Bramble Road, etc. The last time funds were appropriated for this account was at the 2015 Spring Town Meeting in the amount of \$15,000.

Selectman Foresto moved that the Board approve Article 8 as presented. Selectman Trindade seconded. No Discussion. Vote: 4-0-0.

ARTICLE 9: (Create Receipts Reserved for Appropriation Special Revenue

Account – EMS Services): Town Administrator Boynton stated articles 9-11 are all related. Article 9 will create the new special revenue fund for the ambulance-EMS revenues. Article 10 will transfer funding from the overlay surplus that has been identified from the close out of the Bay State Gas Appellate Tax Board case. Article 11 will provide \$200,000, \$100,000 of which will come from the EMS enterprise fund retained earnings and \$100,000 from the FY19 Fire Department Budget. That totals \$346,000 that will be transferred from Articles 10 and 11 to get us started. \$600,000 is needed in that account to move into Fiscal Year 2020. Selectman Foresto stated that these articles will need to be explained to the residents at Town Meeting. Selectman Crowley stated we are forward funding this account. Town Administrator Boynton stated this time next year, we will not be in this situation as the fees and revenues from the ambulance runs will be available to move into the Fiscal Year 2020 budget.

Selectman Foresto moved that the Board approve Article 9 as presented. Selectman Trindade seconded. No Discussion. Vote: 4-0-0.

ARTICLE 10: (Reserve for Overlay Release; Transfer to EMS Receipts Reserved for Appropriation Special Revenue Account)

Selectman Foresto moved that the Board approve Article 10 as presented. Selectman Trindade seconded. No Discussion. Vote: 4-0-0.

ARTICLE 11: (Transfer to EMS Special Revenue Account)

Selectman Foresto moved that the Board approve Article 11 as presented. Selectman Trindade seconded. No Discussion. Vote: 4-0-0.

ARTICLE 12: (CPA Transfers from Reserves to Retained Earnings): Town Administrator Boynton stated this is the squaring up of the CPA revenues done yearly.

Selectman Foresto moved that the Board approve Article 12 as presented. Selectman Trindade seconded. Discussion: Selectman Foresto asked Finance Director Pratt for the percentage received. Ms. Pratt stated it was less than she anticipated at \$250,000/20%. It was noted that the decrease in funds is due to the increase in other communities participating in this program. Town Administrator Boynton reported discussion at the State level regarding supplemental funding to increase these coffers. **Vote: 4-0-0.**

ARTICLE 13: (Charter Amendment: General Changes): Town Administrator Boynton noted, as Mr. Segarra just presented, these are the general housekeeping and gender specific changes to the charter.

Selectman Foresto moved that the Board approve Article 13 as presented. Selectman Trindade seconded. No Discussion. Vote: 4-0-0.

Selectman Crowley suggested the Board stop here before proceeding to vote on the rest of the warrant Articles to await Selectman D’Innocenzo’s participation.

Appointment Consideration: Capital Improvement Planning Committee (1) – Amanda DelConte and Michael Callahan

The Board reviewed the (1) resume of Amanda DelConte, (2) resume of Michael Callahan, and (3) e-mail recommendation of Capital Improvement Planning Committee Chair Kelly O'Rourke dated October 3, 2018.

Town Administrator Boynton explained this is to fill the vacancy for Deb Rossi who moved over to an elected position on the Parks Commission. It was noted Ms. DelConte previously came before the Board regarding her interest in filling a vacancy on the School Committee.

Ms. DelConte reviewed her history in the Town of Medway and interest in serving stating she is new in Town with young children and wants to get involved in order to be knowledgeable and educated about what is going on in Town, to be able to have an impact, and be an active participant. She wants to lead the change and be involved in decisions reporting she was in attendance at the last CIPC meeting. The Board appreciated her interest.

Selectman Trindade moved that the Board appoint Amanda DelConte to the Capital Improvement Planning Committee to fill a vacant term expiring on June 30, 2021. Selectman Foresto seconded. No Discussion. VOTE: 4-0-0.

Appointment Consideration: Cultural Council – Jennifer Kendall

The Board reviewed the (1) Jennifer Kendall's e-mail of interest and resume dated September 24, 2018, and (2) e-mail recommendation of Cultural Council Chair Carla Cataldo dated September 29, 2018.

Ms. Kendall reviewed her background and history in the Town of Medway as a two year resident who is serving on the Economic Development Committee noting a lot of overlap between these two committees.

Selectman Trindade moved that the Board appoint Jennifer Kendall to the Cultural Council for a three year term to expire on June 30, 2021. Selectman White seconded. No Discussion. VOTE: 5-0-0. Selectman Crowley requested that Ms. Kendall remind Chair Cataldo of the need to bring the list of funding requests to Board soon.

Public Hearing: Eminent Domain Takings and Layout of Candlewood Drive and Island Road

The Board reviewed the public hearing notice dated October 3, 2018.

Selectman Trindade moved that the Board open the public hearing for the Eminent Domain Takings and Layout of Candlewood Drive and Island Road. Selectman Foresto seconded. No Discussion. VOTE: 4-0-0.

Ms. Affleck-Childs, Planning and Economic Development Coordinator and Barbara Sainte Andre, Director of Community and Economic Development, identified themselves explaining they are asking the Board for a formal layout for the purposes of street acceptance for both Candlewood Drive and Island Road. Ms. Affleck-Childs stated that this was done at the Town Meeting last spring but, while doing the title work, they became aware the roads were owned by someone other than who they originally thought. Therefore, there is a need to go through the eminent domain process and revoke the layout. The layouts are the same as were previously presented. Selectman Trindade asked if the Town is paying for this eminent domain taking. Ms. Saint Andre explained that the Town is not taking anyone's land noting this is just an easement over streets for egress. She further explained the Town has done this a number

of times in past when a subdivision has deeded out lots noting that even though the deeds do not say the owners own the street, they, in fact, own to the center of the street. In order to do this other than via eminent domain, there would be the need to get approval from each mortgage company and bank, which is very difficult to accomplish. Therefore, taking the easement over the roadway negated the need to obtain sign-offs from each individual mortgage company and bank.

Ms. Saint Andre noted the only actions we are doing tonight include the: (1) public hearing to inform the residents of the process and (2) vote to layout these two roads. After Town meeting, we would move forward with the eminent domain process. She noted there are no costs associated with these eminent domain takings. Town Administrator Boynton stated this benefits the homeowners on these streets as they would be public ways allowing the Town to maintain both the roads and sidewalks. Ms. Saint Andre concurred. Ms. Affleck-Childs reported that letters went to all the abutting property owners.

Tom Anderson of 60 Candlewood Drive reported according to his mortgage, he doesn't own to the middle of the street. Ms. Saint Andre explained the Derelict Fee Statute and the impact on a subdivision deed noting that even if the deed does not state the homeowner owns to the middle of the street, if the developer does not specifically maintain ownership, then the homeowner owns to the middle of the street. Katherine Peters of 8 Island Road asked if Island Road is still private and if any changes are being made to the walkway between the streets. Mr. Boynton confirmed it is still a private road and there are no planned changes to the walkway noting the Town will continue to maintain that area. Selectman Crowley confirmed that both residents present had no further questions or issues to be discussed.

Selectman Trindade moved that the Board close the hearing. Selectman Foresto seconded. No Discussion. VOTE: 4-0-0.

Vote to Layout Candlewood Drive and Island Road

The Board reviewed the (1) memo dated October 10, 2018 from Susan Affleck-Childs including the recommendations from the Planning and Economic Development Board and (2) "As-Builts" for both Candlewood Drive and Island Road.

Selectman Trindade moved that the Board of Selectmen vote to lay out as a public way Candlewood Drive from Station 0+00 beginning at its intersection with Farm Street then running westerly, northerly, easterly and southerly to its end at Station 17+59.26 excluding from said layout the unconstructed portion of Candlewood Drive abutting lots 8, 9, and 10 as shown on "As-Built' Acceptance Plan Candlewood Drive Medway, MA", dated January 7, 1999, prepared by Engineering, Surveying, and Planning Associates. Selectman White seconded. Discussion. Ms. Affleck-Childs reported that the Planning Board provided the Board with a recommendation noting the Planning Board vote was 4-0-0. **VOTE: 4-0-0.**

Selectman Trindade moved that the Board of Selectmen vote to lay out as a public way Island Road in its entirety from its intersection with Village Street then running northeasterly to its end as shown on a plan entitled "Subdivision As-Built 'Island Road' Medway, MA", dated February 15, 1995, prepared by Engineering, Surveying, and Planning Associates. Selectman Foresto seconded. Discussion. Ms. Affleck-Childs reported that the Planning Board provided the Board with a recommendation noting the Planning Board vote was 4-0-0. **VOTE: 4-0-0.**

Continued--Vote Recommendations: November 19, 2018 Fall Town Meeting Warrant Articles

The Board reviewed the November 19, 2018 Fall Town Meeting Warrant.

ARTICLE 23: (Zoning Bylaw Amendment: Adaptive Use Overlay District): Town Administrator Boynton stated this is to allow for the Jacob Ide house to be used as a museum. Ms. Affleck-Childs reported the Planning Board continued the public hearing on this noting she anticipates that the Planning Board will vote to approve this article at their next meeting. Selectman White asked for clarification on what this actually means. Ms. Affleck-Childs explained that is added under the adaptive use overlay district section of the by-law thereby allowing that property to be used as a museum. It creates an allowable use in a residential district but this would still need to come in as a special permit and site plan for approval.

Selectman Foresto moved that the Board approve Article 23 as presented. Selectman Trindade seconded. No Discussion. Vote: 4-0-0.

ARTICLE 24: (Zoning Bylaw Amendment: Multifamily Housing): Ms. Affleck-Childs stated this article was initiated by the Planning Board and was prompted as a result of overtures of a developer interested in properties on Main Street. The Planning Board put forth these recommendations to reduce possible densities and to protect historical structures within this district for new construction and any upgrades to existing historical properties. Selectman White asked why the Planning Board did not exclude this completely within the historical district. Ms. Affleck-Childs stated that would then take away the ability of renovations to existing properties to allow single units to become multifamily units noting this still provides the opportunity to have smaller multi units. She anticipates this will also be unanimously approved by the Planning Board.

Selectman Foresto moved that the Board approve Article 24 as presented. Selectman Trindade seconded. No Discussion. Vote: 4-0-0.

ARTICLE 25: (Zoning Bylaw Amendment: Variances): Town Administrator Boynton stated we discovered today that this article was a necessary addition to the warrant. The use variance provision was inadvertently eliminated when the zoning by-laws were last updated and this puts it back in. Ms. Affleck-Childs noted this is the exact same language as was in the zoning bylaw pre codification. She noted this article was not included in the public hearing already done, therefore another public hearing is scheduled on November 13th to address this addition.

Selectman Foresto moved that the Board approve Article 25 as presented. Selectman Trindade seconded. No Discussion. Vote: 4-0-0.

ARTICLE 19: (Accept Sidewalk Easement: Mechanic Street): Town Administrator Boynton stated this allows the Town to put new sidewalk in along the new property on Mechanic Street. Ms. Affleck-Childs stated it is a very small area that is needed.

Selectman Foresto moved that the Board approve Article 19 as presented. Selectman Trindade seconded. No Discussion. Vote: 4-0-0.

ARTICLE 20: (Street Acceptance, Land Conveyance and Infrastructure Acceptance: Candlewood and Island Road Subdivisions):

Selectman Foresto moved that the Board approve Article 20 as presented. Selectman Trindade seconded. No Discussion. Vote: 4-0-0.

ARTICLE 21: (Grant Utility Easement: 76 Oakland St): Town Administrator Boynton stated this is for the poles just placed at the Senior Center granting the easement to Verizon.

Selectman Foresto moved that the Board approve Article 21 as presented. Selectman Trindade seconded. No Discussion. Vote: 4-0-0.

ARTICLE 22: (Amend General Bylaw: Accepting Gifts of Land for Various Purposes): Town Administrator Boynton stated this is a general bylaw that allows the Board of Selectmen to accept gifts of land for various purposes, i.e. if we want to put in a walkway, water and sewer purposes, storm drains, etc. Currently, all of these would need to also go to Town Meeting for acceptance.

Selectman Foresto moved that the Board approve Article 22 as presented. Selectman Trindade seconded. No Discussion. Vote: 4-0-0.

Discussion Water and Sewer Commission Vacancies

There were no materials for the Board to review.

Town Administrator Boynton stated that he met with Steve Burke and has no objection to his appointment noting this would be to fill one of the two vacancies until the next Town election. This still leaves one vacancy.

Selectman Foresto moved that the Board appoint Steven Burke to Water and Sewer Commission until the next election. Selectman Trindade seconded. No Discussion. VOTE: 4-0-0.

Selectman Crowley reported he was in discussion with Michael Callahan who would like to come to the November 5th meeting and present himself to the Board for appointment to the Water and Sewer Commission. Mr. Boynton stated he knows Mr. Callahan and does not believe the Board needs that extra step. All present had no objection to his appointment at tonight's meeting.

Selectman Trindade move that the Board appoint Michael Callahan to the Water and Sewer until the next election. Selectman Foresto seconded. No Discussion. Vote: 4-0-0.

Discussion/Vote: Establishment and Constitution of the By-Law Committee

The Board reviewed the excerpt of Town of Medway By-Laws section relating to Town by-law review.

Selectman Trindade moved that the Board of Selectmen establish a By-Law Committee to consist of five members. Two members shall be Board of Selectmen Representatives, one member shall be a Planning and Economic Development Board Representative, one member will be a School Committee Representative and the remaining member will be a Finance Committee Representative. The purpose of the Committee shall be to update the Town of Medway general by-laws as deemed necessary or advisable. The member terms will be until the completion of the update to the Town of Medway by-laws. Whenever a vacancy occurs on the Committee, it shall be filled by the Board or Committee of the representative vacating the position. Any person appointed to fill a vacancy shall hold office for the unexpired term of the person succeeded. The Committee shall present recommendations for any or all general by-law changes at the Spring Annual Town Meeting in 2019. Selectman White seconded. Discussion: Town Administrator Boynton stated the Spring Town Meeting timeframe was arbitrary so the Board may want to extend that timeframe based on the efforts of the Charter Review Committee. The approval process for by-law changes was then reviewed. Mr. Boynton also clarified that the members of the committee do not have to be a member of the sitting committee but can be a

representative of this committee. Selectman White asked where the committee make-up came from. Mr. Boynton stated he came up with it as it is not specified in the Town Charter or by-laws. There was discussion about these appointments under the current versus updated Town Charter. The appointment would occur under the current Town Charter. **Selectmen Trindade moved to amend the motion to present the recommendations at the Fall Town Meeting. Selectman Foresto seconded. No Discussion. VOTE: 4-0-0.**

One-day liquor License Applications

The Board reviewed the Police Chief's recommendations for Colleen LeBlanc, Cynthia Wolent, Molly Pillard, Marie VanSaun, Wayne Vinton, and Jessica Leighton.

Selectman Foresto moved that the Board approve the one-day liquor license as presented subject to the Police Chief's recommendations and proof of appropriate insurance coverage. Selectman Trindade seconded. No Discussion. VOTE: 4-0-0.

Action Items from Previous Meeting

The Board reviewed the Action Items dated September 17, 2018.

DPS Facility Building Project: Mr. Boynton reported they will be meeting tomorrow night.

Unaccounted for water loss status report: Mr. Boynton stated that Mr. Smith will have the report at next Selectmen's meeting.

Gray Squirrel Matter: Selectman Crowley requested that this be removed.

Medway Plaza Redevelopment: Mr. Boynton reported there is an internal meeting scheduled this week to review the plans.

Town Administrator's Report

There were no items for the Board to review.

OSHA Discussion – Town Implementation Process: Town Administrator Boynton reported the Commonwealth of Massachusetts voted to adopt OSHA noting in the past, municipalities were exempt. As of February 2019, both Fire and Police are now under these regulations which means, for example, eye wash stations will be required at the Fire Station, there are physical fitness requirements, respirator related safety requirements, etc. He noted the impact of this may show up as a future budget item. Mr. Boynton commended Katherine Bird, Human Resources Coordinator, on her efforts to implement this change.

Exelon Particulate Matter Reduction Program – Wood Stove Replacements: Town Administrator Boynton reported Exelon was charged to come up with a plan to reduce particulate matter in the Town of Medway. They have determined that if they replace five wood burning stoves, this would take care of this goal. They have committed to provide \$5,000 to the effort and the Town would run the program. Communications Director Johnston will work the Exelon team to implement this program. Selectman Trindade reported a tour of the facility is scheduled for November 1st at 4:30pm but there needs to be less than 20 people. Their first generator is scheduled to go on-line mid-November and the second by mid-December. Nothing has been fired up as of yet. Mr. Boynton is expecting an e-mail regarding their need to clean and complete a pressurization test of the gas line going into the facility. There will be a hiss/pop and they will notify of the test in advance of it. They are pushing air through this line so there

is no danger. Mr. Boynton asked if there was any objection from Board that the Town administer the stove replacement program. There was no objection from Board.

Planning Board Executive Session Minutes – BOS Authorization for Release: Town Administrator Boynton reported the Planning Board has reviewed executive session minutes that include discussions between the Planning Board and Town Counsel. There is a statute that because these contain discussions involving attorney/client privilege, the Board of Selectmen need to provide approval for the Planning Board to release these minutes. Mr. Boynton asked that the Board vote to allow the Planning Board, at their discretion, to make the determination following review by the Director of Community and Economic Development and/or Town Counsel to release minutes which include discussions including attorney/client privilege.

Selectmen Trindade moved that the Board vote to authorize the Planning Board to use their discretion in releasing of minutes with attorney/client privilege following review by the Director of Community and Economic Development and/or Town Counsel. Selectman Foresto second. No Discussion. Vote: 5-0-0.

Municipal Infrastructure Program Update – Very Successful: Town Administrator Boynton reported on the \$50,000 Building Maintenance DPS budget line item noting the great success with this program, which included the renovation of the third restroom in Town Hall, the HVAC system upgrade at the library, the expansion tank for the Town Hall boiler, the new electrical outlets and painting at the Police Station, the new exterior and interior entry locks at the Senior Center, etc. He stated he may look to increase that budget line item next year due to the success of all of these projects to date.

DEBT Workshop Meeting – October 23rd, 8:00AM: Town Administrator Boynton reported the debt workshop will be followed by an update on the new DPS facility, as we are very close to the permitting deadline in order to be prepared for Town Meeting.

Town Administrator Out of Office:

- Thursday, October 18th – MMMA Meeting
- Friday October 26 & Monday, October 29th - Vacation

NEXT Regular Selectmen's Meeting – November 5, 2018

Selectmen's Reports

There were no items for the Board to review.

Selectman Crowley asked about the status of Investment Advisory Council (IAC). Mr. Boynton stated that Mr. Rossi reported the IAC has picked a financial team to do the investing. Selectman Crowley will follow up with Mr. Rossi directly at a meeting he has scheduled with him in the morning.

Continued---Vote Recommendations: November 19, 2018 Fall Town Meeting Warrant Articles

The Board reviewed the November 19, 2018 Fall Town Meeting Warrant.

ARTICLE 15: (Charter Amendment: Parks and Recreation Commission)

Selectman Foresto moved that the Board approve Article 15 as presented. Selectman Trindade seconded. No Discussion. Vote: 5-0-0.

ARTICLE 16: (Charter Amendment: Board of Health)

Selectman Foresto moved that the Board approve Article 16 as presented. Selectman Trindade seconded. No Discussion. Vote: 5-0-0.

ARTICLE 17: (Charter Amendment: Water/Sewer Commission)

Selectman Foresto moved that the Board approve Article 17 as presented. Selectman Trindade seconded. No Discussion. Vote: 5-0-0.

ARTICLE 14: (Charter Amendment: Board of Selectmen): Selectman Crowley recapped the prior discussion for Selectman D’Innocenzo and views of the rest of the Board. Selectman D’Innocenzo was in agreement with Selectman Foresto that he would be willing to move forward with the change if there was a different name other than Executive or Select Board. Mr. Segarra will inform the Finance and Charter Review Committees about the results of the final vote by the Board. All Board members were not in favor of this name change from Board of Selectman to Executive Board.

Selectman Trindade moved that the Board not approve Article 14 as presented. Selectman Foresto seconded. No Discussion. Vote: 5-0-0.

ARTICLE 18: (Charter Amendment: Town Clerk)

Selectman White recused herself from this discussion and vote.

Selectman Foresto moved that the Board approve Article 18 as presented. Selectman Trindade seconded. Discussion: Selectman Trindade pointed out that the Town Accountant and Treasurer/Collector also used to be elected positions noting the historical success with moving these to appointed positions related to positive outcomes to the service of the Town. Selectman Crowley recapped the discussion with Mr. Segarra regarding the rationale for moving this to an appointed position. Selectman D’Innocenzo agreed that this position should be an appointed position to ensure this person has the necessary skill set for this position. **Vote: 4-0-1. (Selectman White abstained.)**

At 8:05 PM Selectman Trindade moved to adjourn. Selectman Foresto seconded. VOTE: 5-0-0.

Respectfully submitted,
Liz Langley
Administrative Assistant
Town Administrator’s Office