

## MINUTES OF THE REGULAR SESSION SELECTMEN'S MEETING

July 17, 2006

Present: Selectmen Kent Scott, Glenn Trindade, James Galligan, and Dennis Crowley, Town Administrator, Suzanne Kennedy and Administrative Services Assistant, Celeste Hanson were present. Selectman Richard Dunne was absent.

7:05 p.m. – Chairman Galligan called the meeting to order in Sanford Hall of Town Hall. All stood for the Pledge of Allegiance.

***Public Comments:*** None.

### ***Consideration of Tent Sale at Medway Plaza:***

- Mr. James Ritzus came forward to represent The Pool Source and stated that he would like to conduct a tent sale at the Medway Plaza. Mr. Ritzus indicated that he spoke with the Building Inspector and is well aware of permit requirements and that he will also be following up with the Safety Officer. He also indicated that his company would not be erecting any blimps and that the area would be secured during non-operation of the tent sale. If approved, the tent sale will commence with set-up on Wednesday, August 16, and ending with breakdown of the premises on Monday, August 21, 2006. The hours of operation will from 10:00 a.m. to 7:00 p.m. on Wednesday, Thursday and Friday and 9:00 a.m. to 6:00 p.m. on Sunday and Monday.
- The Board reviewed the plans submitted by Mr. Ritzus and entered into a brief discussion.
- Selectman Trindade moved to approve the request to conduct the tent sale with the condition that all necessary permits be obtained before commencing and that all debris and trash be removed from the area at conclusion of the tent sale; Selectman Scott seconded; all ayes 4-0-0 (voted).

### ***Approve and sign warrant:***

- Selectman Crowley moved that the Board approve and sign warrant fifty four (54) for fiscal year '06 as read in the total amount of \$428,876.31; Selectman Trindade seconded; All ayes 4-0-0 (voted).
- Selectman Scott moved that the Board approve and sign warrant three (3) for fiscal year '07 as read in the total amount of \$875,955.76; Selectman Trindade seconded; All ayes 4-0-0 (voted).

### ***Approval of Minutes:***

- Selectman Trindade moved to approve regular meeting minutes of May 22, 2006; Selectman Scott seconded; All ayes 4-0-0 (voted).
- Selectman Trindade moved to approve regular meeting minutes of June 19, 2006; Selectman Scott seconded; Ayes 3-0-1 Selectman Crowley abstained (voted).

## MINUTES OF THE REGULAR SESSION SELECTMEN'S MEETING

July 17, 2006

- Selectman Scott moved to approve but not release executive session meeting minutes of June 19, 2006; Chairman Galligan seconded; Ayes 3-0-1 Selectman Trindade abstained (voted).

### *Town Official Updates:*

#### DPS Director D'Amico—Road and sidewalk update:

- Administrator Kennedy stated that Director D'Amico has been working with the gas company relative to work on West Street. Administrator Kennedy stated that a question had been raised relative to the gas company requirement to obtain a performance bond. Administrator Kennedy reported that the gas company is exempt from providing such; however, the Town can charge them the regular fee of fifty (\$50.00) dollars. Director D'Amico indicated that the gas company is charged the fifty (\$50.00) dollar fee as warranted.
- Director D'Amico stated that the construction performed on West Street is temporary and that the gas company will be back to perform more work on various gas lines. After completion, the gas company will perform the final paving as required by the Town.
- Director D'Amico also addressed the AAB (Architectural Access Board) complaint regarding the Main and Holliston Street pedestrian traffic button location. The Director indicated that the intersection was constructed by Charter Realty as a condition of the Medway Commons construction project and that the intersection was constructed according to standard Massachusetts Highway Rules and Regulations. The Director also indicated that the Medway Disability Committee and the Metro West Center of Independent Living inspected the site and gave their "thumbs up". One (1) year later, the AAB filed a complaint that the intersection/pedestrian crossing is in non-compliance. The Director stated that Charter Realty will bear some of the costs to repair the area in question and will report back to the Town Administrator and Board as warranted. Director D'Amico plans to install a new mast at the turning lane and install the pedestrian traffic button at the curb. The parties entered into a brief discussion.
- Director D'Amico reviewed the 2006-2007 Roadway Work Plan with the Board of Selectmen and indicated that Route 126 project should be completed by the Spring of 2008. He indicated that this year's construction plans will be centered on the drainage portion of the project and that there will be no construction during the winter months and that next spring will commence with tearing up the road and repaving. Construction will be conducted away from the school area while school is in session. Director D'Amico will keep an updated status report of the project and future plans on the Town website and will forward such to the Town Administrator and Board of Selectmen as warranted. He will also be available to attend Selectmen's meetings to present status updates as warranted. Director D'Amico indicated that Cottage Street will undergo a complete reconstruction to include sidewalks. The Cottage Street Project has gone out to bid and was awarded to JH Lynch. A Pre-Construction meeting has been scheduled. Selectman

## MINUTES OF THE REGULAR SESSION SELECTMEN'S MEETING

July 17, 2006

Trindade inquired if a crosswalk painting project may be considered and if it would be possible to make the crosswalks more identifiable and does the Town have the staff to perform the tasks. Director D'Amico indicated that he does not have the staff or the funds for this type of project.

- Director D'Amico also reported on the status of the Choate Pond project. Director D'Amico noted that \$172,000 was awarded per Town Meeting to perform repairs/clean up to Choate Pond. Director D'Amico stated that thus far the Town has dredged the pond; installed bio-cord filters and pumps and attempted to build a by-pass to re-route water from Chicken Brook. Director D'Amico noted that the by-pass portion of the project can not progress due to a ledge problem and that the Town is investigating alternatives and will install dry pumps to circulate the water.
- Director D'Amico also noted that he is also in the process of re-evaluating the sidewalk issues and will report back as warranted.

### ***Report of the Town Administrator:***

- Administrator Kennedy, reported that the Town was awarded \$1.1 million in State Supplemental Budget revenue to be allocated as follows: \$200,000 for restoration of 2-B Oak Street; \$200,000 for the Medway Senior Center addition; \$200,000 for reconstruction of Parks/Field; \$200,000 Choate Park Dam project; \$200,000 for construction of the new Highway Barn Salt Shed and \$100,000 for storm damage in connection with the Micro Burst. Administrator Kennedy noted that she has had discussion with staff regarding the spending of the funds received and recommends that the Town complete due diligence with the respective state agencies awarding the funds before moving forward and also inquire if there is an official "spend by" date. Chairman Galligan also noted that the Town should not begin to think of spending any supplemental funds until 2006 audit is completed and settled.
- Administrator Kennedy reported that \$9 million towards the \$11 million in tax funds have been collected to date. Administrator Kennedy indicated that she is hopeful to collect the remaining \$2 million by mid-week. Administrator Kennedy indicated that demand notices will go out on Friday (7/21) and pre-tax title letters will go out in August. Selectman Crowley inquired if Medway always followed this practice or is the Town being more aggressive. Administrator Kennedy stated that the Town is being more aggressive than in the past relative to tax collection.
- Administrator Kennedy reported that the Town will soon have a new Treasurer/Collector, Melanie Phillips and will commence her employment with the Town on August 1, 2006. Administrator Kennedy noted that Mrs. Phillips is currently serving as the Assistant Treasurer/Collector in the Town of Natick and was not involved in the current financial matter that has recently been reported in the local news. The financial matter referred to in the news involved the Office of the Comptroller. Administrator Kennedy stated that advertisements for the Town Accountant position have begun and she is hoping to make an appointment prior to Labor Day. It was also announced that the Assistant Town Accountant has given her notice to leave the Town's employ. Selectman Scott inquired if the Town

## MINUTES OF THE REGULAR SESSION SELECTMEN'S MEETING

July 17, 2006

Administrator would follow the same process for hiring the Town Accountant as done with the Treasurer Collector. Administrator Kennedy indicated that she will utilize the same process.

- Administrator Kennedy reported that the Town Clerk salary was not properly voted on at the Annual Town Meeting and has confirmed that the Town Clerk salary increase will need to be voted at the next scheduled Special Town Meeting and will make the salary retroactive.
- Lastly, Administrator Kennedy noted that the Municipal Building Committee (MBC) is disbanding and that the Town is in danger of losing state funding without the DCAM evaluation. Administrator Kennedy indicated that the MBC is looking for the document and as soon as it is received, she will mail it to the appropriate state office. Administrator Kennedy also indicated that the Town may be at risk for potential litigation relative to subcontractor payments and hold backs which may include members of the MBC. Administrator Kennedy indicated that she has contacted the town attorney for the project and will report back as warranted. Selectman Scott stated that he will contact the MBC to find out when they will be meeting next and will provide an update to the Board as warranted.

### *Reports of the Selectmen*

- Selectman Crowley indicated that he has nothing in particular to report but inquired if the Town Administrator knew when the third quarter tax bills would be mailed. Administrator indicated that getting the tax bills out on time is top priority. Administrator Kennedy noted that she will be putting a time table together sometime in the future.
- Selectman Scott inquired if the Town Administrator received Town Counsel's opinion relative to the Restaurant 45 matter. Administrator Kennedy noted that to date she had not received such and would follow up with Town Counsel and report back to the Board as warranted. Selectman Scott also stated that Charlie Myers will be resigning from the Cable Advisory and that the Selectmen will need to appoint a replacement. The Town will also have to schedule two (2) public hearings as part of the renewal process. Selectman Scott indicated that he will get in touch with Charlie to obtain the necessary information and will get in touch with the remaining members to get them moving on the matter and will report back to BOS as warranted.
- Selectman Trindade did not have a report this week.

### *Report of the Chairman.*

- Chairman Galligan reported that he instructed the administrative staff to post a work session meeting for July 31, 2006, and to schedule for discussion the Government Study Committee selection status. Selectman Trindade suggested that the Board members should review the resumes and present a list of candidates for

MINUTES OF THE REGULAR SESSION SELECTMEN'S MEETING

July 17, 2006

the work session. Selectman Crowley supported the idea. Selectman Trindade and Crowley agreed that they would meet and review the candidates and provide a short list for the Board to consider at the next meeting.

- Chairman Galligan reported that the Board should also consider reviewing/revising the Board of Selectmen's Policies and Procedures and will further discuss the matter with the Administrator before moving forward.

*Solicitors Permit approval:*

- Selectman Trindade moved to approve the Solicitors Permit requested by Executive Advertising; seconded by Selectman Crowley; all aye 4-0-0 (voted)

One Day All Alcohol License:

- Selectman Trindade moved to approve the application for a one day all alcohol license requested by the Marian Community Center for Saturday, August 19, 2006 from 12:00 to 5:00 p.m.; seconded by Selectman Scott; all aye 4-0-0 (voted).

*9:35 p.m. There being no further business to discuss, Selectman Trindade moved that the regular session meeting be adjourned; Selectman Scott seconded; All ayes 4-0-0 (voted).*

Respectfully submitted,

Celeste Hanson  
Administrative Services Assistant

*NOTE: APPROVED BY BOS ON*