

MINUTES OF THE REGULAR SESSION SELECTMEN'S MEETING

June 4, 2007

Present: Selectmen Dennis Crowley, Glenn Trindade, Andrew Espinosa and John Foresto, Town Administrator, Suzanne Kennedy and Administrative Services Assistant, Celeste Hanson were present. Selectman Richard Dunne was late (8:01 p.m.)

7:01 p.m. –Chairman Trindade called the Selectmen's meeting to order in the Sanford Hall of Town Hall. All stood for the Pledge of Allegiance.

Public Comments: *None.*

Community Preservation and Historical Committee discussion on proposed uses for 2B Oak Street:

- Mark Cerel, Chairman of the Community Preservation Committee (CPC), Rob Pomponio, Chairman of the Historical Commission (HC) and Mark Wilcox, member of the Historical Commission (HC) were present for the discussion on proposed uses for 2B Oak Street (Thayer property).
- Mr. Cerel summarized the CPC's role in the 2B Oak Street/Thayer Homestead matter. Mr. Cerel stated that the CPC and HC need the Selectmen's direction of where they would like to take the project in order to move forward.
- Mr. Pomponio also summarized the HC's role in the 2B Oak Street/Thayer Homestead matter and referred to the Historic Structures Report: Executive Summary submitted by the HC. Mr. Pomponio also referred to the HSR's report conducted by Newport Collaborative Architects, Inc. Mr. Pomponio stated that the committee completed a plan to do enough work to secure the barn and the house utilizing the two hundred thousand dollar (\$200,000) state grant, utilize any remaining funds to clean up the land and establish a plan to ensure the renovation efforts do not stall over future years. He feels that some land will be ready for use by the Fall; however some structural issues at the house and barn could be long-term projects. One popular idea is to covert the barn into a banquet/function hall and possibly utilize the house for office/business space for use by Town departments.
- The parties entered into a discussion. Selectman Crowley stated that the reports were well written; however, he feels that utilizing the grant funds to clean up the land is more of a benefit to the Town and residents. Selectman Dunne stated that he feels more effort needs to be placed in cleaning up the land before moving forward on renovations to the barn and house. Selectman Espinosa feels that the grant funds should be expended on securing/renovating the barn and house. Chairman Trindade feels that the plan should be to designate the house and barn as historical property, sell them to a private buyer with strict stipulations on what can/should be done and what cannot be done. Mr. Pomponio stated that perhaps a non-profit committee could be established to oversee the property and organize fundraisers, etc. to be utilized with property upkeep.

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- Selectman Foresto moved that the Town use the funds from the state grant to stabilize the property, make plans for partial restoration of the structures, formulate a non-profit organization to oversee the property and perform landscaping/cleanup to make the space useable; seconded by Selectman Crowley; all aye 5-0-0 (voted).
- The HC and CPC will make present an update at the June 18th Selectmen's meeting.

Report on Village Street Truck Exclusion:

- Administrator Kennedy indicated that she recently meet with staff consisting of Dave D'Amico, Chief Saleski, Lieutenant Tingley and Safety Officer/Sergeant Watson, on matter. Administrator Kennedy stated that she would like staff to explain their position on the issue. Chief Saleski stated that after meeting and discussing the matter with Administrator Kennedy and staff, that he could not come up with a compelling reason to close a main east-west road to trucking, nor could he come up with a compelling reason why the Selectmen would want to entertain looking into closing the road to trucking. Chief Saleski suggests that since concerns focus on specific companies in the area that letters be sent asking that trucks not travel down Village Street.
- Mrs. Phyllis Cerel stated that she does not want to ban trucking, just certain heavy duty trucks that try to skip traffic lights on Main Street (Route 109) by traveling down Village Street. Mrs. Cerel stated that she would like to ban through-trucking traffic going to Millis.
- Public Services Director D'Amico stated that the board/town could request the Commonwealth to order Village Street closed to through-truck traffic; but it involves hiring an engineer to study the problem and that the Commonwealth is also not inclined to grant the request unless the situation is extremely bad.
- Safety Officer/Sergeant Watson presented a traffic study conducted in April which indicates the kind of trucks Mrs. Cerel is objecting to account for less than three percent of total traffic on the road. Sergeant Watson indicated that he does not feel that trucks traveling down Village Street pose any safety hazards.
- School Committee Member, Ms. Donna Rice-Norton believes that truck traffic is a serious problem on Village Street compared to Route 109 (Main Street) because Village Street is a popular path for students going to various schools in the morning.
- The parties entered into a discussion. Chairman Trindade moved that Administrator Kennedy forward letters to companies identified by Mrs. Cerel asking them to please utilize Route 109 (Main Street) rather than Village Street and that Public Services Director D'Amico inquire with the appropriate state agency regarding truck exclusion procedures and regulations; Selectman Dunne seconded; all aye 5-0-0 (voted).

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End of Year Budget Transfers:

- The Selectmen reviewed and entered into a brief discussion regarding the four departmental budget transfers submitted by the Town Accountant (Barbara Durand) for approval. Mrs. Durand explained that in accordance with applicable laws of the Commonwealth, several budget transfers are being submitted to cover account shortfalls. Mrs. Durand stated that during the months of May, June and the first fifteen days of July the Selectmen and Finance Committee may authorize departmental appropriations to another appropriation with the same or other department except for School department budgets. The transfer can not exceed three percent of a department's annual budget or \$5,000, whichever is greater.
- The Town Accountant, Treasurer/Collector and Department of Public Services Director explained the reasons for the budget transfers they submitted.
- Chairman Trindade moved that the Selectmen approve the budget transfer requests as follows:
 - 1) Town Accountant \$1,300.00 from department 913, the Unemployment account 513-5173 to department 910, the Life Insurance account 520-5174;
 - 2) Department of Public Services \$3,300.00 from department 424, the Street Lighting/Electricity account 5211 to department 422, the DPS—RM Equipment account 5245;
 - 3) Treasurer/Collector \$3,000.00 from department 145, the Treasurer/Collector Professional & Technical account 520-5300 to department 145, the Treasurer/Collector Salaries account 510-5110;
 - 4) Town Accountant \$1,265.00 from department 913, the Unemployment Payments account 520-5173 to department 301, the Regional District Payments account 520-5325;

Selectman Espinosa seconded; all ayes 5-0-0 (voted).

Town Property and Liability Insurance Proposal:

- Administrator Kennedy indicated that the Town issued an RFP in connection with the Town's property, liability and workers compensation insurance. Administrator Kennedy stated that she formed a committee consisting of Collector/Treasurer Melanie Phillips; Town Accountant Barbara Durand and School Business Manager David Verdolino. Three proposals were received from Massamont at \$281,329 (the Town's current carrier), Berry Insurance at \$275,000 and MIIA at \$264,061 (2 year price quote). Administrator indicated that she and the committee recommend that the Selectmen approve the insurance proposal submitted by MIIA which will generate \$98,500 saving less the approved budget.

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- Selectman Dunne moved to accept the two year insurance proposal from July 1, 2007 to June 30, 2009, submitted by MIIA as recommended by the insurance subcommittee and the Town Administrator; Selectman Crowley seconded; all ayes 5-0-0 (voted).

Ratification of Contract by for engineering services:

- The Administrator indicated that the consultant engineer made changes to the original contract and did not submit the changed contract in time for insertion in the meeting packets for board review. Administrator Kennedy recommended that the Selectmen approve the contract with the understanding that Town Counsel review the changed contract and allow the Town Administrator to execute on the Town's behalf. Administrator Kennedy indicated that the consultant engineer would also be paving the McGovern School parking lot and waiting to approve the contract at the next selectmen's meeting will hamper the construction process.
- DPS Director D'Amico came forward and explained the reconstruction plan and schedule and supported the Administrator's recommendation that the Board approve the contract this evening as waiting for another meeting would definitely impact with reconstruction plan and the paving deadline.
- Ms. Donna Rice-Norton, School Committee member came forward and stated that the parking lot at the McGovern School is in terrible condition and is a safety hazard. Ms. Rice-Norton stated that a portion of the delivery area has collapsed and deliveries are now being made through the front of the building which imposes a danger to the children.
- Selectman Dunne moved that the Board accept the contract for engineering services with Tetra and that the Administrator execute the contract on behalf of the town after Town Counsel's review and approval as to form; Selectman Espinosa seconded 5-0-0 (voted).

(9:00 p.m. Chairman Trindade excused himself and Vice Chairman Dunne controlled the meeting during the Chairman's absence. Chairman Trindade returned at 9:10 p.m.)

Approval of Warrant:

- Selectman Espinosa moved that the Board approve and sign warrant forty nine (49) for fiscal year '07 as read in the total amount of \$616,691.22; Selectman Foresto seconded; all ayes 4-0-0 (voted).

Approval of Minutes:

- Selectman Crowley moved to approve the regular session meeting minutes of March 5, 2007; Selectman Dunne seconded; all ayes 5-0-0 (voted).

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- Selectman Crowley moved to approve the regular session meeting minutes of April 5, 2007; Selectman Espinosa seconded; all ayes 5-0-0 (voted).
- Selectman Crowley moved to approve the regular session meeting minutes of April 17, 2007; Selectman Espinosa seconded; all ayes 5-0-0 (voted).
- Selectman Crowley moved to approve the regular meeting minutes of May 14, 2007; Selectman Espinosa seconded; ayes 4; abstention 1 (Selectman Dunne), motion passed.
- Selectman Crowley moved to approve the regular meeting minutes of May 21, 2007; Selectman Dunne seconded; all ayes 5-0-0 (voted).
- Selectman Crowley moved to approve but not release the executive session meeting minutes of May 21, 2007; Selectman Foresto seconded; all ayes 5-0-0 (voted).

Leland Deed Release:

- Town Counsel, Barbara Saint André referred to the May 22, 2007 written legal opinion forwarded to the Board for their review and she gave background information of the Bosma litigation matter. Attorney Saint André explained that Mr. and Mrs. Leland are requesting that the Town provide them with a release deed for the portion of the abandoned railroad bed abutting the property at 290 Village Street. Attorney Saint Andre also explained that the release deed conveys any title that the Town may have to the property. Attorney Saint Andre stated that the Lelands are seeking the release deed in order to remove any possible cloud on their property title, which results from the status of the abandoned railroad bed that traverses the back of their property.
- The Selectmen and Town Counsel entered into a discussion regarding the deed release. Selectman Crowley also had questions regarding utility easements. Selectman Crowley moved that Town Counsel and the Town Administrator perform an evaluation of the Bosma case relative to all utility easements in order to protect future rights of the Town and to contact Mr. and Mrs. Leland's attorney regarding such; seconded by Selectman Espinosa; ayes 4, nays 1 (Mr. Dunne) motion passed.

Cable Advisory Committee Update:

- Selectman Foresto introduced Cable Advisory Committee (CAC) members present, Andy Rodenhiser and Paul Marble. Selectman Foresto stated that the CAC consists of the following members: Himself, Glenn Trindade, Paul Marble, Andy Rodenhiser, Ted Lorz, Matthew LeBlanc and Michael Lane (Medway Cable Access). Selectman Foresto stated that Board of Selectmen re-established the Cable Advisory Committee in the fall of 2006 whose task is to conduct a review of the current cable television licensing process for the Town. Selectman Foresto indicated that the Town's current cable television license with Comcast will expire

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and that the licensing authority (Board of Selectmen) desires to offer Medway residents an additional choice in cable providers. Selectman Foresto referred and provided the Board members with the CAC's Cable Television Issuing Authority Report dated June 4, 2007. Selectman Foresto indicated that the Town held the two required public hearings which were sparsely attended.

- Mr. Paul Marble indicated that he researched cable contracts that other towns currently have in place in preparation of the Cable Television Issuing Authority Report. Mr. Marble also indicated that Medway Cable Access Committee has also participated in discussions with CAC and are currently becoming more active and plan to become more involved with the town's cable services. Selectman Foresto also indicated that Medway Cable Access Committee also has a strategy regarding future technical services which can not be discussed at the present time.
- The CAC and the Selectmen entered into a discussion. Selectman Foresto moved that the Selectmen approve the Issuing Authority Report dated June 4, 2007; seconded by Selectman Dunne; ayes 5-0-0 (voted).

Report of the Town Administrator:

- Administrator Kennedy reported that she is investigating newly passed legislature allowing towns to create an insurance reserve fund which would aide with future premium savings. If possible, Administrator Kennedy would like the Selectmen to sponsor a warrant article to establish the fund at the fall town meeting.
- Administrator Kennedy informed the Board that the auditors are scheduled to begin the yearly audit.
- In closing, Administrator Kennedy asked that the Board consider holding a workshop to review the public records law, open meeting law, railroad property (ies), insurance policy reserve and Selectmen's policies and procedures.

Report of the Selectmen:

- Selectman Foresto did not have a report this week.
- Selectman Espinosa did not have a report but requested that the Government Study Committee (GSC) provide an update to the Board. Chairman Trindade requested that the Town Administrator schedule an update from the GSC at an upcoming Selectmen's meeting.
- Selectman Dunne reported that he will be following up with Representative James Vallee regarding potential extra library aide.
- Selectman Crowley asked for a status on the town website upgrade. Selectman Espinosa stated that town hall staff has been working diligently on the issue. Selectman Espinosa stated that he and Selectman Foresto have reviewed some of the ideas and proposals received to date and expects to implement the upgrades

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within a month. Selectman Crowley stated that the GATRA contract may be presented for Board approval very shortly.

Report of the Chairman:

- Chairman Trindade referred to correspondence dated May 29, 2007 from Attorney Jon Bonsall, on behalf of Algonquin Gas Transmission. The correspondence indicates that Algonquin Gas Transmission has proposed the East to West Expansion Project which may involve facilities within the town. As part of the proposed project and an effort to keep the town officials, landowners and interested parties up-to-date on project developments, Algonquin Gas has scheduled an open house on Wednesday, June 13 from 6:00 p.m. to 8:00 p.m. in the High School cafeteria. Chairman Trindade encourages all interested parties to attend this open house.
- Chairman Trindade acknowledged receipt and read the e-mail from a resident regarding the Medway Library. Chairman Trindade encouraged residents to forward inquiries, complaints and comments to the Selectmen's e-mail address (boardofSelectmen@townofmedway.org) and to please include contact information so the board can properly answer the inquiry.
- Chairman Trindade indicated that the Medway VFW has extended an invitation to the Selectmen to attend the joint installation of Medway Post 1536 VFW and its newly formed male auxiliary on June 10 at 7:00 p.m.
- Chairman Trindade reminded Board members that the MMA is sponsoring training for new selectmen on Saturday June 9 at Glen Ellen Country Club from 8:30 a.m. to 2:30 p.m. He also indicated that the ZBA will conduct two public hearings on Wednesday, June 6 on the applications of Roy Young and Ramakrishnan and Chandrika Koundinya.

Selectman Dunne moved that the Board continue past 10:00 p.m. to continue with remaining board business; seconded by Selectman Espinosa; all aye 5-0-0 (voted).

Discussion items:

- Selectman Crowley asked that the Board execute the Award of Recognition for Eagle Scout Neil Robinson. Chairman Trindade indicated that he will also coordinate two other award recognition certificates with the Administrative Services Assistant.
- Chairman Trindade indicated that he would like the board to review their calendars and confirm availability on a Friday or Saturday in order to schedule training workshop sessions. Chairman Trindade indicated that he will confirm the scheduled date with the Administrative Services Assistant for meeting posting purposes.
- The Board entered into a discussion regarding the Board's meeting schedule for the next seven months. Selectman Dunne moved that the board accept the schedule of meeting dates with the exception of meeting on July 2nd; and proposed that the Board

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meet on July 10th; seconded by Selectman Foresto; all ayes 5-0-0 (voted). Chairman Trindade instructed the Administrative Services Assistant to make the meeting change and post the meeting schedule.

10:30 p.m. There being no further regular business to discuss, Selectman Espinosa moved that the regular session meeting be adjourned; Selectman Dunne seconded; All ayes 5-0-0 (voted).

Respectfully submitted,

Celeste Hanson
Administrative Services Assistant

NOTE: APPROVED BY BOS ON