

MINUTES OF THE SELECTMEN'S MEETING
SEPTEMBER 17, 2007

Present: Selectmen Glenn Trindade, Dennis Crowley, Andrew Espinosa and John Foresto, Town Administrator, Suzanne Kennedy and Administrative Services Assistant, Celeste Hanson were present. Selectman Richard Dunne arrived at 7:30 p.m.

7:04 p.m. – Chairman Trindade called the meeting to order in Sanford Hall of Town Hall. All stood for the Pledge of Allegiance.

Public Hearing:

Cable Television Licensing Hearing with Verizon:

- At 7:05 p.m. Chairman Trindade moved to open the Public Hearing on Verizon New England's Application for a cable television license in the Town of Medway; seconded by Selectman Crowley.
- Chairman Trindade explained that the purpose of this evening's hearing is part of the licensing process for an additional cable operator in the Town of Medway. The process is prescribed by the Massachusetts Cable Television Division under its regulations which include 207 CMR 3.00 and 207 CRM 2.02. Chairman Trindade confirmed with the Administrative Services Assistant that the public hearing notice was advertised in the Milford Daily news on September 3 and September 10. Chairman Trindade announced that Verizon brought a stenographer to record the public hearing, at their cost and that the public hearing would also be video taped and rebroadcast on the government cable channel. Chairman Trindade provided the following background information regarding the licensing process: The Board of Selectmen began the cable television licensing process for an additional operator in Medway with the expectation that competition would benefit the citizens by offering increased services and, perhaps, lowering costs. The Board voted to form a sub-committee appointing, Selectmen John Foresto and Glenn Trindade, who initiated several steps of the licensing process and reported their recommendations to the Board resulting in this evening's public hearing. Chairman Trindade asked representatives from Verizon to come forward to make their presentation to the Board and public in attendance.
- Verizon representatives explained the services they wish to offer residents of Medway and answered questions from the Board and residents in attendance. There being no other questions, the Chairman closed the public hearing (7:30 p.m.).
- Chairman Trindade moved that the Board of Selectmen approve and execute the Cable Television Final License, dated September 17, 2007, to be granted to Verizon New England, Inc.; seconded by Selectman Crowley; aye 4-0-0 (voted).

(7:30 p.m. Selectman Dunne joins the BOS meeting)

Public Comments:

- Gordon and Laurie White of 22 Pond Street came forward and stated that they are upset with the water quality in Medway. Mr. White indicated that he left a message

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last week on the Water Sewer Department telephone voice mail and has not received a response. Mrs. White stated that the Town Clerk indicated that she had received 2500 calls from residents regarding same and that several residents came in with water samples. Steve Parlato of 4 Hickory Drive submitted a sample of water taken from his home kitchen faucet and indicated that the problem has been intermittent; however, he noticed that the water quality over the past three months has been very bad. Mr. Parlato indicated that he has experienced problems with home appliances, toilets, sinks, etc. Mike Bucciero stated that he has had water problems at his home for ten years and that recently the water quality has been terrible; he also noted the same issues as Mr. Parlato. The Board entered into a discussion with the residents and indicated that they would look into the matter. Selectman Crowley recommended that the Selectmen host a public meeting with the Water Sewer Commissioners to allow residents to bring their complaints, concerns and ask questions to the board and hopefully get some answers. Chairman Trindade instructed the staff to schedule a public meeting with the Water Sewer Commissioners and respective staff on Monday, September 24th to discuss the Town's water quality.

- Mr. David Newton of 5 Rob Way came forward and stated that several people stopped by his home regarding the sewer line extension. He indicated that these people had a map and walked around the area. Mr. Newton stated that representatives from the Water Sewer Department were also around to mark the road for future test borings in order to avoid hitting water lines. Mr. Newton indicated that Rob Way is a private road and would appreciate more information or notification when the Town sends representatives to perform such tasks. Chairman Trindade read a notice that was forwarded to residents from Chairman Heavey of the Water Sewer Commission. Mr. Newton indicated that he did not recall receiving such a notice. Chairman Trindade stated that the BOS would have the appropriate town representative get in contact with him. Selectman Crowley indicated that the next meeting of the Water Sewer Group is scheduled for Thursday, September 20 at 4:00 p.m. in Sanford Hall and perhaps Mr. Newton may be interested in attending the meeting. Mr. Newton thanked the Board and also stated that he would follow up with Superintendent Flaherty.

Treasurer Collector Phillips--Selectmen authorization to seek DOR approval to borrow BAN relative to school projects, replacement well and water tank:

- Treasurer Collector Phillips stated that she is seeking authorization from the Board in order to petition the Department of Revenue (DOR) for permission to borrow a total of one million seven-hundred fourteen dollars (\$1,714,000.00) in bond anticipation notes (BANs) for school and town projects. Treasurer Collector Phillips indicated that the amounts will be borrowed this month. Currently, the exact note and maturity dates are not known and she is currently seeking Board authorization without date details due to time constraints caused by the Town's funding needs and will also allow her to obtain DOR approval at the earliest possible date in order to obtain the funds as quickly as possible for said projects (\$414,000—school projects; \$200,000—water tank repair; \$1,100,000—well replacement). Treasurer Collector Phillips indicated that Bond Counsel is currently

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reviewing all documentation at this time. Treasurer Collector Phillips also explained that the Commonwealth of Massachusetts required the Town to seek approval from DOR for any borrowings as a condition of deficit financing.

- The Board entered into a brief discussion regarding the borrowing request.
- Selectman Dunne moved that the Board of Selectmen authorize the Treasurer/Collector to petition the Massachusetts Department of Revenue for permission to borrow a total of one million seven-hundred fourteen dollars (\$1,714,000.00) as a Municipal Purpose loan(s) for the following: \$414,000—school projects; \$200,000—water tank repair; \$1,100,000—well replacement; seconded by Selectman Espinosa; all aye 5-0-0 (voted).

DPS Director D'Amico—Route 126 sidewalk snowplowing:

- DPS Director D'Amico was present to discuss the Route 126 sidewalk mailbox placement and interference with sidewalk snow removal operations associated with the current mailbox positions as depicted in photographs presented by Director D'Amico. Director D'Amico indicated that the Medway Postmaster stated that placing the mail boxes parallel to the street is illegal because the postal carriers need to be able to see into the box before they reach into it for safety reasons. Director D'Amico stated that Medway's postmaster is firm in his position that the mailboxes can only be turned on a 45 degree angle on the sidewalk, with the mailbox door facing the traffic.
- The parties entered into a brief discussion. The Selectmen instructed Director D'Amico to follow up with the Director of Franklin's Public Works Department and find out how Franklin was able to get approval for placing mailboxes parallel to the street. Director D'Amico will follow up with the Board in a few weeks.

Update Village Street Truck Exclusion/noise:

- DPS Director, David D'Amico; Sergeant Jeffery Watson; Lieutenant Allen Tingley and Police Chief Robert Saleski were present to review the traffic study report. Chief Saleski indicated that Sergeant Watson conducted the studies in his capacity as Safety Officer for the police department. Sergeant Watson stated that the traffic counter used to compile the data reflects the vehicle time, not the type of vehicle that passed and that the data collected is very accurate. Sergeant Watson indicated that he retrieved the data and compiled it into a report for the Selectmen's review. Sergeant Watson verified that the report indicated some speeding but nothing outrageous and suggested increasing speed control in those areas to deter future speeding. The parties entered into a brief discussion.
- Chairman Trindade asked Chief Saleski for his recommendation regarding the matter. Chief Saleski recommended that based on the data collected by Sergeant Watson, the department could target the area indicating speeding and increase patrols to deter speeding. He also stated that there is no public safety issue and does not recommend the Town implementing a truck exclusion as requested by residents.

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Chief Saleski also indicated that seven hundred twenty-five (725) citations have been issued to date and thirteen percent (13 %) or ninety seven (97) of the citations issued were for Village Street.

- Chairman Trindade asked what could be done regarding the complaints of noise from vehicles (namely motorcycles). Sergeant Watson indicated that the Town would need to purchase noise detection equipment in order to issue citations relative to noise. The Board thanked the parties for providing the update and instructed the staff to upload the data on the Town website for future reference.

High School Traffic Issue Discussion:

- Chairman Trindade indicated his concerns regarding the lack of a traffic light at the crosswalk entrance area of the high school. Other board members also indicated their concerns regarding inexperienced young drivers and the lack of traffic lights which could cause safety issues.
- Chief Saleski also stated concerns regarding busses that line up around the area and vehicles that go around the busses in order to make left turns; he stated that he is not sure if installing a traffic light would resolve the issue. Chief Saleski stated that there needs to be a crossing guard at that area but due to budget constraints, the department could not post a crossing guard at that location.
- Chairman Trindade inquired as to the cost of posting a crossing guard at the location. Chief Saleski indicated that placing a crossing guard for three hours per day for five days per week would cost approximately seven thousand (\$7,000.00) dollars per year.
- Chairman Trindade asked if a FinCom emergency transfer could be initiated to cover the cost for the crossing guard. Administrator Kennedy stated that the FinCom Reserve funds can not be utilized to cover costs associated with staffing; however, this situation is a public safety matter and would warrant further investigation. Chairman Trindade also thought that the issue could perhaps fall under an unforeseen circumstance.
- Director D'Amico stated that school zone signs have also been erected. The parties also discussed the possibility of installing stop signs (4-way). Chief Saleski stated that matter would require further research.
- In closing, Chairman Trindade took the opportunity to acknowledge the retirement of Chief Saleski after thirty five (35) years of service. Chief Saleski stated that his last official date of work will be October 13th and that he enjoyed serving the Town; however, he is looking forward to retirement.

Board of Assessors—Discussion of Town-owned Property:

- Board of Assessors Chairman, Pace Willisson came forward to explain the town land report and land map included in the Selectmen's meeting packets. Assessor

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Willisson indicated that the green highlighted sections on the land map represent town-owned property and the pink highlighted sections on the land map represent conservation property. The parties entered into a brief discussion.

- Selectman Crowley commented that perhaps the Town could come up with a value for the town-owned property for consideration of a future revenue source or consideration for future town development projects.
- Administrator Kennedy inquired if the Assessors were anticipating holding the tax classification hearing in early November.
- Assessor Willisson indicated that the Assessors may be able to meet the deadline and schedule the tax classification hearing on November 19.
- Planning Board Chairman, Andy Rodenhiser was present and complemented Assessor Willisson for his hard work on the bottle-cap lot project. Assessor Willisson indicated that he and Assessor Sanford hope to complete the remaining portion of the project within the next few weeks for handoff to legal counsel for review.

Approve and sign warrant:

- Selectman Espinosa moved that the Board approve and sign warrant number eleven (11) for fiscal year '08 as read in the total amount of \$1,214,033.34; Selectman Dunne seconded; All ayes 5-0-0 (voted).

Authorization to execute MORE Jobs Capital Program Grant Applications and Contracts:

- Chairman Trindade moved that the Board of Selectmen approve the Chairman to authorize, sign and submit the MORE Jobs Capital Program Grant application in the amount of \$3,132,000.00 for said project to the Executive Office of Economic Development and further, that the Chairman be authorized to act in connection with the application, provide such information that may be required and administer the funds; seconded by Selectman Dunne; All ayes 5-0-0 (voted).

Acceptance of Gift to the Senior Center:

- The Board entered into a brief discussion regarding the Town gift acceptance policy. Chairman Trindade moved that the Board of Selectmen accept the gift of a 1998 Jaguar Vader-Plus automobile valued at forty-five hundred (\$4500.00) dollars from Dennis Crowley on behalf of the Senior Center; seconded by Selectman Espinosa; ayes 4-0-1 (Crowley—abstain) (voted).

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Consideration of a one-day auctioneer license requested by Mike Coyle:

- The Board entered into a brief discussion relative to the one-day auctioneer's license request. The Administrative Services Assistant indicated that the applicant's state license was in good standing and that previous auctions conducted by the applicant were satisfactory. The Administrative Services Assistant also indicated that the applicant is currently going through a business transition and will eventually apply for a yearly auctioneer's license with the Town. Chairman Trindade moved that the Board approve the application for a One-Day Auctioneer's License request by Michael J. Coyle to hold an auction on Tuesday, September 18, 2007 at the Medway VFW from 6:00 p.m. to 12:00 midnight; seconded by Selectman Espinosa; all aye 5-0-0 (voted).

Approval of Minutes:

- Selectman Crowley moved to approve the regular session meeting minutes of July 10, 2007; seconded by Chairman Trindade; ayes 4-0-1 (Espinosa—abstain)(voted).
- Selectman Espinosa moved to approve the regular session meeting minutes of July 16, 2007; seconded by Chairman Trindade; ayes 4-0-1 (Dunne—abstain)(voted).
- Chairman Trindade moved to approve the workshop session meeting minutes of July 30, 2007; seconded by Selectman Crowley; ayes 4-0-1 (Foresto—abstain)(voted).

Reports of the Selectmen

- Selectman Foresto reported that ComCast Cable TV negotiations are continuing. Currently, ComCast has forwarded a formal renewal proposal which will be reviewed by the Cable Advisory Committee. Selectman Foresto indicated that extra copies of the binders are on file in the Selectmen's office should anyone care to review the proposal. Selectman Foresto also indicated that the Committee will be meeting on Wednesday with Medway Cable Access members and will discuss airing issues from Sanford Hall. In closing, Selectman Foresto indicated that Medway Cable Access has not provided financials or their charter for review as previously requested.
- Selectman Espinosa reported that the new Town website has been updated. Some areas of the website are still under construction. Staff training is scheduled to commence soon. Selectman Espinosa stated that he will update the Board as warranted.
- Selectman Dunne apologized for being tardy due to work commitments. Selectman Dunne indicated that police union negotiations have recently been slow; however, he recognized that the Town Administrator e-mailed the union representatives to schedule upcoming negotiation session to get back on track. Selectman Dunne indicated that he will continue to report back to the Board as warranted.

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- Selectman Crowley reported that the GATRA service was started today with a kickoff celebration this morning at the Fire Station. Selectman Crowley stated that Missy Dzikczek is coordinating the advertisement of the schedule in local newspapers and will also upload the schedule on the Town website. Selectman Crowley also reported that construction on the Coakley concession stand is moving along and may be usable by October.

Report of the Chairman.

- Chairman Trindade reported that the Selectmen met with the Government Study Committee last week and reminded interested parties to attend upcoming hearings as well as any of the scheduled public meetings held by the Government Study Committee.

Report of the Town Administrator:

- Administrator Kennedy reported that she recently read that the Police Department was presented with a gift (vehicle) which should be accepted by the Selectmen. Administrator Kennedy stated that she will schedule the necessary parties to attend an upcoming Selectmen's meeting.
- Administrator Kennedy reported that the Attorney General's office accepted the changes to the CIPC by law. Administrator Kennedy noted that advertisements for volunteers will be uploaded on the Town website.
- Administrator Kennedy also suggested that the Board consider conducting a workshop with Town Counsel to review the Ethics, Open Meeting and Public Records laws.

10:00 p.m. There being no further business to discuss, Selectman Dunne moved that the meeting be adjourned; Selectman Espinosa seconded; All ayes 5-0-0 (voted).

Respectfully submitted,

Celeste Hanson
Administrative Services Assistant

NOTE: APPROVED BY BOS ON