

MINUTES OF THE SPECIAL SESSION SELECTMEN'S MEETING
FEBRUARY 11, 2008

Present: Selectmen Glenn Trindade, Richard Dunne, Dennis Crowley, Andrew Espinosa and John Foresto, Town Administrator, Suzanne Kennedy and Administrative Services Assistant, Celeste Hanson were present.

7:03 p.m. – Chairman Trindade called the meeting to order in Sanford Hall of Town Hall. All stood for the Pledge of Allegiance.

Public Comments: None.

Outside Auditor's Report:

- Mr. Frank Biron of Melanson and Heath was present to review the audit completed by his firm. Mr. Biron stated that this year's audit was completed early. Mr. Biron stated that his firm currently has 120 municipal clients and that Medway has been a client for the past twelve years. Mr. Biron reviewed sections of the Management Letter and the Annual Financial Statements with the Board and explained the purposes of the Management Letter and Annual Financial Statement Report. Mr. Biron explained that the Town has implemented many of the past recommendations which have assisted with the Town's improved financial position. Mr. Biron indicated that the Management Letter contained several follow-up items resulting from prior year issues that the Town will continue to improve upon. Mr. Biron also indicated that the Management Letter contained a few new findings and that the Town implemented appropriate response actions.
- The Board entered into a question/answer session regarding the Annual Financial Statements and Management Letter.

Anti-Fraud Policy discussion:

- The Board asked Mr. Biron for his comments regarding the new Anti-Fraud Policy which has been drafted by the Town Administrator. Mr. Biron indicated that he reviewed the policy and feels that it is satisfactory. Mr. Biron stated that he suggests that all his clients have polices of this nature.
- Selectman Foresto asked how the Administrator intends to implement the policy. Administrator Kennedy indicated that she would need to present the policy to the union representatives first, and then present it to staff via meetings.
- The board entered into a brief discussion. Selectman Dunne and Crowley raised questions concerning section E and F of the Anti-Fraud Policy. Administrator Kennedy indicated that she will review the sections with labor counsel and report back to the board as warranted.

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Board/Committee Appointments:

Tree Warden

- Administrator Kennedy indicated that she and Director D'Amico have found an interested party to act as Tree Warden since the retirement of Philip "Butchy" Smith. The Tree Warden candidate is Brutus Cantoreggi, the current Department of Public Works Superintendent for the Town of Franklin. He is also the Tree Warden for the Town of Millis and holds a license and degree. Administrator Kennedy and Director D'Amico recommend the appointment of Brutus Cantoreggi temporarily until review in June 2008. The parties entered into a brief discussion.
- Selectman Crowley moved that the Board appoint Brutus Cantoreggi as Tree Warden with a term expiration of June 30, 2008, as recommended by the Town Administrator Kennedy; seconded by Selectman Espinosa; all ayes 5-0-0 (voted).

Capital Improvement Committee Program

- The Board members acknowledged James Gillingham as a candidate for the Capital Improvement Committee Program's last vacant seat. It was confirmed that there have been no other candidates interested in volunteering for the CIPC. The Board entered into a brief discussion with Mr. Gillingham. Selectman Dunne moved that the Board appoint James Gillingham to the CIPC; seconded by Selectman Espinosa; all ayes 5-0-0 (voted).

Alcohol License Public Hearing--Supreme Pizza:

- Chairman Trindade opened the public hearing and read the public hearing notice. Chairman Trindade reminded the Board and the audience that this hearing was rescheduled from February 4th. This public hearing is relative to the application for a beer and wine alcohol license application filed by Supreme Pizza, Mr. George Papadopoulos, Manager located at 67-C Main Street in Medway, MA. The applicant is seeking a seven-day beer and wine alcohol beverage license for retail sale at said location. Chairman Trindade asked if anyone was present representing the application.
- Mr. George Papadopoulos came forward and stated that he has opened a new business at the former Primo's location. Mr. Papadopoulos stated that former business held an all-alcohol liquor license and he would prefer to sell only beer and wine; therefore, he must apply for a new liquor license. Mr. Papadopoulos stated that he has been in his new business for approximately six months.
- Chairman Trindade asked if anyone else wished to comment on the application. There were no comments from the audience. The Chairman asked the Board members if they had any questions or concerns regarding the application.
- Selectman Crowley stated that he visited the location and sees no reason not to approve the application. The Administrative Services Assistant confirmed that all required due

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diligence has been completed as warranted and also confirmed that all required applications, taxes, etc. have been completed properly as required.

- Selectman Dunne moved that the board approve the beer and wine alcohol license application filed by Supreme Pizza located at 67C Main Street; seconded by Selectman Foresto; all ayes 5-0-0.

Consideration of Comcast Cable contract approval:

- Selectman Foresto explained that the Town has a 10-year cable contract with Comcast that expired on February 22, 2008. The Town has been conducting informal contract negotiations with Comcast. To date Comcast has not matched the services that Verizon has offered the residents of Medway. Selectman Forest noted that during contract negotiations it was discovered that Comcast has been overcharging residents thirty-four cents per month, for the last ten years, for a station manager, which the town does not have. The Cable Advisory Committee is advocating for reimbursement to all resident users for the last ten years for this overcharge. Selectman Foresto indicated that based on recent negotiation talks with and the fact that Comcast will not agree to the Town's terms; the Cable Advisory Committee recommends that the Board not approve the renewal contract with Comcast, which will cause the parties to enter into formal contract negotiations rather than informal contract negotiations. Selectman Foresto stated that current cable services will not be interrupted by the lack of a renewal contract. Selectman Foresto stated that the Town has been very reasonable with Comcast during the negotiations; however, he noted that he has never dealt with such an arrogant group of people ever in his life.
- The Board entered into a brief discussion. Selectman Foresto moved that the Board not approve the cable renewal contract with Comcast and therefore, enter into formal cable contract negotiations; seconded by Selectman Dunne; all ayes 5-0-0 (voted).

Discussion/review of proposed budget calendar:

- Administrator Kennedy referred the Board to the proposed draft of the FY 2009 Budget and Town Meeting Calendar included in the board's meeting packets. The parties entered into a brief discussion. It was agreed that the Administrator would coordinate and prepare a schedule of budget hearing discussions with respective departments.

Close ATM Warrant:

- The board entered into a brief discussion regarding the preparation of the Annual Town Meeting warrant and submission of warrant articles by respective departments, committees and boards. Selectman Dunne moved that the Annual Town Meeting warrant close at 4:30 P.M. on Friday, February 15th; seconded by Selectman Crowley; all ayes 5-0-0 (voted).

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- Selectman Dunne also requested copies of the submitted warrant articles to review as soon as possible. It was agreed that staff would provided copies of the submitted warrant articles for review/discussion by the Board in the next meeting packet.

One-Day Auctioneer's License:

- Chairman Trindade indicated that the Board has been requested to grant a one-day auctioneer's license to Michael J. Coyle. Chairman Trindade indicated that the applicant has held several auctions at the Medway VFW. The Board entered into a brief discussion. Selectman Espinosa moved that the Board grant approval of the one-day auctioneer's license requested by Michael J. Coyle scheduled on February 26, 2008 at the Medway VFW from 5:00 p.m. to 11:45 p.m.; seconded by Selectmen Dunne; all ayes 5-0-0 (voted).

Report of the Town Administrator:

- Administrator Kennedy reported that she received a report from the Arc of Innovation prepared by the MAPC entitled Water Resource Committee Water Smart Indicators, Trends and Tools. She has requested extra copies for review by the water department, board of selectmen and any other interested parties.

Reports of the Selectmen

- Selectman Dunne, Foresto and Espinosa did not have reports this week.
- Selectman Crowley reported that he has been approached by several town volunteers regarding the coordination of the Medway Tri-Centennial Celebration in 2013. Selectman Crowley stated that coordination of such a celebration requires the assistance of many volunteers and plenty of time. Selectman Crowley also stated that he and Selectman Espinosa are scheduled to meet with representatives regarding the Industrial Park project and will continue to update the board as warranted. Selectman Crowley indicated that the May Election is scheduled for May 5, 2008 in the Medway Middle School; eleven vacancies are available and the Town needs volunteer to run for election to fill these vacancies. Selectman Crowley indicated that only three candidates have taken out papers to run in the upcoming election. Selectman Crowley encourages parties present and listening from home to volunteer their services to the town and run for election. Selectman Crowley stated that anyone interested in running for election should contact the Town Clerk at 508-533-3204 or stop by the Town Clerk's Office.

Report of the Chairman:

- Chairman Trindade reported that Medway Pride Day is scheduled for Saturday, May 17, 2008 from 10:00 a.m. to 4:00 p.m. at the Medway Middle School Edmund Charland Field, in the event of rain Medway Pride Day will be held inside the Middle School. Medway Pride Day encourages local business to show their community spirit by renting a booth, sponsoring a major child's game or activity or donation of an item or gift certificate. Chairman Trindade encourages anyone

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interested in volunteering services etc. to contact Jodi Kairit or Mickee Whitney, Chairpersons of Medway Pride Day.

- Chairman Trindade confirmed receipt of correspondence from David St. Germain, Program Support Specialist of the Massachusetts Employer Support of the Guard and Reserve (ESGR) requesting support of the Town by signing of the Statement of Support by the Chairman. Selectman Dunne moved that Board approve Chairman Trindade to execute the Statement of Support as requested by Massachusetts Employer Support of the Guard and Reserve (ESGR); seconded by Selectman Espinosa; all ayes 5-0-0 (voted).
- Chairman Trindade also acknowledged receipt of correspondence forward by resident Wayne Lemmler of Maple Street regarding the condition of the Town's water. Administrator Kennedy indicated that the Water Superintendent, Mark Flaherty, has been notified of the correspondence and has responded in writing to the resident. A copy of Superintendent Flaherty's response will be included in the next selectmen's meeting packet.

Approve and sign warrant:

- Selectman Dunne moved that the Board approve and sign warrant thirty two (32) for fiscal year '08 as read in the total amount of \$400,100.78; Selectman Espinosa seconded; all ayes 5-0-0 (voted).

Approval of Minutes:

- Selectman Crowley moved to approve regular meeting minutes of November 19, 2007; Selectman Foresto seconded; all ayes 5-0-0 (voted).
- Selectman Crowley moved to approve regular meeting minutes of November 26, 2007; Selectman Dunne seconded; all ayes 5-0-0 (voted).
- Selectman Crowley moved to approve and release the executive session meeting minutes of December 17, 2007; Selectman Espinosa seconded; all ayes 5-0-0 (voted).
- Selectman Crowley moved to approve regular meeting minutes of January 28, 2008; Selectman Dunne seconded; all ayes 5-0-0 (voted).
- Selectman Crowley moved to approve regular but not release the executive session meeting minutes of January 28, 2008; Selectman Dunne seconded; all ayes 5-0-0 (voted).

9:40 p.m. *There being no further business to discuss, Selectman Espinosa moved that the regular session meeting be adjourned; Selectman Foresto seconded; all ayes 5-0-0 (voted).*

Respectfully submitted,
Celeste Hanson, Administrative Services Assistant