

MINUTES OF THE SPECIAL SESSION SELECTMEN'S MEETING
MARCH 24, 2008

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

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

Public Comments: None.

Approve and sign warrant:

- Selectman Espinosa moved that the Board approve and sign warrant thirty eight (38) for fiscal year '08 as read in the total amount of \$439,806.90; Selectman Foresto seconded; ayes 4 (Crowley, Foresto, Espinosa Trindade); abstention 1 (Dunne) 4-0-1 (voted).

Approval of Minutes:

- Selectman Crowley moved to approve the special session meeting minutes of January 14, 2008; Selectman Espinosa seconded; all ayes 5-0-0 (voted).
- Selectman Espinosa moved to approve and release the executive session meeting minutes of January 14, 2008; Selectman Crowley seconded; all ayes 5-0-0 (voted).

Discussion with CIPC:

- CIPC members, Tom Anderson, Jim Palladino and Jim Gillingham were present to discuss their recommendations for a series of capital projects totaling \$1.4 million dollars. Funds for these projects would be bonded. Some of the projects recommended for financing through the bond were the Senior Center addition in the amount of \$180,000; implementation of new town wide financial software system in the amount of \$275,000 and \$200,000 for a new fire truck; \$100,000 for a new sidewalk plow; \$75,000 for a new elevator at the middle school and \$50,000 for a new energy management system for the school department.
- Mr. Anderson indicated that part of the committee's due diligence included a review of the Town By laws, review of all department requests; and scheduled visits to respective departments. It was reported that the CIPC performed a review process and evaluation criteria for priority items.
- The Selectmen suggested that the CIPC meet with the Department of Public Services Director to perform a road review of all town roads and rank which roads need the most work and what the cost would be. The committee agreed that they would schedule a meeting with Director D'Amico.
- The Selectmen thanked the committee members for their hard work.

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- The Selectmen discussed and reviewed capital improvement project requests with the Senior Center Director, the DPS Director, the Town Accountant, the Police Chief, and the School Superintendent. The Selectmen indicated that they would be attending the Finance Committee meeting on Wednesday as the CIPC would be making another presentation. The Selectmen indicated that they need to discuss the capital improvement project recommendations at length before placing any items on the May 12 Annual Town Meeting warrant.

Charter/House Bill 4460 Amendment:

- Chairman Trindade explained that Section 12 of Chapter 3 of the proposed charter has a recall provision. Section 3-12-3 provides that the board of selectmen shall order a recall election to be held on a day fixed by them not less than twenty five (25) nor more than thirty five (35) days after the date of the town clerk's certification that sufficient petition has been filed. In Section 3-12-4, the proposed charter provides that a nomination of candidates to fill the position shall be in accordance with the law relating to elections. State law requires a minimum timeframe of sixty four (64) days to conduct an election for candidates as referred to in G.L. c. 41; section 10, G.L. c. 53, section 7, 10 and 11. This legislation is contradictory because the timeframe provided to hold the recall election in the charter is not in accordance with the time frame as provided for in the general laws. Therefore, the bill requires amendment to section 3-12-3 to change "twenty five (25) nor more than thirty five (35) days" to "sixty four (64) nor more than ninety (90) days" and also "occur within sixty (60) days" to "occur with one hundred (100) days."
- The Board entered into a brief discussion regarding the amendment.
- Chairman Trindade moved that the Board of Selectmen approve to accept the bill as amended in Section 3-12-3 to change "twenty five (25) nor more than thirty five (35) days" to "sixty four (64) nor more than ninety (90) days" and also "occur within sixty (60) days" to "occur within one hundred (100) days" Selectman Crowley seconded; all aye 5-0-0 (voted).

Consideration on One-Day Auctioneer License:

- The Board reviewed the application to obtain a one-day auctioneer's license requested by Michael Coyle and entered into a brief discussion.
- Selectman Dunne moved that the board approve the application for a one-day auctioneer's license submitted by Michel Coyle scheduled for March 25, 2008 at the VFW on Holliston Street; Selectman Forest seconded; all ayes 5-0-0 (voted).

Authorization of Chairman to execute contract:

- Selectman Espinosa moved that the Board approve and authorize the Chairman to execute the contract by and between the Town of Medway and Newport

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Collaborative Architects, Inc., in connection with 2B Oak Street; seconded by Selectman Foresto.

- The board entered into a brief discussion. Selectman Crowley suggested clarification of the cost and scope for services referred to in the contact before approving such.
- Selectman Espinosa rescinded his motion and moved that the board table the matter to the next scheduled Board meeting (April 7, 2008); seconded by Selectman Foresto; all ayes 5-0-0 (voted).

Route 109 Improvement Task Force Committee:

- The Board of Selectmen reviewed e-mail correspondence generated by the Department of Public Services Director, David D'Amico, regarding his recommendations/suggestions relative to forming the Route 109 Improvement Task Force Committee as discussed at the March 3, 2008, Selectmen's meeting. Director D'Amico was present to answer questions.
- The parties entered into a brief discussion.
- Chairman Trindade moved that the Route 109 Improvement Task Force Committee include Dan Hooper of the Design Review Committee as the Citizen at Large; Jim Wieler member of the Master Plan Committee; Board of Selectmen representative; Member from the Medway Business Council; Dave D'Amico, Director of the Department of Public Services; Paul Yorkis representative from SWAP; and a Planning Board representative; seconded by Selectman Dunne 5-0-0 (voted).

Report of the Town Administrator:

- Administrator Kennedy referred to Town Counsel correspondence relative to the Board of Health Inter-municipal Agreement. Administrator Kennedy stated that Town Counsel's correspondence raised a few issues that require further consideration and recommended that the Selectmen appoint a board member to meet with Town Counsel and the Board of Health in order to work out the issues with the Inter-municipal agreement. Selectman Crowley stated that he was the Board of Health liaison and he would meet with the respective parties and report back as warranted.
- Administrator Kennedy suggested that the Board authorize a transfer into the salary budgets for the Selectmen (\$15,000), Town Accountant (\$5,000) and Treasurer Collector (\$5,000) from the salary reserve account in order to fund non-contractual negotiation expenses. Chairman Trindade moved to that the Board support the Town Administrator's recommendation and authorize the transfer of \$25,000 from the salary reserve account to fund the following: Selectmen (\$15,000), Town Accountant (\$5,000) and Treasurer Collector (\$5,000) in order to fund non-contractual negotiation expenses.; seconded by Selectman Espinosa; all ayes 5-0-0 (voted),

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Reports of the Selectmen

- Selectman Dunne reported that he met with the Town Clerk. Selectman Dunne stated that the Town Clerk would like to opportunity to discuss increasing her salary budget. Selectman Dunne also reported that he approached the Millis Library Trustees to open a dialogue relative to regionalizing Library Services. Selectman Dunne indicated that he will be meeting with Medway Library Trustees to discuss same and will report back as warranted.
- Selectman Crowley asked the Town Administrator if she was able to obtain an accounting of the CPC fund balance; Administrator Kennedy indicated that she would ask the Town Accountant to provide the data as soon as possible.
- Selectman Espinosa reported that the Water Working Group "Talk of the Town" taping session is being aired on the Town's cable channel and encouraged residents and interested parties to view the taped session in order to get an update of the water issue.
- Selectman Foresto reported that he and Chairman Trindade recently met with Comcast representatives to discuss reimbursement for the thirty-four cent overcharge to customers. Selectman Foresto indicated that the high school i-net drop issue is still unresolved. Selectman Foresto stated that he will continue to provide updates as warranted. Selectman Foresto also indicated that he also met with Medway Cable Access members to discuss improvement to current town services. Medway Cable Access members have indicated they would like to upgrade broadcasting services from Town Hall; broadcasting from the Library and investigating a second broadcasting studio at the Middle School. Selectman Foresto indicated that Medway Cable Access would like to present an update at a future Selectmen's meeting.

Chairman Trindade moved to extend the Selectmen's meeting not to exceed 10:30 p.m.; seconded by Selectman Dunne; all aye s 5-0-0 (voted).

Report of the Chairman.

- Chairman Trindade reported that he would attending the upcoming MMA Legislative Breakfast in Franklin and encouraged other board member to attend if their schedules permitted.
- Chairman Trindade asked the Town Administrator to obtain clarification on the requirements of taping board and committee meetings. Chairman Trindade asked the Town Administrator to inquire if the Town needed to adopt a by-law for such.

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10:15 p.m. There being no further business to discuss Chairman Trindade moved that the regular session meeting be adjourned and the Selectmen enter into Executive Session not to return to open session for reason number three "To discuss strategy with respect to collective bargaining or litigation..." Selectman Foresto seconded; Roll call vote: Dunne—aye; Crowley—aye; Espinosa—aye; Foresto—aye; Trindade—aye; all ayes 5-0-0 (voted). All ayes 5-0-0 (voted).

Respectfully submitted,

Celeste Hanson
Administrative Services Assistant