

FINAL MINUTES OF THE SELECTMEN MEETING  
June 16, 2008

Present: Chairman Glenn Trindade, Selectman Dennis Crowley, Andrew Espinosa, Richard Dunne and John Foresto; Town Administrator, Suzanne Kennedy and Board Secretary, Wendy Harrington were present.

7:05 *p.m.* – Chairman Trindade called the Selectmen’s meeting to order in Sanford Hall, All stood for the Pledge of Allegiance.

**Public Comments:** None.

Selectmen’s meeting.

**Medway Internship Program:**

Kristen Domurad was introduced as a Clark University Graduate that will be working with the Planning and DPS departments as part of a new internship program. This 14 week program was designed to help support our town departments and students.

**Agenda item #12: Board of Selectmen Authorization for Treasurer/Collector to seek DOR Approval to borrow funds**

Melanie Phillips, Treasurer/Collector was present to discuss.

**Motion by Mr. Espinosa: I move that the Board of Selectmen authorize the Treasurer/Collector to petition the Massachusetts Department of Revenue for permission to borrow a total of \$767,765.32 consisting of \$500,000 for the new industrial well and \$267,765.32 as a renewal Bond Anticipation Note for Burke Roof and HS projects. The Note will be dated July 25, 2008. The maturity date is not known at this time, but it will not exceed one year. Second by Selectman Dunne. Discussion: It was clarified by Melanie that the plan is to roll all bonds into one bond where borrowing costs are better and DOR will see that we are managing our debt better. All ayes 5-0-0 (voted).**

Chairman Trindade requested that at the next BOS meeting Barbara Durand or Melanie Phillips be present to discuss bond rating.

Selectman Crowley asked that Mr. D’Amico and the TA review the Senior Center Bid contract and report to BOS at the next meeting.

**Agenda item # 7: Consideration of Approval of Class II Auto License---Thomas Carson**  
Mr. Carson’s hobby is to restore and sell cars he purchases at auction. A total of 2-3 cars per year are purchased and Mr. Carson does office work from his home. **Motion to approve Class II Auto License for Thomas Carson by Selectman Foresto, second by Selectman Espinosa; no discussion, all ayes 5-0-0 (voted).**

**Road Work Priority List: Mr. D’Amico, DPS present**

Road work is limited to the \$300,000 Ch 90 and \$300,000 voted at Town Meeting. Mr. D’Amico explained that the more the road work is coordinated the more money is saved. The following are roads that were mentioned: Stanley (should finish up first coat this week) Puddingstone, Main

(small damage repaired), Village (small damage repaired), High, Temple. Overlays will be done on Harding, Coffee, Charles and Canal. Coffee Street possibly has a development going in, an overlay will be done with the developer paying part of the cost and installing some sidewalks. Wellington and Summer are off the list because there is not enough money to fund those projects.

Crosswalks on Rte 109 need some cuts since there are no sidewalks on the East side of Rte 109. There is a need for engineering and Mr. D'Amico hopes to have completed by 9/1/08.

Selectman Crowley explained that the phases of road construction are listed on the town website for residents to view.

**Update on 2B Oak Street: Mr. D'Amico, DPS present**

Landscaping is being worked on. Conservation Commission has given permission to work on the pond side of the property. The next step is to bring in a small bulldozer to level off and seed. Selectman Crowley expressed his frustration that this is the wrong time of year to seed and that this is the second summer missed.

**Update on Middle School Sprinkler installation: Mr. D'Amico, DPS present**

On track, piping is complete, working on complete by end of June. Selectman Espinosa asked about the piers from the old bleachers. Park Superintendant is working to have them removed.

**Agenda item # 6: Consideration of Emergency Transfer Requests-DPS Director, Town Accountant, Town Administrator**

**These transfers are for municipal building security upgrades.** A request to transfer \$5,000 from Municipal Property Insurance and \$5,000 from Tax Title to Dept 192 Account 520-5241 Town Buildings/RM BldgsGrounds

Over the past few months there have been groups scheduled to meet at the Senior Center. It has become increasingly more difficult for the staff of the senior center to monitor, deal with keys, opening and closing the building late at night and the like. It is being presented that a key card system (same as at town hall and connected to town hall) be installed to allow committee chairs to have a key card for entry.

There is budget money available for the senior center but The TA wants to make sure that the budgeted money is available for the completion of the project. This added expense shouldn't be taken out of that budget.

The reader on the key card system can track those entering the building through a modem. The quote is \$5,000 and includes the installation of the modem.

The additional \$5,000 request is to install security cameras at the town barn. There has been vandalism and theft from that area.

**Motion by Selectman Crowley to authorize \$5,000 from Municipal Property Insurance and \$5,000 from Tax Title to Dept 192 Account 520-5241 Town Buildings/RM Bldg Grounds, second by Selectman Dunne; no discussion, all ayes 5-0-0 (voted).**

**This transfer is for replacement equipment.** A request to transfer \$4,000 from Municipal

Property Insurance to Dept 422 Account 520-5870 Replacement Equipment

This transfer is to replace a base radio station at the highway barn. The unit is used year round and has completely died. It is on the same ban as the police and water/sewer departments. The existing hand-held units will continue to work, but it is suggested that the Police/Fire system should be considered for replacement in the Capital plan for next year.

**Motion by Selectman Dunne to authorize \$4,000 transfer from Municipal Property Insurance to Dept 422 Account 520-5870 Replacement Equipment, second by Selectman Espinosa; no discussion, all ayes 5-0-0 (voted).**

**This transfer is for \$5,915 to be transferred from FinCom reserve to MIS/IT Account No. 001-155-520-5300 for Dog License Software.** In January the Town Clerk discovered a problem with the software. The software is old and was obtained through another municipality. Currently there is no support for that software. Software was needed immediately. The Town's consultant for IT designed and implemented the software the Clerk is using today. They did not submit the bill to Medway until much later in the year for payment.

At the time of discovery the Town Accountant believed there would be enough money in the MIS/IT budget to pay for this item. Since then many needs have arisen with MIS/IT and there now is not enough money to cover this \$5,915 expense.

There is the ability to provide dog licensing capability with the new town software but the implementation of dog licensing will not be in the very near future. Thus the expense for this \$5,915 is warranted at this time. (Permitting, payroll, financial, licensing, dog, assessor and then utility billing will be the implementation order.)

Both Selectmen Foresto and Chairman Trindade presented concerns and stressed the need to hire an IT director for the town.

**Motion by Selectman Crowley to authorize \$5,915 to be transferred to pay MIS/IT Account No. 001-155-520-5300 for Dog License Software, second by Selectman Foresto. Discussion: Selectman Dunne believes that this service should have been negotiated and not performed and then paid for. Voted 4-1**

**Transfer request from Accounting-Prof & Tech Servs to MIS/IT Prof Tech Servs**

This request is to help pay for the overage on the MIS/IT consultant's May bill. There is now a concern that there are server issues in Town Hall. Selectman Foresto explained that there is money in the budget to pay for servers and added that this is a process that cycles approximately every three years, so there should be no surprises with this issue.

**Motion by Selectman Crowley to transfer \$5,000 from Dept 135 Account 520-5300 to Dept 155 Account 520-5300 MIS/IT Prof & Tech Svcs, second by Selectman Foresto. Discussion: Selectman Foresto would like the Accountant to look at what is budgeted for FY '09 to make sure that there was no miss-budget in this area. All ayes 5-0-0 (voted).**

**Thayer House/CPC Discussion: Dave D'Amico present.**

Mark Cerel from CPC explained to the BOS that there have been numerous attempts at vandalism to the Thayer property and CPC would like to request that motion/lighting sensors be installed so that all efforts made to preserve the property are not destroyed.

Selectman Dunne asked if CPC has the money available to fund this request. CPC does have some funds available. Mr. D'Amico explained that there are lights installed but no electrical power to the building. NSTAR has been contacted but have not followed through with the completion of the project. The TA will follow-up with a letter to Spilka's office and to NSTAR and will take appropriate action.

**Agenda item #8: Discussion Concerning Consideration of Organic Farm for 50 Winthrop Street-CPC Chairman, Community Farm Initiative-Heather Scott**

Those present to discuss were Mark Cerel-CPC, Alison Slack-Affordable Housing, Heather Scott-Community Farm Initiative, and Carol Spiller-Walsh-Planning Board.

Heather Scott presented plans for a community farm to the Board. In this situation the town owns the land but the non-profit would maintain the property. There is no financial liability to the town, and no return on the investment. It would keep the land working, produce fresh produce, and there would be no pollution into Chicken Brook.

Selectman Crowley expressed concerns that CPC funds paid for this property but there will only be a limited number of taxpayers that will have access or able to buy shares. He's like to see all citizens' have access to the property.

Heather explained the mission is to grow food, provide volunteer experiences, offer educational programs to the school, offer internship programs and hold public events. It was also explained that only 2 acres of the 15.84 would be used for this farm.

Mark Cerel explained that this is only one model, if the BOS thinks it is a good use for the property the item would need to go to the next town meeting for authority, and then RFP.

The non-profit is not in existence at this point, would need the town's approval to set that up. Mr. Dunne believes that the town should decide what to do with the property and that it's possible there are multiple ideas available. Mr. Foresto agrees.

It was decided that Heather will put together more information and CPC will begin to conduct public hearings so that all of Medway can be involved in the process.

Selectman Dunne would like to know the balance in the CPC fund. The TA's office will get that information emailed to BOS.

**Agenda item #11: Authorization of Chairman to execute Amendment #3 to Tata & Howard Contract #1934** Paul Sirois was present as well as Mark Flaherty-Water/Sewer Supervisor

Tata & Howard is seeking a contract amendment. Budget \$309,600 for engineering, have spent \$211,500. There are additional work item changes, which amount to approximately \$50,000 in redesign. Selectman Espinosa explained that in doing due diligence additional work items has arisen. These changes are to the design phasing not the construction phase and the water/sewer board has voted on all changes.

**Motion by Selectman Crowley to authorize the Chairman to execute Amendment #3 to Tata & Howard Contract #1934 for \$27,200, second by Selectman Espinosa; no discussion, all ayes 5-0-0 (voted).**

Mr. Sirois explained that the construction job is out to bid ends July 9, lowest qualified bidder will get the job. Job will be awarded mid July with construction commencing in August or September.

Flushing was discussed with a lot of positive feedback. There will be a complete flushing plan document available in the fall. There have been extremely isolated water issues that have been reported and Mr. Flaherty has worked on resolving.

Mr. Dunne asked if it was necessary to continue with the water/sewer commission if all problems are now resolved. Mr. Flaherty explained the group is still a working group that communicates through email and meets if necessary.

Mr. Trindade asked if there is a tracking process. Mr. Foresto has software/a customer care package that he will get to Mr. Espinosa so that they can put in place to track the calls for future concerns.

**Agenda item #10: Consideration of Chairman to submit More Jobs Grant Amendment**

The Town Administrator explained that there may be a need of a contract amendment and explained the delay with letter attached dated June 16, 2008. A design change has resulted in delays to the original design schedule. This delay was further compounded by a lengthier than anticipated permitting process with the applicants. TA has made every effort to contact the liaison to no avail.

**Motion to authorize the Chairman to move forward to amend by Selectman Crowley, second by Selectman Foresto. Discussion: Selectman Espinosa wanted to remind that the project is scheduled for June 2008 and for the record it is in line with the amendment. Mr. Sirois explained that this in the best available information to date and he is unsure of the future. All ayes 5-0-0 (voted).**

**Agenda item #13: Discussion Concerning Interpretation of New Town of Medway Charter**

Town Administrator explained that the Selectmen had a meeting with Town Counsel to review the charter, get her interpretation and discuss implementation of such. TA Kennedy read highlights from a letter dated June 13, 2008 from Attorney Saint Andre and her justification of her opinion. TA Kennedy explained that Boards retain statutory authority and the staff of the board's report to the TA.

Selectman Dunne explained that it is not feasible for the TA to supervise all employees, therefore middle management will oversee their employees.

An organizational chart was presented and TA will meet with Department Heads on June 14, 2008 to communicate the interpretation of Town Counsel and the organizational chart. Each

Department Head will need to come up with their own organizational chart for their department and meet with their direct reports. The goal is that all understand the process.

Selectman Espinosa would like to ensure that there is an open door policy since there is no current HR person. This will allow employees an outlet to discuss issues and concerns.

Town Counsel and BOS want to make it very clear that Boards are for policy making. The citizens voted on the changes, through the charter, and it is the job of BOS to implement. The organizational chart does not include consolidations of departments.

**Agenda item # 1: Approval of Warrants**

Approval of Warrants #50: **Motion by Selectman Dunne to accept the Warrants as read as Town Bills \$278,760.53, Gross Payroll \$89,562.43, Total \$368,322.98. Second by Selectman Foresto; no discussion, all ayes 5-0-0 (voted).**

**Agenda item #2: Approval of Minutes**

Postpone to July 14, 2008 meeting

**Agenda item #3: Vote Board Liaison Appointments for FY09**

Discussion and change in some liaison positions were made. Chairman Trindade would like each member to establish some kind of communication and be able to report back to BOS as to what is going on with each group. All agreed, no vote taken.

**Agenda item #4: Vote FY 09 Meeting Schedule/Calendar**

Meeting calendar all set and agreed upon-no vote taken.

Chairman Trindade asked that Mrs. Langley, executive assistant to the TA set up specific distribution lists and have all meeting notices sent to the chairman of each group and liaison. Would also like to have meeting invites done through Outlook.

Chairman Trindade would like to ask that Mrs. Langley email anything/everything, save paper and don't print. If members would like to print they can do so themselves and/or save on their computer for future reference. One copy will be available at BOS meetings to refer to if necessary.

**Agenda item #5: Consideration of Contract Amendment for Town Counsel**

This is a fixed cost for 3 years with the "outside of scope" rates outlined.

Selectman Dunne asked if it is appropriate for each department to budget their own legal costs. Tie the cost of the fee to the department that is spending the fee. TA Kennedy explained that there is a history being built for each department. Selectman Espinosa would like to have that spending watched starting now, rather than waiting until the next cycle.

**Motion to approve by Selectman Dunne, second by Selectman Foresto, no discussion, all ayes 5-0-0 (voted).**

**Agenda item #9: Authorization of Chairman to execute contract by and between the Town of Medway and Aimola Communications Solutions.**

This is a consultant fee which Selectman Espinosa believes the business owner is over qualified, but he has his own business and this will be a side job that will take a few days a week to complete. Paul Sirois likes this party as well.

Mr. Dunne has requested that the name of the business owner be identified with the company name in the contract. "Person named acting herein as Aimola Communications Solutions".

**Motion to authorize Chairman to sign pursuant to Mr. Dunne's changes by Mr. Foresto, second by Mr. Espinosa, no discussion, 4-0-1 (1 abstained) (voted).**

**Motion by Mr. Foresto to extend meeting past 10pm, second by Mr. Dunne, all ayes 5-0-0 (voted).**

**Town Administrator's Report:**

Town Administrator will continue to report on where the bill stands in the legislature.

**Selectman Foresto Report:**

Verizon will come to town to discuss any public relations issues. The HS is number one priority to get VIOS, Town Hall is second. Will not be complete until the fall.

**Selectman Dunne Report:**

Jim Vallee letter regarding the 109 project commencing and mentioned Medway in a Globe article.

**Selectman Espinosa Report:**

Nothing to report

**Selectman Crowley Report:**

Bylaw signs-would like to discuss with Andy Rodenhiser/Planning Board  
Legal update in executive session

**Chairman's Report:**

11 interested citizens are interested in FinCom Appointment, 9 positions are available. Interviews are being scheduled for June 23<sup>rd</sup> and 25<sup>th</sup>. Extending period for a few more days to ensure that all resumes are sent in. Hopeful that decisions will be made by 7/1/08.

109-Representative Vallee approved \$300K in a transportation bond bill, will have to do engineering work for future reconstruction.

Port-a-potty provided for the reconstruction of the damn. Chairman Trindade would like the TA's office to work on moving the Port-a-potty to another location on the Choate park property.

Dr. Grandmont retirement party was held today.

Would like to arrange a Meet & Greet in September for all town boards and committees so that people can put a name with a face and get to know each other.

BOS newsletter-to reach out and communicate with citizens, possibly one in the fall, winter and spring. Postage is an issue but possibly post on the web-site. Selectman Foresto suggested finding an editor, possibly from the school a senior project.

List-serve- being available so that citizen's can sign up for the town and school combined to push communication through email of date changes, meeting postings.

Sanford Hall-John Foresto will deal with poor microphone and recording quality.

Tri-County Budget-Would like to meet with our rep over the summer or in early fall to allow us to give input so she will have guidance as to what we would like to see happen with the Tri-County budget.

Town Meeting Attendance-A reminder should be sent to all elected officials that the charter says they need to attend.

Town Wide Calendar-Andy will work on a calendar to post on the web-site for all town events to be placed in a calendar format, one-month view so that all can see.

**Motion at 10:20pm by Selectman Dunne to commence to executive session for the purpose of legal discussion with no intent to return to open session. Roll call vote.**

**Trindade-aye, Crowley-aye, Espinosa-aye, Dunne-aye, Foresto-aye.**

The next regular session of the Board of Selectmen is due to take place on Monday July 14, 2008 7:00pm at Sanford Hall.

Respectfully submitted,  
Wendy Harrington  
Board of Selectmen Secretary

**\*Minutes approved 8/4/08**