

MINUTES OF THE SELECTMEN MEETING FINAL
December 15, 2008
Sanford Hall, Town Hall 7:00pm

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

Absent:

7:03 p.m. – Chairman Trindade called the Selectmen’s meeting to order in Sanford Hall, Medway Town Hall

Cultural Council Appointee-Audrey Ritter and Lauren Miller

Ms. Ritter has recently moved to Medway and served on the Town of Sunderland Cultural Council prior to moving. Chairman Trindade read a letter of reference from the Town of Sunderland. Ms. Ritter explained there have been 32 application requests for funds from the Cultural Council this year in Medway and she looks forward to helping decide which groups obtain the requested monies.

Selectman Dunne moved that the Board appoint Audrey Ritter to the Medway Cultural Council; Selectman Foresto seconded; no discussion: all ayes 5-0.

Ms. Miller arrived later in the meeting, for organizational purposes, her appointment information is entered here. Ms. Miller has been volunteering with the Cultural Council under the guidance of the Chair, Marcia Coakley and seeks appointment.

Selectman Espinosa moved that the Board appoint Lauren Miller to the Medway Cultural Council; Selectman Dunne seconded; no discussion; all ayes 5-0.

Public Comments: None

Public Hearing-Board of Assessors

Chairman Trindade opened the public hearing to set the FY 2009 Tax Classification at 7:12pm. Board of Assessors members Jay Newton, Jack McKiernan and Harry Johnson were present. This hearing takes place to approve the tax classification, which allows the Assessors to establish the tax rate and the Treasurer’s office to mail the tax bills in a timely manner. This year’s triennial certification caused the delay in the classification hearing.

The Assessors have recommended a single tax rate, rather than a split rate, which charges different rates for residential and commercial properties. Mr. Johnson feels changing to a split rate would make Medway uncompetitive.

The 2008 tax rate was \$14.06. If the Town decides not to tax the full levy the rate with a single classification will be \$14.96. Taxing the full levy limit would increase the rate to \$15.12, which is a difference of approximately \$60 per household annually. Mr. Johnson noted that the values of homes have decreased since the last valuation.

Melanie Phillips, Treasurer/Collector, stated that \$100k was budgeted as the new growth number, but that number came in at approximately \$325,000. This amount increases the levy limit over what had been anticipated. She said the proposal to tax to the levy limit would not increase taxes beyond the statutory 2 ½% limit. She said the Town has historically taxed the full levy limit.

Selectman Dunne suggested tapping into the CPA fund to possibly help out the tax payers.

Selectman Foresto moved that the Board approve retaining a single tax rate; Selectman Dunne seconded; no discussion; all ayes 5-0.

Administrator Kennedy explained that the Town should tax the full levy capacity in anticipation of a reduction in local receipts due to the downturn in the economy. Excess levy capacity is \$267,219. If there is a shortfall in 2009 the Town would have a cushion of \$267,219. If the Town does not experience a shortfall the \$267,219 would fall to free cash.

Selectman Crowley moved that the Board reduce revenues by \$267,219, reducing local receipts by \$267,219; Selectman Foresto seconded; initial vote 3-__ (incomplete vote). Discussion: Mr. Espinosa asked what will be the increase in the real estate tax.

Chairman Trindade offered an explanation of the reasoning behind taxing the full levy capacity. He said taxing the levy as projected would result in a \$14.96 tax rate. He said the increase in the rate over last year was due to the drop in home values. He said that adding the certified new growth to the levy would add 16 cents to the rate, or \$15.12. He said that excise tax receipts are expected to drop and adding the new growth to will help to compensate for this shortfall. A question arose regarding moving monies to the overlay account, once moved into this account this would reduce revenues.

Vote: 3-1, Espinosa-nay, Dunne-abstained

Selectman Crowley moved that the Board approved to let the excess of \$219.00 flow to the Overlay account; Selectman Espinosa seconded; no discussion; 5-0.

Selectman Crowley asked Mr. Johnson the balance of the Overlay account now. Mr. Johnson had no idea but for FY 2009 \$350,000.

The tax rate was set at \$15.12.

Public hearing ended, returned to regular session

Fire Department Discussion-Paul Trufant (Interim Fire Chief) and Allen Tingley (Assistant Fire Chief/Police Chief)

This discussion is to review the Fire Department Operations. Interim Chief Paul Trufant offered the following:

- Hired 5 new call fire fighters (one is an EMT and one is in EMT training)
- Promoted one on call Lieutenant to Captain
- Promoted one on call Fire Fighter to Lieutenant
- Added a part time secretary to replace a full time secretary
- Sent 10 members to fire class on new oil burner codes and inspections
- Held a diversity training along with the police department
- Opened a bid for new fire engine, replacing a 28 yr old vehicle which costs \$219,548.00
- Secured bids for new garage doors at Station 1
- Policy change on inspections-had 2 fire fighters going out with the ambulance, now keeping 1 at the station, sending out one in a town car. Saves approximately \$3,000-\$4,000 a year on fuel
- Hired an EMT on call staff (4 total on call EMT staff)
- Resignation of a FT Fire/EMT, replace with an on call
- 32 on call fire fighters, 6 are EMT's
- 4 Full Time fire fighters/EMT
- Training all new on call fire fighters
- Air Conditioning has been put on the back burner as consults on the A/C claim that the heating unit needs to be repaired as well.
- The state of the Department: Moral is great, changes have significantly helped. The department is in good shape, guys are happy and working to keep everyone happy.
- Interim Chief Trufant's hours vary, currently under budget by approximately \$53,000. A better look at budget should take place after six months as on call get paid twice a year and only recently arrived to full compliment of employees.

Selectman Espinosa would like to see monthly budgeted estimate of expenditures for fire.

Selectman Crowley would like to see the EMT budget totals for the next meeting.

Authorization of Chairman to Execute Contract with Greenwood Emergency Vehicles, Inc. for Fire Truck

Selectman Dunne moved that the Board authorize the Chairman to execute a contract with Greenwood Emergency Vehicles, Inc. of North Attleboro, for an E-ONE International 4 door pumper; Selectman Espinosa seconded; no discussion; all ayes 5-0.

Capital Budget Presentation-CIPC Members-Jim Pallidino, Tom Anderson, Jim Gillingham

This is a preliminary presentation and as agreed last year will only consider projects for which we have borrowing capacity.

Melanie Phillips, Treasurer/Collector advised borrowing capacity in FY2010 is difficult to give a firm number on at this point because everything is in flux. Selectman Espinosa

advised that it is important to recognize what the needs are for the residents of the town. All needs should be presented, not just those that fit the amount of borrowing capacity.

Energy Management Systems and Thermostats are possibly being funded by the school. At this point the proposal leaves those expenses in, so that if the school funding does not come through the CIPC proposal will fund them.

FY 2009 adjustments are items that did not happen. As a result \$84,000 will come back to the town at the next town meeting. This proposal does not include replacement of the water tank on Highland Street.

There is approximately \$5,000,000 in projects that the school is considering applying for grants to cover. The grant process is confusing and time consuming. The school is currently focusing on the energy system contract, which has dominated a lot of time.

CIPC is recommending 13 projects, which have been identified as the most critical by department heads and help to eliminate risks, these projects total \$370,000. See presentation attached.

The Selectmen suggested a column be added which shows reduction in operating costs or return on the investment.

The CIPC's report will be published on the Town's web-site.

The Selectmen commended CIPC on a great job, terrific, congratulations and very enlightening.

Sewer Project Update-Project Manager Dave Aimola

Dave advised the Board that the project is not on time due to unforeseen ledge on Waterview Drive, but on budget. There will be a newsletter posted on the town web-site each week, which will update residents on the progress and he has requested a town email address for residents who have questions.

Tree clearing has been completed on the easements and will be bringing in a crew when it's dry to start paving behind the work areas.

Next on the schedule is to complete the installation on Waterview, remove stumps and grading of the easements. They would like to be off the streets by 12/24 and move into the easement areas, weather permitting.

There was a consensus to keep going beyond 12/24, weather permitting. If not off of the street before snow fall, the sewer installation contractor is responsible for plowing his work area.

There is an additional cost that has arisen for staking out of the easements for surveying the drainage had to relocate the drainage and this may exceed the line item.

Issues: NSTAR routing for service line to the pump. Don't want to do aerial, would like to do buried from Trotter Drive in. This has to be negotiated.

The Selectmen commended Dave on a job well done. Additions to the project update will be end of January or February.

Route 109 Project Update-Dave D'Amico, DPS Director, Chan Rogers, Planning Board

This group continues to work with the State for possible funding of the Route 109 project. A meeting has been arranged with Congressman McGovern for tomorrow (12/16) at 2:30pm to discuss funding.

The group is currently working on compiling information on hot spots, accident areas, problem areas, and project review to submit to MA Highway. Mr. D'Amico has spoken to four consulting firms who have done work locally and who are interested in the project review work, but would need to go to bid for future work.

Ch. 90 money is available to pay the consultant but would have to propose to MA Highway to use the Ch. 90 money for this purpose; Mr. D'Amico doesn't think the proposal will be a problem.

There is a review meeting in March which is when MA Highway will decide for MPO to decide the best projects. Mr. D'Amico recommends the Town hire a consultant for preparation of traffic counts which should be done early in January, with a report prepared by the end of January, beginning of February. Dave Kailai has taken the in house accident statistics and has compiled that data, the consultant will take fresh traffic counts to present.

\$17,000 out of Ch. 90 money would pay the consultant now and the balance would need to be located and this happen only after Town Counsel clarified. This process would also need to go through 30B with a 3 quote process and it needs to move quickly.

Selectman Dunne moved that the Board approve to expend monies for consulting work on the Route 109 project, not to exceed \$17,500.00 out of Ch. 90 money; Selectman Espinosa seconded; no discussion; all ayes 5-0.

Chairman Trindade explained the meeting with Congressman McGovern has been posted for Tuesday 12/16 and 2:30 and some of the Selectmen are planning to attend.

Designation of Trench Officers

Chairman Trindade moved that the Board designate The Building Inspector, DPS Director and Fire Chief as Trench Officers; Selectman Foresto seconded; no discussion; all ayes 5-0. This is a state funded process and the state is ironing out the procedures, thus will wait on a fee decision.

Review of Budget Policy Statement

The Board of Selectmen's FY10 Budget Policy Statement is being revisited in light of recent developments. The initial statement requested departments put forward level funded (everything the exact same as last year), level service and needs based budgets after the All Boards meeting on December 1. Since then possible budget cuts have been announced by the Speaker of the House. Communities were told to expect 5-10% cuts in local aide. The Town would probably have no real indication of what to expect until the Governor's Budget is released at the end of January.

As of today, the Town has \$1.7 million in free cash (more money in excise tax than anticipated, the bulk came from projects that were not started). Selectman Dunne and Chairman Trindade agreed that free cash should not be spent until we know what the budget looks like. Generally free cash is not used for operating but due to extenuating circumstances, it may be used that way.

Selectman Crowley believes free cash should be spent wisely for FY 2010 and 2011 and should keep a reserve of free cash for 2011.

Selectman Foresto thinks the subject is off track, as this process should be a realistic view of what we see happening.

The discussion continued with the Selectman discussing the merits of developing level funded and level service budgets. Many scenarios were reviewed, comparing time tables with different budget options.

Selectman Dunne moved that the Board extend beyond 10pm; Selectman Foresto seconded; no discussion; all ayes 5-0.

It was suggested that the budget policy statement be revised at bullet #1 to be clearer. The proposal was to request a level funded and a needs budget. It was suggested that the statement be direct about what is expected.

Town Counsel will attend a FinCom Meeting to clarify that only the Selectman's budget will be presented at Town Meeting.

Selectman Espinosa said he would like to see both a level service and a level funded budget. Administrator Kennedy said she likes a level service budget prepared to serve as a barometer of what is needed to take care of the town. Selectman Crowley requested level service and level funded budgets.

Selectman Espinosa moved that the Board amend the Policy Statement to read "provide level service and level funded and are more than welcome to complete a needs based budget over and above what has been requested"; Selectman Dunne seconded; no discussion; 4-1. Chairman Trindade opposed.

Approval of 2009 License Renewals-Allison Potter-Assistant Town Administrator

Ms. Potter advised the Board that most have followed the procedures with only a few common victuallers who have not. Dunkin Donuts have not complied with license renewals to date. All steps have been followed to complete this annual process.

Chairman Trindade moved that the Board approve all common victualler licenses with the exception of the 6 who have not completed the appropriate process and will be un licensed after 12/31/08; Selectman Dunne seconded; no discussion; all ayes 5-0.

Chairman Trindade moved that the Board approve all alcohol license renewals presented by the Town Administrator's office; Selectman Espinosa seconded; no discussion; all ayes 5-0.

Chairman Trindade moved that the Board approve Medway Lotus live entertainment license renewal, as presented by the Town Administrator's Office; Selectman Crowley seconded; no discussion; all ayes 5-0.

Chairman Trindade moved that the Board approve Medway Lotus and Medway VFW amusement license renewal, as presented by the Town Administrator's Office; Selectman Dunne seconded; no discussion; all ayes 5-0.

Chairman Trindade moved that the Board approve Mickey Cassidy and Medway Lotus Billiard's license renewal, as presented by the Town Administrator's Office; Selectman Foresto seconded; no discussion; all ayes 5-0.

Chairman Trindade moved that the Board approve Auto Class II license renewals, as presented by the Town Administrator's Office; Selectman Dunne seconded; no discussion; all ayes 5-0.

Chairman Trindade moved that the Board approve Auto Class III license renewals, as presented by the Town Administrator's Office; Selectman Espinosa seconded; no discussion; all ayes 5-0.

Chairman Trindade moved that the Board approve an Auctioneer license renewal, as presented by the Town Administrator's Office; Selectman Crowley seconded; no discussion; all ayes 5-0.

Approval of Regular Session and Executive Session Minutes-held for next meeting

Approval of Warrants Warrant #24 dated December 18, 2008. Town Bills \$1,886,126.30, Gross Payroll Town \$132,212.28, Total \$2,018,338.58.

Selectman Foresto moved that the Board approved the Warrants as read; Seconded by Selectman Espinosa; no discussion; all ayes 5-0.

Town Administrator's Report

Administrator Kennedy would like to hold a workshop sometime between 1/5/09 and 1/20/09 for the purpose of reviewed the audited financial statements and a Charles River Pollution personnel discussion as they have a \$19 Million proposed capital improvement plan.

RFP for Water Management Plan came in, would like to award at the 1/5/09 meeting and have the evaluation meeting 12/22. Selectmen Espinosa and Dunne can attend.

Selectmen's Report

Trindade- Nothing to report

Crowley- Nothing to report

Espinosa- Nothing to report

Foresto- IT, MUNIS update. By mistake the town purchased permitting software but not license software. FIOS connection problems being worked on.

Dunne-RFP for Winthrop Street special appraisal done, lease for farmland.

Cost of lease, if value is under \$25,000 don't need RFP

ADA discussion, gave reasoning why, discussion on Open Meeting Law,

Medway had other options and should have invited the gentlemen to attend an open meeting to discuss.

10:50pm Selectman Crowley moved that the regular session meeting be adjourned; Selectman Foresto seconded; no discussion; all ayes 5-0.

Respectfully submitted,

Wendy Harrington

Executive Assistant

*Approved 4-6-09