

MINUTES OF THE SELECTMEN'S MEETING FINAL  
July 13, 2009 7:00 pm  
Sanford Hall, Medway Town Hall

***Present:*** Chairman Andrew Espinosa, Selectmen Dennis Crowley, John Foresto, and Glenn Trindade; Town Administrator, Suzanne Kennedy and Board Secretary Wendy Harrington

***Absent:*** Richard Dunne

The meeting was called to order at 7:10 PM

There was no cable signal, so the meeting did not air live and it was not taped.

**Joint Meeting with the Board of Health-Appointment to Board of Health**

Members from the Board of Health (BOH) were present. After a discussion on the appointment of the Board of Health's suggested candidate, it was determined that a formal process of advertising the opening was not followed. The Selectmen took the BOH's recommendation under advisement, the open position will be advertised through the Town's website and the Selectmen will vote on this appointment at their July 27<sup>th</sup> meeting. Administrator Kennedy will consult with Town Counsel to ensure the correct process is followed as it pertains to the Charter. She was unsure if it is necessary for the BOH to attend the July 27<sup>th</sup> meeting.

Public comment: None

**Approval of Minutes-Regular Session**

***Selectman Trindade moved that the Board approve the June 29, 2009 Minutes; Selectman Foresto seconded; no discussion; all ayes 3-0 (Selectman Foresto absent from the 6/29/09 meeting.***

**Acceptance of Deeds Related to Ishmael Coffee Estates Street Acceptances**

Susy Affleck-Childs came before the Board to seek signatures on the Deeds and the Street Acceptance Plan. There was no need for approval/motion as these were approved through a Town Meeting vote. All present signed the Deed signature pages and the Street Acceptance Plan.

**Appointments**

Administrator Kennedy reviewed a spreadsheet and the appointment process. Andrew Boysen was present to speak on his campaign for the Affordable Housing Committee. He was the only candidate for this open position. ***Selectman Crowley moved that the Board appoint Andrew Boysen for a three-year term on the Affordable Housing Committee; Selectman Trindade seconded; no discussion; all ayes 4-0***

Barbara Horowitz came before the Board to discuss her appointment to the Board of Registrars. The Board appointed her on the recommendation of the Medway Democratic

Town Committee. ***Selectman Trindade moved that the Board appoint Barbara Horowitz for a three-year term on the Board of Registrars; Selectman Foresto seconded; no discussion; all ayes 4-0.***

Richard Briggs introduced himself and discussed his desire to be appointed to the CIPC. Mr. Briggs is interested in public administration and is pursuing a master's in this area. It was explained that there are five candidates for two CIPC positions. Not all were available to attend this evening and the Selectmen decided they would like the input of CIPC to help them determine the candidates best suited for these open positions. Mrs. Harrington will notify the CIPC chair and ask for their recommendations so that the Board can meet the other candidates and vote on appointments at the July 27, 2009 meeting.

***Selectman Trindade moved that the Board appoint Peter Ciolek to the Memorial Committee for a one year term; Chairman Espinosa seconded; no discussion; all ayes 4-0. Mr. Ciolek was not present.***

***Selectman Trindade moved that the Board re-appoint Brutus Cantoreggi for a three-year term as Tree Warden/Moth Agent; Selectman Foresto seconded; no discussion; all ayes 4-0.***

***Selectman Trindade moved that the Board re-appoint Ralph Caton for a three year term on the Affordable Housing Committee; Selectman Foresto seconded; no discussion; all ayes; 4-0.***

***Selectman Crowley moved that the Board re-appoint Florence Mucci for a three-year term on the Board of Registrars; Selectman Foresto seconded; no discussion; all ayes 4-0***

***Selectman Crowley moved that the Board re-appoint Christine Lorenzen for a three-year term on the Board of Registrars; Selectman Foresto seconded; no discussion; all ayes 4-0***

After a brief discussion it was decided that all three candidates for re-appointment (Ken McKay, Brian Snow and David Travalini) to the Conservation Commission would be invited to attend the next meeting on July 27, 2009.

***Selectman Crowley moved that the Board re-appoint Veronica Clark for a three-year term on the Council on Aging; Selectman Foresto seconded; no discussion; all ayes 4-0.***

Administrator Kennedy offered a description of the Educational Fund Committee. Some members were curious as to their goals and it was decided they would be invited to attend the next meeting, discuss their objectives and their re-appointments.

*Selectman Trindade moved that the Board re-appoint Grace Hoag to a three-year position on the Historical Commission; Selectman Foresto seconded; no discussion; all ayes 4-0.*

*Selectman Trindade moved that the Board re-appoint Anne Codman to a three-year term on the Medway Cultural Council; Selectman Foresto seconded; no discussion; all ayes 4-0.*

*Selectman Trindade moved that the Board re-appoint Wayne Jannell to a one-year term on the Medway Pride Day Committee; Selectman Foresto seconded; no discussion; all ayes 4-0.*

*Selectman Trindade moved that the Board re-appoint Robert Goode, Harry Johnson, Allen Tingley, Michael Matondi, Fred Tingley, Gordon Crosby, Patricia Misiuk and Joseph Ebert to a one-year term on the Memorial Committee; Selectman Foresto seconded; no discussion; all ayes 4-0.*

Administrator Kennedy offered that there are open positions on some committees, those openings will be posted on Medway Cable and the Town website.

**Authorization of Chairman to Execute Inter-municipal Agreement for Public Health Assistance Mutual Aid-Public Health Emergency Preparedness Coalition**

Bill Fisher, Health Agent and Ken Geekus, Consultant Region II Emergency Preparedness were present and would like Medway to become part of the mutual aid agreement. Administrator Kennedy consulted with Town Counsel, she wrote an opinion (as with all contracts), although she knows that final recommendation is up to the Selectmen. Town Counsel recognizes that some of the issues are not obtainable.

*Selectman Trindade moved that the Board Authorize the Chairman to execute an Intermunicipal Agreement for public health assistance mutual aid with the stipulation that the designee is the Town Administrator or her designee; Selectman Foresto seconded; Discussion: Selectman Crowley asked Administrator Kennedy her opinion and she said so long as she can have a designee she is fine with this decision; all ayes 4-0.*

**Approval-Bicycle Route for Braking the Cycle- Sept 11, 2009**

*Selectman Trindade moved that the Board approve the bicycle route for September 11, 2009; Selectman Foresto seconded; Discussion: all approvals have been received; all ayes 4-0.*

**Authorization of Chairman to Execute Change Order No 2 for the Sewer Extension Project and Update on the Sewer Extension Project**

Dave Aimola, Project Manager, Dave D'Amico, DPS Director

The project is slightly behind schedule due to the weather. At the last meeting the BOS approved Change Order # 3 for \$35,000 to finish up Alder Street, which was for temporary water service. This water service has been installed so that every day the water isn't being turned on and off all day. The project is moving very slowly in this

area. The approval was for temporary service from West Street to Blue Ribbon and not to exceed \$35,000. In the interim the Water/Sewer Commission questioned if a new main should be put in while the trench is open and why not replace it with an iron pipe in lieu of PVC.

The area is not accurate on the plans and could incur more expense. It was suggested that the expense be paid for out of the water enterprise fund. Administrator Kennedy is not entirely sure there are enough funds to cover this expense in that account.

Administrator Kennedy believes the Selectmen should agree to approve and then do the accounting of the funds within the FY. Selectman Crowley thinks that all 5 Selectmen should be present to decide.

Dave Aimola walked the Selectmen through the Sewer Project Estimate to Complete Analysis dated 7/13/09. A very involved discussion took place explaining the spreadsheets.

There are alternatives: put back in with PVC and patch it or put iron. It has been recommended not to put in PVC. Mr. Aimola is looking for the approval of up to \$112,900K.

There are still a few areas that the rock is unknown on the easement area. A discussion took place regarding the police detail overages. We could potentially be in the red by \$359,496.00 and will need to come up with that funding by the end of the project.

Dave D'Amico is concerned with the way the roads will be left when the project is completed. Selectman Crowley says that the contractor is obligated to put the roads back in the same condition when the project is finished. The contractor has been notified in writing that the roads are not acceptable. The contractor is on notice for compaction issues, will put the temporary paving on and hold final paving until after the winter. The contractor only owns the patch, not gutter to gutter paving.

Chairman Espinosa would like Dave D'Amico to look into the road paving and if it's going to suffice and report back for a future meeting.

Conservatively the project will be completed by November 1, 2009.

Selectman Crowley asked that the record be duly noted that the Selectmen are considering having the water/sewer commission pay the \$359,496 from the water enterprise account.

***Selectman Crowley moved that the Board approve the amendment to change order #4, not to exceed \$112,900; Selectman Trindade seconded; no discussion; all ayes 4-0.***

*At 8:55pm Selectman Trindade moved that the Board move to Executive Session, Exemption 3 (To discuss strategy with respect to collective bargaining or litigation if an open meeting may have a detrimental effect on the government's bargaining position. Also, to conduct strategy sessions in preparation for negotiations with non-union personnel; to actually conduct collective bargaining and contract negotiations with non-union personnel). With the intent to return to open session; Selectman Foresto seconded; no discussion; Roll Call Vote Trindade-aye; Foresto-aye; Espinosa-aye; Crowley-aye.*

*Selectman Trindade moved that the Board adjourn executive session at 10:00pm and return to open session; Selectman Foresto seconded; Roll call vote: Selectman Foresto-aye; Selectman Trindade-aye; Chairman Espinosa-aye; Selectman Crowley-aye.*

Warrants dated 6/30/09 and 7/16/09 #52 and #02

Town bills \$1,606,240.84

School bills \$374,050.54

Total \$1,980,291.38

*Selectman Trindade moved that the Board approve the warrants as read; Selectman Foresto seconded; no discussion; all ayes 4-0.*

Approval of Minutes

*Selectman Trindade moved that the Board approve the Minutes of 4/6/09; Selectman Foresto seconded; no discussion; all ayes 4-0.*

*Selectman Trindade moved that the Board approve the Minutes of 4/28/09 as revised; Selectman Foresto seconded; no discussion; all ayes 4-0.*

*Selectman Trindade moved that the Board approve the Minutes of 5/1/09; Selectman Foresto seconded; no discussion; all ayes 4-0.*

*Selectman Trindade moved that the Board approve the Minutes of 5/2/09 as amended; Chairman Espinosa seconded; no discussion; all ayes 4-0.*

*Selectman Trindade moved that the Board approve the Minutes of 5/4/09 as amended; Selectman Foresto seconded; no discussion; all ayes 4-0.*

*Selectman Trindade moved that the Board approve the Minutes of 5/11/09; Selectman Foresto seconded; no discussion; all ayes 4-0.*

*Selectman Trindade moved that the Board approve the Minutes of 5/23/09; Selectman Foresto seconded; no discussion; all ayes 4-0.*

*Selectman Trindade moved that the Board approve the Minutes of 6/1/09; Chairman Espinosa seconded; no discussion; all ayes 4-0.*

**Town Administrator's Report**

1. Administrator Kennedy explained that she has no appetite to adopt the local meals tax increase, however it could generate between \$135 and \$150K for the Town.
2. At the next meeting she will have a contract for the re-screening on Populatic and WhiteWater to do the hydrant maintenance and flushing in the early fall.

**Selectmen's Reports**

**Trindade** Would like to see communication refined and all communication reviewed by a management team member before being sent out to the residents. He was unhappy with the overall Water Quality Report which went out recently.

**Foresto** Final agreement with Comcast is almost complete, still in negotiations.

**Crowley** Would like to see a list of the streets that are to be paved. Administrator Kennedy will pass that on to Selectmen Crowley.

Selectman Crowley believes that Shaw Street is still "catch 22". Spilka's people are still helping and he believes MA Highway is convinced that there is an issue but no one knows where the money is.

Selectman Trindade will make some calls re: low interest loans for water/sewer projects.

The sewer rates went up, water rates went up. Selectman Crowley believes a letter of explanation should be sent to the residents. Administrator Kennedy will take care of this request and will send the letter to BOS to review.

Would like to have proclamations sent to businesses that have been in business for over 20 years.

The property next to Medway Oil will go out for bid and be addressed at the Fall Town Meeting.

**Espinosa** Would like to have a recognition ceremony for the water commission and those who have volunteered within the town and did not seek re-appointment. Administrator Kennedy will recommend some suggestions at the next meeting.

***Selectman Trindade moved that the Board approve the Intermunicipal Contract between the Town of Franklin and Town of Medway for Medway to provide Library Administrative and Maintenance services to Medway; Selectman Crowley seconded; no discussion; all ayes 4-0.***

***There being no further business to discuss at 10:45pm Selectman Trindade moved that the Board adjourn for the evening; Selectman Foresto seconded; no discussion; all ayes 4-0.***

Respectfully submitted,  
Wendy Harrington  
Executive Assistant  
\*Approved 7/27/09