

Board of Selectmen Meeting Minutes-Final
Monday December 7, 2009
7:00pm
Sanford Hall, Medway Town Hall

Present: Chairman Espinosa, Selectmen Glenn Trindade and Dennis Crowley, Town Administrator Suzanne Kennedy and Board Secretary Wendy Harrington

Absent: Selectmen Foresto and Dunne

Public Comment: None

Review of Prior Meeting Minutes

Selectman Trindade moved that the Board approved the Minutes of 11/23/09 as amended; Selectman Crowley second; No discussion; All ayes 3-0.

MDPH grant Selectman Trindade moved that the Board accept the grant award of \$22,394.34 from Mass Department of Public Health for public health emergency response, ma dept of public health; Selectman Crowley second; No Discussion; All ayes 3-0.

H1N1 Updates Bill Fisher Mr. Fisher gave an update of the H1N1 Clinic being held on December 9, 2009 from 4-8pm at the Middle School. Mr. Fisher thanked all the volunteers for their help. Mr. Fisher gave some background information and updates on doses received etc. He believes he will have more than enough money to pay for the clinics and their associated expenses. Administrator Kennedy explained there will hopefully be enough funds to pay for the anticipated participation after the school survey results were reviewed. There is no source for additional funds should any additional funds be needed. The dates of the next clinics are undetermined at this time but a mock clinic was held and EMT's and security will be on hand at all clinics.

Selectman Trindade moved that the Board accept the grant award of \$22,394.34 from public health emergency response, ma dept of public health; Selectman Crowley second; No Discussion; All ayes 3-0.

Ratification- Memorandum Of Agreement With Firefighters Association

Susan Ellis-HR director was present and explained the negotiation process she has completed with the Firefighters Association. The agreement is a memorandum to the current contract (this is a memorandum because the contract expired 6/30/09) consisting of a 1 yr contract with a 0% increase, which includes a re-opener. The contract consists of a few dollar items and some changes in the language. Ms. Ellis explained the Firefighters Association was terrific to work with.

Selectman Trindade explained that all contracts ended, expire 6/30/09 and all contracts are now under negotiation, which are difficult to negotiate due to budget constraints.

Selectman Crowley asked Ms. Ellis to clarify the articles that have been negotiated. There was a clarification of current practice with uniforms. These are already in the fire budget and a given that they are supplied.

The clothing allowance was clarified as \$1000 per full time firefighter. Selectman Crowley would like this to be reviewed to see if the expense could be paid by the ambulance enterprise account. He would like Administrator Kennedy to look into this cost allocation.

Selectman Crowley would like to thank the Firefighters Association. He knows they understand the financial situation of the town and thanked them for working with the Town. Administrator Kennedy put together a press release which Chairman Espinosa read.

Selectman Trindade moved that the Board approve the Memorandum of agreement with the Firefighters Association; Selectman Crowley second; Discussion: Selectman Crowley requested the verbiage be changed to read \$1000 per fire fighter so the intent is clear; All ayes 3-0.

Contract with fiber optic municipal area network-Rich Boucher

June TM approved the installation of fiber optic in phased implementation between the schools and municipal sites. The contract is with Comm-Tract, a state approved vendor. Town Counsel has approved. Mr. Boucher explained as part of the Comcast agreement, they will no longer support the cable system at town hall etc. Comcast is funding a lot of phase 2 in order for this to happen. The fiber optics will support the security and speed of the MUNIS system so that employees can work efficiently.

Mr. Boucher explained that some of the long term benefits of this project include: the band with will be limitless, so that file storage can be backed up etc., an internal security system town wide, wireless systems, backup systems, public meetings can be easily televised from other town locations, SCADA system, town barn, police, library, choate, senior center, schools. The total cost for all phases is \$190,000, \$55,000 for phase was funded by a November TM vote and the balance of \$135,000 from Comcast. There are sufficient funds for the first two phases and phase three is not earmarked. Administrator Kennedy added that the monies will need to be appropriated at ATM from the Comcast funds. Selectman Foresto reviewed the scope of work, but has not reviewed the contract. Town Counsel has thoroughly reviewed. Mr. Boucher would like to start moving forward with phase 1, thus this was added to the agenda this evening.

Selectman Trindade moved that the Board authorize the Chairman to execute the contract with Comm-Tract Corp in the amount of \$54,801 for the installation of a fiber optic municipal area network; Chairman Espinosa second; No Discussion; 2-1. Selectman Crowley voted Nay. He is in favor of this project but he did not receive the contract to review prior to the meeting and would like more time to review all contracts in the future.

Grant expenditure-Division of Local Mandates for senatorial election

The Secretary of State's office offers a grant to pay expenses incurred with the senatorial primary. Town Clerk Maryjane White was not present for this discussion as she was setting up for the primary tomorrow. Administrator Kennedy explained she is unsure if more funds will be available for the election in January. It was noted that the Town Clerk explained the January election should cost approximately \$8000.

Selectman Trindade moved that the Board accept the grant award in the amount of \$1236.00 for cost of extended polling hours and the election; Selectman Crowley Second; Discussion; Selectman Trindade suggested extended polling hours and offered that he read in a newspaper that Medfield uses high school students to volunteer to supplement for earlier polling hours and he asked Administrator Kennedy to offer this as a suggest for budgeting to the Town Clerk. All ayes 3-0.

Appointment to Water/Sewer Commission

Chan Rogers-chairman of water/sewer commission was present and a discussion took place about finding another resident willing to serve on this committee. There are currently two members and a third is needed with some technical and financial background. Selectman Trindade suggested maybe a member of the Finance Committee would be willing to serve but then Mr. Ellsworth reminded him that as a member of the Finance Committee you can only serve on one town committee.

Chairman Espinosa will poll the list of residents who were part of an email list that had water issues.

CIPC Appointment to the School Building Committee Administrator Kennedy explained another member is needed to serve on the Medway School Building Committee. The Town Administrator will contact the CIPC chair for a volunteer.

Townwide Energy Committee-

Administrator Kennedy explained the idea of a green community and explained the options that were explained in an email to the Selectmen. It was suggested that members of the ESCO committee be polled for involvement. Selectmen Foresto and Mrs. Weiler will contact the panel. Some members from other communities have contacted Mrs. Weiler and have offered their experience and knowledge. This will be discussed again at the next meeting.

Medway 300th held for discussion at the next meeting

School Committee Liaison- Shelley Wieler

The finance subcommittee will be meeting with the Fincom liaison soon. The School Committee does appreciate the information and discussions from the joint meeting last week. They would like to get rolling on the budget soon. The School Committee would like to extend an all happy holiday's of the season to the Board of Selectmen.

Conservation Commission This discussion was held to the next meeting.

License Renewals

Alcohol license renewals are all set

Common victual licenses- there are still some who are outstanding but the TA's office will make some calls this week to work to collect the remaining paperwork which must be completed by 1/1/10.

Selectman Trindade moved that the Board approve all alcohol, common victualler, live entertainment, amusement, billiard, Class II, Class III, and auctioneer license renewals as presented by the Town Administrator's office conditional upon the fulfillment of the requirement of renewal. Those not resolved by 12/31/09 are subject to license forfeiture; Selectman Crowley Second; Discussion: Selectman Trindade explained each business has license requirements that are standard. Part of the process is to ensure they are operating properly. This is an annual process. It was noted that there are fees involved and Chairman Espinosa asked if there is a fine for those who don't comply by 12/31/09. Ms. Potter explained currently there is not but she would like to pursue this as an option. She explained this is a timely process. Selectman Crowley felt strongly that no more time should be spent by the staff chasing after these businesses. If they can't comply timely, the police and board of health should be notified on 12/31/09. Selectman Trindade suggested contacting Town Counsel for her opinion; All ayes 3-0.

Maryjane White-arrived and explained she wasn't present for the grant discussion because she was setting up for the poles tomorrow. She explained the grant has been received for the last 18 years. Selectman Trindade suggested the use of High School volunteers to work early morning poll hours. Ms. White thinks that it's her job and she believes that poll workers are more than capable. Medway has been through a recount and she is not going to risk anything to save money if that's the point. Selectman Trindade explained it was a suggestion which makes sense to open the polls earlier for those trying to get on the road to work and HS volunteers would not hurt the budget.

Budget Calendar

Possible changes to the budget calendar were bolded for this discussion. These changes were made to help all for additional time to analyze the governor's budget.

Town Meeting will be moved from May to June. Selectman Crowley believes the town needs to apply to move the date. Administrator Kennedy will check with Town Counsel on this issue.

Selectman Crowley explained that the dates were moved out two weeks for the school to review allowing four weeks for the Selectmen to consider. He explained that since there is such a larger impact for the school, why not give the schools an additional week if they need it and then the Selectmen will have three weeks to review. All departments would get three weeks, not just the school department. Administrator Kennedy will rework the dates as agreed.

Chairman Espinosa will firm up the policy statement.

Approval of Past Meeting Minutes

Selectman Trindade moved that the Board approve the 10/29/09 Minutes; Selectman Crowley second; No discussion; All ayes 3-0.

Selectman Trindade moved that the Board approve the 11/2/09 Minutes; Selectman Crowley second; No discussion; All ayes 3-0.

Selectman Trindade moved that the Board approve the 11/5/09 Minutes; Selectman Crowley second; No discussion; All ayes 3-0.

Selectman Trindade moved that the Board approve the 11/16/09 Minutes as amended; Selectman Crowley second; No discussion; All ayes 3-0.

Action items-were reviewed

It was agreed that some items should be amended to add more information and Mrs. Harrington will remove all that have been completed.

There is an item regarding \$81k which is a remaining sum from the High School Fund. Some items were outstanding and since have been resolved. The \$81,000 is sitting in an account. Selectman Trindade explained that the Selectmen appropriated \$39K for materials for the High School field house at the football field. It is his hope that a portion of that money can be used to make Fincom whole by re-appropriating the money back to Fincom.

Administrator Kennedy explained that this remains an unspent balance and she would like it to go to maintenance of the High School. She explained the amount can not be put back to the general fund for a fiscal year that has already gone by and it must be used for a school purpose. Mr. Crowley believes it should be allocated to the school and the school allocate to the town to pay Fincom back. Administrator Kennedy explained that she confirmed with Town Counsel.

Selectman Trindade explained that the money could not be used for the concession stand because it didn't meet the criteria, couldn't use state allocated bonded money and at the time there was potential litigation so the decision was made to seek funds from Fincom. But there was the intent to make Fincom whole again. Administrator Kennedy explained there was no resolution to the litigation and this should be left as an action item. Selectman Crowley would like documentation in writing from the Town Accountant detailing the reasons why this can't be allocated back to Fincom. Both Larry Ellsworth, Fincom and Shelley Wieler, School Committee, asked for copies of the same document.

Add to action items—

-Add reverse 911 update, this is not resolved with the vendor yet.

- Meter warranty clarification Tom Holder
- ARRA revenue and expenses difference of \$350K-clarification on the surplus on the ARRA money and the balancing of the funds on the IDEA and circuit breaker dollars.- SK will email Diane Borgatti

Selectmen Reports

Trindade-nothing to report

Crowley-MSBA grant, update: town approved \$250K at TM for the funding of an OPM and architectural study. They have met and chosen a firm and will present to the full committee tomorrow.

-Budget Policy-has it been established. Chairman Espinosa clarified a living document was present to the joint meeting. The document needs to be finalized.

Selectman Crowley believes that the document has been voted on and finalized. Need to provide some items that need to be corrected. Selectman Crowley wants to ensure the Policy remains 56/44. Chairman Espinosa will put together the changes from that meeting and then vote on it again. The Chairman doesn't recognize that the policy is all set.

Selectman Crowley read the motion where the policy statement was approved. He is clarifying that after the changes are made they should be brought before the board to review and vote again. Chairman Espinosa will be putting the calendar together, putting the impact statement together and will prepare where the numbers are coming from etc.

Selectman Trindade suggests a presentation should be given to the SC and Fincom so that all are clear on where the figures came from.

Chairman Espinosa explained a breakdown of the revenues should be prepared; a policy statement should be reviewed. A packet with all information will be reviewed at the next Selectman's meeting and voted on.

Selectmen Espinosa, Trindade and Crowley attended the Habitat for Humanity home presentation on Walker Street and praised the affordable housing committee for a job well done.

TA Report

-She has been working on a funding project for the TRANE project. This funding makes the school eligible to seek a grant for a sum of money that may reduce the Trane contract cost. This was submitted today with the help of Beth Greenblatt with hopes that something will come from it. They are also applying for state and federal funding.

-Ch 70 shortfall-there was an agreement that ARRA money received in FY2010 would be used for the shortfall. She asked that Mrs. Wieler check with Dr. Evans on how this will be recompensed as she would like to have Dr. Evans address and resolve this whole issue. Chairman Espinosa suggested Administrator Kennedy attend the next school committee meeting to address. Mrs. Wieler will ask the Assist. Superintendent to address now.

-Happy that the Fire/EMS came to the table and appreciates their cooperation.

Warrant #23 12/09

Town Bills \$378,315.74

School Bills \$260,920.00

Gross pay \$240,495.37

Gross pay school \$760,176.21

Total #23 \$1,640,007.32

Selectman Trindade moved that the Board approve the warrant as read; Selectman Crowley second; No discussion; All ayes 3-0.

At 9:00pm 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) and Exemption 6 (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) with no intent to return to public session. Selectman Crowley seconded; no discussion; Roll Call Vote Trindade-aye; Espinosa-aye; Crowley-aye.

Respectfully submitted,

Wendy Harrington

Board Secretary

*Approved 12/21/09