

MINUTES OF THE SELECTMEN'S MEETING FINAL  
May 4, 2009 7:00 pm  
Sanford Hall, Medway Town Hall

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

**Absent:** None

The meeting was called to order at 7:04pm

**Public comment:** None

**Annual Town Election Warrant**-Maryjane White-Town Clerk  
*Chairman Trindade moved that the Board approve the Annual Town Election Warrant as presented; Selectman Foresto seconded; no discussion; all ayes 5-0.*

**9 Walker Street Conveyance to The Affordable Housing Committee**- Susy Affleck-Childs, Member and Eric Alexander, Chairman of The Affordable Housing Committee

At the Fall Town Meeting the Town voted to approve 9 Walker Street for affordable housing, at the last affordable housing meeting, South Shore Habitat for Humanity was selected for conveyance pending approval an easement by Town Counsel.

A single family home will be built on the lot with a preference being given to Medway residents but can not stipulate Medway residents only. This is a Habitat run program and it is a regional program. Mr. Alexander stated that the project should stay open to any kind of state or federal funding and limiting to Medway only residents could harm the funding process. He also doesn't believe that there would be much interest from out of town people anyway.

Jerry McDermott, the Executive Director of South Shore Habitat explained the application process and the requirement that candidates must be willing to put in many hours of sweat equity.

*Selectman Foresto moved that the Board authorize the Chairman to execute the deed that will convey 9 Walker Street to South Shore Habitat for Humanity pending the easement approval by Town Counsel; Selectman Espinosa seconded; no discussion; all ayes 5-0.*

**Staff Introductions**-Susan Ellis-HR Director  
Frank Jordan has taken the position of Assistant Water Superintendent and Dave D'Amico has been named Interim Water Superintendent.

Mr. Jordan's licenses were discussed and noted that they are above what is required. He has previously worked for the Town of Ashland for the past 22 years. Mr. Jordan will begin the process of implementing the changes as outlined in the WhiteWater Study. Mr. Jordan will cover operations while Mr. D'Amico will handle contracts and procurement. There will be a meeting of the water/sewer staff tomorrow. The former superintendent has been re-assigned.

William Nasser has been hired as the new assessor. Mr. Nasser has previously worked in Boxborough and Hopkinton.

The Board welcomed both gentlemen aboard and explained that both areas are key areas that the Town is looking to upgrade.

**Assessor's Department Audit Report**-Michael Flynn and James Sullivan, Assessing Consulting Services

It was explained that an audit of the department operations, policies and procedures took place. The staff and Mr. Kapinos, consultant were interviewed as part of the audit.

Mr. Flynn is pleased that Mr. Nasser has been hired, and explained that Mr. Nasser has received a copy of the report and will use it as a blueprint for the functions of the office of the assessors.

This was not a financial audit, nor a specific audit on any one specific employee; it was only an overview of the office.

Recommendations: There was a unanimous recommendation that the first major step is to hire a full time assessor, the board agreed, as did the staff. The audit recommended that there be a recast of the data entry position. PT or FT, professionally trained in the data entry position, which will allow the assistant assessor/secretary to do only his/her duties.

There was a review of the vendor contract and reviewed to see if it can be adjusted to give the Town maximum flexibility in choosing vendor relationships now and in the future. It is important for the Town to have access to the data and there are many different CAMA system vendors.

Selectman Foresto offered that PK is driving us and not us driving PK. If we are going to reverse this, what's the situation going to be? Mr. Flynn advised that hiring Will is a very good start. He's been through multiple vendors and understands how they operate. A good discussion should be had with Mr. Kapinos to explain the situation. Mr. Dunne thinks that the new assessor should make these decisions.

Selectman Dunne discussed the comments regarding customer service. Some of the comments were read regarding storage, neatness of the office, space planning etc.

Mr. Flynn explained that through the Charter the change in assessors to appointed is a good move. Mr. Sullivan believes that appointed provides more flexibility in getting the positions filled.

Mr. Crowley explained after reviewing past employee exit interviews, it was noted that employees have explained there wasn't enough work and that they weren't kept busy. Mr. Flynn believes with a full time assessor, more work from the vendor will come back to the office.

Mr. Crowley asked if due to the size of the office/town, is it necessary to find a PT person now for data entry or down the road. The two gentlemen believed that once Mr. Messer is on board, time will tell.

Chairman Trindade asked if there is anything else we should be doing for training etc. of the existing staff. Mr. Flynn suggested further training on the PK system and explained there is a training course for Clerks within the state assessors system which they get training, updated on clause exemptions, statutory exemptions etc.

Chairman Trindade asked if there is the ability to cross train individuals to move around. It was explained that within parameters, yes, some items are confidential.

It was explained that only minor revenue loss occurred after not having a full time assessor.

Paper flow, catalogs, and the cluttered office area will be corrected. There is a new computer on the counter that is up and running. The website for assessing is one of the best around which was due to a combined effort by PK and Pace Williams. All agreed that the \$5,000 expense for the audit was money well spent.

**Contract Amendment with PGC Associates, Inc**-Susy Affleck Childs

This amendment is for consulting planner services and a contract renewal with the Town and is not exclusive to the Planning Board. PGC Associates would like to execute an extension of the contract through September 30, 2010.

***Selectman Dunne moved that the Board authorize the Chairman to execute a contract extension with PGC Associates, Gino Carlucci; Selectman Foresto seconded; no discussion; all ayes 5-0.***

**Clean Harbors**-Bill Fisher, Board of Health Agent

The Household hazardous waste agreement between the Town and Clean Harbors was discussed. The event is scheduled for May 16, 2009 and for Medway residents only. Chairman Trindade suggested advertising through the school's list serve and Medway cable.

***Selectman Foresto moved that the Board authorize the Chairman to execute a contract for the 2009 hazardous waste collection; Selectman Dunne seconded; no discussion; all ayes 5-0.***

**FY10 Budget Discussion**-WhiteWater Implementation/library (balance of \$40,000)/ conservation agent/free cash.

Administrator Kennedy explained that there is still \$40K to appropriate in the proposed FY10 budget

**Funded Projects 2010**-document was discussed which outlined what was funded and what is left to be funded

**Budget Projections, FY10, FY11, FY12 Updated Health Care, Salary Reserves, State Aid & School Budget**

Page 5 Library was discussed

In order to procure building maintenance \$6320 is needed (total \$14,920 for maintenance). Administrator Kennedy recommended this appropriation to augment what was already appropriated for maintenance. At the Finance Committee meeting it was suggested to appropriate more RMM so as there would be no use of the Tuchinsky Fund and appropriate an additional \$8200 to relieve Tuchinsky fund use. This would be to help pay any custodial fees, so they don't have to tap into the Tuchinsky fund interest. It appears the rug has not been cleaned in 5 years. The rug cleaning expense will need to be looked at in the future. The cost would be approximately \$5000.

No decisions were made regarding capital.

*Selectman Dunne moved that the Board approve the additional funds to the library with the same condition that a letter approving the regionalization be prepared by the Library Trustees; Selectman Foresto seconded; no discussion; all ayes 5-0.*

Discussion on Debt Service-Do we want to Bond Capital items or do we want to use Free Cash? Approximately \$15,000 is left over

*Selectman Crowley moved that Board approve the balance of \$15,360.00 to the general account, \$12,000 for procurement for aerator and \$3360 allocated to Medway 300; Selectman Dunne seconded; no discussion; all ayes 5-0.*

*Selectman Dunne moved to appropriate \$10,000 to fund the CIPC warrant request; Selectman Foresto seconded; no discussion; all ayes 5-0.*

Free Cash-\$173,848-snow \$327,972 balance \$1,415,876

*Selectman Crowley moved that the Board allocate from free cash \$327,972 to the snow and ice account to balance FY09; Selectman Dunne seconded; Discussion: There is a deficit in snow and ice this year, this will pay off the bill; all ayes 5-0.*

A discussion on the Governor's budget took place.

Selectman Dunne would like to see at least \$800K go to stabilization, we still have another month of un answered questions.

**Selectman Dunne moved that Board move \$800K of free cash and put into general stabilization fund, Selectman Foresto seconded; Discussion:** A discussion took place on placing the money in a certain account and leaving it there and the ramifications of putting it in an operational account. Selectman Espinosa was concerned that there are many capital projects that should be addressed with the money instead. Selectman Espinosa believes in a reserve is a good thing to do, but not operational.

Chairman Trindade is ok with putting it away, but don't want it restricted for operations. Selectman Dunne explained 5% minimum in stabilization should be bumped up. Ms. Phillip offered if you restrict the use, the bonding agency would look at it differently. Selectman Crowley explained in the past have always said, don't use stabilization for operations, in a few years people may not remember that we put it in for a specific purpose. Selectman Dunne would like to just put in stabilization for a raining day.

Larry Ellsworth, FinCom Vice Chair explained there is no reason to label it for a specific reason. Wonders if it is the best way to use it, could use it for some capital investments.

Frank Faist, FinCom Chairman offered to put it in as unrestricted for down the road to give the flexibility as the town sees fit in an emergency.

Selectman Crowley offered not to use stabilization for operations, we have been told that for years. The purpose of putting it away is because we're afraid of an operating shortfall in a few years.

**Motion amendment \$800K designated as an operational stabilization fund; Chairman Trindade seconded; 3-2 (Dunne and Espinosa opposed)** All were in favor of putting \$800K in a stabilization account but only 2 opposed to put it in a specific operational stabilization.

**Selectman Dunne moved that the Board allow \$150,000 of Free Cash to roll over; Selectman Espinosa seconded; no discussion; all ayes 5-0.**

**Selectman Dunne moved that the Board move \$225,000 from Free Cash to additional road and sidewalk to supplement the Chapter 90 monies; Selectman Crowley seconded; no discussion; all ayes 5-0.**

**Chairman Trindade moved that the Board move \$16,000 from Free Cash to carpet four schools and \$20,000 for new doors in four schools; Selectman Foresto seconded; no discussion; all ayes 5-0.**

**Selectman Foresto moved that the Board move \$8,000.00 from Free Cash for licensing for PC's at Town Hall; Chairman Trindade seconded; no discussion; all ayes 5-0.**

**Selectman Crowley moved that the Board move \$50,000 from Free Cash to pay for a one ton pick up for DPS; Selectman Foresto seconded; Discussion; Administrator Kennedy explained these items were on the CIPC list but it wasn't presented because**

*they CIPC thought that there were no funds to pay for them. Selectman Espinosa had requested that CIPC come back with an entire list so that they could be prioritized even if there are not enough funds to pay for them.*

*Selectman Crowley explained that he had called Jim Palladino, CIPC Chairman to ask him for his priorities.*

*Administrator Kennedy has asked CIPC to change their process; they will work on the evaluation criteria and work with department heads to have a long-term look.*

***Vote 3-2 (Espinosa and Dunne opposed)***

Selectman Espinosa is not happy with the process of how the decisions on how this Free Cash is being spent. Chairman Trindade took offense to Selectman Espinosa not agreeing to the way the Free Cash is being allocated. Selectman Espinosa offered that it is his preference to put money in stabilization, not the operational account, and then spend it later the right way.

Selectman Dunne asked if we could use the remaining to pay off debt to increase bonding capacity. Administrator Kennedy suggested that they might consider paying down the 2012 deficit financing or prepay the debt or pay the fiscal stability fund payment. This will free up operational capacity.

Selectman Crowley wondered if it would be wise to let it fall to free cash, in case there are budget cuts (FY10 budget, after it's approved). This would free up by Sept or Oct, and could appropriate in the fall town meeting, if no cut then could prepay fiscal stability.

***Selectman Dunne moved that the Board expand the amount that would fall to Free Cash to \$296,876; Selectman Crowley seconded; no discussion; all ayes 5-0.***

**WhiteWater Implementations**

Administrator Kennedy recommended adding \$109,000 by means of an article or the budget to consider providing the funding for the WhiteWater recommendations. \$65,000 was for the hydrant inspection and flushing program. Final documentation has not been received, but she is almost positive the numbers won't change. The enterprise account should cover this expense but it doesn't. There is \$450,000 in retained earnings, if we take \$109,000 from retained earnings it would put that account a bit low.

It was suggested that the \$109,000 should be built into the water rate increase and if so, the rate would increase by .04 a day on top of the .07 increase that was already proposed. There is a meeting on water rates scheduled for 5/7/09. Selectman Espinosa would like to see the water tank included in the rate structure. Selectman Crowley explained that if the water department doesn't raise the rates, there will be cuts within their department. Chairman Trindade believes the public wants to have action taken and results seen when they pay their water bill. He would like to see the flushing program continue. Selectman Espinosa would like to get it all done, not just half of it. He believes that some of the

money should be put into the rate structure so that there is some money there to start the process.

*Selectman Crowley moved that the Board allocate \$109,000 to the Water Enterprise Account, expense line item coming from pending rate increase and the water/sewer board will have a final say in it; Selectman Dunne seconded; no discussion; all ayes 5-0.*

*Selectman Espinosa moved that the Board allocate \$500,000 to the Water Enterprise Account, expense line item coming from pending rate increase and the water/sewer board will have the final say for the replacement or reconstruction of the tank; Chairman Trindade seconded; Discussion: Selectman Dunne believes there is enough money in wells and could move the money from one well to another; vote 2-3 (Foresto, Dunne and Crowley against).*

#### **Annual Town Meeting Warrant Review**

Each warrant article was reviewed.

Selectman asked that a full accounting/detail of the Parks Department income be requested for the next meeting.

*Selectman Foresto moved that the Board approve the warrant as amended; Selectman Dunne seconded; no discussion; all ayes 5-0.*

*Selectman Foresto moved that the Board close the Annual Town Meeting Warrant; Chairman Trindade seconded; no discussion; all ayes 5-0.*

#### **Warrants** #44 April 30, 2009

Town bills \$724,220.18 total \$724,220.18

*Selectman Dunne moved that the Board approved the Warrants as read, Selectman Foresto seconded; no discussion; all ayes 5-0.*

#### **Administrator Kennedy's Report**

1. Will present the SCADA contract on 5/18
2. Commend police force officers Matt Reardon and Officer Grimes for a great job on the Internet Safety Night presented recently at the Middle School.

#### **Selectmen Reports:**

**Foresto**-Working to try to get the architect to look at Town Hall

**Dunne**-Norfolk County looking for pictures of Medway. Selectman Dunne will try to reach the Library Trustees tomorrow to get an update.

**Espinosa**-Nothing to report

**Crowley**-Selectman Crowley explained that the opinion letter that Town Counsel wrote on what budget is voted on and is presented to Town Meeting states that it is not the School Committee's budget. Selectman Crowley would like a vote to release that letter with Town Counsel's opinion and make it a public document. The letter was dated 12/28/08. *Selectman Crowley moved that the Board release the letter from Town*

*Counsel dated 12/28/08 with her opinion on what budget is presented at Town Meeting; Selectman Dunne seconded; all ayes 5-0.*

*Selectman Foresto moved at 9:47pm that the Board adjourn for the evening; Chairman Trindade seconded; all ayes 5-0.*

Respectfully submitted,  
Wendy Harrington  
Executive Assistant  
\*Approved 7/13/09