

MINUTES OF THE SELECTMEN MEETING FINAL
February 23, 2009
Sanford Hall, Medway Town Hall 7:00pm

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

Absent: Selectman Dennis Crowley

7:05 p.m. – Chairman Trindade called the Selectmen’s meeting to order in Sanford Hall, Medway Town Hall

This is a regularly scheduled Board of Selectmen’s monthly meeting.

Public Comment: None

Authorization of the Chair to Execute Contract with Weston & Sampson for Comprehensive Water Master Plan

The revised price proposal dated February 2, 2009 was reviewed. Items discussed included water consumption and future projections, update GIS and mapping and hydraulic model update. The reduction in scope of services results in a reduction of 51 hours. The revised engineering labor cost for the Water System Master Plan is \$48,760 (a reduction of \$5,640).

Administrator Kennedy explained this is an appealing comprehensive proposal. Eight companies submitted proposals which were whittled down to three. Selectman Dunne, Selectman Espinosa, Mark Flaherty, Water Superintendent, Dave D’Amico, DPS Director and Administrator Kennedy reviewed the proposals. It was decided this is the best product that can be obtained at a competitive price.

Selectman Foresto moved that the board authorize the Chairman to execute the contract with Weston & Sampson for a Comprehensive Water Master Plan; Chairman Trindade seconded; no discussion; all ayes 4-0.

Authorization of Chairman to Sign Inter-Municipal Contract By and Between The Town of Medway and The Town of Franklin for Recreational Department Services.

This contract was authored by Town Counsel for Franklin, Mark Cerel and tweaked slightly. Franklin has offered some recreational programs to Medway residents, some will take place in Franklin and some will take place in Medway. Medway residents will be offered employment opportunities at the programs held in Medway.

Selectman Dunne moved that the board authorize the Chairman to sign an inter-municipal contract by and between the Town of Franklin and the Town of Medway for recreational services; Selectman Espinosa seconded; no discussion; all ayes 4-0.

Warrants

Selectman Foresto read warrant #34P dated 2/26/09 totaling \$84,370.89.

Selectman Dunne moved that the board accept the warrants as read; Selectman Espinosa seconded; no discussion; all ayes 4-0.

At this time the Board of Selectmen's meeting moved from Sanford Hall to the Medway High School where the Selectmen will join the Finance Committee and the School Committee who are already in the process of meeting.

7:35pm Medway High School Guidance Area, Mr. Crowley met the other Selectmen there.

This meeting was for the purpose of discussing the Trane Contract with members of the Finance Committee, the School Committee, Superintendent Dr. Evans, David Verdolino and Mark Cerel, Town Moderator. The meeting was already in progress when we arrived.

Dr. Evans explained that she believes it was with good faith that the SC and their energy contract committee followed the law and process in choosing the energy contract company, have done reference checks, have done due diligence and she is very sure there will be a savings. Ms. Trindade explained there were no minutes from the groups meetings or recordings, the group was not a sub-committee.

Since this was a Finance Committee meeting, FinCom members asked many questions that would be recorded in the FinCom meeting minutes.

Chairman Trindade spoke on behalf of the Selectmen. He acknowledged that all were in agreement that this is a good project, that the majority of the work proposed is to be done in places where work needs to be done. He believes that the Town needs to proceed by hiring an independent research company; the FinCom would fund the independent analysis so that everyone will be comfortable and will request that the research is done in a timely manner so that the project can proceed and be completed over the summer break.

Selectmen had questions regarding the legal process, if the contract could be renegotiated, if the project could begin after the May town meeting took place, and the ability to sever the contract if deemed necessary. Trane representatives explained the length of time necessary to order equipment and no real answers were obtained regarding the legal issues involved.

Administrator Kennedy sent the proposed agreement to Dr. Evans, who didn't receive it in time to forward to the School Committee. Administrator Kennedy advised those present that Town Counsel had reservations regarding the contract and she would forward her opinions to the Selectmen via email tomorrow.

Chairman Trindade advised that if the article doesn't pass at town meeting there would be a written agreement between the boards, acknowledging this will be top priority.

Chairman Trindade moved that the board agree to a seven member committee consisting of 3 selected by the BOS, 3 selected by the SC and 1 selected by the Fincom; Selectman Crowley seconded; no discussion; all ayes 5-0.

Some questions arose that the Selectmen would like Town Counsel to answer:

1. Is Dave Verdolino a legally approved signatory on contracts?

2. If TM approves bond financing and the committee doesn't want to go forward are we bound to the contract?
3. If passes and contract needs changes can the contract be changed through a contract amendment?

There being no further business to discuss at 9:29pm, Selectman Foresto moved that the board adjourn regular session meeting; Selectman Espinosa seconded; no discussion; 4-1 Selectman Dunne opposed.

Respectfully submitted,
Wendy Harrington
Executive Assistant
*Approved 4/13/09