

MINUTES OF THE SELECTMEN'S MEETING FINAL

April 21, 2009 7:00 pm

Sanford Hall, Medway Town Hall

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

Absent: Selectman Foresto was absent for the first part of the meeting.

The meeting was called to order at 7:06pm

Public Comment: None

Insurance Advisory-Sue Ellis, HR Director has engaged the services of EBS an independent consulting firm, working for the Town, to look at competitive insurance proposals for town, school and retired employees. The Selectmen reviewed a letter from the chair of the Insurance Advisory Committee (IAC), Sandy Giardino, which recommended a new vendor. The IAC is comprised of various town, school and retired employees. The proposal from the IAC was substantial and recommended converting from MIIA to Harvard Pilgrim. The change to Harvard Pilgrim would save \$60K and save another \$50K in the Medicare part D.

Ken Lombardi, EBS, which gave a comparison of the MIIA and Harvard Pilgrim's plans, presented a handout. After an independent review, the proposed rate increase from MIIA was somewhat unjustified. EBS looked at a few vendors, in the top 10 MIIA was high, and came down on their rates after they were questioned. EBS then went to the other carriers for their proposal and Harvard was the best. The seniors get a better break with Harvard. Harvard has a duplicate benefit plan with some enhancements in their drug plan, dependent age and vision care plan. All major Boston facilities/hospitals are covered with all of the same doctors etc as Blue Cross Blue Shield. There will be no issues/penalties with pre existing conditions. The IAC worked hard to find the savings and expanded insurance plans.

Administrator Kennedy is seeking the Selectmen's approval of the proposal. The rates are locked in for 1 year, with the only downside of changing over the plans and the paper work involved.

The enrollment data/paperwork needs to be completed timely with the first payment due in June or July. Employees shouldn't feel any change at all.

Selectman Dunne moved that the Board approve the recommended change from MIIA to Harvard Pilgrim; Selectman Espinosa seconded; no discussion; all ayes 4-0. (Mr. Foresto had not yet arrived)

Request to move the Farmer's Market to 2B Oak Street- Missy Dzizcek, Parks Commissioner

The Parks Commission has requested the relocation of the summer Farmers Market from Choate Park to 2B Oak Street. After a \$200K grant has been used to improve 2B Oak Street the property is looking beautiful and the grant helped immensely. There will be a summer camp held at Choate Park until 4pm each day and a concern for parking, farmer's vehicles and the like were considered. There is ample parking at Choate Park and at 2B Oak Street, with parking having been recently added. The Selectmen were concerned with vehicles and wants to ensure there will be no parking on the newly planted grass. The Historical Commission has agreed with the move. Because the Selectmen control the property at 2B Oak Street, not the Parks Commission, the Selectmen must approve the move.

A concern was raised as there is no real connection or formal walkway between Choate and 2B Oak. Mr. D'Amico, DPS Director originally went to ConCom and talked about breaching a wall to separate. It was decided to wait for a lawn to come in.

Ms. Dzizek discussed the plans for the summer concerts. Friends of Choate Park will be running a summer concession stand and possibly moving the set up of the concerts. Ms. Dzizek was invited to come back closer to the start of the series to update the Board. **Selectman Crowley moved that the Board approve the move of the Farmers Market to 2B Oak Street; Selectman Espinosa seconded; no discussion; all ayes 4-0.**
(Mr. Foresto had not yet arrived)

Sewer Project Enforcement Order-Dave Aimola (Town of Medway, consultant), Paul Sirois (Tata & Howard), and Tony Biocchi (ConCom)

Concom issued an enforcement order. A lot of erosion control devices were damaged in the snow and not re established. The contractor responded quickly, shut down his crew to correct the issues while Mr. Biocchi and other members of ConCom helped to support the contractor. The ConCom enforcement order was ratified and was withdrawn after each issue was addressed. ConCom has been invited to attend weekly/biweekly meetings with the contractor and consultants. ConCom released the order by a unanimous vote because all conditions were met.

An issue has arisen during the construction on the sewer project. The contractor ran into petroleum in the soil under ground on Village Street, which is the result of a truck accident that took place in the 70's. Chief Trufant believes a Garelick truck in the 70's that laid on it side for hours, spilt fuel onto the road. In those days the fuel was sanded.

There are very strict rules as to how to take care of this today. Paul Sirois explained that as soon as the Contractor realized there was petroleum present, a licensed site professional came out and listed very specific procedures that must be followed. A soil and water sample was taken. The Contractor was shut down, under MCP. It was determined that the soil could go back in the trench but the groundwater right below the threshold. Because of the level, can't just discharge the water. Paul explained the process and permit process.

Dave Aimola explained that the Contractor can't work there now, but working at the industrial site, so there is some delay. There will be additional costs for lab fees and treatment systems.

Chairman Trindade moved that the Board authorize the Chairman to execute amendment #5, not to exceed \$15,000; Selectman Dunne seconded; Discussion: Selectman Crowley explained he will not vote for another change order unless numbered; All ayes 4-0. Selectman Foresto had not yet arrived.

Selectman Crowley is pleased with the way this was handled and the way that the issues raised by ConCom were dealt with.

Chairman Trindade recognized the Medway Fire Fighters and Police who have had to deal with two very difficult tragedies this week. Thank you for a job well done. We thank you for your service. Chief Trufant explained how assistance has been made available to the employees and volunteer staff.

Master Plan-Jim Wieler and Dave Kaeli

The Master Plan committee has been working for the past 15 months to establish this plan. The Master Plan survey had very strong signals suggesting police and fire protection are very important to our residents and the residents are very satisfied.

The Master Plan Committee looked at the 1999 master plan and parceled out sections to individuals on the committee. The Committee established new goals and new action items. The Committee members will take back their goals and action items to the boards, which will be implementing the action items.

There is a meeting scheduled with the Planning Board in May for their acceptance and then present to Town Meeting in June. An executive summary will be in the FinCom book mailed to residents before Town Meeting. As a point of reference, the 1999 Master Plan was 39 pages; the current Master Plan is 102 pages in length.

Key facts: Medway is ranked 52 out of 305 in taxes. Bottom 5% on per pupil spending. 30% of our potentially developing land is zoned as residential and 1% is zoned as commercial. Medway has to do something to enhance the industrial/commercial land base.

Mr. Wieler reviewed the Appendix A: Master Plan implementation summary. (See master plan in #3) * This is not the final version.

The Board reviewed the projects that the BOS must lead with the majority having to do with water. Selectman Dunne offered that a lot of these projects are already started. Selectman Crowley asked who was the sub committee that covered water/sewer and was advised that the data came from Ron Wilson and DEP.

The Selectmen should also see to it that the town facilities become energy efficiency and become green.

Having this document in place enables Medway to be given a higher ranking for state grants, provides a vision and guidance for bylaw changes etc. and is a guide to all boards.

It was suggested by Selectman Espinosa that the Master Plan be promoted at STM, by having a booth for advertising and for people to become familiar.

Chairman Trindade suggested getting a copy of the Master Plan put up on the web so that people can see more about it and become familiar.

Chairman Crowley mentioned the item that needs to be top priority and is glad that it's mentioned: "needs to make road and sidewalk budget a priority"

8:10 Selectman Foresto arrived.

Organic Farm-Heather Scott and Susy Affleck Childs

The Winthrop Street property of approximately 19 acres was acquired last year, and a proposal to start an organic farm has been received. The town put forth an RFP and held public hearings for the possible uses of this property. The RFP process has been completed.

A review team was established consisting of Dennis Crowley, (BOS) Bob Tucker, (PB) Pat McKellum, Phyllis Cerel (FC) and Susy Affleck-Childs. The review team met on 3 occasions to review, interview, and discuss scoring, evaluating systems and final discussions. The group reached a recommendation to enter into a 5 yr lease agreement, to lease 7 acres, 2 of which will be actively farmed. The group is recommending that the BOS appoint a Medway Comm. Farm Liaison Committee to interact with the farm. The group will consist of the same group as mentioned above as well as a citizen at large.

Chairman Trindade moved that the Board authorize the Selectmen to approve the lease agreement between the Town of Medway and the Medway Community Farm, Inc., for the purpose of an organic farm at 50 Winthrop Street; Selectman Crowley seconded; Discussion: questions arose on the pro forma income statement and if the farm would be able to absorb the losses in the first few years, (the first 3 years are in the red and positive in 2012). Selectman Dunne explained that the Proforma cash flow, to sell share that is a positive that isn't included in the revenues. 4-1 (Selectman Dunne abstained as he was once a member of the corporation)

Selectman Crowley offered that he was once pessimistic and now guardedly impressed. He wished the Farm luck and believes this is an added plus for the town.

The plan is to prepare the land this summer with cover crops. Some serious fund raising to build a volunteer base will take place and then will reassess funding in September to hire a farmer to start in March. If so, will plant April 2010.

The barn must come down by September, as this is a liability to the town. In November 2009 the farm will start advertising shares. Residents can get more information at www.MedwayCommunityFarm.org. A link to this website will go on the Town's website.

ATM Articles

Dave D'Amico-DPS Director discussed an issue with Shaw Street and the damage that the river is doing to the road. The River is reclaiming the soil, trees have been removed, and there is a long-term erosion issue. Removing the trees is a double-edged sword; it will kill the roots, which is holding the dirt. Contracting with Tetrattech Rizzo (engineering, retained firm) \$16K for engineering. \$500-\$700K total cost. The cost would be higher to redo the whole road from start to finish.

Selectman Dunne asked if the Army Corp of Engineers could help out or if there could be stimulus money available. Administrator Kennedy and Mr. D'Amico are working on a priority list, maybe Dave should add this to the list.

Selectman Espinosa moved that the Board include the Shaw Street article in the ATM warrant, as read; Chairman Trindade seconded; all ayes 5-0.

Selectman Crowley will contact Rep. Vallee's office to see if there is anything he can do to help out the funding of this project.

Administrator Kennedy and the Selectmen gave the ok to Mr. D'Amico to sign with Tetrattech to get this project started.

Dennis requested a list of roads his department is going to do next. Mr. D'Amico will get this list to BOS in the next 2 weeks.

Administrator Kennedy explained a placeholder for Free cash on the ATM as the final budget hasn't been decided yet. At present there is a \$245,000 gap in the 2010 budget. Ms. Kennedy is proposing a placeholder as there needs to be one more meeting to discuss the budget. Recommended in the event you need free cash.

Selectman Dunne moved that the Board add the Free Cash Article to fund the FY 2010 budget as read; Selectman Crowley seconded; Discussion: Selectman Crowley isn't sure of that the wording is accurate. For the purpose of funding the FY2010 operating budget. All ayes 5-0.

The Selectmen agreed to meet to discuss and finalize the budget on Friday May 1, 2009 at 4pm.

WhiteWater discussion will take place on 4/27 at Sanford Hall. Selectmen Foresto will contact Medway Cable as Fincom will tape in the SC room and BOS will show live from Sanford Hall.

Administrator Kennedy will provide Fincom with a copy of the ATM Warrant

Administrator Kennedy will contact Dr. Evans on changing the location of 4/28 meeting to Sanford Hall and Ms. Potter will arrange for tables etc.

Upcoming Meetings:

4/27/09 WhiteWater Discussion

4/28/09 Budget meeting with the School Committee in Sanford Hall

5/1/09 Selectmen Budget discussion 4pm

5/2/09 Budget presentation with the Finance Committee in Sanford Hall 8am.

Warrants:

Warrant #42 dated 4/23/09

Town bills \$641,608.59

School bills \$471,229.70

Gross payroll town \$8,9542.46

Total \$1,202,380.75

Selectman Dunne moved that the Board approve the warrants as read; Selectman Foresto seconded; no discussion; all ayes 5-0.

Administrator Kennedy advised that as of 5/2/09 the town would be going to a biweekly payroll system.

Selectman Espinosa asked that Outlook reminders for Selectmen's meetings be sent. Ms. Harrington will make sure to stay on top of this request.

Selectman Foresto asked what the Vadar amount in the budget is for and was advised there will be systems running in parallel at an expense of roughly \$6858.00.

The ATM warrant will not be closing this evening, as the Citizen's Petition should be withdrawn.

Approval of Regular Session Minutes

Selectman Dunne moved that the Board approve the 2/24/09 Minutes as amended; Selectman Espinosa seconded; no discussion; all ayes 5-0.

Selectman Crowley moved that the Board approve the 3/3/09 Minutes as amended; Selectman Foresto seconded; no discussion; all ayes 5-0.

Selectman Espinosa moved that the Board approve the 3/4/09 Minutes as amended; Chairman Trindade seconded; no discussion; all ayes 5-0.

Selectman Crowley moved that the Board approve the 3/11/09 Minutes; Selectman Espinosa seconded; no discussion; all ayes 3-0 (Selectmen Foresto and Dunne were not present at the 3/11/09 meeting).

Selectmen's Reports

Selectman Crowley-nothing to report

Selectman Espinosa-nothing to report

Selectman Dunne-Would like to discuss the budget. It was agreed that a discussion on the budget would take place on Friday May 1, 2009 beginning at 4:00pm.

A discussion took place on the Library Trustees and Administrator Kennedy explained she has a meeting with the Franklin Library Director, and Jeff Nutting, Town Administrator, Franklin, next week and all should be resolved by 5/16/09 before the budget book deadline. Selectman Dunne explained that the Regionalization money would be removed from the Library budget if the regionalization doesn't pass.

Selectman Foresto-Continued work on the Trane contract with the School Committee. The School Committee will review the changed items at their meeting on Thursday 4/23/09.

Chairman Trindade-nothing to report

Chairman Trindade offered that at the next meeting on April 27, 2009 there would be a presentation by WhiteWater on water operations. Any resident who has water issues are encouraged to attend or tune in.

At 9:21pm Chairman Trindade moved that the Board adjourn to executive session for exemption reason number 6 "To consider the purchase exchange, lease or value of real property if discussion in open session may have a detrimental effect on the negotiating position of the governmental body and a person, firm or corporation" and for exemption reason number 3 " To discuss strategy with respect to collective bargaining or litigation" with no intent to return to open session; Selectman Crowley seconded; Roll call vote: Selectman Foresto-nay, Selectman Dunne-nay; Selectman Espinosa; aye; Chairman Trindade-aye; Selectman Crowley-aye.

Respectively submitted,

Wendy Harrington

Executive Assistant

*Approved 6/1/09