

**Board of Selectmen Meeting Minutes-Final
Monday January 4, 2010
7:00pm
School Committee Room, Medway Middle School**

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

Absent:

Public Comment: None

The meeting was called to order at 7:05pm

At 7:06pm 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 the intent to return to public session. Selectman Dunne seconded; no discussion; Roll Call Vote Trindade-aye; Espinosa-aye; Crowley-aye; Foresto-aye; Dunne-aye.

No public comment

Selectman Dunne moved that the Board approve the Minutes from the 12/21/09 Meeting as amended; Selectman Trindade second; No discussion; All ayes 5-0.

Conservation Commission Appointments

It was decided that the appointments of each candidate would be discussed individually. The last time the Conservation Commission was discussed it was voted that the Commission would change from 7 members to 5 members and the terms will be staggered.

Selectman Trindade moved to reappoint Ken McKay for a term of two years; Selectman Dunne second; No discussion; All ayes 5-0.

Selectman Trindade moved to reappoint David Travalini for a term of three years; Selectman Dunne second; Discussion:

Selectman Crowley expressed his concern for the start time of the ConCom meetings which tend to begin at 8pm. He feels this time is not convenient to the public and he would like the ConCom to begin their sessions earlier. Selectman Dunne suggested a compromise to begin no later than 8pm. Selectman Crowley believes 8pm is too late for the residents who are bringing attorneys to their meetings. Mr. Travalini expressed his feeling that he can't give a commitment that his entire board can make 7:30 meetings. Selectman Crowley would like to believe that the BOS can set start times for the boards

and if the board can't make those guidelines, then we should reconsider the appointments.

Selectman Trindade explained that Mr. Snow, Mr. McKay and Mr. Travalini have all said that they can attend earlier and he explained that all boards should be televised and recorded.

Chairman Espinosa stated that he has never received a complaint or phone call from anyone regarding a reappointment but he did about Mr. Travalini and there seems to be a sense of arrogance, unfair treatment and intimidation, at times. He wanted to share that with Mr. Travalini. Chairman Espinosa did some investigation by asking various boards and businesses and got both positive and negative comments. He believes there is some discontent out there and has come to the conclusion that he is not comfortable with this reappointment.

Mr. Travalini commented that there are going to be complaints, it's a job of telling people no and not about making people happy. The law is what it says it is and the same for all, he believes there are going to be conflicts/personality conflicts and he tries to deal with everyone the same way.

A discussion took place regarding the secretary and the ability to video tape/air the meetings. The Town Administrator's office will work with the staff to ensure they are properly trained and Selectman Foresto explained that someone from the Medway Cable Access studio would be available to assist the staff until they are comfortable.

Vote: Chairman Espinosa asked if there were any public comments regarding this appointment, there was none; 4-1 (Chairman Espinosa was opposed)

Selectman Trindade moved that the Board reappoint Brian Snow for a three year term; Selectman Dunne second; Discussion:

Cranston Rogers, speaking for himself not as a planning board member stated he has plenty of experience with dealing with conservation commissions. He feels the current ConCom has no respect to balance the wetlands with current development. Selectman Trindade took exception with the remark because with over 380 applicants over the course of many years there has only been one law suit.

Selectman Trindade sited many projects and their issues and offered to Mr. Rogers that the facts don't support the case he was trying to make. Selectman Crowley asked Mr. Rogers if he was referring to the new set of Rules and Regulations the Conservation Commission has enacted. Mr. Rogers was referring to the new Rules and Regulations the one's that are adopted, modified and reduced but not enough. Mr. Rogers did not want to make any other comments after Mr. Trindade's remarks. Selectman Dunne offered the fact that only three residents have come forward to become appointed for these positions and whether it's balanced or unfair, these are the only residents who have volunteered. Vote: 5-0.

Town Wide Energy Committee Appointments

Administrator Kennedy read a draft mission statement prepared by her staff. She explained that this committee is to satisfy requirements for the energy assistance grant which was awarded 9/1/09. There are nine excellent candidates for a seven member committee.

Selectman Dunne moved that the Board extend the Town Wide Energy Committee to a 9 member committee; Selectman Trindade second; Discussion: It was agreed the committee will be appointed and the committee will come up with their own length of terms, which should be staggered. 5-0.

Selectman Trindade moved that Board appoint Jeff Herman, Charles Myers, Shelley Wieler, Jack Robinson, Robert Wilson, Beth McDonald, David Brownell, Peter Cooper and Frank Faist; Selectman Foresto second; Discussion: Chairman Espinosa welcomed any of the candidates to speak, but there was no interest in doing so; 5-0. Selectman Crowley asked that the committee to go off and decide what to do with the mission statement being provided. Selectman Foresto will set up and attend the first meeting. He will help get the committee going and would like to understand energy throughout the town and set some goals to change the conditions we have today and look at other options.

BOH H1N1 update

Mr. Fisher was present to review the recent clinics held by the town and gave pertinent information on the upcoming clinics. The website will be updated to include residents with underlying medical conditions.

Blackboard Contract-Chief Allen Tingley

Administrator Kennedy explained that the contract wasn't accurately processed by the correct blackboard signatory. The Selectmen were sent Town Counsel's comments on the contract earlier today. The Town Accountant wasn't available for signature last week, but the funds are there. Administrator Kennedy spoke about a policy for the Selectmen's review and consideration on the use, and suggested they may want to adopt the policy with some modifications down the road. She also suggested discussing the policy at the next meeting.

Selectman Trindade explained that this technology would allow the police to broadcast to every home through the phone lines. He explained that while he understands the changes Town Counsel has suggested, for the amount of money involved, let's just move forward. Selectman Crowley has no issue with the liabilities and we have put this off for 6 months, he sees no reason why we can't just vote

Selectman Trindade moved that the Board authorize the chairman to execute the contract pursuant to the details brought up by the Town Administrator, and all applicable signatures will be applied; Selectman Foresto second; No discussion; All ayes 5-0.

There was a discussion regarding the draft policy and procedures governing the connect use. Selectman Foresto suggested any item, of any kind should be signed off by the Town Administrator's office and the Selectmen should be notified, individually, before

such a notice is sent out. Contacting each Selectmen is to ensure that they are not caught blindsided. He also suggested that residents should be notified to enter cell phones and emails due to further connection changes with phone lines.

Selectman Dunne would like to ensure that the lists are not sold. Selectman Foresto emphasized that the schools use their own system. Selectman Crowley would like to more clearly define a non-governmental purpose in the policy. Administrator Kennedy will consult with Town Counsel on this issue.

Energy Planning Assistance Grant-Tom Holder, Susy Affleck-Childs, John Emidy and Dave D'Amico

Gino Carlucci wrote this grant and it was awarded 9/1/09 from DOER. Once awarded it gives the town a better shot at other grants, a higher rating on the Commonwealth Capital Program, higher rating and a better chance to get loans. Administrator Kennedy read a statement of what DOER believes the grant should accomplish. There are five criteria that must be met. The group reviewed and discussed with the selectmen their respective roles. It is the groups hope they will complete discussions by mid February and that this planning document will be finished and then brought the Selectmen for further review.

There are items that will need to be addressed through Town Meeting. Selectmen Trindade asked that the group be clear with the residents so the residents will be informed and will not get upset with the changes involved.

Ms. Affleck-Childs explained she will be hosting a hands on workshop/seminar targeted to our local developers, builders and realtors, what is the stretch code, what are the basics etc. The Selectmen will be informed of the seminar date, should they wish to attend.

Selectman Crowley asked the earliest the town can get a green community certification? His reason for asking is because Medway can get more points for a matching grant approval for the school building project.

School Committee Liaison Report-Carol Bernstein- Nothing to report, no recent meetings have been held due to the holidays.

Beaver Issue-Tom Holder

One of the town owned properties had a beaver damn on it, which was causing neighbors to have large amounts of water in their basements and on their property. Beaver Solutions installed a pipe to remedy the situation. The solution hasn't totally remediated the problem. It was suggested that maybe another pipe could be installed to help resolve the issue. Mr. Holder explained that another pipe installation wouldn't happen until the spring. Selectman Trindade explained that if you move the beavers, they will return, but you could make changes to their habitat while they are away.

Mr. Holder explained that before the pipe was installed the roadway was compromised. This is the reason why the Town paid to remedy the situation.

Selectman Crowley asked if another pipe is installed what are the chances of improvement. "The installation of the first pipe has improved, but not to the homeowners liking. There was improvement, but that has changed again".

Mr. Holder will attend a March meeting to update the Selectmen on the situation. Mr. Holder explained "it's not the property owner's responsibility to fix the situation it's the one that is affected. this is one of 4 properties affected and we may get caught up taking care of all of them".

Action Items-

Meter warranty has already been addressed.

Shaw Street-Bridge closed sign and put the barrier back up since plowing.

Warrants #27 1/7/10

Town \$203,481.80 Gross payroll town

\$740,683.68 Gross payroll school

\$944,165.48 Grand total

Selectman Trindade moved that the Board approve the warrants as read; Selectman Dunne second; No discussion; All ayes 5-0.

Town Administrator's Report

Administrator Kennedy is trying to set up a meeting with Chairman Espinosa and Selectman Dunne to discuss a library regionalization grant, how to proceed, etc. Mr. Nutting suggested to Administrator Kennedy that the state library board of trustees may announce grants for library regionalization.

\$400K 109 grant-needs federal government approval before can obtain the funds. We need a written document that we will get this grant.

Grants-hired Gino Carlucci to help get the energy grant.

Haley & Ward were hired to try to obtain three water conservation grants, which didn't come through.

An application to the Dept Environmental Protection has been processed for a loan for the highland street tank, this is a loan. The bond has already been approved.

Replacement will take place in late summer.

Administrator Kennedy explained she has attempted to secure some police grants, have attempted to contact some grant writers with this, with nothing secured. She is meeting with Gino Carlucci to decide if he is available to help locate some grants as she knows we have not been as successful as we would like to be.

Selectman Foresto explained that we haven't spent as much money as we were granted and because the money was put into an article it will stay where it is if it goes unspent.

Selectmen's reports

Selectman Crowley has spoken to some of the Charter Committee members and they are willing to serve on the Town Wide Facility Committee, which is a committee to study consolidating school/town buildings and grounds. He suggested a committee of five members and have those interested come to the next meeting to be appointed.

Selectman Foresto explained that this was initially discussed with the school committee and Chairman Espinosa believes that the School Committee should be included.

Selectman Trindade offered that most towns are moving to centralize grounds and maintenance.

Chairman Espinosa asked Ms. Bernstein to report back to the School Committee to see if anyone would like to become involved and the Town Administrators office will advertise the committee via the Town Website and cable.

The Selectmen agreed if no one steps up then they will recruit.

At 9:35pm Selectman Trindade moved that the Board adjourn for the evening; Selectman Dunne second; No discussion; All ayes 5-0.

Respectfully submitted,
Wendy Harrington
Board Secretary
*Approved 2/1/10