

MEDWAY BOARD OF SELECTMEN

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*Andrew Espinosa, Chairman
Richard Dunne, Vice Chairman
Dennis Crowley, Clerk
John Foresto, Member
Glenn Trindade, Member*

Board of Selectmen's Meeting Minutes-Final

May 17, 2010, 5:00 PM

Sanford Hall, Town Hall, 155 Village Street

PRESENT: Chairman Andrew Espinosa, Selectmen Dennis Crowley, and John Foresto, Town Administrator Suzanne Kennedy.

ABSENT: Selectmen Richard Dunne and Glenn Trindade

Also Present: Town Counsel Barbara Saint André, Consultant Chris Woodcock

Town Counsel Barbara Saint André reviewed the betterment process to date. She stated that last year the Town decided that 50% of the cost of the sewer extension would be recovered through betterments not to exceed \$12,000 for residential properties. Consultant Chris Woodcock determined that the frontage formula was the best method for covering this cost without going over \$12,000 per betterment.

She stated that the formula was reviewed with the Dept. of Public Services and Haley and Ward engineers. Both came up with revisions. She said the biggest outstanding problem is corner lots. In some cases, the sewer only passes one side of the property, which does not pose a problem. However, some have sewer passing in front of two sides of a property. She stated the Water/Sewer Commission has to decide how to deal with this frontage issue. The suggestion is to make the calculation based on the longest frontage, but noted that there are other options. She stated that whatever is decided, it must be consistently applied.

Town Counsel stated that the other outstanding item is to come up with a final betterment figure. Only then can a betterment be assessed to all properties.

There was some discussion about the various ways the double frontage issue could be resolved. There was also some discussion about how close the Town is to a final figure for the betterment calculation. Mr. Woodcock stated that the last number he saw left the Town with approximately \$70,000 that would have to be absorbed due to the \$12,000 per betterment cap for residential properties.

Ms. Saint André stated that most of the situations where the \$12,000 cap is exceeded are the two frontage lots. She gave as an example Lot #3-6A at Trotter and Alder. It is a long, narrow lot. She said assessing the betterment on the long frontage would mean a lot more money compared to the short frontage. The question is what the fair way to deal with this is.

Mr. Woodcock said he tried to look at big lots that could be subdivided. He said property owners could ask for deferment on undeveloped lots, not paying on them until they are subdivided.

Mr. Cranston said the Water/Sewer Commissioners are familiar with the issues. He would prefer to use Mr. Woodcock's time this evening in a better way.

Ms. Saint André said the betterment cost should be on record at the Registry so that prospective property owners can be made aware that a sewer is coming through. Mr. Crowley stated that the Selectmen could meet with the Water/Sewer Commissioners to address these issues. Ms. Saint André said the actual assessment is not as important as the estimate at the moment. The estimate needs to be determined so that she can give notice to the Registry.

Mr. Foresto thought the Selectmen should defer any decision until the Water/Sewer Commissioners come back with a recommendation. Mr. Espinosa pointed out the methodology is already voted. Mr. Crowley said he would meet with the Water/Sewer Commissioners as the Selectmen's liaison to resolve this.

Mr. Crowley said he thought the Town could move forward with a temporary abatement to start to assess. Mr. Woodcock said he thought so as well. Ms. Saint André said she would look into this to confirm. Mr. Woodcock stated that the final cost drives the price per foot more than the odd lots.

Ms. Kennedy asked Mr. Holder if he had experience with temporary betterments in Framingham. He said that he has and that the additional costs were nominal. He said there is a bit of risk. Mr. Crowley said that contradicts what was just said. He said the Town should be able to estimate the total cost in order to collect betterments until final cost is known and then adjust.

Ms. Saint André reminded the Selectmen that the Water/Sewer Board assesses the betterments.

Mr. Crowley asked if the outstanding issues have to be resolved by July 1. Ms. Saint André stated she did not want any discussion taking place with the Water/Sewer Commissioners without a properly posted meeting. She then stated that betterments do not adhere to the fiscal year.

There was discussion about scheduling Mr. Woodcock's attendance at additional betterment discussions. Mr. Holder said the purpose of this meeting was supposed to be to discuss the rate model to incorporate the capital program and take a long-term look at the structure.

Mr. Crowley requested that the Water/Sewer Commissioners determine the estimate as soon as possible.

Ms. Kennedy clarified that the Board of Selectmen's involvement in this discussion was due to its prior involvement in the process. The Board expressed its wished to be kept apprised of the status of the project. Mr. Espinosa said at this point it is in the Water/Sewer Commissioners' hands. Mr. Crowley added that the Selectmen made promises at Town Meeting and he wants to make sure that the Commission is familiar with those. Ms. Saint André said she would work with the Water/Sewer Commissioners to proceed.

Mr. Espinosa said that the Selectmen would appreciate being informed of any decisions and conclusions the Water/Sewer Commissioners come to.

This part of the meeting was concluded at 5:40 PM.

**Approved 6/21/10