

**Board of Selectmen's Meeting
October 26, 2011, 7:00 PM
Sanford Hall, Town Hall
155 Village Street**

Present: Members of the Board of Selectmen – Dennis Crowley, Andy Espinosa, John Foresto, and Glenn Trindade. As three (3) or more members of the Board planned to gather in the same place, a meeting of the Board of Selectmen was scheduled and posted for this time, in accordance with the Open Meeting Law, M.G.L. chapter 30A sections 18-25. The meeting, however, was chaired by the Finance Committee.

Also Present: Finance Committee: Chairman Martin Dietrich, Vice Chairman Jeff O'Neill; Members: Christine Devine, Kevin Dickie, Neil Kennedy, Chris Lagan, Tony Pacholec, Frank Rossi and Jim Sheehan.

Also Present: Town Administrator Suzanne Kennedy; Melanie Phillips, Finance Director; Missy Dcizcek, Director, Council on Aging; Allen Tingley, Police Chief; Paul Trufant, Fire Chief; Susy Affleck-Childs, Planning and Economic Development Coordinator; Sue Ellis, Human Resources Director; Dan Hooper, Chairman, Thayer Development Committee; Deborah Trindade, School Committee.

With a quorum present, Chairman Dietrich called the meeting to order at 7:07pm. He announced that the purpose of this meeting was predominantly to review the Fall Town Meeting Warrant. The Finance Committee will officially vote on the Warrant at its Public Hearing scheduled for November 2, 2011.

Chairman Dietrich asked if there were any public comment. There were none.

Warrant Review – Fall Town Meeting:

In deference to the Police and Fire Chiefs, Chairman Dietrich suggested the Committee address the articles affecting those departments first.

Article 2 – Purchase Ambulance: Brief discussion on arranging the financing via bond. It was noted that the quoted price includes a trade-in allowance for the old ambulance.

Article 7 – Re-purpose funds: Fire Station Roof and Switch, Town Hall Renovations: Ms. Phillips clarified that the original money has to be used for a purpose similar to that of its original intent. Given the tight economy, the Town was able to secure an excellent bid on the work. It was noted that the Capital Improvements Planning Committee was consulted; it had no issues with the re-purposing of the funds.

Ms. Kennedy briefly explained the Town Hall renovations, which include construction of two half-walls in Sanford Hall to create office space for a new Housing Coordinator and the IT Director including some reconfiguration of the adjoining equipment room for the copier, all at a cost of \$8,300. Sanford Hall will also be painted and re-carpeted, wainscoting trim added, as well as a new desk for the selectmen (and other groups who use Sanford Hall). She emphasized that she is seeking a desk that will comfortably seat 10 people while allowing use of laptop computers and power outlets for those computers. Quotes for such a desk are \$12,000 and over. Ultimately, she wants the room to be attractive and represent the

Town of Medway as well as other communities she has visited. She estimated that the hall had not been redecorated or renovated in 25 years.

Article 8 – Re-purpose funds: Snow Guard Rails at Police Station: No questions.

Article 13 – Transfer: Police Outside Detail Account: Ms. Phillips reported that policies and procedures were put in place two years ago and collections have dramatically improved since then. She clarified that many of the outstanding issues are from the 1990s.

Article 14 – Prior Year Unpaid Bills: Ms. Phillips stated the Fire Department has an outstanding bill at a hardware store.

Chairman Dietrich thanked Chief Tingley and Chief Trufant for being present.

As the Director of the Council on Aging was present, Chairman Dietrich asked the committee to consider Article 4 – Amendment to Council on Aging Revolving Account. Ms. Dcizcek stated this is an increase over their annual assessment of \$81,000. A brief explanation was provided outlining that the state issues an assessment which is paid by the state to provide busses for senior citizen transportation, donations are accepted from riders, and then reimbursement occurs. The Senior Center cannot incur expense/usage over the assessment or the difference will come out of Town funds. It is a use-it-or-lose-it situation. Basically, the Senior Center's allotment is increased.

At this time, the Finance Committee began reviewing the remaining Articles on the Warrant, in sequence.

Article 1 – CPA Transfer: Thayer Property: Chairman Dietrich briefly explained that the previous Article 1 was removed from the Warrant, and this is a new Article 1.

Selectman Foresto stated that the dollar amount has been reduced to \$150,000 from \$250,000. The original \$250,000 estimate was developed by the Thayer Committee based on 10-12% of total anticipated costs. After that was determined, the committee consulted with the architecture and engineering firm who reduced the figure.

Mr. Hooper provided a brief explanation of the project. Chairman Dietrich asked how the expenses will be paid, as there was some question about that. Selectman Foresto stated they received a ruling from Town Counsel that any monies left after expenses are paid go back to the general fund, not back into the Community Preservation Act Account. An estimate of \$7,000 will be required to maintain electricity and other basic services.

Selectman Foresto stated a caretaker will be hopefully living on the site, and that person will receive a percentage of the revenues, which will serve as incentive to keep the property looking good. Responding to a question from Mr. O'Neill, Selectman Foresto stated that the Board of Selectmen is ultimately responsible for the property.

Mr. Hooper stated that revenues generated by use of the property will go to maintaining the site. Selectman Foresto stated that, in other communities with similar properties, the Board of Selectmen or Historical Society is the supervising entity.

Mr. Pacholec asked what kind of events the group believes will use the property. Selectman Foresto listed weddings as well as anniversary and graduation celebrations, as examples. These sites are typically marketed on websites connected with the Historical Societies, and sometimes a separate firm will showcase a number of these sites. Mr. Hooper stated he sees the site as a mix of Holliston Farm and the Sherborn Inn.

Mr. Lagan expressed concern about the projected revenues and expenses, believing them to be unrealistic. Discussion followed. Selectman Foresto stated fifteen sites were contacted for information, with extensive interviews with three of them. The Thayer group used the expense structure associated with the Medway Public Library to help determine approximate expenses, and employed the low end of the revenue model.

Selectman Trindade stated that local caterers, two of whom worked with the committee, are very excited about this opportunity, indicating this was a nice size for weddings. This should not necessarily be considered a money-making enterprise, but to create enough revenue to cover expenses. Selectman Trindade stated that his individual perspective is that it should be a community center with handicapped access. Events such as Touch-a-Truck, holiday happenings, and things such as the recent Air Force Band Concert could all take place there. Medway does not have a Town Common, and the Thayer property could replace that.

Mr. Sheehan asked if this Article represents the last big expense for this property. Selectman Foresto stated they believe that to be true, though he acknowledged the barn may need some work in the future. It is presently usable as a barn, for storage, but not much else. This is an opportunity for residents to see the Community Preservation Act monies be used in a way with which they can identify. It was noted that Town received 40% match in funds from the state.

Selectman Crowley stated he would like to be sure no expenses come out of general funds in a negative revenue stream. He plans to meet with Selectman Foresto to examine the revenue and expenses model more closely.

Mr. Hooper stated there is also potential for educational opportunities as well as senior center activities that might be too large to take place at the Senior Center.

Selectman Foresto pointed out that the redesign of Route 109 will also open up the access to Choate Park, which in turn will impact the Thayer property.

Mr. O'Neill expressed concern that the property cannot be maintained for \$21,900. He estimated the costs associated with the Department of Public Services alone at \$50,000-\$60,000, representing salaries and equipment.

There was brief discussion on insurance liability. It was noted that, as the property is Town-owned, it will be covered under the Town's umbrella policy. Responding to a question regarding the possible use of liquor on the property, Ms. Kennedy stated anyone wishing to serve alcoholic beverages at their event at the property will have to take out a liquor permit, which ultimately the Board of Selectmen approve. In order to secure the permit, evidence of insurance is required, and the permit itself declares that the Town cannot be held liable.

Chairman Dietrich asked about the work on the Community Farm house on Winthrop Street. Selectman Crowley stated they relied on students from Tri-County Vocational School to do the work, but other projects kept putting it off. Eventually a company was hired to repair the roof before winter.

Mr. Lagan reiterated his lack of confidence in the numbers. He stated there are already a number of “dilapidated” properties already owned by the Town, and nothing is happening with any of them. He stated he did not want to see this turn into a sink hole. Selectman Trindade commented that the work on the barn was to make it historically accurate, and the workmen used materials and tools that would have been used in that period of time. He stated that working toward having events at the property will help to stabilize it.

Mr. Hooper stated that, aside from the barn, the property will be completely renovated. Associated costs reflect prevailing wages from contractors.

Selectman Crowley stated that he is often approached by residents who want to know what is happening with their 3% CPA taxes. This way people will be able to see something concrete. There is nowhere in town to have gatherings.

In summary, Selectman Foresto stated there will be a brief presentation for residents at Fall Town Meeting. Mr. Hooper stated the Chairman of the Community Preservation Committee recommended this as a first step. Selectman Crowley stated the \$2.1 million price tag may seem high, but he believes more accurate figured will be secured as time goes by.

Article 3 – School Dept. Lease: Solar Power: Specific locations are now listed. Responding to a question from Ms. Devine, Ms. Kennedy stated any agreement the School Committee creates with a vendor or supplier will be reviewed by Town Counsel. She explained that this article is a duplicate of the one enacted in 2009 for the high school.

Mr. O’Neill expressed concern for the words “grounds” being included and would like to delete that reference to tighten the language. Selectman Crowley stated the Board of Selectmen may opt to do so.

Ms. Trindade stated the electricity rate will be negotiated – the vendor will get receive tax credits. Those tax credits are due to expire at the end of this calendar year, which is why this action is being requested at this time. The schools will no longer have to pay a delivery charge for electricity as the panels will be on the roof. There is no cost to the Town. In the event that the School Department determines that the panels are not working out, the panels will be taken away.

Ms. Devine reiterated her question, wondering who signs off on the contract. Ms. Trindade stated a Request for Proposal (RFP) is issued, but Broadway Electric has been working strenuously with the schools to get this in place and she anticipates they will bid appropriately. Typically the School Committee contracts with the vendor, then the contract goes to Town Counsel for review, and then the Board of Selectmen receives it.

Ms. Kennedy stated that this work falls within the jurisdiction of the School Committee, who will execute the lease, which will be reviewed by Town Counsel for legalities. Because the schools are located on Town-owned land, ultimately the Board of Selectmen has to have the final say.

It was reiterated that there is no cost to the Town.

Chairman Dietrich asked how much the engineering study would cost. It will be performed by the vendor whose proposal is accepted by the RFP. Broadway Electric looked at these schools when they did the proposal for the high school, so they will have an advantage.

Ms. Trindade noted that another school was initially considered, but could not be used due to excessive shade from nearby trees.

Articles 9, 10, 11, and 12 are related to union negotiations. Chairman Dietrich asked what happens if they are not approved at Fall Town Meeting. Ms. Ellis stated the Board of Selectmen ratified the agreement, but if it fails on November 14, they will have to go back to negotiations. Salary increases will not take place. Exact dollar amounts for the Articles will be known before Fall Town Meeting. Either the Moderator or the Board of Selectmen will speak on the Articles.

Article 15 – Approve Settlement(s): Sewer Ext. Project Claims: No questions.

Article 16 – Establishment of OPEB Trust Fund: This simply establishes the fund so that it is in place when the Town needs it. Ms. Kennedy stated this action will improve the Town’s bond rating.

Article 17 – Amend By-Law: Alcoholic Beverages: It was mentioned that the Senior Center had some concerns. Selectman Trindade admitted the Board should have contacted them beforehand, and pointed out that anyone applying for a liquor license for an event comes under the scrutiny of the Police Department and other entities before the permit is voted by the Board of Selectmen. If the Council on Aging doesn’t want a particular event to take place at the Senior Center, it can refuse. Ultimately, the idea of the Article is not to create a beer hall, but merely to add the location as a possible venue at which alcohol might be served.

Mr. O’Neill asked why marijuana was included. Ms. Kennedy clarified that the verbiage is part of the state statute regarding alcohol and other substances.

Article 18 – Street Acceptance: Ms. Affleck-Childs stated this Article pertains only to the street acceptance. The associated open space in the subdivision is covered in a separate Article. This Article refers to general maintenance of the property. Responding to a question on maintenance, Selectman Crowley stated the bridge is narrow and approximately 25 feet long. Selectman Trindade added that the bridge is over a dry bed that sees water only four months of the year. Ms. Kennedy stated that upkeep on the trail translates to approximately ten minutes with a weed whacker.

At this time the Finance Committee concluded its review of the Warrant. Chairman Dietrich asked the Town Administrator to forward a copy of the updated Warrant when it is ready.

Chairman Dietrich asked Mr. Lagan for a Clerk’s report at the next meeting as he has been absent from the September and October meetings. He asked the other members to circulate their liaison reports as necessary.

Upcoming Dates:

The Finance Committee’s Public Hearing for Fall Town Meeting will be held Wednesday, November 2, 2011, at 7:00 PM in Sanford Hall in Town Hall.

Next meeting:

The next regular meeting of the Finance Committee will be held Wednesday, November 9, 2011 at 7:00 PM, in Sanford Hall in Town Hall.

At 8:35 PM Mr. O'Neill moved to adjourn; Mr. Pacholec seconded. No discussion. Vote: 9-0-0.

At 8:40 Vice Chairman Foresto reconvened the Board of Selectmen meeting.

Selectman Trindade moved the Board reopen the Fall Town Meeting Warrant; Selectman Crowley seconded. No discussion. All ayes, 4-0.

Selectman Crowley moved the words "on grounds" be deleted from Article 3 – School Dept. Lease: Solar Power; there was no second. Brief discussion on whether this deletion could potentially hinder installation of necessary equipment. Motion was withdrawn.

Selectman Trindade moved to change the dollar amount in Article 1 – CPA Transfer: Thayer Property be changed from \$250,000 to \$150,000; Vice Chairman Foresto seconded. Selectman Espinosa asked why there was such a significant decrease. Vice Chairman Foresto responded that he approached the architecture and engineering firm who lowered the price. He stated further the Thayer group will submit an application for a matching grant from the Massachusetts Historical Commission. All ayes, 4-0.

Vice Chairman Foresto moved the Board close the Fall Town Meeting Warrant; Selectman Crowley seconded. No discussion. All ayes, 4-0.

Regarding the recent election to a seat on the Metropolitan Planning Office, Selectman Crowley announced that Medway's representative won the election by a narrow vote.

Town Administrator Kennedy announced that a joint meeting of the Finance Committee, Board of Selectmen and the School Committee has been scheduled for November 15. The purpose of the meeting will be to review the realigned Schools Budget. Ms. Kennedy will request both electronic and hard copies of the budget be sent to all parties so they can review it prior to the meeting.

It was noted that a proposed meeting date to discuss town-wide facilities management and emergency response still need to be determined.

At 8:50 PM, Selectman Trindade moved to adjourn; Vice Chairman Foresto seconded. No discussion. All ayes, 4-0.

Respectfully submitted,

Jeanette Galliardt
Night Board Secretary