

**Board of Selectmen's Meeting
February 22, 2011, 7:00 PM
Sanford Hall, Town Hall
155 Village Street**

Present: Chairman Dennis Crowley, Selectmen John Foresto, Selectman Glenn Trindade (arrived at 7:12), Selectman Andrew Espinosa, Selectman Richard Dunne and Town Administrator Suzanne Kennedy.

At 7:05 PM Chairman Crowley called the meeting to order, and the Board recited the Pledge of Allegiance.

Public Comment: None

Action Items from Previous Meetings:

Chairman Crowley requested that the Town's appeal on its water consumption permit be added to the list as a reminder to the Board to keep track of it.

No other updates.

Presentation – Route 109 Design Committee:

The Board was in receipt of a Critical Path Timeline, a Memorandum from Geoffrey J. Howie, P.E., Greenman-Pedersen, Inc., to Medway Department of Public Services, dated September 1, 2010.

Mr. Paul Yorkis, Chairman, acknowledged those individuals actively participating on the committee by reading their names aloud. He stated the group met on February 16 and will be meeting again on March 2. Its task at this time is to identify the scope of design issues, which will be used by the design company to develop alternate design options. He noted all the designs will be made public for resident input.

Mr. Yorkis reported that Mr. Matt Buckley, Chairman of the Design Review Committee, is not an official member of this committee and asked that the Board appointment as such to bring the number of voting members up to seven.

Selectman Espinosa moved that the Board add Matthew Buckley to the Route 109 Committee; Selectman Dunne seconded. Selectman Foresto clarified that this action is not typical; usually the Board requests a resume of experience as well as an interview. All ayes, 4-0. [Selectman Trindade was absent for this vote.]

Mr. Yorkis asked if the group could possibly get some secretarial support. He stated the project has a lot of complex issues, and it is difficult for a committee member to listen and participate while taking notes.

There was general discussion regarding the project timeline, funding sources, impact of sewer replacement on project, and a suggestion that the group meet with the Thayer Committee to discuss plans for ingress and egress for that area. It was emphasized that road projects are very complicated and take a long time to complete. Selectman Espinosa will investigate the status of the Town's Notice to Proceed.

The Board thanked Mr. Yorkis for his report and the committee for its work thus far.

School Committee Report from School Committee Liaison: School Committee Report from School Committee Liaison:

Ms. Deb Trindade School Committee Liaison, briefly updated the Board on recent discussions, in particular, class sizes due to parent concerns, team teaching and shifting students, activity and athletic fees, potential of online fee collection, etc. She stated she is trying to set up a meeting date for the School Committee to meet with the Board of Selectmen. Ms. Trindade distributed copies of MUNIS Account information relative to Medway Public Schools

Chairman Crowley stated the Board received the budget from the School Committee, both the initial one and the revised one. No public comment has been made yet. At this time he allowed each selectman, beginning with Selectman Espinosa on his right, to speak on the budget and ask questions.

Selectman Espinosa stated it is not the Board's responsibility to tell the schools what to do with the details, but it is part of their job to oversee financial responsibility of the Town as a whole. He expressed disappointment that the school budget did not adhere to the budget policy of the Board of Selectmen as it does not reflect the target amount specified by the Board in its FY12 Budget Policy Statement. Further, he wondered what the "undefined" category is all about, and expressed concern that residents have the right to see specific budget information. Ms. Trindade responded that information will be available as it gets closer to Town Meeting. Selectman Espinosa asked if the Board will get detailed information so it can be presented adequately to residents at Town Meeting.

Ms. Trindade stated her understanding is that the Board has a right to set a policy for requesting a budget number based on a portion of revenue, and they developed a budget based on their initial needs, a baseline budget. When it became evident that a large discrepancy/difference existed, they now know cuts will have to be made and may entertain input regarding those adjustments.

Selectman Espinosa stated the Board has a calendar to meet as well, and this submission did not meet policy. He suggested the Board reject the submission because of the way it was presented and the assumptions that were made, i.e., is the bulk of the deficit going to be people? He reminded Ms. Trindade of conversations in 2009 and 2010 during contract negotiations when the Board felt sufficient revenues were not going to exist, and that the School Committee should avoid a base wage increase in the budget. Selectman Espinosa read from minutes of 2009 that the School Committee's response to these concerns was "we'll deal with that when the time comes." He concluded his remarks by stating he has always been a strong advocate for the schools, and he is upset with the way the School Committee has behaved.

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When Chairman Crowley asked Selectman Trindade for his comments, Selectman Trindade asked if he could comment at the end. Chairman Crowley responded that Selectman Trindade is passing his opportunity to speak, as they were going around the table. Discussion followed.

Selectman Foresto opted not to speak, but wondered why there is such an issue about speaking in order.

Selectman Dunne stated he has looked at the budget and impact statement. He stated that \$226,000 did not show up in the budget that was submitted, and wondered where it was. He reminded Ms. Trindade that the Board has done all it could to meet the needs budgets of the past couple years, and that he would like to see a needs budget using the suggested budget figure. Selectman Dunne stated he agrees with Selectman Espinosa that this particular budget should be rejected, acknowledging that it is early in the process.

Ms. Trindade stated circuit breaker funds were not used in the FY11 needs budget to pay for Special Education services; these funds were reserved and incorporated into the FY12 budget. Ms. Trindade stated that other funding sources eventually reduce the School Department's request for Town allocated funds. Every year the overall budget includes all funding, Town and otherwise, which includes grants, tuitions and Chapter 70 monies. Selectman Dunne wondered why the budget was higher when there is a projected enrollment decrease of 58 students.

Chairman Crowley stated the intent of this discussion was not to get into the minutiae of the budget but just to ask questions. Eventually all issues need to be aired. He stated the Board asked specific things of the School Committee, which were not submitted. Ms. Trindade stated she has requested the missing items herself and will look into it. Responding to the Chairman's question regarding budget books, Ms. Trindade stated they were supposed to be sent over.

Chairman Crowley, referring to a document on the school website, stated he has no idea what the school budget really is as there are differing ones floating around, and information presented in one does not match anything in another.

Chairman Crowley related a scenario of getting JOBS grant money that was set aside to build up resources for this year, yet expenses were taken out of that money. Ms. Trindade stated the money was used to retain teaching positions and fund Special Education tuition. She indicated that the grant money had to be spent during that year, and that the same amount of money was held in the circuit breaker account. Chairman Crowley suggested that the Chapter 70 and circuit breaker funds were spent, and the grant money moved into the circuit breaker account, and that this type of action inflates the budget.

Further, Chairman Crowley asked how budget can increase when student population goes down, noting a 4.5% inflation in costs when students went down by 254 in number. He asked for data on how other communities handle this. He also asked that the school website update the per student spending information.

Selectman Trindade respectfully asked that, if such a long session is anticipated, like tonight's discussion on the budget, that it should be placed on the agenda, instead of simply a report from a representative. Chairman Crowley responded that the representative opened her report by mentioning the budget, which opened the door to questions. He reminded the Board that they have been trying to get a joint meeting set up and that hasn't happened yet. Selectman Foresto agreed with Selectman Trindade, noting that more members of the School Committee could have been invited.

Ms. Trindade defended her position by stating that the budget is an ongoing topic at School Committee meetings, so it would naturally fall into her reports to the Board. She stated they have repeatedly talked about paring down the budget by \$500,000, but reiterated her belief that specific cuts cannot be identified at this time. She stated it creates a difficult situation to announce cuts, and later have funds become available. Ms. Trindade stated she looks forward to the upcoming public hearing to gather public input and ideas.

Selectman Espinosa stated a recent news article stated the School Committee anticipated 24 positions being eliminated, yet the budget doesn't reflect that. He wondered why information was made available to the press and not to the Board.

Selectman Dunne stated that 56% of the Town's revenue goes to the schools and that the Board has a strong vested interest as to how those funds are utilized.

Selectman Espinosa moved that the Board request the Chairman to write letter to the School Committee stating the Board of Selectmen's budget policy was not met, and requesting they provide a budget that meets that policy; Selectman Dunne seconded. Chairman Crowley posed a friendly amendment that the letter include any questions from the Board, submitted to the Town Administrator. Discussion followed. Friendly amendment was withdrawn. Selectman Dunne stated he would like to see what he called a "basement budget" instead of a "ceiling budget." Selectman Espinosa stated the submitted budget provides no avenue to consider impact on future years' budgets. Chairman Crowley requested that the new budget show all sources of funding. All ayes, 5-0.

Regarding a revised budget, Selectman Trindade asked Ms. Trindade to simply label identifiable cuts as a starting point with the acknowledgement that those cuts could change as the budget process continues.

Chairman Crowley acknowledged that many volunteers serve on committees, including the School Committee, and that their service is appreciated.

Approval – Hyperlink Policy:

The Board was in receipt of a proposed Hyperlink Policy, undated.

Present: Rich Boucher , Director, Information Systems .

Town Administrator Suzanne Kennedy briefly updated the Board on how this policy came about, noting her office fielded several requests from groups to have events and information posted online. She put together a committee to develop a policy.

Selectman Foresto moved that the Board approve the Hyperlink Policy as outlined in the draft presented; Selectman Trindade seconded. Selectman Foresto stated the policy was prepared by a number of people, evaluating similar policies around the country. All ayes, 5-0.

Authorization of Chairman to Execute Contract Amendment – Knight, Bagge & Anderson – Design Services (Middle School):

The Board was in receipt of Attachment F (Amendment No. 1) to the contract between the Town of Medway and Knight, Bagge & Anderson for designer services, effective February 3, 2011, with Certificate of Authority and Certificates of Insurance.

Mr. Bob Tucker stated the firm of Knight, Bagge & Anderson are the architects for the middle school repair project, and the initial contract needs to be extended via this amendment. He stated all numbers remain the same, and that the only change refers to the front entry. This involves an approval from MSBA via the funding agreement. Responding to a question from Selectman Dunne, he stated MSBA reimbursement for a portion of the costs associated with the front entry is unclear.

Selectman Trindade moved that the Board authorize the Chairman to execute Amendment No. 1 to the contract with Knight, Bagge & Anderson for design services related to the Middle School renovation project; Selectman Dunne seconded. No discussion. All ayes, 5-0.

Authorization of Chairman to Execute Contract Amendment – Compass Project Management – Owner’s Project Manager (Middle School):

The Board was in receipt of Amendment No. 1 to the contract between the Town of Medway and Compass Project Management as Owner’s Project Manager, effective February 3, 2011, with Certificate of Authority and Certificates of Insurance.

Mr. Bob Tucker stated that Compass Project Management will provide project management services for the middle school repair project, and the initial contract needs to be extended via this amendment. He stated all numbers remain the same as in the original contract.

Selectman Dunne moved that the Board authorize the Chairman to execute Amendment No. 1 to the contract with Compass Project Management for Owner’s Project Manager Services related to the Middle School renovation project; Selectman Trindade seconded. No discussion. All ayes, 5-0.

Presentation – Capital Improvement Planning Committee:

The Board was in receipt of the following information: (1) FY2012 Capital Recommendation and 5-year Capital Plan, dated February 7, 2011, (2) Capital Improvement Planning Committee Annual Report, and (3) Capital Improvement Planning Process.

Present: Tom Anderson, Chairman, James Gillingham, and Richard Briggs.

Mr. Tom Anderson briefly updated the board on the projects potentially funded for 2012, noting additional projects. He noted the final dollar amount is slightly different from the number submitted in

the committee's report on February 11. The list and corresponding dollar figure on the Town Meeting Warrant is the correct one.

Responding to a question from Selectman Dunne, Mr. Anderson stated the committee has many more potential projects than available funds. Road repairs in particular are costly. Town Administrator Suzanne Kennedy commented that Chapter 90 funds from the state may help, but that figure is an unknown.

Referring to Warrant Article 4 involving water main work on Main Street, Selectman Trindade asked if the committee knows how much is earmarked for West Main Street and Route 109 projects individually. Mr. Anderson stated the two projects are combined. Mr. Trindade asked if they can be divided, and wondered if the impact on water rates from each project is trackable, suggesting the Route 109 project could be put off until funding is clearer. Discussion followed.

Responding to a question from Selectman Trindade, Mr. Anderson stated the committee's report would be put on the Town's website. Mr. Trindade reminded residents that, in difficult economic times, many improvements have been made via prudent spending decisions.

Discussion followed regarding anticipated information technology upgrades including completion of the Wide Area Network (WAN) and computer replacements, firearms for police officers, maintenance schedules for vehicles, potential repairs, etc. Mr. Anderson stated that a formal maintenance schedule does not exist at present though the committee would like to develop one. He added they will revisit the committee's five-year plan, and considering potential debt service costs, may push some projects out a little farther to spread out the expense.

Town Administrator Suzanne Kennedy stated that the Board of Selectman still has the opportunity to accept or remove anything from the warrant. The list of potential projects can be amended.

Chairman Crowley asked about replacing an ambulance, and requested specific pricing on the vehicle, the EMS budget and how such a purchase would be finance. Mr. Anderson replied that purchase would involve a cash flow analysis, and Ms. Kennedy added that other variables in the EMS budget would impact it. Regarding ALS, Mr. Gillingham stated a private service in Medway provides ALS service which requires all staff to be certified paramedics instead of Emergency Medical Technicians (EMT) so the committee looked at regular EMT service.

Selectman Dunne suggested the water study, an unfunded mandate from the EPA, should be delayed. Ms. Anderson responded that the committee has seen the presentation and is not enthused about earmarking \$500,000 toward the study. Ms. Kennedy stated there is an upcoming workshop focusing on the water study.

Selectman Trindade commended the committee for their work. He encouraged residents to access the report on the Town website to familiarize themselves with potential projects.

Chairman Crowley echoed Selectman Trindade's remarks and thanked the committee for superb work, acknowledging that work will be appreciated in the lean years ahead.

Appointments to Medway 300 Committee:

The Board was in receipt an email from Town Counsel, dated February 15, 2011, regarding the formation of a special committee, list of potential members of said committee, and list of suggested souvenir items commemorating the celebration.

Selectman Dunne moved that the Board make official appointments of the members of the Medway 300 Executive Committee -- Dennis Crowley, John Foresto, Carole Bernstein, Steven Richardson, John Kennedy, Robert Parella and Jack Robinson for the purpose of both planning activities to celebrate the 300th anniversary of the Town's incorporation as well as expend funds allocated by the Town for said celebration; Selectman Trindade seconded. Town Administrator Suzanne Kennedy stated all funds will be under the control of the Town Accountant. Split vote – 3 ayes, 2 abstentions, 3-0-2; ayes, Foresto, Espinosa, Dunne; abstain, Crowley and Foresto.

Appointments to Memorial Committee:

The Board was in receipt of a Memo, dated January 4, 2011, from Allison Potter to Town Administrator Suzanne Kennedy, listing current membership of the Memorial Committee along with list of proposed new members.

Selectman Dunne moved that the Board approve expansion of the Memorial Committee from 9 to 12 members as well as the reappointment of Peter Ciolek and appointments of Robert Saleski, Paul Trufant, Richard Parella, John Larney and Douglas Wahl to the Memorial Committee – all for terms to expire on June 30, 2012; Selectman Foresto seconded. No discussion. All ayes – 5-0.

Approval – One Day Liquor License – St. Joseph's Parish:

The Board reviewed the following: Application, dated February 14, 2011, for one-day liquor license by St. Joseph's Parish for event to be held on February 27, 2011 at 145 Holliston Street, with notice of tax-exempt status included.

Selectman Trindade moved that the Board approve the application by St. Joseph's Parish for a special one-day liquor license for February 27, 2011; Selectman Dunne seconded. No discussion. All ayes, 5-0.

Approval -- New Balance "Reach the Beach" Relay – May 20 & 21:

The Board reviewed the following information: (1) Email from Race Sponsorship Coordinator, Paul Dionne, dated January 17, 2011, (2) Memo, dated February 1, 2011, from Police Chief Tingley, noting requirements and support of event, and (3) Background information for the event.

Chairman Crowley paraphrased from the Police Chief's letter, noting that a police detail would not be required as the participants would be fairly well spread apart.

Selectman Trindade moved that the Board approve the request by New Balance to allow its "Reach the Beach" Relay to travel through Medway on Friday, May 20, 2011; Selectman Foresto seconded. No discussion. All ayes, 5-0.

Approval – Emergency Transfer – Veterans Services:

The Board reviewed an Emergency Transfer Request, dated January 27, 2011, requesting a transfer of \$11,000.

Town Administrator Suzanne Kennedy stated that the Veterans Agent is retired and could not attend tonight due to a health issue. He would be able to speak to specific needs. Ms. Kennedy noted that the account is running out of money.

Selectman Foresto asked about reimbursement from the state. Ms. Kennedy replied that the Town receives 75% of its expenses in veterans' affairs. She noted that there will be additional enrollees for many years as they are spouses of veterans, and it's difficult to project caseloads. The Board expressed concern that emergency funds requests occur every year and wondered if there was a way to budget better. The Board asked for an accounting of general expenses. Ms. Kennedy stated the agent works for four communities, and his services for Medway draw a stipend of \$6,900.

As the Board would like to meet with the Veterans Agent, this matter was tabled until the meeting on March 7.

Approval -- Special Municipal Employee Designations:

The Board reviewed the following: (1) Email from Town Counsel, dated December 21, 2010, (2) list of Town employees with Special Municipal Employee Designation, and (3) list of proposed members for consideration by the Board.

Town Administrator Suzanne Kennedy reported that Town Counsel has reviewed and approved the list of proposed members to be designated as Special Municipal Employees.

Selectman Trindade moved that the Board authorize members included on the proposed list be designated as Special Municipal Employees provided they meet the criteria as outlined by Town Counsel; Selectman Foresto seconded. All ayes, 5-0.

Closing of Annual Town Meeting Warrant:

The Board reviewed a draft Warrant for Annual Town Meeting to be held on May 9, 2011.

Town Administrator Suzanne Kennedy reported that two additional articles had been added to the Warrant, and that the Board received copies of those this evening. She stated that closing the Warrant now helps administration gather data, review by Town Counsel, etc.

Selectman Trindade moved that the Board close the Annual Town Meeting Warrant; Selectman Espinosa seconded. Selectman Dunne commented that the date of Town Meeting seemed early. Ms. Kennedy stated she would investigate to learn how much later it could be held. All ayes, 5-0.

The Board asked Ms. Kennedy to separate CIPC articles for the Route 109 project, West Main project, and truck purchase.

Approval of Warrants:

Selectman Foresto read aloud Warrant #11-34, dated 2/24/11, submitted for approval:

11-34	Town Bills	\$647,811.56
11-34S	School Bills	\$477,390.44
TOTAL		\$1,125.202.00

Selectman Trindade moved the Board approve Warrant #11-34, dated 2/24/2011, in the amount of \$1,125,202.00; Selectman Dunne seconded. No discussion. All ayes, 5-0.

Town Administrator's Report:

Ms. Kennedy stated the Town has applied for two additional grants. The first is a Massachusetts Area Planning Council (MAPC) planning grant intended to foster regionalization or sharing of staff and/or resources. This particular one will be a collaborative effort to look at parking regulations to comply with updates (decrease in parking requirements). The second grant would provide planning funds for regionalization of health services, as well as five years of funding, in order to concentrate on preventive health care services.

Ms. Kennedy reported that she attended a tabletop exercise put together by Department of Public Services, focusing on collaboration among staff to resolve specific issues. The cost of this gathering was budgeted in Water Department funds.

Ms. Kennedy stated that at a Legislative Breakfast on Friday, February 18, John Robinson, Deputy Director of Massachusetts Municipal Association Legislative Services suggested revenue assumptions are based on savings that may not come into existence. Conversations with other participants indicate revenue figures should be conservative, approximately a 5% reduction from last year.

Selectman's Reports:

Selectman Foresto noted numerous responses to the RFQ on the Thayer Project. He stated interviews will be held on two evenings this week and one evening next week.

Selectman Trindade noted he and Selectman Dunne attended breakfast with Selectmen from other communities to discuss regionalization of library resources. Library regionalization has not been successful, and the Library Board of Trustees voted not to go forward. He suggested members of the Board and Finance Committee take a close look at how to fund the library going forward. Chairman Crowley asked Ms. Kennedy to contact the Chairman of the Finance Committee on this matter. Selectman Dunne stated he obtained a regionalization plan from the Acting Director of the Medway

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Public Library, written in May 2010, and noted the Library Board of Trustees did not share it with anyone and opted not to continue the experiment.

Selectman Espinosa -- no report.

Selectman Dunne stated he attended a meeting of the Oversight Committee on the Medway Community Farm. He stated the farm is setting up events, garden share, flower share, etc. and encouraged residents to check out website. He added that the house is in decent shape, surviving the winter thus far.

Chairman Crowley stated he went to a meeting at the Medway Community Farm, and that he was impressed with what has been done. He acknowledged Heather Scott as being instrumental in accomplishing a great deal, as well as Jeremy Barstow.

Chairman Crowley stated the Town elections coming up. He reported that there are still seats open, and encouraged people to take out papers and run for election.

Approval of Minutes:

The Board reviewed draft minutes for regular session meetings of January 3, 2010 and January 19, 2010.

The Board tabled this matter until the meeting on March 7.

At 9:46 PM Selectman Trindade moved to adjourn; Selectman Dunne seconded. No discussion. All ayes, 5-0.

Respectfully submitted,
Jeanette Galliardt
Board Secretary