

**Board of Selectmen's Meeting  
April 19, 2011, 6:30 PM  
Sanford Hall, Town Hall  
155 Village Street**

**Present: Chairman Dennis Crowley, Selectmen John Foresto, Selectman Andrew Espinosa, Selectman Glenn Trindade and Town Administrator Suzanne Kennedy. Selectman Dunne arrived at 6:45PM.**

Also Present: Barbara Saint André, Town Counsel; David D'Amico, Deputy Director, Department of Public Services; Melanie Phillips, Finance Director and Treasurer/Collector.

At 6:30 PM Chairman Crowley called the meeting to order, and the Board recited the Pledge of Allegiance.

**At 6:36 PM Selectman Foresto moved that the Board go into Executive Session to discuss strategy with respect to collective bargaining or litigation if an open meeting may have a detrimental effect on the bargaining or litigating position of the public body and the chair so declares, and to return to public session upon adjournment; Selectman Trindade seconded. Roll call vote: Selectman Foresto, aye; Selectman Trindade, aye; Selectman Espinosa, aye; Chairman Crowley, aye; all ayes, 4-0.**

At 6:47 PM Chairman Crowley reconvened the public session.

**Public Comment:** None

**Discussion of Warrant Articles with Town Counsel:**

*Present: Barbara Saint André, Town Counsel.*

Taking advantage of Town Counsel's attendance at the earlier Executive Session, Chairman Crowley deviated from the meeting agenda to briefly discuss a couple of warrant articles that required her expertise.

Regarding the article on the Affordable Housing Trust, Chairman Crowley stated the Trust did not want to be held to specific "buckets" of money and then return to the Community Preservation Committee for additional money or reallocation. They want to be able to transfer money from "bucket" to "bucket". Chairman Crowley stated the Board wanted to be sure that kind of practice was legal.

Ms. Saint André stated that the person/entity giving the money can specify where it can go or the Community Preservation Committee can basically place trust in the Trust. Ms. Saint André stated there is typically a grant agreement defining what the money will be used for, and that agreement is binding. She stated the specifics need to be in the Town Meeting motion, just to memorialize it. She suggested the language, "subject to the grant agreement (Memorandum of Understanding) between the Community Preservation Committee and the Affordable Housing Trust" or words to that effect.

Town Administrator Kennedy asked for clarification as to whether the specific “buckets” should also be identified in the motion. Ms. Saint André said they should be listed, and include “subject to” language. The Community Preservation Committee can then speak to the motion. Discussion followed.

Regarding Article 22, Town Administrator Kennedy reminded the Board that Selectman Espinosa had previously requested an explanation of the changes in the charter with reference to the Library Board of Trustees, as well as a summary paragraph so that public knows what the changes will mean.

Ms. Saint André stated she wrote a paragraph for inclusion in the article explaining the changes.

The Board will revisit matter at the next meeting.

### **Housing Trust – Consultant Position:**

*Present: Barbara Saint André, Town Counsel.*

The Board asked for Ms. Saint André’s official opinion on the matter of a consultant position with the Affordable Housing Trust. It was noted that the Trust believes that individual would report directly to the Trust. Ms. Saint André stated the Affordable Housing Trust is a legal entity with the authorization to hire people and pay them for their services; however, there will be no benefits provided by the Town. Town Administrator Kennedy will report back to the Trust.

### **Acknowledgement – Letter from Jim Lorenzen to Board:**

*The Board was in receipt of a letter, dated April 3, 2011, from Mr. Jim Lorenzen, 8 Sunset Drive.*

Chairman Crowley read aloud the letter in which Mr. Jim Lorenzen thanked the Police Department, Fire Department and EMT’s for assisting him during a medical emergency. Chairman Crowley expressed appreciation for the acknowledgement and extended that appreciation to EMT’s, Fire and Police Departments.

### **Action Items from Previous Meeting:**

#2 – DPS Facility Feasibility Study: Chairman Crowley asked this be removed from the list as it has been approved.

#3 – Route 109: Selectman Dunne asked for a copy of the presentation. Selectman Espinosa stated the public meeting with full presentation by the design engineers is scheduled for May 4. This item will also be moved from the list.

**Public Hearing – Intent to Lay Out Portions of Ivy and Hunter Lanes as Public Ways:**

*The Board reviewed a Memo, dated March 23, 2011, from Andy Rodenhiser, Chairman, Planning and Economic Development Board regarding layout of Ivy and Hunter Lanes.*

*Present: Ms. Susy Affleck-Childs, Planning and Economic Development Coordinator; residents of Ivy and Hunter Lanes*

**At 7:10 PM, Selectman Espinosa moved to convene a Public Hearing for the purpose of discussing the Town’s intent to lay out portions of Ivy and Hunter Lanes as public ways; Selectman Trindade seconded. No discussion. All ayes, 5-0.**

Ms. Affleck-Childs briefly reviewed the portions under discussion. She stated the paperwork is progressing, and she has reviewed the matter with Town Counsel. For the benefit of the assembly and viewers, she reviewed the process of accepting a street, noting that sometimes a repair or construction has to be effected in order to complete it. The Town Meeting article will move the process forward to secure the title. After approval, the Town has 120 days to complete the process.

Chairman Crowley asked if there was any public comment. Residents in attendance were all in favor of this process. Selectman Espinosa commended the residents for their support and participation.

**At 7:17 PM, Selectman Trindade moved to close the public hearing; Selectman Dunne seconded. Ms. Affleck-Childs clarified that the vote to accept the streets will be at Town Meeting. All ayes, 5-0.**

Chairman Crowley resumed the public session.

**Authorization to Expend 911 Grant Funds:**

*The Board reviewed the following information: (1) Letter, dated November 29, 2010, from the Executive Office of Public Safety and Security including contract between the parties; and (2) Notice of Grant Award, dated April 11, 2011, noting receipt of “911 Department of Support and Incentive Grant”.*

*Present: Allen M. Tingley, Chief of Police; Lt. William Boultenhouse, Medway Police Department.*

Chief Tingley briefly reviewed how the grant funds will be used, specifically, \$24,000 for the dispatch center upgrade, and the remaining funds to train dispatchers. Brief discussion followed.

**Selectman Trindade moved that the Board provide authorization to the Police Department to expend the 911 Grant Support and Incentive Grant funds provided by the Executive Office of Public Safety and Security in an amount not to exceed \$29,756.00 for the purpose of completing upgrades to the Dispatch Center. Selectman Dunne asked about funds set aside by the Capital Improvement Planning Committee. Chief Tingley responded that those funds are being used for furniture, to move conduit and other related electrical work. Discussion followed. All ayes, 5-0.**

**Approval – Proposed Healthcare Plan:**

*The Board reviewed an email, dated April 14, 2011, from the Insurance Advisory Committee to Sue Ellis, Human Resources Director.*

*Present: Edd Byrnes, Healthcare Consultant; Sue Ellis, HR Director*

Mr. Edd Byrnes introduced himself to the Board and distributed a summary of the proposed healthcare plan for the Town. He briefly reviewed the discussions held with various healthcare groups. Mr. Byrnes noted the Insurance Advisory Committee was very helpful in this matter. He discussed premiums, healthcare reimbursement accounts, copayments, changes in fees, various plans, as well as additional plans for seniors. He advised that the Town move to the Tufts Health Plan. He stated it was also beneficial that changes at the state level are in line with this proposal. Discussion followed.

**Selectman Trindade moved that the Board of Selectman vote to authorize moving the Medway employee health plan from Harvard Pilgrim Healthcare to Tufts Health Plan, effective July 1, 2011; Selectman Foresto seconded. Discussion on budgeting and reserve accounts followed. All ayes, 5-0.**

**Appointment of Temporary Veterans Agent – Anthony Mastroianni:**

Ms. Kennedy reported that the Town is required to have a Veterans Agent. She stated she spoke with the Department of Veterans Services who indicated that as Mr. Mastroianni was the previous agent, they would allow his short term appointment even though he retired.

**Selectman Trindade moved that the Board appoint Anthony Mastroianni as Temporary Veterans Agent for the term April 1, 2011 to June 30, 2011; Selectman Dunne seconded. No discussion. All ayes, 5-0.**

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

Ms. Deb Trindade, Chairman, School Committee, stated she had no report at this time and was present as an observer.

**Authorization to Borrow – Treasurer/Collector:**

*The Board was in receipt of a summary of the bond proposal and projects covered.*

Ms. Melanie Phillips, Treasurer/Collector, briefly explained the necessity for the proposed Bond Anticipation Note. The bid date (total of \$5,680,000) will be on May 4, 2011. Funds will be used to support the following projects:

\$5 million for Middle School Repair Project, voted November 15, 2011, Article 8 – Debt exclusion  
\$550,000 for Water Tank Replacement, voted November 16, 2009, Article 2  
\$120,000 for Water Meter Replacement, voted June 15, 2009, Article 14  
\$10,000 for Sewer Master Plan, voted December 2, 1996, Article 19 (this is to refund borrowing approved by the Board of Selectman at the beginning of the fiscal year).

**Selectman Foresto moved that the Board authorize the Treasurer/Collector to petition the Massachusetts Department of Revenue for permission to borrow \$5,680,000 as a Bond Anticipation Note for the Middle School Repair Project and named Water and Sewer projects; Selectman Trindade seconded. Responding to a question from Selectman Espinosa, Ms. Phillips stated the Town always borrows some amount to start projects based on anticipated cash flow requirements for the next two years. Chairman Crowley clarified that all projects were approved at Town Meeting. All ayes, 5-0.**

**Adoption of Annual Town Meeting Warrant Recommendations:**

*Present: Melanie Phillips, Treasurer/Collector; David D'Amico, Deputy Director, Department of Public Services.*

There was a brief discussion on funding for Articles 5, 6, and 7. It was decided that the Selectmen will meet again on Monday, April 25, at 7:30 AM to discuss further.

Ms. Melanie Phillips, Treasurer/Collector, handed out updated spreadsheets showing debt service over the next ten years, noting that she used current water rates with a possible increase of 2% each year and the assumption that the Route 109 water main project will be funded by grant money. There was discussion on water mains, new truck, and retained earnings depletion. Selectman Foresto suggested looking at all capital improvement projects to see the rate structure for those bonds and related debt service. Selectman Trindade stated the rate study will come back with recommendations. Mr. David D'Amico stated the rate study should be done by the end of May. Discussion followed. Town Administrator Kennedy clarified that an appropriation for funding demonstrates to the Department of Environmental Protection that the Town is willing to comply, whether or not the project is mandated.

**Article 5 – Water Enterprise Borrowing: Selectman Trindade moved that the Board approve [support] the article; Selectman Dunne seconded. No discussion. All ayes, 5-0.**

**Article 6 – Route 109 Water Main: Selectman Trindade moved that the Board approve [support] the article; Selectman Foresto seconded. No discussion. All ayes, 5-0.**

**Article 7 – Water Resources Management Program: Selectman Trindade moved that the Board approve [support] the article; Selectman Foresto seconded. No discussion. Split Vote, 3-2 – ayes, Foresto, Trindade, Crowley; oppose, Espinosa and Dunne.**

**Article 20 – Approve Settlement(s): Sewer Extension Project Claims: Selectman Trindade moved that the Board approve [support] the article; Selectman Foresto seconded. No discussion. Split vote, 4-0-1. Selectman Dunne abstained as he was not present for the discussion.**

Mr. D’Amico reported to the Board that the Water Master Plan has been completed.

**Appointment to Medway Pride Day Committee – Brenda Wentzel:**

*The Board reviewed a letter of interest, dated April 5, 2011, from Brenda Wentzel, 7 Gable Way.*

Selectman Foresto moved that the Board appoint Brenda Wentzel to the Medway Pride Day Committee for a term to expire June 30, 2012; Selectman Trindade seconded. No discussion. All ayes, 5-0. Chairman Crowley thanked Ms. Wentzel for volunteering.

**Approval – Medway Youth Baseball Annual Parade (5/1/11):**

*The Board reviewed a memo, dated April 7, 2011, from Allen Tingley, Police Chief, and email thread between Chief Tingley and Tim Rice, Medway Youth Baseball Board.*

**Selectman Foresto moved that the Board approve the Medway Youth Baseball Parade scheduled for May 1, 2011 with the provisos stipulated by Chief Tingley in his memo dated April 7, 2011; Selectman Espinosa seconded. No discussion. All ayes, 5-0.**

**Approval – American Cancer Society Century Ride (6/12/11):**

*The Board reviewed a memo, dated March 18, 2011, from Allen Tingley, Police Chief, and a letter, dated March 8, 2011 from Holly Maki (American Cancer Society project manager) and Charlie Roberts (volunteer route director).*

**Selectman Trindade moved that the Board approve the American Cancer Society’s *Bicycles Battling Cancer Ride* proposed to go through Medway on June 12, 2011 with the provisos stipulated by Police Chief Tingley in his memo dated March 18, 2011; Selectman Espinosa seconded. No discussion. All ayes, 5-0.**

**Approval – Medway Turkey Trot (11/24/11) – 5K Road Race:**

*The Board reviewed a memo, dated March 18, 2011, from Allen Tingley, Police Chief, and an email, dated March 14, 2011, from Charles Dyer, et al.*

Selectman Trindade moved that the Board approve the *Medway Turkey Trot 5K* road race scheduled for November 24, 2011 with the proviso stipulated by Chief Tinley in his memo dated March 18, 2011; Selectman Dunne seconded. Selectman Trindade stated this event is a fundraiser to benefit the Medway High School Athletic Department. All ayes, 5-0.

**Approval – Braking the Cycle (9/16/11) – Bicycle Ride:**

*The Board reviewed a memo, dated April 14, 2011, from Allen Tingley, Police Chief, and a letter, dated March 20, 2011, from Steve Bratton, Logistics Coordinator for “Braking the Cycle.”*

Selectman Foresto moved that the Board approve *Braking the Cycle’s* proposed ride through Medway scheduled for September 16, 2011; Selectman Trindade seconded. No discussion. All ayes, 5-0.

**Approval of Warrants:**

Selectman Foresto read aloud combined Warrant 41/42, dated 4/21/11, submitted for approval:

11-42	Town Bills	\$ 981,339.07
11-42S	School Bills	226,549.97
11-41P	Gross Payroll Town	194,427.25
TOTAL		<b>\$1,402,316.29</b>

Selectman Trindade moved that the Board approve Warrant 41/42, dated 4/21/11, in the amount of \$1,402,316.29; Selectman Dunne seconded. No discussion. All ayes, 5-0.

**Town Administrator’s Report:**

Town Administrator Kennedy reported she has been working with several communities (Holliston, Hopkinton, and Ashland) to consider forming a new Veterans Services district with Medway. Medway currently belongs to a district with Norfolk, Hopkinton, and Hopedale. Such a district would be advantageous, less expensive and more efficient than if Medway were to go it alone. If forming a district, it would require a full-time agent with part-time assistant and a part time-clerical worker. Ms. Kennedy said she will have more information at the next Selectmen’s meeting.

Ms. Kennedy extended thanks to the Insurance Advisory Committee for working enthusiastically and diligently on securing a favorable healthcare plan.

### **Selectmen's Reports:**

Selectman Foresto reported the architect and landscape architect for Thayer House project walked the property last week. He is optimistic that architectural renderings will be available at Town Meeting.

Selectman Espinosa updated the Board on the Route 109 project. He read a letter from Christopher Philbin which confirmed the \$400,000 earmarked for the project was not impacted by the continuing resolution passed by Congress. Medway's Chief Procurement Officer (Ms. Kennedy) should send a letter noting compliance, which will start the process to get the funds released. He encouraged everyone to attend the public meeting at the high school on May 4 where initial design concepts will be presented.

Selectman Dunne reported that, in a recent conversation with Representative Dykema, she was optimistic for a substantial increase in circuit breaker funds.

Chairman Crowley noted that the School Building Committee asked for a recommendation for legal services for the Middle School Repair Project, said services to be billed on an hourly rate, and there is no need for the Selectmen to make commitment or contract. Regarding construction, he stated that eight proposals have come in thus far, and that selection may be made by May 6.

### **Approval of Minutes:**

*The Board reviewed draft minutes of public sessions held on February 7, 2011 and February 22, 2011.*

**Selectman Trindade moved that the Board approve the public session minutes of February 7, 2011, as drafted; Selectman Dunne seconded. No discussion. All ayes, 5-0.**

Regarding the February 22 minutes, Chairman Crowley stated that the reference to updating the school website should reference the 'per student spending charge' instead of the 'student population information' on page three.

**Selectman Trindade moved that the Board approve the public session minutes of February 22, 2011, as corrected; Selectman Foresto seconded. No discussion. All ayes, 5-0.**

**At 8:25 PM Selectman Trindade moved to adjourn; Selectman Foresto seconded. No discussion. All ayes, 5-0.**

Respectfully Submitted,  
Jeanette Galliardt  
Board Secretary