

**Board of Selectmen's Meeting
July 18, 2011, 7:00 PM
Sanford Hall, Town Hall
155 Village Street**

Present: Chairman Richard Dunne, Selectman John Foresto, Selectman Glenn Trindade, Selectman Dennis Crowley and Town Administrator Suzanne Kennedy. Selectman Andrew Espinosa was absent.

Also Present: Richard Boucher, Director, Information Technology; Brenda Hamelin, Animal Control Officer; Tom Holder, Director, Department of Public Services; Carol Pratt, Town Accountant; Barbara Saint Andre, Town Counsel; Allen Tingley, Police Chief; Paul Trufant, Fire Chief.

At 7:01 PM Chairman Dunne called the meeting to order and led the Board in the Pledge of Allegiance.

Public Comments:

At this time, Chairman Dunne stated that at two prior meetings in Executive Session, the Board of Selectmen ratified the Memorandum of Agreement between the Town of Medway and the Massachusetts Laborers' District Council (Municipal Public Employees' Local Union) for the period 2010-2012, as well as a two-year contract extension for the Town Administrator.

Approval – Reappointment of Anthony Biocchi, David Cole and Carol Gould to Zoning Board of Appeals:

The Board reviewed the following information: (1) Letter, received May 23, 2011, from Anthony Biocchi, (2) Email, dated June 5, 2011, from David Cole,; and (3) Email, dated June 29, 2011, from Carol Gould. All communications indicated sender's interest in reappointment.

Selectman Trindade moved to approve the reappointment of both Anthony Biocchi and David Cole to the Zoning Board of Appeals, each for three-year terms expiring on June 30, 2014, and the reappointment of Carol Gould to the Zoning Board of Appeals for a two-year term expiring on June 30, 2013; Selectman Foresto seconded. No discussion. All ayes, 4-0.

Selectman Trindade clarified for residents that everyone who is appointed to the Zoning Board of Appeals has been attending meetings and actively participating.

Approval – Appointment of Charlene Saunders to Council on Aging:

The Board reviewed a Letter of Interest, dated June 14, 2011, from Charlene Saunders, as well as her résumé.

Ms. Charlene Saunders, 59 Holliston Street, stated she has been a Medway resident for over 30 years, and is married with three grown children. She stated she has thirty years experience in the medical field and has concerns for the elderly. Chairman Dunne thanked her for volunteering.

Selectman Trindade moved to approve the appointment of Charlene Saunders to the Council on Aging for a term of three years expiring on June 30, 2014; Selectman Foresto seconded. No discussion. All ayes, 4-0.

Approval – Appointment of Susan Chase to Medway Cultural Council:

The Board reviewed a Letter of Interest, dated June 23, 2011, from Susan Chase, as well as her résumé.

Ms. Susan Chase, 10 Liberty Road, stated she has been working with Cub and Girl Scouts for a number of years, saw the posting for volunteers and thought working with the Cultural Council would be interesting. Chairman Dunne thanked her for coming forward to serve.

Selectman Foresto moved to approve the appointment of Susan Chase to the Medway Cultural Council for a term of three years expiring on June 30, 2014; Selectman Trindade seconded. No discussion. All ayes, 4-0.

Approval – Pledge of License – Medway Beverages Inc. d/b/a Keystone Liquors:

The Board reviewed the application, dated July 11, 2011, and associated documents.

Mr. Gary Passmore, owner and operator of Keystone Liquors, stated he is refinancing a business loan, and one of the requirements of that process is to come before Board of Selectmen to get its approval to change the loan from one bank to another.

Responding to a question from Chairman Dunne, Ms. Karen Kisty, Operations Manager, stated the process is that the Board votes to approve, then that vote is sent to the state and it continues from there.

Selectman Trindade asked Mr. Passmore if there have been any problems. Mr. Passmore stated that there have been no problems. Every person working the cash register has received TIPS training, and there has been no turnover of staff in the time he has owned the store. Police Chief Allen Tingley concurred that there have been no problems.

Responding to a question from Selectman Crowley, he stated this is primarily a financial move to save money, going from an 8% interest rate to 6%. He stated he also wanted to refinance locally with Charles River Bank instead of the Rhode Island bank he is currently using.

Selectman Foresto moved that the Board approve the pledge of license for the purpose of the applicant's securing of financing as presented by Medway Beverages, Inc. d/b/a Keystone Liquors; Selectman Trindade seconded. Chairman Dunne stated he would recuse himself from the vote due to his affiliation with Charles River Bank. Vice Chairman Foresto called for the vote. Split vote- 3-0-1; Dunne abstained.

Discussion/Approval – Reappointment of Petrini & Associates, P.C. as Town Counsel:

The Board reviewed a Letter, dated June 9, 2011, from Barbara Saint André of Petrini & Associates, regarding reappointment as Town Counsel.

Ms. Barbara Saint André, Town Counsel, stated the firm of Petrini & Associates has served as Town Counsel for the Town of Medway since January 1 of 2007, beginning with an initial eighteen-month contract, followed by a three-year contract, which expired June 30, 2011. She stated the proposed contract is similar to that of previous years.

Ms. Saint André stated she has proposed a slight hourly rate increase. She noted that she has enjoyed working with the Town and believes she has a good working relationship with department heads, various boards and the Town Administrator. She indicated there are interesting issues as well as some thorny ones. Ms. Saint André stated that she, as well as Petrini & Associates, has done a good job for the Town, been quick to respond to questions, handle litigation, and sponsor free seminars (which they will continue to do). She stated she is open to suggestions for improvements and respectfully asked that Petrini and Associates be reappointed.

At this time, Chairman Dunne opened the discussion to the Town Administrator and department heads in attendance.

Ms. Suzanne Kennedy, Town Administrator, recommended supporting the contractual relationship with Petrini & Associates. She stated she has found this group to be very responsive, fair and open minded, and an excellent working relationship has been established. She noted that the retainer system, as opposed to some other compensatory format, has worked out very well for the Town. Ms. Kennedy stated she highly recommended a favorable consideration of the contract.

The Police Chief, Fire Chief, Town Accountant, and Director of Information Technology made no comment, but gave a “thumbs up.”

Mr. Tom Holder, Director, Department of Public Services, stated he has worked with Petrini & Associates not only in Medway but previously when he worked in another municipality. He stated he has been with them in court with claims and counterclaims, and appreciates their legal opinion in all sorts of cases. He highly recommended reappointment.

Selectman Crowley asked if the contract can be renewed numerous times. Ms. Saint André stated the contract could be renewed, but noted that at renewal time the Town can send out an RFP if they want to explore contracting with another firm. Selectman Crowley commented that, during his tenure as Chairman of the Board of Selectmen, Ms. Saint André returned calls within 24 hours with an answer to his question or a promise to look into it. He stated she has a good knowledge of municipal law and he supports a three-year contract renewal.

Selectman Trindade echoed Selectman Crowley’s comments. He clarified for residents viewing the broadcast that the Town originally contracted with Petrini & Associates for their expertise in land issues. He stated he also supports a three-year extension.

Selectman Foresto stated Ms. Saint André is always available, quick to return calls and help out. He stated his preference for a two-year extension.

Chairman Dunne extended kudos to the firm, commenting that Ms. Saint André gets the right people involved. He stated the amount of knowledge offered is most impressive.

Chairman Crowley asked Selectman Foresto if he would consider a three-year renewal. Selectman Foresto stated that there may be new members on the Board of Selectmen next year and it would be good for them to make a decision on a contract renewal themselves.

Selectman Trindade suggested that comparing various firms in the areas of expertise we need, i.e., land issues, planning, contractual services, litigation, etc., this firm was the first choice, far above the others who weighed in.

Chairman Dunne suggested a compromise, a motion to reappoint, leaving the time period TBD (To Be Determined) when the full Board of Selectmen is available.

Selectman Foresto reconsidered his position, stating that the Town Administrator would be leaving in two years, and a three-year contract for Town Counsel would allow for continuity while a new Town Administrator gets acclimated to the Town.

Selectman Foresto moved that the Board approve the reappointment of the firm of Petrini & Associates, P.C. as Town Counsel for Fiscal Years 2012, 2013, and 2014 with the retainer for basic town counsel services set at \$57,000 for Fiscal Year 2012, and \$60,000 for Fiscal Years 2013 and 2014 as proposed by Ms. Saint Andre; Selectman Trindade seconded. No further discussion. Split Vote - 3-1; Dunne oppose. Chairman Dunne specified he objected only to the length of the contract.

Authorization of Chairman to Execute Contract for Ambulance Billing and Collection Services – ProEMS Solutions, Inc.:

The Board reviewed the following information: (1) Contract, dated July 11, 2011, signed by the Town Accountant and ProEMS Solutions, Inc.; and (2) Email, dated July 12, 2011, from Town Counsel approving the contract as to form.

Ms. Kennedy stated the department has been working with the current vendor without benefit of a contract. She stated the new firm has a wealth of experience in billing, as well as being equipped to provide ambulance service.

Selectman Crowley stated he met with the proposed vendor and is impressed with new vendor. This particular vendor is not interested in providing ambulance service due to the distance (out of Cambridge) but is very interested in the billing function. In their discussion, Ms. Kennedy and Selectman Crowley learned things the old company should have been doing but was not, and the new vendor answered every question asked.

Fire Chief Paul Trufant stated he discussed the change in vendors with his captains. He stated the EMS coordinator is delighted with the new company, and the department recommends the new company without reservation.

Ms. Kennedy stated the firm's fee is 4% of collected revenue. She stated further that staff will have access to software at no additional cost, and that data entry errors will be minimized due to electronic data posting.

Selectman Crowley stated the billing is done at a flat rate. When asked how the other vendors measured up, Ms. Kennedy stated this vendor had the best written proposal. Chief Trufant stated this vendor's collection rate is around 90%, while presently Medway's rate is around 70%.

Selectman Trindade moved that the Board authorize the Chairman to execute a one-year contract with ProEMS Solutions, Inc. to provide ambulance billing and collection services in an amount not to exceed 4% of collected revenue; Selectman Foresto seconded. No further discussion. All ayes, 4-0.

Authorization of Chairman to Execute Contract for OPEB Services – The Segal Company:

The Board reviewed a contract, dated June 20, 2011, and signed by The Segal Company, Town Counsel and Town Accountant.

Ms. Carol Pratt, Town Accountant, stated the Town is required to perform an actuarial study on an annual basis and noted this would be Medway's third such study. Ms. Kennedy stated the Town did issue an RFP for the actuarial services, and this firm was the one the Town Accountant thought should be selected. She noted that this firm did Medway's study in 2009 and they were happy with those results.

Selectman Trindade moved that the Board authorize the Chairman to execute the contract with The Segal Company, Inc. for OPEB actuarial services in an amount not to exceed \$9,500; Selectman Crowley seconded. No further discussion. All ayes, 4-0.

Authorization of Chairman to Execute Contract Amendment #3 – Comm-Tract – Agreement for Fiber Optic Network:

The Board reviewed the following information: (1) Letter, dated May 16, 2011, from Town Counsel approving the amendment as to form; (2) Third Amendment to Contract, dated June 14, 2011, signed by Comm-Tract Corp., Town Counsel and Town Accountant; and (3) Original Contract with First and Second Amendments.

Mr. Richard Boucher, Director, Information Technology, stated this amendment represents the final phase of the fiber optic contract to close the loop from Lovering Street to the Medway High School. Funding has been approved at previous town meetings. Selectman Foresto stated this is the best way to do it, as it builds up the network and provides redundancy. Mr. Boucher concurred, noting the high school is already using it, and stressing the need for continuity of service. Selectman Trindade stated

that having “drops” at the Medway Senior Center and other public buildings provides opportunities to use those areas for filmed meetings and functions.

Mr. Boucher stated the full amount of the amendment fees totals \$53,843, noting additional funds came in from Verizon. He stated he would like to put the populatic well online, in addition to other DPS sites. There was brief discussion on the loop, earlier phases, and possible small additions.

Selectman Foresto moved that the Board authorize the Chairman to approve the Third Amendment to the original contract with Comm-Tract Corp. to provide continued fiber optic network services in an amount not to exceed \$53,843.68; Selectman Trindade seconded. It was noted that this will be a cooperative effort with the Cable Access Board and that residents should start seeing more things come online as more events are filmed. All ayes, 4-0.

Authorization of chairman to Execute Contract for Brentwood Drainage Improvements – Haley and Ward, Inc.:

The Board reviewed a contract, dated June 9, 2011, signed by Haley and Ward, Inc., Town Counsel and Town Accountant.

Mr. Tom Holder, Director, Department of Public Services, stated the funding for this work was approved at Annual Town Meeting 2010, in addition to a grant from FEMA. He stated this particular contract is for design services. He noted the firm has done a lot of work on the project already, prepared the grant application, knows the neighborhood, and has done work on other projects for Medway. Mr. Holder stated he is very comfortable with this company, and is confident they are the right group to handle the work. Ms. Kennedy stated the cost of the study was \$200,000. Discussion followed. Mr. Holder stated this contract provides that the firm will include engineering support through the construction process. Out of the original approved funding, \$630,000 remains for construction. He does not envision needing additional money, but admitted there is ledge and other property issues. Responding to a question from the Chairman, Mr. Holder stated the contract is awarded based on the Town’s ability to borrow. Many times a contract includes small things that could be done if funds are available, and eliminated if fund are not, or, if need be, scale the scope of the project to available funds.

Selectman Trindade moved that the Board authorize the Chairman to execute a contract with Haley & Ward for engineering services related to drainage improvements at the Brentwood development in an amount not to exceed \$191,334; Selectman Foresto seconded. Responding to a question from Selectman Crowley, Mr. Holder stated the 24% fee may seem high but it covers construction oversight, often specified in a separate contract but included in this one. There are also a lot of reporting requirements. He also did not feel there was adequate DPS staff at this time to perform the many reporting requirements. Ms. Kennedy stated there is a time limitation on using the money from the state. Mr. Holder stated the construction project itself will go out to bid in January with the hope of beginning construction in June 2012. All ayes, 4-0.

Dog Hearing – Jones:

The Board reviewed the following information: (1) Timeline of events prepared by Brenda Hamelin, Animal Control Officer; (2) Police incident report, dated May 30, 2011; (3) Temporary Restraining Order, dated June 3, 2011; and (4) Hearing Notice to owner, dated July 5, 2011.

Present: Ms. Brenda Hamelin, Animal Control Officer, Town of Medway.

At 8:00 PM: In accordance with Massachusetts General laws, Chapter 140 Section 157, Chairman Dunne opened the hearing by reading the hearing notice sent to Ms. Laurie Jones, 10 Broad Street, Apt. E.

Chairman Dunne briefly reviewed the procedural guidelines for dog hearings, specifying the amount of time spent on each component. He stated that, due to the owner's absence, the hearing could remain open but continued to another time. Ms. Jones will be notified that the next time will be the last time, and the matter will be decided. Ms. Hamelin stated Ms. Jones had indicated she would not attend.

Chairman Dunne asked the Board to consider continuing the hearing until the next Selectmen's meeting on August 15. At that time, if there is no one to represent the Jones' dog, the hearing will proceed and the matter will be decided.

Selectman Trindade moved that the Board extend the hearing until August 15 for the disposition of the Jones dog matter; Selectman Foresto seconded. Ms. Hamelin will notify the owner of the Board's decision. All ayes, 4-0.

Selectman Crowley stated the owner's absence is disrespectful to the Board.

[At 8:12 PM the dog's owner arrived and was informed that the matter had been voted.]

Approval – Contract for Public Use of Town Property (2B Oak Street):

The Board reviewed a contract draft prepared by Town Counsel.

Ms. Karen Kisty, Operations Manager, reminded the Board this action was sparked by a request to perform metal detection at this property and the Board had asked Town Counsel to prepare a document. She stated that Town Counsel drafted a contract specifying access to the property, what shall happen with finds, liability, etc. Ms. Kisty noted that this document may serve as a template for other types of requests. Discussion followed.

Selectman Trindade moved that the Board approve the contract prepared by Town Counsel which will provide authorization for metal detector use as well as parameters for ownership/disposition of articles located as a result of conducting search of property with metal detectors; Chairman Dunne seconded. Selectman Crowley wondered why it has taken up so much time to do this and objected to the bond requirement. Chairman Dunne agreed that Section 7 was too much. Ms. Kennedy stated some type of contract is recommended, and that the Board could modify it. Discussion followed. Selectman Trindade stated he did not object to deleting the language requiring the bond.

Selectman Trindade amended his motion as follows: I move that the Board approve the contract prepared by Town Counsel which will provide authorization for metal detector use at 2B Oak Street as well as parameters for ownership/disposition of articles located as a result of conducting search of property with metal detectors with the proviso that Section 7 be deleted and other sections be renumbered accordingly; Chairman Dunne seconded. No further discussion. Split Vote -- 3-1; Foresto oppose.

Selectman Trindade reminded the Board of their earlier concern for safety if searchers leave holes in the lawn and someone falls.

Ms. Kennedy emphasized the distinction being that items of historic value should come to the Town. The contract provides for clear ownership of items with identifying information

Report – Proposed Sale of American Legion Building – Selectman Trindade:

Present: Doug Wahl, representing the American Legion.

Selectman Trindade posed the following question: Does the Town of Medway have any interest in doing something with this property? He stated that the building was purchased in 1945, has a lot of parking, has been well maintained, and has a large space which offers itself to a variety of uses. He stated further that the first floor meets ADA requirements for handicapped and disabled persons, but would require the addition of an elevator for disabled access to second floor. He suggested possible uses for scout functions, meetings, and additional Town offices on the second floor. He stated the property is valuable, and in 20 years will be more valuable.

Discussion followed on funding, uses, management and maintenance. Funding cannot come from Community Preservation Act funds as it is not a historical building. Ms. Kennedy suggested recreational purposes. Selectman Crowley suggested a teen center. He stated he had heard that the building was donated to the American Legion, and suggested title research. Selectman Trindade suggested further investigation into a pricing structure.

Chairman Dunne expressed concern for the Town owning a building with an unknown purpose. Selectman Crowley would like to continue exploring possible uses. Selectman Foresto expressed concern that taxpayers will be asked to fund two buildings that have the same general purpose and would that be a financial overload for residents. Conversely, will we look back with regret if we act now. He suggested that more information is necessary. Selectman Trindade stated he thinks it's worth looking at, noting that properties at 2B Oak Street and 50 Winthrop Street were purchased for the land, not necessarily the buildings.

Mr. Wahl stated he has paperwork declaring the building was purchased, not donated.

Selectman Trindade stated he will work with the Town Administrator on how to proceed.

Approval of Cystic Fibrosis Cycle for Life Charity Bicycle Ride Route:

The Board reviewed the following information: (1) Correspondence from Terry Waite, Director of Special Events for Cystic Fibrosis Foundation, dated June 16, 2011; and (2) Letter, dated June 30, 2011, from Police Chief Allen Tingley.

Selectman Trindade moved to approve travel of bicyclists participating in the CF Cycle for Life Bike Tour through the Town of Medway on October 1, 2011 with the proviso that the organizers follow the safety parameters outlined in Chief Tingley’s letter dated June 30, 2011; Selectman Foresto seconded. Chief Tingley stated all requirements have been met thus far and he foresees no problems. Split Vote -- 3-0-1: Selectman Crowley abstained, expressing concern for bicyclist safety on Hill Street due to numerous potholes.

Approval of Warrants:

Selectman Crowley read aloud Warrant #12-3, dated 7/21/11, submitted for approval:

12-3P	Gross – Payroll Town	\$282,695.82
12-3SP	Gross – Payroll School	\$486,457.97
TOTAL		\$769,153.79

Selectman Trindade moved the Board approve Warrant #12-3 in the amount of \$769,153.79 as read; Selectman Foresto seconded. No discussion. All ayes, 4-0.

Dog Hearing – Tucker:

The Board reviewed the following information:

- (1) Timeline of events prepared by Animal Control Officer*
- (2) Animal Bite Reports dated May 7, 2008; August 23, 2007, and January 31, 2011*
- (3) Owner “action taken” response, dated February 6, 2011*
- (4) Email from Kristin Trufant, dated May 26, 2011*
- (5) Temporary Restraining Order, dated May 31, 2011*
- (6) Hearing notice to owner, dated July 5, 2011*
- (7) Hearing notice to Dean Street residents, dated July 8, 2011*
- (8) Complaint letter from C. Smith, dated May 3, 1995*
- (9) Complaint letter from C. Hallett, dated May 4, 1995*
- (10) Assorted Daily Log/Information Supplement Reports May/June 1995*

Present: Brenda Hamelin, Animal Control Officer; Bob Tucker, Kristen Trufant, neighborhood residents

At 8:30 PM: In accordance with Massachusetts General laws, Chapter 140 Section 157, Chairman Dunne opened the hearing by reading the hearing notice sent to Carla and Bob Tucker, 12 Dean Street.

Chairman Dunne briefly procedure guidelines with regard to dog hearings, specifying the amount of time spent on each component.

At this time, Chairman Dunne swore in any individual wishing to speak during the hearing, specifically, Ms. Hamelin, Ms. Trufant and Mr. Tucker. All agreed to abide by the rules of the proceeding.

Ms. Brenda Hamelin, Animal Control Officer, briefly reviewed various incidents where the Tucker dog "Brody" has bitten people, beginning in 2007. She noted that three and a half years went by until an incident in 2011. She noted further neither of the Tucker dogs were licensed in 2010.

Ms. Hamelin read a communication the Hallett family, who live next door to the Tuckers at 10 Dean Street, indicating they have no problems with Brody. Interesting to note this is the same family who complained about "Princess", another Tucker dog, in 1995. Ms. Hamelin also read an email from Mr. Todd Alessandri of 8 Dean Street, stating the dog has not bitten anyone in his family, yet is very aggressive when defending his turf. Mr. Alessandri stated he has had to swerve into traffic because he was not sure the dog would stop at edge of street. He also mentioned another dog, a small terrier, that is regularly unleashed and loose in the neighborhood.

Ms. Hamelin presented a brief review of similar issues with Princess, barking, growling and acting aggressively. She stated the Tuckers are well aware of leash law, and Mr. Tucker claims the dog can open door by himself, the reason he was outside without the electronic collar. The door has a push-down type of handle rather than a doorknob.

Mr. Bob Tucker has taken action to remedy the situation, and sought a wireless system as a backup to a regular fence. That system has been installed. He is also pursuing dog training and purchase of muzzle as requested by the temporary restraining order. Mr. Tucker also submitted a picture of the fence recently completed. He stated it took two months to get it installed because the vendor was backed up on work orders. He offered to submit copies of receipts and contracts.

Mr. Tucker stated the wireless system has worked fairly well, despite issues involving underground wires and collar. He recently discovered the collar was defective and had to be replaced, but there was no outward indication of broken wires inside. Today they learned that a lightning storm destroyed the controller system which has been replaced, and added an upgrade to protect from future lightning outage. The enhanced wireless system is now up and running. Mr. Tucker stated the exterior 6' fence circles the entire yard as a secondary measure. The family keeps him inside the fence.

Ms. Kristin Trufant, 14 Forest Road, reported an incident when she was walking two dogs with husband and children, and when they reached the Tucker property, Brody came out growling. She pointed out they were in middle of road, and not that close to the property. The dog came running out into road, and grabbed her dog (a three-year-old boxer) by the neck. She yelled at him, and he backed off a little. Ms. Trufant stated Mr. Tucker came out, grabbed the dog and walked back in. He did not speak to them, just went back inside. Selectman Crowley asked if she had taken her dog to the vet to which she responded she did not need to. She stated she was happy she had her dog under control, and that it was not her daughter walking the dog.

Ms. Hamelin stated this incident occurred after the February incident when Brody was found outside unsupervised and without muzzle. Mr. Tucker stated he was also outside at that time.

At this time Chairman Dunne asked for the Animal Control Officer's recommendation. Selectman Crowley suggested hearing comments from the Board first, so that the recommendation doesn't influence their thinking.

Chairman Dunne expressed disappointment that a dog can bite people numerous times without being put down. He acknowledged that people often treat their dogs like members of the family and asked Mr. Tucker for his side of the story. Mr. Tucker responded that when Brody is around the family, he is as loving as can be. They got the exterior fence to keep him on the property yet allow him some freedom of movement. The fence surrounds the front and side yards. Selectman Crowley asked if there is a chance that Brody can jump over the fence. Ms. Hamelin stated she was happy to see the front door covered by the exterior fence, yet the garage door is not. She is concerned about the door between the garage and the house, and whether the dog can open that one as well. The electric fence is only as good as its components.

Mr. Tucker stated the kitchen door has a different latching mechanism and the dog is not able to open that type of door.

Selectman Foresto asked if this was the first time the Tuckers have had a dog hearing. Ms. Hamelin responded that this is the first time. Selectman Foresto asked if the dog will be muzzled while in the yard. Mr. Tucker stated his preference is not to muzzle him when he is outside within the confines of the fence, but he will do so when walking him outside the fence on a leash.

Selectman Trindade expressed dismay that there is a second dog that is allowed to walk out unattended. As a dog owner, he stated it is also a danger to the dog to be left unattended. Residents cannot ignore the leash law. Selectman Trindade acknowledged Mr. Tucker's efforts to contain the dog, installation of both electronic and physical fencing systems, training as recommended by the vet, and Mr. Tucker's optimism that the dog can be managed. Mr. Tucker stated he is not disputing any facts, and that he is just trying to remedy the situation.

Chairman Dunne stated he did not know how a hearing has been avoided before now, remarking that this is a problem dog.

Responding to Chairman Dunne's request for her recommendation, Ms. Hamelin stated she was first going to recommend euthanization, but sees that the owner has done all he can do to contain dog by installing two kinds of fences. She acknowledged that it is unknown whether the dog will dig under the fence or jump over it. She stated she is torn between a permanent restraining order and ordering the dog to be put down.

Chairman Dunne remarked that it was fortunate the dog's rabies vaccinations have been up-to-date for each incident.

Selectman Crowley stated he took the time to phone two people affected by incidents, as well as another resident. None of those people wanted to put the dog down, instead taking the position that as long as the fence was believed to be secure and the dog is contained within structure, they were ok with that. All were in favor of giving dog one more chance. Ms. Hamelin clarified that a permanent restraining order can define whatever conditions the Board deems necessary.

Ms. Hamelin stated her recommendation would be a permanent restraining order, that the dog must be leashed and muzzled when off property. Further, if the dog is found off property without a muzzle, the dog can be picked up and euthanized no matter what it does.

Selectman Crowley asked Ms. Trufant if those conditions were acceptable to her. She responded they were acceptable, and that she just wants to be safe when walking her dogs.

Selectman Trindade moved the Board approve the Animal Control Officer's recommendation of a Permanent Restraining Order, specifying that the dog must be confined to the property at 12 Dean Street, and muzzled when it leaves that property on a leash; Selectman Foresto seconded. No further discussion. All ayes, 4-0.

At 9:02 PM Selectman Trindade moved to close the dog hearing; Chairman Dunne seconded. No discussion. All ayes 4-0.

School Committee Report from School Committee Liaison:

There was no report.

Action Items from Previous Meeting:

#4 -- Storm Water Resource Management Plan – Ms. Kennedy stated she is giving serious consideration to joining regional group and is looking into all the particulars.

#6 – Selectman Foresto stated there will be a meeting this week to transition to new website, Virtual Town Hall.

Discussion – Board of Selectmen Strategic Planning:

Chairman Dunne stated that while day-to-day efficiencies are the responsibility of the Town Administrator, the Board of Selectman needs to at overall strategies. He compared it to coordination of an event like Medway's 300th anniversary, i.e., taking a large event and breaking it into smaller pieces that will work cohesively together. Chairman Dunne asked the Board members for their thoughts on long range plans. He would like to hold an off-site strategic planning meeting. One topic suggested: Looking Ahead to Live in Medway in 2020.

FY12 Selectmen Liaison Appointments:

The Board reviewed a list of proposed liaison appointments to Town boards and committees.

After brief discussion, it was suggested that Chairman Dunne will join the Finance Committee and the Budget Subcommittee, Selectman Crowley will join the School Committee as well as the Budget Subcommittee, and Selectman Espinosa will join the School Committee. The liaison appointments are as follows, subject to change:

Board of Assessors	Selectman Espinosa
Board of Health	Selectman Espinosa
Constables	Selectman Espinosa
SWAP	Selectman Espinosa
Town Clerk	Selectman Espinosa
School Committee Rep	Selectman Espinosa
Finance Committee	Selectman Crowley
GATRA	Selectman Crowley
Medway School Building Committee	Selectman Crowley
Park Commission	Selectman Crowley
Town Counsel	Selectman Crowley
Town Moderator	Selectman Crowley
Water & Sewer Commission	Selectman Crowley
Community Preservation Committee	Selectman Trindade
Conservation Commission	Selectman Trindade
Norfolk County Advisory Board	Selectman Trindade
Open Space	Selectman Trindade
Planning and Economic Development board	Selectman Trindade
Zoning Board of Appeals	Selectman Trindade
Cable Advisory Committee	Selectman Foresto
Disability Commission	Selectman Foresto
ESCO Review Panel	Selectman Foresto
School Committee Rep	Selectman Foresto
Town Wide Energy Committee	Selectman Foresto
Tri-County Vocational School	Selectman Foresto
Board of Library Trustees	Chairman Dunne
Finance Committee	Chairman Dunne
Housing Authority	Chairman Dunne
MBTA Advisory Board	Chairman Dunne
Municipal Building Committee	Chairman Dunne
DPS Facility Study	Chairman Dunne

Town Administrator’s Report:

Ms. Kennedy stated she had a brief conversation with the Deputy Secretary of Veterans’ Services for the state, who indicated Medway had received preliminary approval to form the Veterans District. She stated she is waiting for the official approval to arrive before advertising for agents.

Ms. Kennedy stated she attended the Affordable Housing Trust meeting on Wednesday, July 13, and reported efforts are being made to hire a housing specialist in cooperation with the Affordable Housing Trust of Holliston. A job description has been prepared and is going through the approval process. They hope to start recruitment after Labor Day. Discussion followed on general affordable housing matters,

suggestion that the Town should take over the monitoring of affordable housing units in town. Selectman Crowley expressed concern that this function would be covered under the scope of work for this housing specialist.

Ms. Kennedy stated she had a visit from a staff person from Senator Kerry's office, offering help in a variety of services. A letter will be written on our behalf to support COPS funding.

Selectmen's Reports:

Selectman Foresto stated there is a walk-through meeting with the architect at the Thayer House, 2B Oak Street, on Tuesday, July 19 at 7 AM, if anyone was interested in joining him.

Selectman Foresto stated the Medway 300 plans are moving right along. He suggested holding an evening meeting for everyone who indicated they would like to be involved, possibly serving appetizers and alcohol, possibly at the senior center. Ms. Kennedy stated she is working on an amendment to the existing bylaw which would allow alcohol to be served on Town-owned property. Beautification projects were suggested, but it was questioned whether that should be handled by DPS staff or by volunteers. This would be in addition to annual town cleanup.

Selectman Crowley asked for financial reports for FY11. Ms. Kennedy stated all revenues have not been posted and the Town Accountant is still waiting for bank statements. She is optimistic these reports should be finished by July 30.

Selectman Crowley noted that four high-school students are picking up trash.

Chairman Dunne reminded the Board of a joint meeting with the Library Board of Trustees on August 16 at the Medway Public Library at 7:00 PM. He asked the Town Administrator to invite the Chairman of the Finance Committee as well as the Finance Committee liaison. The goal of this meeting is to discuss with the Trustees their strategic plans for moving forward now that library regionalization is no longer being explored.

Chairman Dunne stated he received a phone call from an attorney representing a resident with land for sale in the center of town. He indicated he will forward the information to the Open Space committee, and inform the attorney of the proper procedure in matters of this type.

Approval of Minutes:

The Board reviewed draft minutes of Board of Selectmen meetings held on February 1, 2011; February 24, 2011; March 5, 2011; March 31, 2011 and June 20, 2011.

At this time, Selectman Crowley stated he had not yet reviewed the minutes from March 31, 2011 and June 20, 2011.

Selectman Trindade moved that the Board accept the minutes of February 1, 2011, as drafted; Selectman Foresto seconded. No discussion. All ayes, 4-0.

Regarding the minutes of February 24, 2011, Chairman Crowley asked that the cleaning contract noted on page 3, line 1 be identified as belonging to the library.

Selectman Trindade moved that the Board accept the minutes of February 24, 2011, as amended; Chairman Dunne seconded. No discussion. All ayes, 4-0.

Selectman Trindade moved that the Board accept the minutes of March 5, 2011, as drafted; Selectman Foresto seconded. No discussion. All ayes, 4-0.

At 9:27 PM Selectman Trindade moved to adjourn; Selectman Foresto seconded. No discussion. All ayes, 4-0.

Respectfully submitted,
Jeanette Galliardt
Board Secretary