

1 Board of Selectmen's Meeting  
2 October 1, 2012, 6:00 PM  
3 Sanford Hall  
4 155 Village Street  
5  
6

7 **Present: Chairman Andrew Espinosa; Selectman Glenn Trindade, Vice Chair; Selectman John Foresto,**  
8 **Clerk; Selectman Dennis Crowley; Selectman Richard D'Innocenzo and Town Administrator Suzanne**  
9 **Kennedy.**

10  
11 Also Present: Barbara Saint Andre, Town Counsel; Susy Affleck-Childs, Planning and Economic  
12 Development Coordinator; David D'Amico, Deputy Director, Department of Public Services; Stephanie  
13 Bacon, Health Agent; Michael Heavey, Chair, Board of Health.  
14

15 \*\*\*\*\*

16 At 6:15 PM Chairman Espinosa called the meeting to order and led the Pledge of Allegiance.  
17

18 **At 6:16 PM Selectman Trindade moved that the Board enter into executive session under Exemption**  
19 **3: to discuss strategy with respect to collective bargaining or litigation if an open meeting may have a**  
20 **detrimental effect on the bargaining or litigating position of the public body and the chair so declares,**  
21 **with the intent to return to public session [namely, the Verizon Appellate Tax Board Case; and the**  
22 **Municipal and Fire Union Contracts]; Selectman D'Innocenzo seconded. No discussion. Roll Call Vote:**  
23 **5-0-0 – Crowley, aye; D'Innocenzo, aye; Espinosa, aye; Foresto, aye; Trindade, aye. Chairman Espinosa**  
24 **declared that an open meeting would have a detrimental effect.**  
25

26 **Selectman Trindade moved that the Board also enter into executive session under Exemption 6; to**  
27 **consider the purchase, exchange, lease or value of real property if the chair declares that an open**  
28 **meeting may have a detrimental effect on the negotiating position of the public body [namely,**  
29 **Brentwood; Oak Grove]; Selectman D'Innocenzo seconded. No discussion. Roll Call Vote: 5-0-0 –**  
30 **Crowley, aye; D'Innocenzo, aye; Espinosa, aye; Foresto, aye; Trindade, aye. Chairman Espinosa**  
31 **declared that an open meeting would have a detrimental effect.**  
32

33 \*\*\*\*\*

34  
35 At 7:50 PM Chairman Espinosa reconvened the public session. He apologized for the lengthy delay.  
36

37 **Public Comments:** None  
38

39 **Introduction – Economic Development Specialist, Claire O'Neill:**

40 Present: Claire O'Neill, Economic Development Specialist.  
41

42 Ms. Kennedy stated she and Ms. Susy Affleck-Childs had been working together to develop a job  
43 description based on the needs determined by Ms. Affleck-Childs and the Planning and Economic  
44 Development Board. Ms. Kennedy presented a brief background on Ms. O'Neill, noting that she is very  
45 impressed with Claire's experience.  
46

47 Ms. O'Neill expressed appreciation to Ms. Kennedy and Ms. Affleck-Childs for their support during the  
48 process. It has been a pleasure getting to know everyone. She stated she grew up in the United

1 Kingdom, came to the United States for college, and has worked in Clinton, Massachusetts, for Mass.  
2 Development and the Massachusetts Office of Business Development with areas of focus being on  
3 central Massachusetts, Brownfields and business development. The past two years she worked as  
4 Director of Economic Coordinating Council. She decided to spend more time with her young family and  
5 work part-time, and is thankful for this opportunity that suits her needs so well.  
6

7 Chairman Espinosa explained for the public that this position was created to address problem areas in  
8 the Town's economic development, and to target marketable assets in Medway. Ms. O'Neill added that  
9 it is crucial to understand the commercial and industrial properties that are available in town as well as  
10 the potential uses for those properties. She noted she would like to contact business owners to learn  
11 what they think, what they like and do not like, and what they might like to see happen. This is a way to  
12 gather basic information on what the priorities are, from different perspectives. She added that zoning  
13 and recodification of some sections of the Medway Zoning Bylaw are a priority as well. Responding to a  
14 question from the Board, Ms. O'Neill stated she reports directly to Ms. Kennedy.  
15

16 **Discussion – Availability of Space, EDC Specialist:**

17 Ms. Kennedy briefly reviewed the need for space for Ms. O'Neill as there is no office space available in  
18 Town Hall. There might, however, be some space in the Middle School, in the area that is currently  
19 under construction in the newly developed Business Office. The Planning and Economic Development  
20 departmental budget includes \$8,000 for rental expense, and Ms. Kennedy asked Mr. Bob McGee to  
21 determine renovation costs. She also approached Superintendent Judy Evans about a rental fee; Ms.  
22 Evans indicated there would be no fee as the school is a Town facility and the office would be for a Town  
23 employee. The estimate is \$17,600 including furniture and computer. Some of those expenses are  
24 already embedded in the budget; however, Ms. Kennedy is confident those costs can be further  
25 reduced. It was noted that, even though the Middle School Repair Project is on schedule, the space may  
26 not be available until March (potential delays included).  
27

28 Discussion followed. It was noted that other office space was explored, and this option is much more  
29 economical. Ms. Affleck-Childs reported that Ms. Ann Sherry of Charles River Bank offered temporary  
30 office space as well.  
31

32 **Ratification – Medway Municipal Employees Local Union Contract:**

33 The Board postponed its action on this matter until October 15.  
34

35 **Authorization of Chairman to Execute Contract with People GIS, \$41,350:**

36 *The Board reviewed the following information: (1) Scope of services; and (2) Contract.*  
37

38 Ms. Susy Affleck-Childs stated this is necessary to move ahead with Phase 2. Everyone is very happy  
39 with People GIS, and the forms and services used thus far. She noted that two key areas will be to work  
40 with the Police and Fire Departments and integrate their data. Board of Health will be included as well.  
41

42 **Selectman Trindade moved that the Board authorize the Chairman to execute a contract with People  
43 GIS for continued geographic information system development in an amount not to exceed \$41,350;  
44 Selectman Foresto seconded. Selectman Foresto asked if the information would be available at the  
45 dispatch center. Ms. Affleck-Childs responded it would, and there would also be a layer for residents  
46 with special needs, as well as information concerning senior citizens. Brief discussion followed on  
47 compatibility of systems, budget costs or surplus, data entry, and aerial mapping. VOTE: 5-0-0.**  
48

1 **Authorization to Expend Grant Funds – Region 2 Emergency Preparedness Coalition Grant, \$10,000:**  
2 *The Board reviewed the following information: (1) Grant expenditure authorization form; and (2) Grant*  
3 *award notice.*

4  
5 Present: Stephanie Bacon, Board of Health Agent; Michael Heavey, Chairman, Board of Health.

6  
7 Ms. Bacon briefly explained that they were able to stock an emergency trailer with basic supplies and a  
8 generator.

9  
10 **Selectman Trindade moved that the Board authorize the expenditure of Emergency Preparedness**  
11 **Coalition Grant funds in the amount of \$10,000; Selectman D’Innocenzo seconded. Discussion**  
12 **followed on decision-making roles during emergency situations and use of the generator and trailer**  
13 **by other communities in mutual aid situations. VOTE: 4-0-0.** It is noted that Chairman Espinosa was  
14 out of the room at the time of the vote.

15  
16 **Authorization to Expend Grant Funds – MIIA Risk Management Grant for Training in Heavy Equipment**  
17 **Use, \$5,000:**

18 *The Board reviewed the following information: (1) Grant expenditure authorization form; (2) List of*  
19 *supplies; and (3) Grant award notice.*

20  
21 **Selectman Foresto moved that he Board authorize the expenditure of a MIIA Risk Management Grant**  
22 **in the amount of \$5,000 for the purpose of providing training to Town staff in the use of heavy**  
23 **equipment; Selectman D’Innocenzo seconded. No discussion. VOTE: 5-0-0.**

24  
25 Brief discussion followed on a potential warrant article regarding loans to residents who need financial  
26 assistance to repair septic systems or connect to Town sewer. Ms. Bacon stated the program essentially  
27 funds loans to communities at zero percent, and the community loans it to residents at a low rate. Mr.  
28 Heavey noted that it helps people who may be having financial difficulty with mortgages or other  
29 obligations. If they default, the Town can attach a lien on their property to ensure repayment of the  
30 loan. Ms. Bacon confirmed there is no cost to the enterprise accounts. The program is run through the  
31 Board of Health; as Health Agent, she deems there is an emergency and administers the program.  
32 Responding to a question from Selectman Crowley regarding eligibility criteria, Ms. Bacon stated a septic  
33 system has to be subject to a system failure in order to qualify. Selectman Foresto suggested putting  
34 together some kind of guidelines on criteria, along with the judgment of the Board of Health. Discussion  
35 followed.

36  
37 **Vote to Sign November State Election Warrant:**

38 *The Board reviewed the November 6, 2012 State Election Warrant.*

39  
40 **Selectman Trindade moved that the Board sign the November 6, 2012 State Election Warrant;**  
41 **Selectman Foresto seconded. No discussion. VOTE: 5-0-0.**

42  
43 **Class II License Request – Cheryl Hollander d/b/a Boston Classic Cars, 4J Main Street:**

44 *The Board reviewed a Class II Motor Vehicle License application, dated September 18, 2012. It is noted*  
45 *that the Town Treasurer and Building Department have since signed off on the application.*

46  
47 Present: Cheryl Hollander, applicant; Robert Potheau, owner of property at 4J Main Street.

1 Mr. Robert Potheau briefly reviewed the history of the property, noting that the Board of Selectmen  
2 approved a similar license to a Mr. Roger Andrey in December 2011. Mr. Andrey did not pick up the  
3 license, and he never occupied the building. He stated that Mrs. Hollander and her husband sell antique  
4 cars on eBay; and they need a place to take photographs of the vehicles to post online.  
5

6 **Selectman Trindade moved that the Board approve a Class II license for Cheryl Hollander d/b/a**  
7 **Boston Classic Cars to be located at 4J Main Street. Outdoor parking of vehicles for sale is restricted**  
8 **to four; Selectman Foresto seconded. It was confirmed that the four parking spots are not visible**  
9 **from Route 109. VOTE: 5-0-0.**

10  
11 **Second Reading – Land Gifting Guidelines:**

12 *The Board reviewed the following information: (1) Proposed guidelines; and (2) Comments from boards*  
13 *and committees.*

14  
15 Ms. Allison Potter, Assistant to the Town Administrator, reported that, on her request for feedback from  
16 other groups, only the Open Space Committee and Community Preservation Committee responded with  
17 comments. Selectman Trindade suggested she check with the rest of the groups to make sure that they  
18 officially have no comment. Ms. Potter noted that one comment suggested changing “will” to “may” in  
19 the first two paragraphs of the guidelines.  
20

21 At this time Chairman Espinosa read aloud a letter from owner of land (2 acres) that abuts the Medway  
22 Senior Center. The property owner stated he would first offer it to the Town because of its proximity to  
23 the Senior Center. Selectman Trindade recommended that the Parks Board review the proposal, noting  
24 that it is a land-locked piece of wooded land, and might work well to expand the park and increase  
25 playing fields.  
26

27 **Third Reading/Adoption – Revised Alcohol Policy:**

28 *The Board reviewed the following information: (1) Memo, dated September 28, 2012, outlining revisions*  
29 *to the policy; and (2) Proposed Policy, with 9/4/12 revisions incorporated.*

30  
31 Ms. Allison Potter reviewed the changes based on previous Board of Selectmen input, including the fee  
32 waiver (page 4) for one-day liquor licenses. In the Statement of Policy section, she stated she would like  
33 to list state law references regarding cover charges, specifically, that a cover charge must be clearly  
34 posted, and that the cover charge cannot be sold in advance. Ms. Potter pointed out that someone who  
35 has a liquor license cannot also have a BYOB policy, and suggested the BYOB option could be combined  
36 with the Common Victualler licensing materials. After brief discussion, the Board agreed to have it in  
37 both places. Ms. Potter will make changes and bring back for another reading.  
38

39 Selectman Crowley suggested that there be a fee listed for all events, regardless of frequency, but that  
40 the Board of Selectmen can waive any fee.  
41

42 There was brief discussion on whether to include a fee to enroll under the BYOB umbrella as regular  
43 liquor license holders must pay a fee. Concern was expressed for the BYOB establishments hurting the  
44 business of those establishments with regular liquor licenses. Ms. Potter will research how other  
45 communities handle it.  
46

47 **Approval – FY14 Budget and 2013 Annual Town Meeting Calendar:**

48 *The Board reviewed a Draft Calendar for 2013 Annual Town Meeting and FY14 Budget Preparation.*

1  
2 Ms. Kennedy pointed out that the draft calendar indicates that the Board of Selectmen would come out  
3 with its budget policy statement on October 15. She noted this may be difficult to accomplish as there  
4 are unresolved issues with the Town Accountant. Discussion followed.  
5  
6

7 **Review of Fall Town Meeting Warrant:**

8 *The Board reviewed a draft of the Fall Town Meeting Warrant.*  
9

10 Ms. Kennedy stated the intent was to get the information out for review. She asked Board members to  
11 email her if anyone had questions between now and October 15.  
12

13 **Review of five-year Revenue and Expense Forecast:**

14 *The Board reviewed a draft of the Five-Year Revenue and Expense Forecast.*  
15

16 Ms. Kennedy reiterated there are still unresolved issues. Ms. Carol Pratt, Town Accountant, is on  
17 vacation this week. Ms. Kennedy recommended the Board look over the forecast and prepare questions  
18 as this matter will be postponed until next meeting.  
19

20 **Action Items from Previous Meeting:**

21  
22 #5 -- DPS facility – Selectman Trindade reported he will have the names of people for the committee on  
23 October 15.  
24

25 #2 -- Route 109 – Ms. Kennedy reported there will be a meeting this week to get input from other  
26 committees as well as to address questions raised by the Department of Transportation. Selectman  
27 Crowley stated he spoke with Mr. Guy Rezendes of MassDOT who indicated there has been a chance in  
28 policy with regard to easements. Verizon used to be responsible for securing the easements, which is  
29 why it took so much time to move utility poles. It is Selectman Crowley’s understanding that the state  
30 owns the right-of-way, and what the Town has the right to access is in the middle (for example, 30 out  
31 of 50). It is entirely possible that the poles can be moved within the right-of-way, but if the guy wire  
32 needs to be placed on private property, an easement will be necessary. It is recommended that the  
33 consultant (GPI) go back and review the drawings again based on the state right-of-way measurements.  
34 There is a local DOT representative who works with these kinds of easements. Discussion followed.  
35

36 There was brief general discussion on maintenance and update of the Action Items list.  
37

38 **Approval of Warrants:**

39 Selectman Foresto, Clerk, read aloud Warrant 13-14, dated October 4, 2012, as submitted for approval:  
40

41	Town Bills	\$1,376,614.68
42	TOTAL	\$1,376,614.68

43  
44 **Selectman Trindade moved that the Board approve Warrant 13-14 in the amount of \$1,376,614.68;**  
45 **Selectman D’Innocenzo seconded. VOTE: 5-0-0.**  
46

47 **Town Administrator’s Report:**

1 Ms. Kennedy reported that the MUNIS permitting software purchased in 2008 has proved to be very  
2 non-user-friendly. An upgrade package available in November, designed to assist customers to  
3 complete permit information, is also not particularly useful. She is now looking at using People GIS for  
4 these functions, and has asked departments to compile a list of what they want, so that a cost estimate  
5 can be determined.  
6

7 A draft list of projects up for consideration by the Capital Improvements Planning Committee (CIPC) for  
8 2014-2015 was sent out to the Board of Selectmen this week.  
9

10 Ms. Kennedy reported she has been meeting routinely on the Clean Sweep Project. She will send letters  
11 out to local organizations to identify Team Leaders. One vendor has offered to provide work gloves,  
12 T-shirts, posters, etc. Ms. Kennedy said the event date would be associated with Earth Day.  
13

14 **Selectmen's Reports:**

15 Selectman D'Innocenzo reported there is an October 15 deadline on the EFRAC RFQ. It is anticipated  
16 that information can be gathered in time to prepare an article for Fall Town Meeting.  
17

18 Selectman Foresto stated that the Thayer Development Committee is planning on going out on a bid  
19 tomorrow on renovation costs for the Thayer house, and hopes the information will be in time for Town  
20 Meeting. Because the project was separated into Phase A and Phase B, engineering costs for Phase B  
21 had not been determined. At some point in time we will have to secure funding for the engineering  
22 work for that.  
23

24 The Board decided it will meet on Thursday, October 4, at 7:00 AM, both in executive and public  
25 sessions. Discussion of the contract for the Thayer property will be on the public session agenda.  
26

27 Selectman Crowley asked for information on the Route 109 paving following the water main  
28 replacement. He had previously asked for a letter specifying that the Town would not be assessed with  
29 costs related to postponing the paving until the spring. Ms. Kennedy responded that it is her  
30 understanding that Mr. Tom Holder, Director, Department of Public Services, would execute a no-cost  
31 time extension; she will get a copy of existing documentation. It was noted that an increase in cost  
32 could be tied to increase in cost of bituminous materials in 2013. Ms. Kennedy clarified that Mr. Holder  
33 and the engineer do not think there will be an increase because the price has been very stable in recent  
34 months. Chairman Espinosa expressed concern that there was no discussion of potential cost increases  
35 due to postponing this work. Ms. Kennedy will ask Mr. Holder to speak to the matter on October 15.  
36 Selectman Crowley emphasized that his concern is not so much an increase in the cost of asphalt, but  
37 that a fee could be tacked on for something else, noting there is a difference between a no-cost time  
38 extension and a no-cost delay agreement.  
39

40 **At 9:31 PM Selectman Trindade moved to adjourn; Selectman Foresto seconded. No discussion.**

41 **VOTE: 5-0-0.**  
42

43 Respectfully submitted,  
44 Jeanette Galliard  
45 Night Board Secretary