

**Board of Selectmen's Meeting  
November 19, 2012 – 6:30 PM  
Sanford Hall  
155 Village Street**

**Present: Chairman Andrew Espinosa, Glenn Trindade, Vice-Chair (7:35 PM), Selectman Dennis Crowley, Selectman Richard D’Innocenzo, Selectman John Foresto, and Town Administrator Suzanne Kennedy.**

Also Present: Allen Tingley, Police Chief; Melanie Phillips, Finance Director; Susy Affleck-Childs, Planning and Economic Development Coordinator; Will Naser, Principal Assessor; Tom Holder, Director, Department of Public Services, Stephanie Bacon, Health Agent; Michael Clancy, Weights and Measures Inspector.

\*\*\*\*\*

At 6:32 PM Chairman Espinosa called the meeting to order and led in the Pledge of Allegiance.

**At 6:33 PM Selectman Foresto moved that the Board enter Executive Session under Exemption 2: To conduct strategy sessions in preparation for negotiations with non-union personnel or to conduct collective bargaining sessions or contract negotiations with non-union personnel, with the intent to return to public session; Selectman D’Innocenzo seconded. No discussion. Roll Call Vote: – return to public session. Roll Call Vote: 4-0-0 – Crowley, aye; D’Innocenzo, aye; Espinosa, aye; Foresto, aye.**

\*\*\*\*\*

At 7:03 PM Chairman Espinosa reconvened public session.

**Public Comments:** None

**Update – Town’s Fuel Efficient Vehicle Policy/Replacement Plan:**

*The Board reviewed the following information: (1) Memorandum, dated November 15, 2012, from Susy Affleck-Childs, Planning and Economic Development Coordinator; (2) Matrix Summary of Amendments to Medway’s Fuel Efficient Vehicle Policy and Replacement Plan; (3) Fuel Efficient Vehicle Policy – revised draft, dated November 12, 2012; (4) Vehicle inventory as of June 30, 2012; and (5) Green Communities Grant Program – Fuel Efficient Vehicle/Criteria 4, dated March 5, 2012.*

Ms. Kennedy reported that the Town is required to submit its Fuel Reduction Report to the Department of Energy Resources (DOER) by November 30. Part of it requires amendment of the vehicle policy, and tonight we present the amended plan.

Ms. Susy Affleck-Childs, Planning and Economic Development Coordinator, stated the policy was first adopted in 2010. She briefly reviewed that plan and outlined changes in the vehicle inventory, including exempt vs. non-exempt vehicles, heavy duty vehicles, and other types of vehicles. She expressed concern that these changes may not be stringent enough to meet criteria for future grant applications or other ramifications. Ms. Kennedy added that the recycling of police vehicles may be problematic for the Town, given initial concern that the Town did not have the funds to replace those kinds of vehicles.

The request this evening is that the Board of Selectmen adopts the revised policy, which would then be included in the report.

**Selectman Foresto moved that the Board adopt the revised Town Fuel Efficient Vehicle Policy as presented; Selectman D’Innocenzo seconded. No discussion. VOTE: 3-0-0 -- Selectman Crowley was out of the meeting room at the time of the vote.**

**Report – Comprehensive Emergency Management Plan – Richard LaTour/MEMA:**

Present: Richard LaTour, MEMA; Allen Tingley, Police Chief.

Mr. Richard LaTour, representing the regional office of the Massachusetts Emergency Management Agency (MEMA) in Bridgewater, Massachusetts, introduced himself to the Board. Every community is required to have a Comprehensive Emergency Management Plan, one that prepares people to respond in the event of an emergency. They used an online program designed to help communities set up their plans, entering various kinds of data unique to the specific community (Medway), and this information will be updated on an annual basis. Handouts were distributed that described the eCEMP system in more detail. Discussion followed.

Selectman Foresto asked if current dispatch officers are trained on this. Chief Tingley responded that they are. It is available online and they know how to use it. Selectman Foresto emphasized that the plan has information showing residents with disabilities, power needs, and so forth. One of the perks of this system is a GIS component that can be downloaded and activated. Brief discussion followed on the infusion of state and federal funding.

**Approval – Contract with Underwater Solutions, Inc. – Lovering Tank Inspection -- \$3,985:**

*The Board reviewed the following information: (1) Memorandum, dated November 15, 2012, from DPS Director, Tom Holder; and (2) Contract, dated November 1, 2012.*

Mr. Tom Holder reported that an inspection is needed every five years. In 2014, roughly \$100,000 will be a line item in the DPS budget, earmarked for a mixing system. Photographs from this cleaning will help us see what maintenance or repairs might be necessary in 2014.

**Selectman Foresto moved that the Board authorize the Chairman to execute the contract with Underwater Solutions, Inc. to perform the inspection of the Lovering Street tank in an amount not to exceed \$3,985; Selectman D’Innocenzo seconded. Mr. Holder clarified that the tank was built in 1964 which is relatively young. Five to six inches of sediment will have to be vacuumed out, but is otherwise in good shape. When the mixing system is installed, the tank will be drained and any necessary repairs will be done at the same time. VOTE: 4-0-0.**

**Approval – Collaborative MetroWest Regional Community Innovation Challenge Grant Application – Weights and Measures Food Inspection Tablet and Software (WinWam) -- \$6,000:**

*The Board reviewed the following information: (1) Letter, dated November 8, 2012, from Stephanie Bacon, Health Agent; (2) Letter, dated November 8, 2012, from Michael Clancy, Sealer of Weights and Measures; (3) Community Innovation Challenge Grant guidelines and application (draft); and (4) WinWam product information -- Device Inspection Software, Package Checking Software.*

Present: Stephanie Bacon, Health Agent; Michael Clancy, Weights and Measures Inspector.

Ms. Stephanie Bacon, Health Agent, stated that earlier this year the Board of Health was granted funds for the continuation of a Collaborative Grant. The Board of Health would like to use these funds to purchase WinWam Software and the associated materials, including an electronic tablet and scanner. The cost includes an annual maintenance fee of \$200. This equipment is unique to weights and measures, and will increase scanner accuracy.

Mr. Michael Clancy, Sealer of Weights and Measures, reported that, in order to check prices, he has to select fifty items to see if they scan at the advertised price. If one fails, he has to start over. If he has a sales clerk scan items, they have to put all the items back on the shelves. He presently does not have a scanner gun so the process is labor-intensive. Out of all the items included in this bundle, his primary interest is the scanner gun. Having one will be a time saver, and decrease frustration and aggravation in performing his job. Ms. Bacon added that the Towns of Millis and Medfield were included in the grant so they may get their own units.

**Selectman Trindade moved that the Board vote to authorize the Town Administrator to sign the Community Innovation Challenge Grant application once completed and subsequent to the Town Administrator's forwarding of the final application document for Board review in advance of execution; Selectman Foresto seconded. No discussion. VOTE: 5-0-0.**

**Town of Medway FY2013 Residential Factor/Tax Classification Hearing:**

Present: Will Naser, Principal Assessor; Andrew Smyth, Deputy Assessor; Melanie Phillips, Finance Director.

**At 7:50 PM Selectman Trindade moved that the Board convene a Public Hearing for the purpose of discussing tax classification and determining the Town of Medway FY2013 Residential Factor; Selectman Foresto seconded. No discussion. VOTE: 5-0-0.**

It is noted that this Public Hearing was posted with the Town Clerk and also published in the *Milford Daily News* for November 12 and November 13, 2012. This hearing requires a vote on the Adoption of a Residential Factor pursuant to MGL Chapter 40 Section 56.

Utilizing a PowerPoint presentation (previously sent to the Board electronically), Mr. Will Naser, Principal Assessor reviewed the questions regarding specific exemptions the Town has to consider when setting a tax levy, noting that there are actually four questions communities consider, and clarifying that the fourth one, the Open Space Exemption, does not apply to Medway. He reviewed slides featuring various tax rate options featuring a single tax rate (residential only) and four options shifting the tax burden by 0%, 5%, 10% and 15%, respectively. He continued with additional slides representing data on past and present tax levies, assessed values, comparisons to other communities, and other related statistics.

Any override action would be included in the final figures from any fiscal year. Examples in the presentation consider the average single family tax bill of \$6,345 with no change in the residential factor. It was noted that the lack of commercial development in a community is directly related to the high residential tax assessments. Discussion followed. Chairman Espinosa theorized that property values in Medway have dropped, and, from a tax perspective, this allows the Town to increase taxes to offset the decreased value of the properties. Ms. Melanie Phillips, Finance Director, stated that part of the increase is related to the debt exclusion on the Middle School repair project. There was brief discussion on historical property values, override funding, Proposition 2 ½ and related topics.

**At 8:23 PM Selectman Trindade moved to close the public hearing; Selectman Foresto seconded. No discussion. VOTE: 5-0-0.**

Mr. Naser began reviewing the Questions Requiring a Vote by the Selectmen of Medway.

Question 1 – Do you choose to have a residential exemption? Mr. Naser stated the Town of Medway has not had this in the past as it is typically adopted in rental areas and summer home areas, presently 13 out of 351 communities. **Selectman Trindade moved that the Board not adopt a residential exemption; Selectman Crowley seconded. No discussion. VOTE: 5-0-0.**

Question 2 – Do you choose to have a small commercial business exemption? Medway has not adopted this previously, currently adopted by 10 out of 351 communities. **Selectman Trindade moved that the Board not adopt a small commercial business exemption; Selectman Crowley seconded. No discussion. VOTE: 5-0-0.**

Question 3 – Do you choose to have a single tax rate or a split tax rate? If split, what tax burden percentage is desired? **Selectman Trindade moved that the Board adopt a Single Tax Rate (factor of 1) of 18.58; Selectman Foresto seconded. No discussion. VOTE: 4-1-0 – Espinosa oppose.**

It was noted that the tax rate is an estimate, and the Department of Revenue will approve the actual rate. Mr. Naser will submit Form LA5, Classification Tax Allocation, to the Town Administrator. Once signed by the Board, the form will be submitted to the Department of Revenue for review, and the actual rate will be determined.

Selectman Trindade briefly explained for viewers the basics of residential vs. commercial growth and the impact of that growth on the tax structure. If the Town adopted a split rate, a lot of the commercial burden would fall to small businesses due to the lack of large commercial entities in Medway. Brief discussion followed.

The Board thanked Mr. Naser for his presentation, and also extended appreciation to the Board of Assessors for their hard work year-round.

**Approval – ESCO Debt Service Agreement Between Town and Schools:**

*The Board reviewed the following information: (1) Agreement between the Town of Medway and the Medway Public Schools; and (2) MPS Debt Service Reimbursement for ESCO spreadsheet.*

**Selectman Foresto moved that the Board authorize the Chairman to execute the ESCO debt service agreement between the Town of Medway and the Medway Public Schools; Selectman Trindade seconded. Ms. Kennedy confirmed that she and the Finance Director are in agreement with the document. No further discussion. VOTE: 5-0-0.**

**Approval – Special One-Day Liquor License:**

*The Board reviewed an application, dated November 19, 2012, for a dinner dance at St. Joseph's Parish.*

**Selectman Trindade moved that the Board grant a Special One-Day Liquor License to St. Joseph's Parish to be exercised on November 24, 2012 on the occasion of a Dinner Dance and St. Joseph Band**

**Reunion under the conditions set forth in the application; Selectman Foresto seconded. No discussion. VOTE: 5-0-0.**

**DPS Update:**

Selectman Crowley stated he has been receiving a lot of comments about sidewalks and asked Mr. Holder if he could establish a priority list for sidewalk completion as well as a priority list for roads. Mr. Holder indicated a number of sidewalks are up for design, and there will be a list of those to be constructed. The list will include both the design and construction schedules.

Selectman Foresto reported he is also receiving comments about sidewalks and asked about Village Street. Mr. Holder responded that Village Street sidewalks will not be done until spring as some gas service valves need attention. He added that the walkability of those sidewalks is fine, noting that the outdoor temperature is getting too cool to put the top course on. Responding to Selectman Foresto's question about continuing sidewalks up to Matondi Square, Mr. Holder stated that section is usually under water, and that other sections need attention more urgently. Selectman Foresto clarified that from an aesthetic standpoint, the sidewalk just does not look complete.

Regarding Columbia Gas on Summer Street by the high school, Mr. Holder stated he granted them a permit listing conditions and expectations working on a main feed to residential areas. This work will involve about 600 feet of road with a police detail to keep one lane open. He noted that there is an anticipated December 22 completion date.

There is a new water pipe in the ground on West Street and the road is patched. The contractor will be coming back in April to pave Main Street. Mr. Holder reported that funds preserved from the sewer project will be combined with the water main project funding to totally reconstruct West St. The department is still figuring out when that will be done.

Regarding the Brentwood project, Mr. Holder stated he asked the engineer to place stakes on properties to show homeowners where the actual work will be done. They are working with property owners now; letters will be sent out. There is a possibility that construction could begin in the spring or summer.

**Approval – Reach the Beach Relay – May 17-18, 2013:**

*The Board reviewed the following information: (1) Email, dated October 29, 2012, from Paul Dionne, Sponsorship Coordinator; (2) Reach the Beach 2012 Course Maps; and (3) Memorandum, dated November 8, 2012, from Police Chief Allen Tingley.*

**Selectman Foresto moved that the Board approve permission for the Reach the Beach event to proceed through the Town of May 17-18, 2013 with the proviso that the organization adhere to the conditions set forth by Police Chief Allen Tingley in his memorandum, dated November 8, 2012; Selectman Trindade seconded. Chairman Espinosa expressed concern that the route down Milford Street is not a safe route for this kind of pedestrian usage, especially on a Friday evening. Selectman Foresto clarified that there are usually vans ahead of the walkers and runners. VOTE: 4-0-1 – Espinosa oppose.**

**Discussion – FY2014 Budget Policy:**

*The Board reviewed the following information: (a) Draft FY2014 Budget Policy Statement; and (2) FY14-FY18 Expenditure Assumptions.*

Ms. Kennedy reminded the Board this matter was postponed from the last meeting. The same revenue allocation model from last year was updated for this discussion. She briefly reviewed the major areas, noting that there is always a “catch up factor” from year to year. Brief discussion followed.

Selectman Trindade moved that the Board approve the FY2014 Budget Policy Statement; Selectman Foresto seconded. Selectman Crowley expressed concern about setting a precedent of using the previous year’s revenue figures and just plugging it into the model, noting student population figures are dropping. He would like the numbers to be adjustable when numbers on specific variables are known.

Chairman Espinosa stated that, if that is the case, the Board is not giving direction. Selectman Trindade noted that the bottom line is that every department has to justify their wish list, and Town Meeting votes it in. Selectman Crowley reiterated his concern about getting locked into a process. Chairman Espinosa stated the Town Charter clearly states that the Board of Selectmen is the entity that establishes a budget policy, from which a budget is created and later approved by the Board of Selectmen. Selectman Trindade Glenn reiterated that ultimately the final decision on the budget is the vote at Annual Town Meeting.

Selectman Foresto suggested that the budget policy reflects the Board’s perspective at this time, barring any changes that occur during the budgeting process. We won’t know until the end of January any initial figures from the state. Chairman Espinosa suggested adding a footnote that these numbers are based on historical data, and may change due to fluctuation in student population and other variables.

Selectman Crowley indicated he would like the Town Administrator to draft appropriate language and revisit this matter at another meeting. At this time Selectman Trindade withdrew his motion. Suggested language might be along the lines of “. . . that we submit a budget to you as provided for in page 2 of the model. “ Selectman Crowley would also like input from the business manager at Medway Public Schools about Chapter 70 monies. Brief discussion followed.

Chairman Espinosa stated he was in a meeting with Superintendent Evans and Ms. Kennedy, where Dr. Evans acknowledged that there is a portion of her budget that will be used for field maintenance. The verbiage is just a reminder that this is taking place, and should be noted on the budget, though the actual numbers are not yet known. Ms. Kennedy reported that it is possible up-to-date Chapter 70 information may be forthcoming in the near future.

The Budget Policy will be revisited at another meeting.

**Discussion – Board Representation on School Budget Advisory Committee:**

*The Board reviewed a list of proposed meeting dates.*

Ms. Kennedy reported that, at the Leadership Meeting, she was asked to find out who wanted to be on this committee and suggested dates for Board representatives to be available. She asked Board members to jointly decide among themselves who would attend these meetings (two Selectmen) and potential dates that those individuals would be available.

**Selectman Foresto moved that the Board approve Chairman Espinosa and Selectman Crowley as Board representatives to the School Budget Advisory Committee; Selectman D’Innocenzo seconded. No discussion. VOTE: 5-0-0.**

**Action Items from Previous Meeting:**

- Street acceptance – This process is on track with one or two projects slated for Annual Town Meeting.
- Route 109 Project -- Still on track to have public 25% design meeting late January or early February.
- Strategic Initiatives for Economic Development/Economic Development Specialist – Done.
- Strategic Planning Session – Ms. Kennedy reported the consultant is willing to come back for one more session at no cost to the Town on Wednesday, December 5, at 6:30. Additionally, two selectmen will meet with consultant separately; Ms. Kennedy will arrange for a meeting date.
- DPS Facility Committee – Selectman Trindade has list of potential candidates and will draft proposal.
- Trane project – This was approved tonight.
- Town Cleanup – in process.
- Zoning change for industrial park – Selectman Trindade will handle this.
- Veterans’ Memorial – Done.

**Approval of Warrants:**

Selectman Foresto, Clerk, read aloud Warrant 13-21, dated 11/21/12, presented for approval:

School Bills	\$478,970.17
Gross Payroll Town	\$302,873.03
Gross Payroll School	\$785,022.57
TOTAL	\$1,566,865.77

**Selectman Trindade moved that the Board approve Warrant 13-21 as read; Selectman D’Innocenzo seconded. No discussion. VOTE: 5-0-0.**

**Town Administrator’s Report:**

Ms. Kennedy announced that the financial audit has been completed, and for the second year in a row, the Town did not have a management letter. She is working with the Town Accountant to set up a meeting with the auditors sometime in January. Ms. Kennedy explained for viewers that a management letter offers recommendations for improvement in financial management.

Referring to efforts to reduce energy consumption, Ms. Kennedy reported she got very good price quotes from prospective vendors, but has to reject them because they were based on the construction of solar facilities, which will not be feasible in the short term. Another meeting with consultants will be arranged.

Ms. Kennedy stated that, in working with the MAPC, she has learned that Medway is one of 17 communities chosen to participate in a regional effort to see if the Town wants to install a solar facility in order to tie into net metering. The MAPC also offered services for a Local Energy Action Plan (LEAP), which will be presented to the Energy Committee at its December meeting. At the end of this month, the Energy Committee will also be having a presentation on aggregation, which would have to come before Town Meeting before the Town could participate.

It is anticipated that the Legislative Breakfast will occur during the first week in February.

**Selectmen's Reports:**

Selectmen D'Innocenzo reported that EPFRAC went through the bids that were received, and reached out to the company who was awarded the bid. A kickoff meeting will be held next Monday. The project timeline estimates the work will be done in late spring.

Selectman Trindade began a brief discussion on providing dugout space for baseball fields. He noted that Medway Youth Baseball contracted for the work, engaged volunteers and accomplished a significant improvement on Town-owned property. He attended a meeting where he encouraged them to provide the Town with their long-range plans so that both groups can work together.

Selectman Foresto thanked Selectman Trindade for his presentation on the Thayer Project at Fall Town Meeting. He added that the Thayer group will go back out to bid in January. On municipal and residential aggregation on energy, the Town is restricted to roof-top aggregation due to the way the RFP was written. It was noted that Charles River Water Pollution Control may be able to provide space for a future installation.

Selectman Crowley expressed concern that an affordable housing unit available on Kingson Lane, behind the fire station, might be in jeopardy. Ms. Kennedy stated the letter was wrong, the address is actually 83, not 82. It was clarified that this is the unit with the complicated mortgage. It will still count toward the 10% requirement for affordable housing units. It was noted that locating people who meet the income eligibility levels is often difficult. The Housing Coordinator will handle all the associated paperwork. Brief discussion followed on MassHousing and CitizensHousing.

Selectman Crowley asked if the Board would like to have a presentation from Charles River Water Pollution Control. It was suggested to add this matter to the Action Items list for a February completion date.

Regarding local accident rates, the Board would like to meet with Tom Holder regarding funding that may become available for traffic studies through the Metropolitan Planning Organization (MPO).

It was announced that there are 100 tickets left for the New Year's Eve ball as part of the Medway 300 Celebration.

Selectman Foresto reported he attended an all-town community service at the Community Church as a kick-off for the Medway 300 Celebration. He noted that there is an interesting timeline on the back wall of the church, which features individual timelines for the church, the community, and other things.

**Approval of Minutes:**

*The Board reviewed draft meeting minutes from July 16, 2012; August 21, 2012; September 4, 2012; September 7, 2012, and September 11, 2012.*

Due to the lateness of the hour, the Board opted to postpone review of the meeting minutes.

**At 9:43 PM Selectman Trindade moved to adjourn; Selectman D'Innocenzo seconded. No discussion. VOTE: 5-0-0.**

Respectfully submitted,  
Jeanette Galliardt, Night Board Secretary