

**Board of Selectmen's Meeting  
Monday, June 4, 2012, 6:30 PM**

**Sanford Hall, Town Hall  
155 Village Street**

**Present: Andrew Espinosa, Chair; Glenn Trindade, Vice-Chair; John Foresto, Clerk; Dennis Crowley (6:55 PM) and Richard D'Innocenzo.**

Also Present: Suzanne Kennedy, Town Administrator; Barbara Saint Andre, Town Counsel; Tom Holder, Director, Department of Public Services; David D'Amico, Deputy Director, Department of Public Services; Karon Skinner-Catrone, Conservation Agent; Stephanie Bacon, Health Agent.

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At 6:33 PM Chairman Espinosa called the meeting to order and led the group in the Pledge of Allegiance.

**At 6:34 PM Selectman Trindade moved that the Board enter executive session under Exemption 6 to consider the purchase, exchange, lease or value of real property, specifically, the Briggs property, if the chair declares than an open meeting may have a detrimental effect on the negotiating position of the public body and to return to public session immediately following executive session; Selectman Foresto seconded. No discussion. Roll Call Vote: 4-0-0 – Espinosa, aye; Trindade, aye; Foresto, aye; D'Innocenzo, aye.**

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**At 6:50 PM Selectman Trindade moved that the Board take a brief recess before returning to public session; Selectman Foresto seconded. No discussion. Roll Call Vote: 4-0-0 – Espinosa, aye; Trindade, aye; Foresto, aye; D'Innocenzo, aye.**

At 7:00 PM Chairman Espinosa reconvened the public session.

**Public Comments:** None

**Authorization of Chairman to Execute Contract with Kleinfelder Northeast, Inc. for Integrated Water Resources Management Plan (1WRMP) -- \$499,923:**

*The Board reviewed the following information: (1) Memorandum, dated May 29, 2012, from the Department of Public Services; and (2) Proposed Contract with Kleinfelder Northeast, Inc.*

Present: David D'Amico, Deputy Director, Department of Public Services.

Ms. Suzanne Kennedy, Town Administrator, asked the Board if there were any questions regarding the execution of this contract, specifically, regarding the timeline for compliance, noting end date mandated by the Federal government has not been extended out to her knowledge. She added that, as it is an election year, things may not change for a few months.

Selectman Foresto stated he had reviewed his notes from the January meeting, asking if the public comment period has closed, and if there were any changes to the law resulting from those public comments. Mr. D'Amico responded that nothing official has come out. He stated that he believes the mandate will remain, but communities may be given a little more time to comply.

Selectman Crowley asked about the funding sources. Ms. Kennedy responded that the funding from three sources was appropriated via Town Meeting vote: the general fund, Sewer Department, and Water Department. Discussion followed. Chairman Espinosa wondered if the regulations have not been promulgated, how do communities move forward without knowing what is expected. Selectman Crowley suggested DPS provide a definition of the tasks and timelines associated with each requirement.

Mr. D'Amico stated it is important to note that this deals with more than just stormwater, but also wells and other things.

It was agreed to table this matter until further information is available.

**Authorization of Chairman to Execute Contract with Lantern Light & Electric, Inc. for Installation, Corrective Service, Preventative Maintenance and Emergency Services to the Electrical Systems -- \$10,000:**

*The Board reviewed the following information: (1) Memorandum, dated June 4, 2012, from the Department of Public Services; and (2) Proposed Contract with Lantern Light & Electric, Inc.*

**Selectman Trindade moved that the Board authorize the Chairman to execute a contract with Lantern Light & Electric, Inc. for installation, corrective service, preventative maintenance and emergency services to the electrical systems in an amount not to exceed \$10,000, with year two of the contract to be subject to appropriation; Selectman Foresto seconded. No discussion. VOTE: 5-0-0.**

At this time, Chairman Espinosa welcomed the newest member of the Board of Selectmen, Richard D'Innocenzo.

**Authorization of Chairman to Execute Contract with James R. Coakley Plumbing and Heating, Inc. for Installation, Corrective Service, Preventative Maintenance and Emergency Service to the Supply and Waste Plumbing and Oil Fire Heating Systems -- \$10,000:**

*The Board reviewed the following information: (1) Memorandum, dated June 4, 2012, from the Department of Public Services; and (2) Proposed Contract with James R. Coakley Plumbing and Heating.*

**Selectman Trindade moved that the Board authorize the Chairman to execute a contract with James R. Coakley Plumbing and Heating, Inc. for installation, corrective service, preventative maintenance and emergency service to the supply and waste plumbing and oil fired heating systems in an amount not to exceed \$10,000, with year two of the contract subject to appropriation; Selectman Foresto seconded. No discussion. VOTE: 5-0-0.**

**Introduction – Karon Skinner-Catrone, Conservation Agent:**

Ms. Karon Skinner-Catrone stated she has worked as Medway's Conservation Agent for about a year and a half. She stated she worked about fifteen hours a week, and also serves as the Conservation Agent in Westwood.

**Discussion – Millbrook Beaver Dam:**

*The Board reviewed the following information: (1) Town Counsel Opinion relative to Beaver Dam Issue; (2) Beaver Resolution and Mitigation Procedures; (3) DEP Guidance for Conservation Commissions with regard to Beaver Activities; and (4) Email exchange between Conservation Agent and Millbrook resident.*

Present: Karon Skinner-Catrone, Conservation Agent; Stephanie Bacon, Health Agent; David D’Amico, Deputy Director, Department of Public Services; Christopher Harrigan, 5 Millbrook Road; James Swarthout, 7 Millbrook Road.

Ms. Karon Skinner-Catrone, Conservation Agent, distributed recent photos of the beaver dam area, as well as the handout featuring the Beaver Resolution and Mitigation Procedures.

Ms. Suzanne Kennedy, Town Administrator, explained that the issue on Millbrook Road is with a beaver dam that appears to be constructed on Town property. The resident at 5 Millbrook Road filed a complaint, noting rising water into his yard. The situation was believed to be resolved by removing the dam, but within a month the beavers rebuilt the dam.

Ms. Skinner-Catrone reported that Mr. Christopher Harrigan initially contacted her in January or February, citing the dam was causing flooding into his yard. The dam was removed, but was rebuilt by March, again causing standing water and an increased mosquito population. Norfolk County Mosquito Control was contacted. The dam appears to be only 1.5 feet high and approximately 100 feet long. She stated she met with an expert who determined a water-flow device would not work because of insufficient slope. Utilizing a map, Ms. Skinner-Catrone indicated, that, in her opinion, the dam is located on the Edison easement. Consulting Mr. Michael Callahan for suggestions, she reported the following potential solutions: (1) engage a licensed trapper to trap the beavers using accepted traps for this purpose (this would have to be done every year as other beavers will find this an attractive place); and (2) deprive them of food and they will eventually leave, having eaten themselves out of their own home.

Ms. Skinner-Catrone mentioned that Mr. Harrigan was putting lawn clippings into wetlands, a practice that is strictly prohibited. She informed Mr. Harrigan of this during the meeting.

Ms. Stephanie Bacon, Health Agent, stated that, for trapping purposes, the beaver activity must be considered a public health hazard, which this is not. It would be if it impacted a septic system or well. She informed the Board that the Board of Health is the entity authorized to issue the permit for trapping.

Discussion followed. Ms. Skinner-Catrone noted that she didn’t see that the water was much higher than the map indicated.

Mr. Christopher Harrigan, 5 Millbrook Road, stated he has been in his home for twelve years and has never had a beaver problem before. He stated that hearing that he “has to learn to live with it” is unacceptable. Mr. Jim Swarthout, 7 Millbrook Road, stated he has an inground pool in his back yard, noting that the water is higher than it has been in the eighteen years he’s lived there. He expressed concern that trees, once dead, are close enough to fall onto his fence and into the pool. A Holbrook Road resident stated a tree landed in her yard and she had to pay for its removal. Ms. Skinner-Catrone confirmed that any tree that falls on a homeowner’s property is that person’s responsibility.

Selectman Trindade acknowledged that the law is very clear regarding the definition and responsibility of the aggrieved party. Ms. Skinner-Catrone commented that if the dam is breached Conservation would be involved. Norfolk County Mosquito Control took the dam down once before and made it clear they will not do so again. A ten-day emergency permit can be issued by the Board of Health.

Selectman Crowley suggested the Health Agent conduct a site visit, and talk with residents as to what has happened during previous seasons. He expressed concern that the situation could be blown out of proportion before additional information is gathered.

Selectman Trindade suggested that, if the cost is not prohibitive, the Town should plan on trapping them every year if necessary.

Mr. David D'Amico, Deputy Director, Department of Public Services, stated the department gets many calls on beaver activity every year. He cautioned the Board to consider the entire community before changing its policy.

It was agreed that the Health Agent will assess the situation and report back to the Board. This matter will be placed on the Selectmen's agenda for its meeting on Monday, June 18, 2012.

**First Reading – Proposed Revised Alcohol Policy:**

The Board reviewed the following information: (1) Current Liquor Policy, adopted 8/28/2000, amended 9/17/2001; (2) Email, dated december 5, 2011, from Town Counsel; (3) Draft revised Liquor Policy, the redlined version.

Ms. Kennedy pointed out that the materials could seem somewhat confusing without a point by point explanation of the proposed changes. She asked staff to prepare that, and the resulting memorandum was distributed to the Board tonight.

Selectman Crowley stated he would like clarification on "providing a BYOB service to customers" – what that really means and who suggested it.

Chairman Espinosa suggested the Board hold off on a full discussion until key individuals can be present, and asked Ms. Kennedy to put it on the agenda for June 18.

**Second Reading – Remote Participation Policy:**

*The Board reviewed the following information: (1) Draft Remote Participation Policy; (2) Emails, dated May 16, from the Director of Information Services regarding associated technology; and (3) Committee responses to proposed policy received as of May 31, 2012.*

Present: Rich Boucher, Director, Information Services.

Mr. Rich Boucher briefly explained that, after reviewing policy that was presented, they came up with three different plans:

- 1) Using phones at a cost of roughly \$1,000. The Town has owned such a phone for about a year and it works very well. Two additional microphones have been added to Sanford Hall to use with this phone.

- 2) WebX or other web-based host services, which costs roughly \$500 a year for the subscription. Up to 15 people can be included in a meeting. Mr. Boucher acknowledged there may be some technical difficulties based on equipment at different venues. There would be additional costs to enable laptops.
- 3) A full scale video conference system. Systems start at around \$15,000 per site just to get them equipped with the proper cameras and such.

Chairman Espinosa asked if people could use their own laptops. Mr. Boucher stated they could, but everyone would have to have the same documents for reference. If the remote participant does not have the document, he or she cannot participate on that matter. Selectman Trindade suggested that as long as a good conference phone is available, that should work well.

Mr. Boucher stated that a quorum has to be physically in the room, and the remote participant cannot be counted as part of the quorum. Selectman Trindade stated it should be up to the board or committee member to make sure they are in contact with the group's chairman and the Town Administrator as soon as they know they have to be absent from a meeting and would like to participate remotely. Ms. Kennedy replied that as long as everyone has access to the same documents it should work, noting, however, that the Planning Board utilizes large detailed plans that cannot be transmitted.

Discussion followed on the number of speaker phones needed and potential meeting locations which would include Sanford Hall, the High School and the School Committee Room at the Middle School. Mr. Boucher suggested getting a "floating" phone that can be mobilized for additional locations, plus a couple more microphones. The total cost should be less than \$1,300.

**Selectman Trindade moved that the Board approve the Remote Participation Policy as presented; Selectman Foresto seconded. Selectman Crowley asked if there would be documentation that might indicate abuse of the policy. Selectman Foresto stated a sign out system can be used for the equipment. It would be up to the Chair of each group to know who is using the system and possible abuse, and take appropriate steps as necessary. VOTE: 4-1-0 -- Crowley opposed.**

**Approval – Thayer Property Committee Recommendation on Architect and Engineering Firm for Thayer Homestead Renovation:**

*The Board reviewed a document outlining the Qualifications for the Thayer House Project submitted by LLB Architects, of Pawtucket, Rhode Island, in response to the RFQ.*

Present: Mark Wilcox, Vice Chair, Thayer Development Committee.

Selectman Foresto briefly reviewed the status of this project and stated that an Article at the 2012 Annual Town Meeting authorized additional expenditures to move the Thayer property renovation forward. The first step was the award of a contract for Project Management, while the next step is the award of a contract to an architectural firm. This is to prepare a design package that would be ready for next Town Meeting. He stated that a recent Open House had 14 firms walk through the property, eliciting 7 formal responses. Four were selected for interview. Utilizing qualifying criteria, the firms were ranked, and LLB Architects was chosen.

**Selectman Trindade moved that the Board approve the the Thayer Property Committee's recommendation of LLB Architects, of Pawtucket, Rhode Island; Selectman Crowley seconded. Selectman Crowley asked about the timeline for completion of architectural plans. Selectman Foresto**

stated the timeline should be determined prior to Fall Town Meeting, going out to bid contingent on Town Meeting approval. It is anticipated that the building renovation would take nine months.  
**VOTE: 5-0-0.**

**Annual Committee Appointments:**

*The Board reviewed a partial list of individuals up for reappointment.*

Discussion followed on voting all the people who have indicated they are interested in serving. The Board asked for a list that includes all positions whether they are up for reappointment or not, and will revisit the matter on June 18. Selectman Trindade suggested sending emails to people to remind them to get in touch with the Town Administrator's office about reappointment. It was also suggested that the chair for each committee or group could provide updated contact information for members.

**Liaison appointments:**

Chairman Espinosa asked Board members to submit their list of preferred liaison associations to him. The liaison appointments will be discussed in July.

**Approval of Meeting Calendar – FY13:**

*The Board reviewed a proposed meeting calendar for FY13.*

Chairman Espinosa suggested a light summer schedule with the Board meeting only on the following dates: June 18, July 16, and August 20.

**Selectman Trindade moved to approve the FY13 Meeting Calendar as presented by the Chairman; Selectman Foresto seconded. No discussion. VOTE: 5-0-0.**

**Action Items from Previous Meeting:**

#1 - Street acceptances – Ms. Kennedy will meet with Ms. Affleck-Childs and report back.

#2 – Route 109 Design Project – Ms. Kennedy will contact offices of representatives/elected officials as to what the status of the \$400,000 is. Chairman Espinosa asked for copies of any letters that are sent. Selectman Trindade theorized that Jim McGovern's office should be of assistance even if he is not Medway's representative next year, and volunteered to contact his office. Ms. Kennedy suggested a letter from the Board of Selectmen would have the most impact. Selectman Crowley expressed concern that something is holding up the money. Chairman Espinosa said the funds are critical for the project to move forward. Discussion followed.

#3 – Planning and Economic Development Board will be meeting with the Selectmen on June 18.

#4 -Strategic planning – Ms. Kennedy stated she has someone in mind who can facilitate the planning sessions, and asked if the Board wanted to postpone it until the fall. After discussion, the date for the first session will be July 5 at 6 PM; the second one will be scheduled after the first one is held, once it is known what remains to be done. Board members should submit suggested topics of discussion in order to develop an agenda.

#5 - Kearsage – The Energy Committee has decided to issue an RFP based on the proposal. It is due to Ms. Kennedy next week. Brief discussion followed on discussing performance measures with the Energy Committee. The Board asked for this matter to be scheduled on the July 16 agenda.

#6 - Exploratory committee for new DPS facility –Selectmen Foresto stated the CIPC Chairman recommended this, noting that it is important to get going on preliminary steps now so that when debt service falls off in 2016, the Town is ready to move forward. Selectman Trindade still believes a regional facility with Holliston is a viable alternative. Chairman Espinosa stated that is the kind of question the committee should consider. Is there a cost savings? Do we really need a Town barn? What should it look like? Selectman Trindade volunteered to serve on the committee. He will work with Tom Holder to develop a proposed committee size, prospective members and so forth for the next meeting.

#7 - Trane – Selectman Foresto briefly updated the Board, noting the Energy Committee is still waiting for the school to indicate that their numbers agree with what has been submitted. Selectman Crowley suggested that Selectman Foresto attend the meeting with Ms. Kennedy and Chairman Espinosa, as he has the historical perspective. Selectman Foresto suggested that Ms. Melanie Phillips would be a good addition to the meeting as she has the expense figures.

8 - Beautification – Ms. Kennedy stated she thinks this will take more than Town staff. She will meet with Mr. Holder to develop a strategy. She will place the matter on the agenda for July 16.

**Approval of Warrants:**

Selectman Foresto, Clerk, read aloud Warrant 12-49, dated 6/5/12 and 6/7/12, submitted for approval:

12-49	Town Bills	\$1,775,000.00
12-49S	School Bills	100,459.24
12-49P	Gross Payroll Town	235,687.32
12-49SP	Gross Payroll School	794,408.06
TOTAL		\$2,905,554.62

**Selectman Trindade moved to approve Warrant 12-49 in the amount of \$2,905,554.62; Selectman Crowley seconded. No discussion. VOTE: 5-0-0.**

**Town Administrator’s Report:**

Ms. Kennedy stated the Town has spent \$81,500 of the \$158,000 Green Community Grant award thus far. She is seeking approval from the Department of Revenue to repurpose some of the remaining funds. Nearly four of five projects have been completed, including replacement of all the lights in Town Hall with LED lighting; the Senior Center and Police Department still need to be done. The \$24,000 budgeted for an audit was unused because the audit was free. She anticipated making some improvements on vending machine controls, as well as rooftop units at the public library.

Ms. Kennedy acknowledged Carol Pratt, Town Accountant, and Allison Potter, Assistant to the Town Administrator, for spearheading the Town’s application to participate in an additional performance measurement program facilitated by the Collins Center at UMass Boston.

**Selectmen’s Reports:**

Selectman D’Innocenzo – no report.  
 Chairman Espinosa – no report.  
 Selectman Foresto – no report.

Selectman Trindade asked about the status of the water main replacement and Brentwood projects. Mr. Holder stated the biggest/worst parts of the project will be done first. Research is still being done on the Brentwood easements. Selectman Trindade suggested timelines for various projects be put online for residents.

Selectman Trindade asked if there was money to repair playing fields, noting that the Open Space Committee would like to use funds for Idylbrook projects, as well as security, lighting, fencing and possibly playground equipment at Choate Park – all projects that are visible to the community. The Open Space Committee is applying for a grant. Brief discussion followed.

Referring to the Briggs property, Selectman Trindade asked what was being planned for the trails on that property. It was noted that the existing trail was an Eagle Scout project, and that the Department of Public Services prepares a list of potential Eagle Scout projects. Selectman Trindade asked for the project list.

Chairman Espinosa cautioned that department heads do not have to keep the Board informed of everything they are doing.

It was noted that the new fire chief starts on July 1. The retiring and new chiefs have had several meetings. While some Board members would have liked an overlap period, budgetary constraints could not support it. Chairman Espinosa commented that there is 300 years of culture and tradition to pass along and lots of little details to share with the new chief.

Selectman Crowley asked for the fourth quarter financials once they are prepared. He also asked for the approximate start date on the Lovering Street matter. Ms. Kennedy responded she expects it to be in July.

Selectman Crowley reported that residents have approached him about not having proper signage on Election Day and asked that the Town do something different for the November Presidential Election. Selectman Trindade concurred, suggesting that all available means be used to notify people about the polling location. Ms. Kennedy stated she will make sure that the Town Clerk uses all available email lists. The Board suggested the Town Clerk meet with the Board to explain her plans for coming elections, and asked that this matter be placed on the agenda for August 20.

**At 9:32 PM Selectman Trindade moved to adjourn; Selectman Crowley seconded. No discussion.  
VOTE: 5-0-0.**

Respectfully submitted,

Jeanette Galliardt  
Night Board Secretary