

MEDWAY BOARD OF SELECTMEN
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*Andrew Espinosa, Chairman
Glenn Trindade, Vice Chairman
John Foresto, Clerk
Dennis Crowley, Member
Richard D'Innocenzo, Member*

Board of Selectmen's Meeting Minutes

August 21, 2012, 6:00 p.m.

Sanford Hall, 155 Village Street

Present: Chairman Andrew Espinosa; Selectmen Dennis Crowley, John Foresto, Richard D'Innocenzo, and Glenn Trindade; and Town Administrator Suzanne Kennedy.

The meeting was called to order at 6:03 p.m.

Selectman Foresto moved that the Board enter into Executive Session under Exemption 2 to conduct strategy session in preparation for negotiations with nonunion personnel or to conduct collective bargaining sessions or contract negotiations with nonunion personnel, and under exemption 3 to discuss strategy with respect to collective bargaining or litigation if an open meeting may have a detrimental effect on the bargaining or litigating position of the public body and the chair so declares with the intent to return to public session immediately following executive session; Selectman Crowley second; No discussion; All ayes 4-0-0.

The Board returned to public session at 7:02 p.m.

Public comment: The Board welcomed the new Chairman of the Finance Committee Jeff O'Neill.

Public Hearing for Property at 5 West Street:

Selectman Trindade moved the Board open the public hearing relative to the property at 5 West Street at 7:05 p.m.; Selectman D'Innocenzo second; No discussion; All ayes 5-0-0

Selectman Trindade reported that certified letters had been sent to the five heirs of Robert Cahill, who is the listed owner of the property, requesting their appearance at the public hearing. Selectman Trindade called each of their names to confirm their presence but none of the heirs or their representatives were present. The purpose of the public hearing was to discuss the condition of the property at 5 West Street and hear testimony so the Board could make a determination as to whether they needed to make an order adjudging the property to be a nuisance to the neighborhood. Medway's Building Commissioner John Emidy testified that he had re-inspected the property and found it to be unsafe, as well as open to the elements and feral animals. He recommended that the Town remove the building on the property. The Board clarified that the Town would not be taking ownership of the property, only demolishing the structure that is on the property. The Board asked that the building be demolished by the end of November and asked Building

Commissioner Emidy to keep them updated on the progress, particularly if they are not going to make the end of November deadline. Town Administrator Kennedy will follow-up with Town Counsel to discuss the ownership of the property and next steps. Selectman Foresto asked that removal of the boat and trailer be added to the scope of work. These particular items are located within Town of Bellingham limits, so Town Administrator Kennedy will follow-up with the Town of Bellingham on cleaning up their portion of the land.

Selectman Trindade moved that the Board accept the findings of Building Inspector Emidy that the building at 5 West Street is unsafe and a nuisance and issue an order that the Town Administrator and the Building Commissioner proceed with the intent of razing the building by November 30; Selectman Foresto second; No discussion; All ayes 5-0-0.

Selectman Trindade moved that the Board close the public hearing relative to the property at 5 West Street; Selectman Foresto second; No discussion; All ayes 5-0-0.

Review and Approval - Guidelines for Land Gifts: The Board made an initial review of the Guidelines for Land Gifts. The goal is to create a set of criteria that will help guide the Board's decision when they are approached by property owner looking to donate or gift a piece of land to the Town. The Board agreed that these are only guidelines and that they are not obligated to follow them. Administrator Kennedy will forward the policy draft to the Open Space Committee, Conservation Commission, and Planning and Economic Development Board for their comments.

Approval - One-Day Licenses (Alcohol and Entertainment) - Medway Community Farm - August 27, 2012: The Medway Community Farm is holding their *Farm to Fork* fundraiser on Monday, August 27, 2012 from 6:00-9:00 PM at the farm. The farm is partnering with Tastings Bistro to create a menu that uses produce from the farm.

Selectman Trindade moved that the Board approve a one-day liquor license for the Medway Community Farm's *Farm to Fork* event scheduled for August 27, 2012; Selectman Foresto second; No discussion; All ayes 5-0-0.

Selectman Trindade moved that the Board rescind the previous motion regarding the Medway Community Farm's event; Selectman Foresto second; Discussion- Selectman Trindade did not include the one-day entertainment license in his original motion; All ayes 5-0-0.

Selectman Trindade moved that the Board approve one-day liquor and entertainment licenses for the Medway Community Farm's *Farm to Fork* event scheduled for August 27, 2012; Selectman Foresto second; No discussion; All ayes 5-0-0.

Authorization to Seek DOR Approval for Bonding for Middle School Project, Sewer Collection System, and Fire Truck - \$5,100,000:

Selectman Trindade moved that the Board authorize the Treasurer to petition the Massachusetts Department of Revenue for permission to bond \$5,100,000 and that the Board approve a useful life of 10 years for the fire ladder truck; Selectman Crowley second; Discussion – Selectman Trindade explained that this process is part of the deficit financing requirements. Treasurer Phillips reported that the bond has already been qualified and they are going out to bid the day after Labor Day, which is not the most desirable, due to scheduling conflicts. The Board said they can have an additional meeting if it means the Town can secure a better interest rate. Treasurer Phillips said she will speak with the Town’s fiscal advisor to see if they can get a better rate by going out to bid on a different date and, if so, they will; All ayes 5-0-0.

Authorization of the Chairman to Execute BRR#3 Document Relative to Budget Revision for Middle School Construction Project - \$178,403: Selectman Crowley is the liaison to the Middle School Building Committee (MSBC) and reported that these change requests have been approved by the MSBC. The Massachusetts State Building Authority (MSBA) requires all change requests to also be approved by the Board of Selectmen as Chief Executive Officers of the community. Selectman Crowley said that the project is on budget and that these funds will be paid out of the project’s contingency fund.

Selectman Trindade moved that the Board authorize the Chairman to execute Budget Revision Request #3 (BRR#3) relative to the Middle School construction project in the amount of \$178,403; Selectman Foresto second; No discussion; All ayes 5-0-0.

Authorization of the Chairman to Execute Master Service Contract with Kleinfelder Northeast, Inc. – Miscellaneous Engineering Services: DPS Director Tom Holder said that a master service contract is more comprehensive than a typical contract and provides the Town with greater protection. He said that the Town currently has a master service contract with TetraTech and he plans to execute master service contracts with all of the firms with which the Town regularly does business.

Selectman Trindade moved that the Board authorize the Chairman to execute a master service contract with Kleinfelder Northeast, Inc. for future, routine engineering projects; Selectman Foresto second; No discussion; All ayes 5-0-0.

Discussion – Beaver Matter: Town Administrator Kennedy reported that the Town received a response to its appeal from the Massachusetts Department of Public Health. The DPH said that the beaver issue along Hopping Brook does not constitute a human health or safety issue and denied the Board of Selectmen’s appeal. DPH consulted Mike Callahan of Beaver Solutions on the issue and Mr. Callahan stated that the only viable option is to trap the beavers but he said they will most likely return. Administrator Kennedy will forward the response to the affected residents and invite them to a future Board meeting if they have additional questions or concerns. The Board reminded

residents that they can only trap on their own property and the dam is on property that belongs to NStar.

Discussion – Date of Fall Town Meeting: The Charter requires the Town to hold the Fall Town Meeting by the third Monday in November. Due to the general election, Veterans Day, and Thanksgiving, the Board decided to hold the Fall Town Meeting on Tuesday, November 13, 2012. Chairman Espinosa requested timing reminders should the schedule require further adjustment.

Selectman Trindade moved that the Board set the Fall Town Meeting for Tuesday, November 13, 2012; Selectman Crowley second; No discussion; All ayes 5-0-0.

Action Items from Previous Meeting:

- The next strategic planning session will be October 25, 2012.
- The Trane Project contract has not been presented to the schools yet because the last leadership meeting was cancelled.
- Planning & Economic Development Coordinator Susy Affleck-Childs and Town Counsel are working on a street acceptance timeline. They plan to meet with the residents of the Meadows in late October. Administrator Kennedy will forward the street acceptance priority list to the resident on Azalea Drive who requested additional information. The Board asked that Ms. Affleck-Childs provide the Board with an update on all parcels which need to be addressed.
- Selectman Crowley will follow-up with the State again at the end of this week on the Route 109 project.
- Administrator Kennedy reported that Town Counsel has approved a warrant article regarding the veterans memorial update.

Approval of Warrants:

Warrant - 08/23/2012

Town Bills \$ 1,477,331.52

School Bills \$ 462,882.15

Total \$

Selectman Crowley moved that the Board approve the warrants as read; Selectman D’Innocenzo second; No discussion; All ayes 4-0-0.

Town Administrator’s Report:

- Administrator Kennedy reported that the letters to the Brentwood residents have been prepared and will be reviewed by Town Counsel. She will forward them to the Board for their review before they are sent out. She said they are hoping to meet with the residents by the end of September.
- An RFP was sent out for an Economic Development Consultant for which two responses were received; interviews are planned for September 5.
- The Town was advised to go out to RFP for a solar net metering agreement instead of signing the contract with Kearsarge in the hopes of securing a better

- rate per kilowatt hour. Selectman Foresto asked Administrator Kennedy to forward the RFP to the Energy Committee for their review.
- Administrator Kennedy met with Regional Services Coordinator, Frank Hegarty, to discuss regionalizing certain programs, including a veterans' advocate who would provide outreach to Iraq and Afghanistan veterans.
 - The Town's Health Agent secured a free health mobile trailer. The trailer contains items needed in emergencies, such as cots, chairs, blankets and a generator and will serve to augment the work which Chief Tingley has in play with the Red Cross.

Selectmen's Reports:

Selectman D'Innocenzo

- Selectman D'Innocenzo has met with the Evaluation of Parks, Fields and Recreational Areas Committee (EPFRAC), which plans to have the RFP relative to the evaluation of the Town's recreational areas finalized by the third week in September. Mr. Espinosa added that they are also planning to develop a service-level agreement for the maintenance of parks and fields that the Selectmen can review and decide whether to move forward with it.

EPFRAC is on target to get an article on the Fall Town Meeting warrant to fund a Parks Master Plan.

Selectman Crowley

- Medway has appropriated its portion of the funds for the Sanford Street Bridge and is waiting on Franklin before the project can begin.
- Selectman Crowley would like confirmation on whether an affordable housing unit was changed to a conventional housing unit. He suggested having the Housing Coordinator report on the matter at a future Board meeting.
- The Medway 300 kick-off event is a town-wide yard sale. They are hoping to have 75-100 homes participate. The proceeds will benefit the Medway 300; applications are still available and donations can be dropped off at the Medway Plaza.
- Selectman Crowley would like to know when the trench paving on 109 will begin.
- Selectman Crowley has message into Doug Downing to request a meeting relative to the Charles River Water Treatment facility.

Chairman Espinosa

- Two new members have been appointed to the Finance Committee.

At 8:10 p.m. Selectman Foresto moved to adjourn; Selectman D'Innocenzo second; No discussion; All ayes, 4-0-0.

Respectfully submitted,
Michelle Reed