

1 **Board of Selectmen's Meeting**
2 **December 16, 2013 – 7:00 PM**
3 **Sanford Hall**
4 **155 Village Street**
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7

8 **Present: Glenn Trindade, Chair; Dennis Crowley, Vice-Chair; Selectman Richard D'Innocenzo, Clerk;**
9 **Selectman John Foresto and Selectman Maryjane White.**

10
11 Also Present: Suzanne Kennedy, Town Administrator; Tom Holder, Director, Department of Public
12 Services; Jeffrey Lynch, Fire Chief; Allen Tingley, Police Chief; Sue Ellis, Human Resources Director; Patty
13 Barry, Conservation Agent.
14

15 *****

16
17 At 7:00 PM Chairman Trindade called the meeting to order and led the Pledge of Allegiance.
18

19 **Public Comments:** Mr. Charles Myers stated that he is a strong proponent of all-day kindergarten. He
20 stated that with curriculum changes aimed at full-day kindergarten, there will be a cost savings. There
21 would be a \$281,000 hit in the first year, reflecting expenses incurred in converting existing sections to
22 eight (8) full-day sections. Three places where money could be found would be in the existing program,
23 increase in funding through regular budget cycle, or go to the voters for an override process in the
24 spring. Thus far, all schools are in favor of it, as well as the School Committee Budget Committee. Mr.
25 Myers reported he has made this presentation to the School Committee and there would be a parent
26 forum to garner additional input. He noted that over 755 of all school systems offer free full-day
27 kindergarten. Half-day programs are in the minority, as are tuition-based programs. Discussion
28 followed.
29

30 **Public Hearing on All Alcohol License – Yama Fuji, Inc., Vote on Alcohol License and Common**
31 **Victualler License:**

32 The Board reviewed the following information: (1) ABCC application for an All-Alcohol license; and (2)
33 Application for Common Victualler License.
34

35 Present: Sherrill R. Gould, Esquire; Ming Ling Yau, applicant.
36

37 Ms. Gould, attorney for the applicant, stated the restaurant is a combination Japanese hibachi and sushi
38 restaurant located in the Gould's Plaza. She noted that the applicant, Ming Ling Yau, has had licenses in
39 both restaurants in Rhode Island. There are no schools or churches within 500 feet of the proposed
40 location.
41

42 **Chairman Trindade moved that the Board open the public hearing on the proposed All Alcohol License**
43 **for Yama Fuji, to be located at 74 Main Street; Selectman D'Innocenzo seconded. No discussion.**

44 **VOTE: 5-0-0.**
45

46 Selectman Crowley commented that there are different addresses within the application, specifically, a
47 Rhode Island address on the driver's license and a Bellingham, MA address as a residence. To the Board,

1 he noted that if this application is approved, the total number of All Alcohol Licenses in Medway will
2 total nine.

3
4 Chairman Trindade asked the Town Administrator if there was any comment from either the Fire Chief
5 or Police Chief regarding the application. Ms. Allison Potter, Assistant to the Town Administrator,
6 responded that, with respect to the applicant's Rhode Island establishments, there have been no alcohol
7 violations or Board of Health issues, and feedback about both locations was positive.

8
9 The proposed hours of operation will be Monday through Friday, 11 AM to 10:30 PM. Weekend hours
10 will be from 11 AM to 11 PM.

11
12 **Chairman Trindade moved to close the public hearing; Selectman Foresto seconded. No discussion.**
13 **VOTE: 5-0-0.**

14
15 **Selectman Foresto moved that the Board approve an All Alcohol Restaurant License and a Common**
16 **Victualler License for Yama Fuji; Selectman D'Innocenzo seconded. No discussion. VOTE: 5-0-0.**

17
18 **Appointment – Capital Improvement Planning Committee – Daniel Perkins:**

19 *The Board reviewed a letter of interest and resume from Daniel Perkins, dated December 1, 2013. It was*
20 *noted that the CIPC unanimously voted to recommend Mr. Perkins to fill the vacancy.*

21
22 Present: Daniel Perkins.

23
24 Mr. Perkins briefly stated that he has been attending CIPC meetings to become familiar with the process
25 and noted that his mother is the Director at the Medway Public Library.

26
27 **Selectman Foresto moved that the Board appoint Daniel Perkins to the Capital Improvement Planning**
28 **Committee for a term to expire on June 30, 2017; Selectman D'Innocenzo seconded. It was noted that**
29 **the CIPC unanimously voted to recommend Mr. Perkins for this vacancy. No further discussion.**
30 **VOTE: 5-0-0.**

31
32 **Approval – Excess Property Agreements – Fire Dept. -- \$0:**

33 *The Board reviewed the following information: (1) Proposed federal and Department of Defense*
34 *agreements; and (2) Town Counsel's approval.*

35
36 Present: Jeffrey Lynch, Fire Chief.

37
38 Mr. Kennedy commended the Fire Chief on his cost savings. The first agreement is a more long-term
39 service arrangement. The agreement with the Department of Defense carries a term of two years, after
40 which time the department can keep the equipment as surplus. All kinds of equipment are included in
41 the agreements.

42
43 Responding to a question from Chairman Trindade, Chief Lynch explained that he should typically
44 receive an email when there is excess property, and there may be a website that will feature a listing.
45 He reported that the authorities indicated the Town received a pickup truck this way back in the 1980s.

46

1 Selectman Crowley expressed concern that there could be costs involved with repairs on used
2 equipment and where the equipment would be housed. He suggested that a preliminary approval be
3 obtained through the Town Administrator before moving forward.

4
5 **Selectman Foresto moved that the Board authorize the Chairman to execute the federal and DOD**
6 **firefighting program excess personal property cooperative agreements for the use of this property in**
7 **the control of community fire protection and emergency services provided that the property received**
8 **through this program requires prior approval of the Town Administrator; Selectman Crowley**
9 **seconded. No further discussion. VOTE: 5-0-0.**

10
11 **Authorization to Expend Grant Funds – State 911 Dept. Support and Incentive Grant -- \$30,194:**

12 *The Board reviewed the following information: (1) Grant expenditure authorization form; and (2) Grant*
13 *notice and copy of contract.*

14
15 Present: Allen Tingley, Police Chief.

16
17 Chief Tingley reported the department has received a grant, one that they work hard on every year. He
18 credited Lieutenant Boultenhouse with doing the work on it. The money will be used to fund training,
19 emergency dispatch procedures, certification programs and refresher training, as well as overtime pay
20 to cover people out on training. Brief discussion followed.

21
22 **Selectman Foresto moved that the Board authorize the expenditure of the State 911 grant in the**
23 **amount of \$30,194; D’Innocenzo seconded. No discussion. VOTE: 5-0-0.**

24
25 **Authorization of Chairman to Execute Contract with Collins Center – Town Administrator Search:**

26 *The Board reviewed the following information: (1) Email from Town Counsel regarding approval as to*
27 *form; and (2) Contract.*

28
29 Present: Sue Ellis, Human Resources Director.

30
31 It was noted that the Board had a copy of the contract in their packets for review, as well as an opinion
32 from Town Counsel. Chairman Trindade clarified for viewers that this process is necessary to secure a
33 replacement for Ms. Kennedy who will be retiring in July of 2014. Brief discussion followed.

34
35 Selectman Crowley expressed concern that the search committee has not yet been formed. Ms. Sue
36 Ellis, Human Resources Director, responded that Mr. Richard Kobayashi of the Collins Center wants to
37 meet with all boards and interested parties in early January, and then put together the profile. He
38 anticipates completion of the profile by January 21, 2014. The position would then be advertised and
39 applications for the position will close by March 1. The search committee will not have anything to do
40 until March. Selectman Crowley suggested that Mr. Kobayashi meet with the committee a couple of
41 times to keep them in the loop on how the process is going before the committee begins its work.
42 Discussion followed.

43
44 **Selectman Foresto moved that the Board authorize the Chairman to execute a contract with the**
45 **Collins Center as proposed; Selectman D’Innocenzo seconded. No discussion. VOTE: 5-0-0.**

46
47 **Approval – Composition of Conservation Commission:**

1 *The Board reviewed correspondence dated December 2, 2013 from the Conservation Agent regarding the*
2 *number of members on the commission.*

3
4 Present: Ms. Patty Barry, Conservation Agent.

5
6 Chairman Trindade explained for viewers that, upon recommendation from the Conservation
7 Commission, the Commission is being reduced from 7 members to 5 members. The Commission,
8 however, will not refuse anyone who expresses interest. If, at a later date, it is believed that a seven (7)
9 member commission is again preferred, the Commission will bring the matter back to the Board of
10 Selectmen.

11
12 **Selectman D’Innocenzo moved that the Conservation Commission be made up of five (5) members;**
13 **Selectman White seconded. No discussion. VOTE: 5-0-0.**

14
15 Delivering an update on conservation issues at the Medway Community Farm, Ms. Barry reported that
16 the former agent delineated the area in question. The farm would like use of the fallow field on the
17 Adams Street portion of the property. Much of the field is located in the 100-foot floodplain area. She
18 indicated she will help the farm through the application process.

19
20 **Discussion and Vote – Proposed Automated Trash and Recycling Program:**

21 *The Board reviewed a Cost Savings Spreadsheet (consolidated and roll-up).*

22
23 Mr. Tom Holder, Director, Department of Public Services, stated that this is a continuation of the
24 discussion regarding the proposed conversion of the present trash collection program to an automated
25 system. He referred to the cost savings spreadsheets distributed to the Board in their meeting packets.
26 One of those presented information on the possibility of retaining the trash collection as is, and
27 converting to automated recycling collection. This would eliminate money spent on the trash carts, and
28 a vendor would not have to build a truck to service Medway. Mr. Holder added that the \$58,000 grant
29 will be retained with the modified program.

30
31 Selectman White indicated she likes this solution, as it retains use of the yellow bags while streamlining
32 the recycling process.

33
34 Selectman D’Innocenzo asked if residents would be able to get smaller bins. Mr. Holder responded that,
35 with a bi-weekly collection, he strongly encourages using the larger ones. He would like to issue the 96-
36 gallon carts, while reserving the right to keep a number of smaller ones for those residents with
37 accommodation needs.

38
39 Chairman Trindade emphasized that if an item is too large for the bin, it cannot be left next to the cart
40 for pick-up.

41
42 Selectman Foresto stated he liked the idea of partial implementation as it continues to encourage
43 recycling while keeping the Pay-As-You-Throw component. People also appreciate having a recycling
44 center open more than one day a week.

45
46 Selectman Crowley stated he wanted it to be clear that this is not a compromise between the Board of
47 Selectmen and the Department of Public Services. Many options were reviewed and discussed, and this
48 seems to be right for Medway at this time. He indicated that most people he talked to during Christmas

1 tree sales were concerned about the yellow bags. He indicated that he explained that the yellow bags
2 provide income to support the recycling center through an enterprise account.

3
4 Selectman Crowley asked if there could be more choices on the size of container, suggesting that people
5 could choose the size they think they will need, and if it was decided later they needed a larger one,
6 they would have to pay for it.

7
8 Brief discussion followed on the spreadsheet. It was noted that, in the first year there is \$58,000 in free
9 money (grant), in FY2016 the Town would have to pay more money, and after the third year the Town
10 owns the carts.

11
12 **Selectman Foresto moved that the Board authorize the Town Administrator to move forward with the**
13 **DPS Automated Single-Stream Recycling Program as presented tonight; Selectman D’Innocenzo**
14 **seconded. Concern was expressed that if the actual numbers are vastly different, the program may**
15 **not move forward. VOTE: 5-0-0.**

16
17 **Discussion and Vote – Dissolution of Anti-Casino Coalition:**

18 *There were no review materials. Note: It is recommended that the Board vote to authorize the*
19 *dissolution of the MetroWest Anti-Casino Coalition but to keep its framework in place in the event that*
20 *the coalition should need to be reactivated.*

21
22 Chairman Trindade explained that, as the Town of Milford has voted against the casino, the issue is no
23 longer prevalent. It is suggested that the mechanism be kept intact in case it should ever be needed
24 again. “Framework” refers to the Intermunicipal Agreement and that the agreement is kept in force.

25
26 **Selectman Foresto moved that the Board authorize the dissolution of the MetroWest Anti-Casino**
27 **Coalition yet keep the framework in place in the event that the coalition should need to be**
28 **reactivated; Selectman D’Innocenzo seconded. No discussion. VOTE: 5-0-0.**

29
30 Chairman Trindade commended Ms. Kennedy and Selectman Foresto on the hours of effort spent on
31 this issue by attending numerous meetings. Selectman Foresto commented that it was a really great
32 group of people to work with.

33
34 **Approval – 2013 License Renewals – Class II: Aoude’s Gas & Repair, Haven’s Auto Body, TJ Gas, Tim**
35 **Marshall; Common Victualler: Burger King, Coffee Sensations, Medway Village Pizza, Supreme Pizza;**
36 **Alcohol: Supreme Pizza:**

37 *The Board reviewed a list of approval recommendations.*

38
39 Ms. Allison Potter, Assistant to the Town Administrator, reported that these licenses were the entities
40 that had outstanding issues at the last meeting.

41
42 **Selectman Foresto moved that the Board of Selectmen approve the license renewals of the listed**
43 **establishments conditioned upon receipt of all associated renewal documentation and payment;**
44 **Selectman D’Innocenzo seconded. No discussion. VOTE: 5-0-0.**

45
46 **Approval – Medway Community Farm Lease Renewal – 50 Winthrop Street and 40-46 Adams Road:**

1 *The Board reviewed the following information: (1) Original Lease (Winthrop Street); (2) Lease*
2 *Amendment #1 (Adams Street); and (3) Town Counsel email regarding lease terms.*

3
4 Present: Representatives from Medway Community Farm: Brittany Sidway Overshiner, George Vella,
5 Jeanne Raffa, Allyson Aube, Kathleen Yorkis.

6
7 Chairman Trindade offered a brief history of the community farm. Ms. Kennedy distributed copies of an
8 amendment to the lease agreement based on Town Counsel's opinion. There was concern over the
9 Town's responsibilities or options should the farm default on the lease. The amendment adds a
10 requirement for performance milestones as they relate to the five-year plan.

11
12 Selectman Crowley related a discussion with the farm's attorney regarding the amendment. The change
13 in language was in General Conditions, Item 2, specifically, the reference to the word "maintain", which
14 was not clear. They opted for wording that "maintain" would refer to, "operate said farm as CSA or
15 continue to provide educational programs".

16
17 It was noted that a lot of people volunteer at the farm and it has strong support of the programs and
18 activities. Chairman Trindade responded that the contract is important to protect all parties, and it is
19 not to be perceived that the Board has any issues with the way the farm is being operated. The Town
20 has had no issues with the farm, and it has vastly improved during the years it has been in operation.
21 The amendment extends the lease for 4.5 years past the original lease date. Brief discussion followed.

22
23 **Selectman Crowley moved that the Board renew the Town's lease of 50 Winthrop Street and 40-46**
24 **Adams Road to Medway Community Farm for a term commencing January 1, 2014 and terminating**
25 **July 20, 2019, pending amendment to the lease terms to include the submission of a five-year**
26 **operational plan and accompanying milestones to be achieved by the lessee, and further, to authorize**
27 **the Chairman to execute the contract amendment with the changes as discussed tonight and agreed**
28 **upon by Town Counsel. Said amendment to be reviewed and approved by the Board no later than its**
29 **last meeting in February 2014; Selectman D'Innocenzo seconded. No further discussion. VOTE: 5-0-0.**

30
31 **Action Items from Previous Meeting:**

32 **Brentwood** – Ms. Kennedy reported she is still waiting for word from Senator Kennedy's office.

33
34 **Approval of Minutes:**

35 *The Board reviewed draft minutes from meetings held on July 15, 2013; September 3, 2013, and*
36 *September 16, 2013.*

37
38 **Chairman Trindade moved that the Board approve the minutes of July 15, 2013, as drafted; Selectman**
39 **D'Innocenzo seconded. No discussion. VOTE: 5-0-0.**

40
41 **Chairman Trindade moved that the Board approve the minutes of September 3, 2013, as drafted;**
42 **Selectman White seconded. No discussion. VOTE: 4-0-1 -- Crowley abstain.**

43
44 **Chairman Trindade moved that the Board approve the minutes of September 16, 2013, as drafted;**
45 **Selectman D'Innocenzo seconded. Brief discussion followed on attendance sheets of committees.**
46 **VOTE: 4-0-0 -- Foresto abstain.**

1 **Approval of Warrants:**

2 *The Board reviewed Warrant 14-25, dated 12/19/13.*

3
4 Selectman D’Innocenzo, Clerk, read aloud Warrant 14-25, dated 12/19/13, presented for approval:

5
6

Town Bills	\$ 413,299.00
Town Payroll	255,785.27
School Payroll	780,798.94
TOTAL	\$1,449,883.21

9

10
11 **Selectman Crowley moved that the Board approve the Warrant as read; Selectman Foresto seconded.**
12 **No discussion. VOTE: 5-0-0.**

13
14 **Town Administrator’s Report:**

15 Ms. Kennedy reported she and Selectman Foresto would be meeting with Hampton Council of
16 Government relative to municipal aggregation.

17
18 It was reported that there is one remaining language change in the proposed net metering agreement
19 regarding production guarantees.

20
21 With regard to athletic fields, an agreement has been suggested between the Town and School
22 Department specifying that after-school athletics have access to the fields until 6 PM, and then the fields
23 are open to youth groups. Ms. Kennedy suggested Chairman Trindade have a conversation with
24 Superintendent Evans. Regarding the RPF for the engineering, the bid cannot be awarded until this
25 agreement has been finalized.

26
27 A shared Energy Manager program with the Town of Millis has been suggested. Anything done with
28 such a program will require the approval of the Board of Selectmen. Brief discussion followed. Millis
29 would benefit by being able to develop a Green Community application, and Medway can move forward
30 with increased energy awareness programs and grant applications.

31
32 **Selectmen’s Reports:**

33 Selectman D’Innocenzo reported that a contract for work on athletic fields is about to be announced.

34
35 Selectman Foresto stated there needs to be some guidelines on how the refurbished Thayer House and
36 grounds will be managed, leased, etc.

37
38 Selectman Crowley asked that the “Entering Medway” signs be added to the Action Items list. Ms.
39 Kennedy reported the signs have been delivered, but the ground is getting too hard to get the sign posts
40 in place.

41
42 Selectman Crowley stated that he anticipates an application from a new developer for the Tri-Valley
43 Commons location, likely within the next 30-60 days. The developer has apparently purchased most of
44 the old plans and studies that the previous developer had done with the intent to modify placement of
45 some of the buildings and other minor changes.

46
47 Selectman Crowley stated he would like to schedule presentation on funding the DPS facility along with
48 the Finance Director and the Town Administrator.

DRAFT

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At 8:44 PM Selectman Foresto moved to adjourn; Selectman D’Innocenzo seconded. No discussion.
VOTE: 5-0-0.

Respectfully submitted,
Jeanette Galliardt
Night Board Secretary