

**Board of Selectman Meeting
March 11, 2013 7:00 PM
Sanford Hall, Town Hall
155 Village Street**

Board of Selectmen Present: Selectman Andrew Espinosa, Chairman; Selectman Glenn Trindade, Vice-Chair; Selectman John Foresto, Clerk; Selectman Dennis Crowley; and Selectman Richard D’Innocenzo.

Others Present: Suzanne Kennedy, Town Administrator; Tom Holder, Director, Department of Public Services; David D’Amico, Deputy Director, Department of Public Services; Fire Chief Jeffery Lynch; Police Chief Allen Tingley, Richard Boucher, IT Director; Melanie Phillips, Finance Director.

Call to Order: There being a quorum present; Chairman Espinosa called the meeting to order at 7:07 pm

Public Comment: Chairman Espinosa opened the floor for public comments, no public comment

Amendment to Funding for Middle School:

Selectman Crowley made a motion to approve the latest project funding budget for the Middle School, Selectman Foresto seconded. No discussion. Vote 4-0-0

Discussion of Town Warrant

ARTICLE 1: (ESCO Stabilization Reserve Transfer: FY14 Operating Budget)

To see if the Town will vote to transfer the sum of \$53,000 from the ESCO Stabilization Fund to the Fiscal Year 2014 Debt Service expense account for the purpose of funding ESCO related debt service, or act in any manner relating thereto.

BOARD OF SELECTMEN

BOARD OF SELECTMEN RECOMMENDATION:

Selectman Trindade asked what was left in the ESCO account. The amount remaining is \$200,000. He requested a listing of the different accounts and how much is in each one. Ms. Kennedy agreed to get this. He also wanted to know the FY12 reserve balance.

A motion to approve the warrant article placement and recommend it was made by Selectman Trindade, Selectman Foresto seconded. No discussion. Vote 5-0-0

ARTICLE 2: (Appropriation: FY14 Operating Budget)

To see if the Town will vote to fix the salary and compensation of all elected officers of the Town, provide for a Reserve Fund, and determine what sums of money the Town will raise and appropriate, including appropriation from available funds, to defray charges and expenses of the Town including debt and interest, for the Fiscal Year ending June 30, 2014, or to act in any manner relating thereto.

BOARD OF SELECTMEN RECOMMENDATION:

A motion to approve the warrant article placement and recommend it was made by Selectman Trindade, Selectman Foresto seconded. Discussion was held. Selectman Trindade removed his motion. Selectman Foresto made a motion for the article to be determined, Selectman Trindade seconded. No discussion. Vote 5-0-0

ARTICLE 3: (Appropriation: FY14 Water Enterprise Fund)

To see if the Town will vote to raise and appropriate or transfer from available funds the sum of \$XX for the maintenance of the Water Department Enterprise fund as follows, or to act in any manner relating thereto:

Direct Costs

	Amount
Salaries	\$
Expenses	
Short Tem Debt – Interest	
Long Term Debt – Principal	
Long Term Debt – Interest	
Direct Costs Total	\$

Indirect Costs

And further to raise and appropriate or transfer from available funds the sum of \$XX for indirect costs consisting of health insurance, workers’ compensation, Medicare, liability insurance, administrative and operational services.

Indirect Costs Total	\$
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Total	\$
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And further that the above listed appropriations be funded as follows:

Fees for Service [User Fees]	\$
	\$

WATER SEWER COMMISSION

BOARD OF SELECTMEN RECOMMENDATION:

ARTICLE 4: (Appropriation: FY14 Sewer Enterprise Fund)

To see if the Town will vote to raise and appropriate or transfer from available funds the sum of \$XX for the maintenance of the Sewer Department Enterprise fund as follows, or to act in any manner relating thereto:

Direct Costs

	Amount
Salaries	\$
Expenses	
Short Term Debt - Interest	
Long Term Debt – Principal	
Long Term Debt – Interest	
Direct Costs Total	\$

Indirect Costs

And further to raise and appropriate or transfer from available funds the sum of \$XX for indirect costs consisting of health insurance, workers’ compensation, Medicare, liability insurance, administrative and operational services.

Indirect Costs Total	\$
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Total	\$
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And further that the above listed appropriations be funded as follows:

Fees for Service [User Fees]	\$
Total	\$

WATER SEWER COMMISSION

BOARD OF SELECTMEN RECOMMENDATION:

ARTICLE 5: (Appropriation: FY14 Solid Waste Enterprise Fund)

To see if the Town will vote to raise and appropriate or transfer from available funds a sum of \$XX to operate the Solid Waste/Recycling Department Enterprise Fund as follows, or to act in any manner relating thereto.

Direct Costs

	Amount
Salaries	\$
Expenses	
Direct Costs Total	\$

Indirect Costs

And further to raise and appropriate or transfer from available funds the sum of \$XX for indirect costs consisting of health insurance, workers' compensation, Medicare, liability insurance, administrative and operational services.

Indirect Costs Total	\$
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Total	\$
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And further that the above listed appropriations be funded as follows:

Trash Recycling Fees/Bag Revenues	\$
Total	\$

PUBLIC SERVICES DEPT.

BOARD OF SELECTMEN RECOMMENDATION:

ARTICLE 6: (Appropriation: FY14 Ambulance Enterprise Fund)

To see if the Town will vote to raise and appropriate or transfer from available funds the sum of \$XX to operate the Ambulance Enterprise Fund as follows, or act in any manner relating thereto.

Direct Costs

	Amount
Salaries	\$
Expenses	
Long Term Debt – Interest	
Long Term Debt – Principal	
Direct Costs Total	\$

Indirect Costs

And further to raise and appropriate or transfer from available funds the sum of \$XX for indirect costs consisting of health insurance, workers' compensation, Medicare, liability insurance, administrative and operational services.

Indirect Costs Total	\$
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Total	\$
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And further that the above listed appropriations be funded as follows:

Insurance and Fees for Service	\$
Total	\$

FIRE DEPARTMENT

BOARD OF SELECTMEN RECOMMENDATION:

A motion to approve the warrant article placement for articles 3, 4, 5, 6 but recommendation is to be determined was made by Selectman Trindade, Selectman Foresto seconded. No discussion. Vote 5-0-0

ARTICLE 7: (Free Cash Appropriation: Capital Items)

To see if the Town will vote to appropriate the sum of \$1,617,676 for Fiscal Year 2014 from Certified Free Cash for the purpose of funding the following capital items, including associated engineering, personnel, maintenance and legal service costs, or act in any manner relating thereto:

Project	Department	Cost
VARIOUS ROAD/BRIDGE/SIDEWALK IMPROVEMENTS	Roads	\$700,000
INSTALL LOVERING TANK MIXER EQUIPMENT	DPS	\$100,000
REPLACE BALLISTIC VEST w/ TRAUMA PLATES	POLICE	\$22,475
REPAIR LIBRARY FRONT WALKWAY	LIBRARY	\$6,000
EMERGENCY GENERATOR REPLACEMENT – MCGOVERN	SCHOOLS	\$30,150
SENIOR CENTER SIDEWALK & KITCHEN IMPROVE	CON AGING	\$20,500
RE-ROOF BUILDINGS AT WATER STREET	DPS	\$18,500
TECHNOLOGY EQUIPMENT	IT	\$250,000
TANK TRUCK (TENDER)	FIRE	\$290,000
INSTALL EMERGENCY OPS CENTER	POLICE	\$49,051
REPLACE TRUCK (P-3)	DPS	\$40,000
REPLACE EXTERIOR DOORS	SCHOOLS	\$20,000
PURCHASE WING MOWER	DPS	\$71,000
Free Cash Total		<u>\$1,617,676</u>

**CAPITAL IMPROVEMENT
PLANNING COMMITTEE**

BOARD OF SELECTMEN RECOMMENDATION:

Discussion was had whether to put on warrant. The issue is what is on this list. There is a revised FY14 CIPC list of proposed projects, but the CIPC has not voted on this yet since they did not have a quorum for that meeting. Chairman Espinosa wanted to go through each individual item to decide what should go on the list. Selectman Foresto read through the list of projects. Selectman Crowley said that the school came out with a revised figure for the emergency generator and this is now \$33,332. The Senior Center project has also changed to \$23,000. The Board will need documentation of these changes. All the items were read and the following had a hold on them to be discussed.

Hold for IT: Mr. Boucher spoke about the IT items. Selectman Espinosa wants documents to show what the recurring expenses are going to be moving forward. IT is still compiling numbers. Eighty new units are replacing existing laptops and computers from 2009 and 2010, which will cost \$105,000. There is another \$50,000 needed for new laptops, which would be 75 units. There is \$60,000 for projectors for the Memorial and Middle Schools. Copier systems for Town Hall will be \$34,000. Selectman Foresto said as more devices are added there will be a corresponding need for more money for staff to support it.

Mr. Boucher said it is not in the Town budget but in the school budget. They are adding three new positions. Selectman Espinosa stated there is probably going to be about \$30,000 in recurring costs for replacements. The 75 new laptops will be to support the school curriculum. Mr. Boucher said they want to move towards a device for each student. Mr. Boucher thinks this reoccurring expense should become an operating expense because this is what it takes to keep IT updated. Another goal is for every teacher to get a laptop.

A motion to approve the project for the free cash list was made by Selectman Trindade, Selectman Foresto seconded. No discussion. Vote 5-0-0

Hold for tank truck: Chief Lynch spoke about this item. Selectman Trindade asked how long it would take to get the truck here. Chief said about three or four months. Selectman Trindade questioned what they would do now if there was a fire. They would use existing equipment and aid from other towns. Discussion on how many gallons the engines and tank truck hold. Fire Chief noted that this is a much needed tank truck for fire protection and that about one third of Medway is without hydrant coverage. The Board questioned why this would be coming out of the free cash and not bonded. Selectman Trindade thinks that this is a lot of money to spend in one year given all the items. Chief Lynch thinks he can get the price down to anywhere between \$250,000 to \$260,000. Ms. Phillips stated that this equipment can be bonded for over 10 years so that would be about \$30,000 to \$37,000 per year. Selectman Trindade proposed the Town bond the tank truck and buy the other equipment the fire department needed. Selectman Crowley agreed that there is no need to pay for this in one year because about \$1 million is requested. Selectman Foresto reminded the Board that this is about public safety.

A motion from Selectman Foresto was made to approve the item, Selectman D’Innocenzo seconded. Discussion followed.

Selectman Trindade thought they should approve this item if it is bonded but not keep it in the free cash list. Chairman Espinosa suggested there are three options, to purchase and bond, purchase with free cash, or not to do this. Selectman Crowley suggested going over the rest of the list first before voting.

The tank truck was discussed again after discussion of the other items. Selectman Trindade said he would be in favor of purchasing fire equipment for cash if they bonded the tanker truck and moved two warrant articles, the equipment for \$68,000 and the dormitory to free cash. It was mentioned that the dormitory is being funded through balances of former monetary articles. Selectman Trindade wanted to know how many warrants articles are out there that have remaining balances.

A motion to approve purchase of tanker truck for \$270,000 in which money would be bonded was made by Selectman Foresto, Selectman Trindade seconded. No discussion. Vote 5-0-0

A motion to dismiss article 9 and move to free cash the purchasing of fire equipment was made by Selectman Foresto, seconded by Selectman Trindade. No discussion. Vote 5-0-0

Hold for Ops center: Police Chief Tingley spoke about this item. After the recent storms they made a decision to upgrade the Ops center. This will be a standby room for emergency. The items needed include new wireless systems, control systems, radio equipment, another antenna and other equipment. All the department heads would sit in the room and work together during emergencies. Life of equipment is about 5-6 years. The maintenance should cost nothing because a lot can be done in house.

A motion was made by Chairman Espinosa to spend the money to install emergency operations center and equipment. Seconded by Selectman D’Innocenzo. Discussion to follow.

Ms. Kennedy said that public safety staff has done a good job but they really need this. Selectman Foresto thinks the staff should be out in the field. Mr. Holder said they coordinate from the police department. Chairman Espinosa said they could get away with doing this in Town Hall but he thinks they need to make some progress on this. Chief Lynch said this is not just used for weather events; it can be used for any major emergency. Selectman Crowley wanted to know what could have been done better in the blizzard with this new Ops center. Chief Tingley said communication. He said they need this center and tools to effectively manage these events.

No further discussion. Vote 5-0-0

Hold for P-3 Truck: Mr. Holder spoke about this item. He said the current truck is a 1993 truck used in the parks department and it is not economical to repair it. The new truck will be a Ford F-250. This would be replacing a truck not adding to the fleet. Selectman Crowley asked if a second vehicle would be needed and Mr. Holder said the replacement should be sufficient.

A motion was made to approve this item on the free cash list by Selectman Trindade, seconded by Selectman Foresto. No discussion. Vote 5-0-0

Hold for wing mower: Mr. Holder spoke about this item. He said this new mower would be replacing a 1998 John Deer. The current mower is not reliable and not practical to keep in use.

A motion was made to approve this item on the free cash list by Selectman Trindade, seconded by Selectman Foresto. No discussion. Vote 5-0-0

Hold for Exterior Doors: Chairman Espinosa asked is this for a security system or just doors. Selectman Crowley said he spoke with Mr. Anderson and this is just for actual doors.

A motion was made to approve this item on the free cash list by Selectman Foresto, seconded by Selectman Trindade. No discussion. Vote 5-0-0

Additional revenue for School for free cash: There is \$124,000 in the school budget that could be available for capital improvements. The School Dept. wanted the CIPC to take a look at what it could do with that. The option is to reduce their budget and allocate the projects. Selectman Crowley said the items were Generator (already in free cash list \$33,322), McGovern school sidewalk entrance into the main building \$40,000, security systems \$40,500, and a new van \$20,000.

A motion was made to add these three items to the CIPC free cash list by Selectman Trindade, seconded by Selectman Crowley. Discussion to follow.

Selectman Crowley asked Ms. Phillips if they could bond this and she said no.

No further discussion. Vote 5-0-0

Other items Board considers to be added to Free Cash:

Selectman Trindade discussed playing field space. Selectman Crowley said he looked at the Gale report and thought the focus is to get fields up to shape. This is a recurring cost and there needs to be a place in the budget for it.

Selectman Trindade also discussed youth baseball and putting a restroom facility there. Selectman Crowley suggested the Board get the design done for about \$10,000. The Town would just pay for pipes and Youth Baseball will do fundraising for the rest.

A motion was made for design and bid documents to provide sewerage up to 400 feet for \$15,000 to be added to free cash list by Selectman Crowley, seconded by Selectman Trindade. No discussion. Vote 5-0-0

A motion was made to leave \$200,000 in free cash reserve rollover by Selectman Crowley, seconded by Selectman Trindade. No discussion. Vote 5-0-0

Mr. Holder discussed the deficiency in the snow and ice budget this year. They will need an additional \$100,000 for snow removal and to restock salt.

A motion was made to add \$100,000 to the snow and ice budget to the free cash list by Selectman Trindade, seconded by Selectman Foresto. No discussion. Vote 5-0-0

Selectman Crowley suggested that they close out as is for the free cash list and see what the numbers are after all these changes. This should go to the Finance Committee and CIPC. Ms. Kennedy went over the list again with all the above changes. Changes included changes of emergency generator cost to \$33,322 and Senior Center to \$23,000. Removal of tank truck of \$290,000; the amount of \$270,000 would be bonded for this item. Additional items added to free cash include: \$15,000 for baseball field sewer design, \$68,281 for fire equipment, \$20,000 for school van, \$40,000 for school parking lot, \$40,500 for school security, \$100,000 for snow/ice budget, and \$200,000 to roll over to free cash.

A motion to approve the warrant article placement and recommend it was made by Selectman Trindade, Selectman Foresto seconded. No further discussion. Vote 5-0-0

ARTICLE 8: (Appropriation: Capital Items – Dept. of Public Services)

To see if the Town will vote to raise and appropriate, borrow or transfer from available funds the sum of \$295,000 for the purpose of funding the following capital items, including associated engineering, personnel, maintenance and legal service costs, or act in any manner relating thereto:

Project	Department	Cost
LED STREETLIGHTS – PURCHASE AND INSTALLATION	DPS	\$150,000
SANFORD STREET BRIDGE – CONSTRUCTION AND REPAIR	DPS	\$145,000
		\$295,000

PUBLIC SERVICES DEPT.

BOARD OF SELECTMEN RECOMMENDATION:

Mr. Holder discussed the Sanford Street Bridge. He explained that a year ago they appropriated \$40,000 for this project. Franklin was also contributing, as the bridge is shared by Medway and Franklin. He explained that when the towns met with MassDOT, they offered support for this project which would greatly reduce the cost to the towns. The work is scheduled for this summer. He is concerned that MassDOT is not going to follow through on its promise. If they do not, Medway's share would be \$145,000 (half of the project, technically \$105k because \$40k already set aside). With this concern, he suggested that out of the \$700,000 in the free cash for "Various Road/Sidewalk Improvements". Medway could use \$105k of this and make the line item "road/sidewalk/bridge improvement". He then suggested that at the Fall Town Meeting they would have an article requesting the replenishment of the \$105k that was used for the bridge should the funds from the state come through.

Mr. D'Amico spoke about a pilot for new LED street lights. He explained they had money left over from the DOER so they decided to use this money for 40 replacement LED street lights that were going to be installed in March 2013. They would like to do the whole town which would cost about \$145k.

A motion was made to strike article 8 by Selectman Trindade, seconded by Selectman Foresto. No discussion. Vote 5-0-0

ARTICLE 9: (Appropriation: Capital Items – Fire Dept.)

To see if the Town of Medway will vote to raise and appropriate, borrow, or transfer from available funds the sum of \$68,281 for the purpose of purchasing replacement firefighting equipment that has reached the end of its useful life. This equipment will include, but not be limited to, new hoses, nozzles, valves, gas monitoring equipment, axes, forcible entry tools, etc., or act in a manner relating thereto.

FIRE DEPARTMENT

BOARD OF SELECTMEN RECOMMENDATION:

A motion was made to strike article 8 by Selectman Trindade, seconded by Selectman Foresto. No discussion. Vote 5-0-0

ARTICLE 10: (FY Capital Budget: Water Enterprise)

To see if the Town will vote to raise and appropriate, borrow or transfer from available funds the sum of \$3,690,000 for Fiscal Year 2014 from Water Enterprise Fund for the purpose of funding the following item, including associated engineering, personnel, maintenance, and legal services costs, or act in any manner relating thereto.

HIGHLAND ST WATER MAIN	WATER	\$680,000
VILLAGE ST WATER MAIN	WATER	\$1,150,000
WINTHROP ST WATER MAIN	WATER	\$1,200,000
ADAMS ST WATER MAIN	WATER	\$660,000
		\$3,690,000

PUBLIC SERVICES DEPT.

BOARD OF SELECTMEN RECOMMENDATION:

A motion was made to amend the wording for this article to include “construction” by Selectman Trindade, seconded by Selectman Foresto. No discussion. Vote 5-0-0

Mr. Holder explained that this included engineering and construction and that Medway will be receiving State Revolving Funds (SRF) for these projects. The benefit of the SRF is that it is a 2% loan for 20 years. Small increases have been factored into the water/sewer rates over the next several fiscal years to pay for these projects. Mr. Holder said the purpose of these projects is to better provide water to that side of the town, and improve water pressure.

The water and sewer rates were discussed. Chairman Espinosa asked what the impact was on rate. Mr. Holder said it is a 4/4/4% rate increase. Ms. Phillips said the increases would cover the costs. The Board said there is more to figure out. Selectman Trindade asked if these figures included replacing the streets. Mr. Holder said yes. Chairman Espinosa asked if this could be rescheduled to fall. Mr. Holder said no. The Board needs to look at sewer and water rates closer to see will happen beyond the three years of rate increases. A proposed spending schedule was passed out that showed impact on the sewer and water rates.

A motion to approve the warrant article placement but to be determined for a recommendation was made by Selectman Trindade, seconded by Selectman Foresto. No discussion. Vote 5-0-0

ARTICLE 11: (FY14 Capital Budget: Sewer Enterprise)

To see if the Town will vote to raise and appropriate, borrow or transfer from available funds the sum of \$75,000 for Fiscal Year 2014 from the Sewer Enterprise Fund for the purpose of funding the following items, including associated engineering, personnel, maintenance, and legal services costs, or act in any manner relating thereto.

SEWER COLLECTION SYSTEM IMPROVEMENTS	SEWER	\$75,000
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PUBLIC SERVICES DEPT.

BOARD OF SELECTMEN RECOMMENDATION:

A motion for placement on warrant and recommendation was made by Selectman Trindade, seconded by Selectman Foresto. Discussion followed.

Selectman Crowley asked if this could also be “to be determined”. He does not want to make a decision on this until they determine the previous article.

Selectman Trindade amended his motion to keep on warrant but leave recommendation to be determined, seconded by Selectman Crowley. No discussion. Vote 5-0-0

The Charles River Pollution Control District was brought up by Mr. Holder. They met with the Department of Public Services to discuss their capital projects and an increase to their charges to Medway following a rate study. He noted first that Medway’s effluent in 2012 has greatly increased over 2011. Additionally, it has been determined that Medway has only been charged for half of its strength.

He said that means the Town can anticipate about a \$300,000 increase in operational adjustments. Mr. Holder suggested that a Medway team sit down to determine how to prepare for this. He also suggested an outside resource look at this to verify the results of the district's rate study. The Board agreed. A peer review would take a couple of weeks. Ms. Kennedy wants to know if the rate increases could be pushed back to Fall Town Meeting. The rates will not be known before the Annual Town Meeting.

A motion is made by Selectman Trindade to extend the meeting past 10:00 pm and to take a 5 minute break, seconded by Selectman Foresto. No discussion. Vote 5-0-0

ARTICLE 12: (Appropriation: Parks/Recreation/Open Space Master Plan Implementation)
To see if the Town will vote to raise and appropriate, borrow or transfer from available funds a sum of money to pay for costs associated with the implementation of the Parks, Recreation and Open Space Master Plan, or to act in any manner relating thereto.

BOARD OF SELECTMEN

BOARD OF SELECTMEN RECOMMENDATION:

A motion to approve warrant article placement but leave amount and recommendation to be determined in terms of the sum of money by Selectman Trindade, seconded by Selectman Foresto Discussion to follow.

Selectman Trindade asked where the money is coming from. Ms. Kennedy said there is a monetary article for this.

No further discussion. Vote 5-0-0

ARTICLE 13: (Appropriation for Heating/HVAC: Unexpended Balances of Monetary Articles)
To see if the Town will vote to appropriate \$53,344.45, the unexpended balances of appropriations authorized by vote of the Town under Article #25 of the Warrant at the May 3, 2004 Annual Town Meeting, Articles #1 and #6 of the June 6, 2005 Annual Town Meeting, Article #9 of the June 2, 2008 Annual Town Meeting, Article #23 of the June 15, 2009 Annual Town Meeting, and Article #7 of the June 14, 2010 Special Town Meeting for the purpose of funding heating and HVAC improvements at Town Hall, or to take any other action relative thereto.

BOARD OF SELECTMEN

BOARD OF SELECTMEN RECOMMENDATION:

A motion was made by Selectman Trindade to approve for placement and recommendation, seconded by Selectman Foresto. Discussion followed.

It was asked if \$53,000 was sufficient to do this project. Ms. Kennedy said the price quote is \$48,000

No further discussion. Vote 5-0-0

ARTICLE 14: (Appropriation for Fire Station Dormitory: Unexpended Balances of Monetary Articles)

To see if the Town will vote to appropriate \$30,222.33, the unexpended balances of appropriations authorized by vote of the Town under Article 3 of the Warrant at the June 15, 2009 Annual Town Meeting and Article 7 of the November 14, 2011 Fall Town Meeting for the purpose of funding constructing a dormitory room and purchase a storage shed for Station 1, or to take any other action relative thereto.

FIRE DEPARTMENT

BOARD OF SELECTMEN RECOMMENDATION:

A motion was made by Selectman Trindade to approve placement and recommend article. Selectman D' Innocenzo seconded. Discussion followed.

Selectman Trindade does not think there is going to be enough money for this. This is not going to be a free standing shed, as originally proposed. Chief Lynch has immediate need for storage.

Selectman Trindade amended his motion to keep on warrant but leave recommendation to be determined, seconded by Selectman Crowley. No discussion. Vote 5-0-0

ARTICLE 15: (Revolving Accounts: Annual Authorization)

To see if the Town will vote to re-authorize the following revolving funds pursuant to Chapter 44, section 53E½ of the Massachusetts General Laws for Fiscal Year 2014 as follows:

FUND	REVENUE SOURCE	AUTHORITY TO SPEND	USE OF FUND	SPENDING LIMIT
Parks and Recreation	Permit Fees	Board of Parks Commissioners	Self supporting recreation and parks services	\$100,000
Council on Aging	Donations/fees paid by riders and GATRA reimbursement	Council on Aging	Pay for dial-a-ride van service for seniors and disabled; shuttle service to Norfolk commuter rail station, and other necessary transportation services	\$96,000
Library Printer/Copier/Fax	Public printer use and copier and fax machine revenues	Board of Library Trustees	Printer, copier and fax machine expenses.	\$1,000
Library Meeting Room	Meeting room use fees	Board of Library Trustees	Meeting room maintenance, repairs and upgrades	\$1,000

**BOARD OF SELECTMEN
(For the Various Departments Indicated)**

BOARD OF SELECTMEN RECOMMENDATION:

A motion was made by Selectman Foresto to approve placement and recommend the article, seconded by Selectman Crowley. Discussion to follow.

Selectman Trindade requested a report that details the amounts that have passed through the various funds.

No further discussion. Vote 5-0-0

ARTICLE 16: (Appropriation: Community Preservation Committee)

To see if the Town will vote to act on the report of the Community Preservation Committee for the Fiscal Year 2014 Community Preservation budget and to appropriate, or reserve for later appropriations, monies from the Community Preservation Fund annual revenues or available funds for the administrative expenses of the Community Preservation Committee, the transfer to the general fund for the payment of debt service, the undertaking of community preservation projects and all other necessary and proper expenses for the Fiscal Year 2014, or act in any manner relating thereto.

Appropriation

	Amount
Salaries	\$
Expenses	
Direct Costs Total	\$

Debt Expense Transfer

And further to transfer from available funds the sum of \$XX to the general fund for debt service.

Debt Expense Total	\$
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Total	\$
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COMMUNITY PRESERVATION COMMITTEE

BOARD OF SELECTMEN RECOMMENDATION:

A motion to approve the warrant article placement but recommendation is to be determined was made by Selectman Trindade, Selectman Foresto seconded. No discussion. Vote 5-0-0

ARTICLE 17: (Land Acquisition: X Property)

To see if the Town will vote to authorize the Board of Selectmen to acquire by purchase, gift, eminent domain or otherwise and to accept the deed to the Town of a fee simple interest in all or a portion of the parcel described below, now owned by X upon such terms and conditions as the Board of Selectmen shall determine to be appropriate, the land to be used for purposes allowed by the so-called Community Preservation Act, Massachusetts General Laws Chapter 44B, to be under the management and control of Board of Selectmen said parcel of land being described as follows:

The land located on ... believed to be 8-10 acres, more or less.

And, further to see if the Town will vote: a) to appropriate from the Community Preservation Fund the sum of \$X for the purchase of the property and up to \$X for any expenses related thereto, including legal fees; b) authorize the Board of Selectmen to convey a permanent deed restriction in accordance with General Laws chapter 44B, section 12 and General Laws chapter 184, sections 31-33; and c) authorize the Board of Selectmen and Town officers to take all related actions necessary or appropriate to carry out this acquisition, including the submission, on behalf of the town, of any and all applications deemed necessary for grants and/or reimbursements from any state or federal programs and to receive and accept such grants or reimbursements for this purpose, and/or any other purposes in any way connected with the scope of this Article, or act in any manner relating thereto.

BOARD OF SELECTMEN

BOARD OF SELECTMEN RECOMMENDATION:

To be discussed in executive session on Monday March 18, 2013.

ARTICLE 18: (Net-Metering Agreement)

To see if the Town will vote to authorize the Board of Selectmen to enter into a solar net metering credit sales agreement for a term not to exceed twenty years upon such terms and conditions determined by the Board of Selectmen to be in the best interests of the Town, or act in any manner relating thereto.

BOARD OF SELECTMEN

BOARD OF SELECTMEN RECOMMENDATION:

A motion to approve article placement and recommend was made by Selectman Foresto, seconded by Selectman D’Innocenzo. Discussion to follow.

This is a long term purchasing agreement for power to go through a solar plant. It will end up as a credit on the electric bill. This is federally subsidized generation of solar energy. The Town has the authority to work with the prospective vendor.

No further discussion. Vote 5-0-0

ARTICLE 19: (Accept Mass. General Law: C. 59, s. 5. Sub-section 54 – Personal Property)

To see if the Town will vote to accept Massachusetts General Laws Chapter 59 s.5, sub-section 54, which provides that personal property valued at \$5,000 or less, shall be exempt from taxation, or to act in any manner relating thereto.

BOARD OF ASSESSORS AND TAX COLLECTOR

BOARD OF SELECTMEN RECOMMENDATION:

Ms. Kennedy said it was changed to \$2,500.

A motion was made to amend the amount in the article from \$5,000 to \$2,500 by Selectman Trindade, seconded by Selectman Crowley. No discussion. Vote 5-0-0

A motion to approve placement and recommend was made by Selectman Trindade, seconded by Selectman Foresto. No discussion. Vote 5-0-0

ARTICLE 20: (Create Redevelopment Authority)

To see if the Town will vote to determine there is a need for a redevelopment authority in the Town of Medway for the purpose of engaging in urban renewal projects or other work under General Laws chapter 121B and that it is in the public interest that a redevelopment authority be organized in the Town of Medway, and to vote to organize a redevelopment authority consisting of five members, four to be elected and one to be appointed by the department of housing and community development in accordance with General Laws chapter 121B section 5, or to act in any manner relating thereto.

BOARD OF SELECTMEN

BOARD OF SELECTMEN RECOMMENDATION:

A motion to place article on the warrant and recommend it was made by Selectman Trindade, seconded by Selectman D’Innocenzo. Discussion followed.

Chairman Espinosa said they were going to create this authority and not discuss funding yet. There is no funding at this point. The Board needs to have a meeting with the Finance Committee. Selectman Foresto thought they would go to Fall Town Meeting for funding. Ms. Kennedy said the Board could appoint the members if this gets approved until such time an election can be held.

No further discussion. Vote 5-0-0

ARTICLE 21: (Sewer Easement)

To see if the Town will vote to authorize the Board of Selectmen to grant a permanent sewer easement over a portion of the Town Senior Center property at 76 Oakland Street, to the owner of abutting land known as 70 Oakland Street, as shown on a plan entitled Proposed Sewer Connection, so that the property at 70 Oakland Street may be connected to the Town sewer system, and on such terms and conditions as the Board of Selectmen shall deem to be in the best interests of the Town, and to authorize the Board of Selectmen and other Town officials to do all acts necessary to carry out the purposes of this article, or take any other action related thereto.

BOARD OF SELECTMEN

BOARD OF SELECTMEN RECOMMENDATION:

A motion was made by Selectman Trindade to approve placement but leave recommendation to be determined, seconded by Selectman Foresto. Discussion followed.

The Board wants to see this on a map and questioned whether this impacted the Senior Center either now or if an addition were to be made to the building in the future.

No further discussion. Vote 5-0-0

ARTICLE 22: (Amend Dog Bylaw)

To see if the Town will vote to amend the general bylaws Article 12, Section 12.16 as follows (new wording is underlined and wording that is being deleted is stricken through):

Section 12.16

(a) The annual fee for dog licenses, except as otherwise provided by law, shall be **\$11.00 for spayed and neutered dogs and \$16.00 for all other dogs** to be retained by the Town of Medway for the purpose of administering and enforcing the Dog Control Law, in addition to such sums of money as may be established by State Law. **Medway residents 70 years of age and older will be issued a license at no cost for spayed and neutered dogs, but shall be required to pay the fee for unaltered dogs, and shall be subject to the late penalty under Section 12.16(e)(3)(4).**

(b) No licensing fee or part thereof shall be refunded because of the subsequent death, loss, spying or removal from the Commonwealth, or other disposal of the dog., ~~nor shall any license fee or part thereof, paid by mistake, be paid or recovered back after it has been paid over to the County under Chapter 140, Section 141 of the General Laws.~~

(c) No person shall own or keep it the town any dog which by biting, excessive barking, howling, or in any manner disturb the quiet of the public.

(d) The Animal Control Officer or Police Chief may restrain or muzzle, or issue an interim order to restrain or muzzle, for a period of not to exceed fourteen (14) days, any dog for any of the following reasons:

- (1) For having bitten or threatened any person.
- (2) If found at large or un-muzzled as the case may be, while the order for the restraint of such dog is in effect.
- (3) If found in school, schoolyard, or other recreational area.
- (4) For having killed or maimed or otherwise damaged any domesticated animal.
- (5) For chasing any vehicle (including bicycles) upon any public way or way open to public travel in town.
- (6) For any violation of Section 12.16(c).

(e) Any owner or keeper of a dog who shall fail to comply with any of the provisions of the laws and By-Laws governing dogs shall be fined as follows:

- | | | |
|-----|--|----------|
| (1) | Failure to license dogs | \$150.00 |
| (2) | Dog found in schoolyard or any recreational area | \$15.00 |

- (3) Complaints such as, but not limited to, biting, barking, littering or defecating on sidewalks or private property **or any violation of Section 12.16(c) or (d):**

First Offense:
\$15.00

Second Offense:
\$25.00

Third and each subsequent offense:
\$50.00

- (4) **The license period for dog licenses shall begin January 1 of each year until December 31 of the following year.** Dog owners purchasing licenses after ~~June 15~~ March 31st annually shall be assessed a ~~late penalty~~ **late penalty** of \$150.00 for each license issued in addition to the established fee for such license. ~~This amendment to be effective April 1, 1984.~~

- (f) All **fees, penalties and** fines shall be retained by the Town of Medway.

- (g) Restraint of dogs.

(1) Any person owning or harboring a dog shall not suffer or allow it to run at large in any of the streets or public ways, or places in the Town of Medway, or upon the premises of anyone other than the owner or keeper, unless the owner or occupant of such premises grants permission.

(2) No person shall permit a dog owned or kept by him or her beyond the confines of the property of the owner or keeper unless the dog is restrained by the owner or keeper thereof on a leash, which shall not exceed ten feet.

- (h) Definitions

(1) At large means a dog which is unaccompanied by a person able to properly control its actions or unrestrained by a leash or chain.

- (i)

~~(1) No owner, or person having the care custody or control of any American Stafford shire, Stafford shire Pit Bull Terrier, or Bull Terrier shall permit it to be off his or her own premises, unless it is wearing a muzzle.~~

(2) The word "muzzle" shall mean a device constructed of strong, soft material or a metal muzzle, such as that used commercially with greyhounds. The muzzle must be made in a manner which will not cause injury to the dog or interfere with its vision or respiration, but must prevent it from biting any person or animal.

(3) Any violation of this sub-paragraph (i) shall be subject to a fine of \$50.00 for each offense.

- (j)

~~(1) No person, corporation, partnership or other business entity shall sell, trade, breed or otherwise transfer ownership or possession of any American Stafford-shire, Stafford-shire Pit Bull Terrier, or Bull Terrier within the limits of the Town of Medway.~~

~~(2) Any violation of this sub-paragraph j) shall be subject to a fine of \$50.00 for each offense.~~

(k)

~~(1) No owner, or person having the care, custody or control of any American Stafford-shire, Stafford-shire Pit Bull Terrier, or Bull Terrier shall permit it to be anywhere in the Town of Medway except in or on property owned by the owner of said dog, and at all times it shall be in a secure area so that it cannot escape therefrom and/or gain access to public areas or private areas not owned by the owner of the said dog.~~

~~(2) Any unregistered American Stafford-shire, Stafford-shire Pit Bull Terrier, or Bull Terrier found within the Town of Medway shall be forever banned from the Town of Medway and the owner thereof shall be fined the sum of \$50.00.~~

or take any other action relative thereto.

BOARD OF SELECTMEN

BOARD OF SELECTMEN RECOMMENDATION:

A motion was made to approve placement and recommend by Selectman Trindade, seconded by Chairman Espinosa. No discussion. Vote 5-0-0

Upcoming meetings:

Monday March 18, 2013 @ 6 pm
Thursday March 21, 2013 @ 6 pm
Saturday March 23, 2013 @ 8 am
Monday March 25, 2013 @ 6 pm
Wednesday April 3, 2013 @ 7 pm

A motion was made to adjourn at 10:55 pm by Selectman Trindade, seconded by Selectman Foresto. No discussion. Vote 5-0-0

Respectfully submitted,

Jill Morley
Night Board Secretary