

**Board of Selectmen's Meeting
March 2, 2013, 11:30 AM
Sanford Hall
155 Village Street**

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

Also Present: Susy Affleck-Childs, Planning and Economic Development Coordinator; David D'Amico, Deputy Director, Department of Public Services; Will Naser, Principal Assessor; Jeffery Lynch, Fire Chief; Missy Dziczek, Director, Council on Aging; Rich Boucher, Director, Information Technology; Allen Tingley, Police Chief; Firefighters Tom Irwin and Brian Tracy.

At 11:35 AM Chairman Espinosa called the meeting to order and led the Pledge of Allegiance.

Public Comments: None.

Review of School Budget Advisory Committee's Recommendation on FY2014 School Budget:

There was brief discussion, noting that the reserve budget was being reduced down to \$1 million. Ms. Kennedy reported that, due to the lack of a quorum, the Capital Improvement Planning Committee (CIPC) could not officially meet to discuss the School Committee's capital requests. As the Governor's budget is still unknown, it is difficult to determine what monies will be coming to Medway via Chapter 70. A combined figure of \$457,593 of school choice and circuit breaker funds has been suggested for as the source of funds to reduce the School Department's general fund budget. It was noted that the Board has the final review of the recommendations from the Capital Improvement Planning Committee.

Responding to a question from Selectman Trindade, Ms. Kennedy stated there were a series of agreements relative to budgeting that were discussed at a number of Leadership meetings, and she can supply those, if necessary. Chairman Espinosa summarized that the Board will need to approve the \$1 million reserve budget amount.

Chairman Espinosa moved that the Board approve a reduction of the school budget by \$457,593, as proposed; Selectman Trindade seconded. Selectman Crowley suggested that a reserve of \$1 million is too high, and suggested further that an annual review of the School's reserves should occur going forward. Brief discussion followed, most notably that annual review should be considered as part of the Board's fiduciary responsibilities. Brief discussion followed. Selectman Crowley's suggestion was accepted as a friendly amendment; Selectman Foresto seconded. VOTE: 4-0-1. Crowley opposed.

Selectman Trindade moved that the Board express support for the schools' requests for \$40,000 for security improvement, \$20,000 for a maintenance van, and \$20,000 for door replacement; Chairman Espinosa seconded. Discussion followed, noting that such a show of support is outside the budget process and that the Board should not influence the CIPC. VOTE: 2-3-0 – Crowley, D'Innocenzo and Foresto oppose. Motion failed.

Review of Annual Town Meeting Warrant:

*The Board reviewed a draft Warrant for 2013 Annual Town Meeting, as well as supporting documentation from department heads. Answers to questions posed by Selectman Crowley are included in the specific warrant articles referenced in his questions. Fire Chief Jeffrey Lynch provided a PowerPoint presentation relative to articles specific to the Fire Department**. It is noted that, due to the length of potential discussion on articles relative to the Department of Public Services, those articles will be discussed at another meeting.*

The following articles were considered. Articles not discussed at this meeting will be discussed at another meeting.

Article 2 – Appropriation: FY14 Operating Budget: It was noted that there is \$33,415 in salary reserve. Selectman Crowley asked if any more will be spent from the account before June 30. Ms. Kennedy indicated that she does not anticipate any, unless the police union contract is settled. The Town Accountant has recommended that salary reserve for FY14 be budgeted at \$100,000 in order to fund salary increases specified within negotiated contracts. If the police union contract is settled before June 30, the remaining \$33,415 will be used and an additional \$36,000 will be needed (probably from free cash). If the contract is not finalized, the money will fall to free cash. Selectman Trindade emphasized that the police department budget should be used first to help cover costs. Discussion followed. Ms. Kennedy suggested a warrant article for STM to allow for any shortfalls.

Article 3 – Appropriation: FY14 Water Enterprise Fund: In his email, Selectman Crowley asked for current balance of this fund as well as expenses from it. This was provided in a list of all Enterprise Funds. Mr. David D’Amico, Deputy Director, Department of Public Services, stated the water and sewer rates have been fairly consistent for several years. He noted that the amount of fees collected is close to what is being spent.

Article 4 – Appropriation: FY14 Sewer Enterprise Fund: Selectman Crowley noted that there is another article requesting funds for engineering services. Ms. Kennedy reported that there is \$127,445 in retained earnings thus far, noting the Sewer Enterprise Fund is only a couple years old. Mr. D’Amico reminded the Board of a meeting last year relative to a proposed increase in fees which can be pulled from retained earnings, if necessary, to help mitigate expenses.

Article 7 –Free Cash Appropriation: Capital Items: Ms. Missy Dzciczek, Director, Council on Aging, stated the submitted estimate for the kitchen improvements at the Senior Center did not include countertops. Including them will likely increase the cost to \$24,000. Funding for the Senior Center sidewalk will not affect this. Selectman Foresto mentioned that price should include installation. The asphalt will be reduced, but the cabinets will be increased. Responding to a question from the Board, Mr. D’Amico clarified that the Department of Public Services typically does not get involved with sidewalks that go around buildings so an outside contractor will be needed. The cabinet work also has to go out to bid.

Ms. Kennedy distributed a report from Mr. Rich Boucher showing the breakdown of the proposed FY14 purchases for Information Technology at the schools. Mr. Boucher used a PowerPoint presentation to submit a breakdown of actual FY13 purchases. He indicated that Superintendent Evans asked for some specific things for this year, including a software lab, projection equipment, software for the foreign language lab, wireless systems, as well as desktop computer systems and laptop computers. The FY2013 purchase total of \$600,800 reflects only the equipment and software purchase prices. Chairman Espinosa confirmed that this purchase price does not include maintenance costs, personnel costs, etc.,

which would constitute overall cost of ownership. Mr. Boucher stated he was working on a list of projected costs through 2017, adding that the current purchase of equipment is within the existing replacement schedule. He estimated that the replacement schedule represents a cost of approximately \$200,000 per year. Discussion followed. The Board asked for a detailed breakdown on equipment provided for both the schools and municipal offices.

Selectman Crowley expressed concern that the \$250,000 for paving on West Street should have been put into the DPS budget. Mr. D'Amico noted that accounting totals showed no transfer of \$250K into the highway account. Ms. Kennedy will get additional information from the Town Accountant.

Article 9 – **Appropriation: Capital Items – Fire Department: Utilizing a PowerPoint Presentation, Fire Chief Jeffrey Lynch briefly reviewed the types of buildings in Medway which range from small scale to large homes of 6,000 square feet. Many newer homes are in wooded areas of town where there are no fire hydrants. This presents a brush fire potential that can spread to a structure, as well as the reverse. A fire involving a 6,000 sq. ft. home could require 60,000 gallons of water. Each engine (there are 4) holds only 1,000 gallons. He noted that the initial tanker provides 3,000 gallons, and it is expected that assistance from surrounding communities would provide additional tanker trucks in the form of a Tanker Task Force. It was noted that a tanker truck available locally significantly increases the potential to knock down the fire quickly; by the time an initial tanker arrives via mutual aid, the fire will be out of control.

Discussion followed on fire protection sequencing and protocols, current construction materials, limited manpower, and methods, anticipated equipment replacement, as well as differences between regular engines, tanker trucks, and portable tanks. It is noted that all equipment must comply with current regulations as set forth by the National Fire Protection Association, and the rehabbing of other types of vehicles is prohibited.

Chief Lynch continued his presentation, featuring older equipment such as hoses, nozzles, valves, extrication equipment (Jaws of Life), fire axes, generators, ladders, etc. The technology featured in old vs. new nozzles allows for greater control of water pressure and the weight of the nozzle has been improved. He clarified that the last records he could locate indicated the last hose replacement was in 2002. He noted that parts for some of the older equipment are no longer available, forcing replacement of the equipment after it fails. Additionally, the older fire hoses are undersized and cannot provide enough water flow to combat a fire fueled by current construction materials used in structures, household goods and furniture.

Discussion followed on development of a staggered replacement schedule, noting an inventory of all equipment and anticipated useful life would be most helpful. Selectman Crowley asked how much of the equipment can be replaced with the \$68,281. Chief Lynch responded that all the hoses, nozzles and valves will be covered by this amount, noting that the Jaws of Life and the generator will not be included. It was suggested that the Chief provide a comprehensive list of what will be needed overall. Chief Lynch provided a list of recent purchases over the last decade. Selectman Crowley expressed concern that previous Fire Chiefs have requested money for hoses and related equipment, wondering if the approved funds were spent for the requested items. Is it possible the equipment was not purchased and the funds fell to free cash? Ms. Kennedy will ask the Town Accountant to get budget vs. actual reports for FY10 through FY12.

Article 14 – Appropriation: Fire Station Dormitory: Unexpended Balances of Monetary Articles:

Selectman Crowley asked how the length of shifts will be affected if the dormitory is renovated. Chief Lynch noted that even on a 12-hour shift, personnel need a place to rest, not necessarily sleep. Any change in length of shift is actually a contractual issue and he cannot change those. Selectman Crowley asked why they need a place to rest if their assigned shift is their regular hours. Chief Lynch responded that staff may have four 12-hour shifts in a row, and having a place to rest will reduce the probability of illness and fatigue. Firefighter Brian Tracy stated that a lot of grants stipulate that departments must have sleeping quarters, or they do not qualify for the grant. The Board expressed interest in seeing the existing sleeping quarters to gain a better understanding of the proposed renovations.

Article 19 – Accept Mass. General Law: C: 59, c. 5. Sub-section 54 – Personal Property: Mr. Will Naser, Principal Assessor, stated this article would exempt taxation on items valued at \$5,000 or less, and would help the small business owner. Out of the current FY2013 accounts, 159 accounts fall into this range. The loss to the Town for exempting these accounts would be roughly \$32,000 or 0.1% of the tax levy. The Board of Assessors and Finance Director support this action as it alleviates collection issues and reduces postage costs. It was noted that many of the small accounts went unpaid and there is no recourse for the Town. The business owner would still have to file all required documentation. Discussion followed, noting various viewpoints regarding incentive to small business, perception by homeowners that it is unfair, cost to Town to collect it, etc. and the suggestion to reduce the exemption level to \$2,500, plus impact of such a reduction.

Chairman Espinosa moved that the Board accept Article 19 as written; Selectman Trindade seconded. No further discussion. VOTE: 2-3-0 -- Crowley, D’Innocenzo and Foresto oppose. Motion failed.

Selectman Crowley moved that the Board accept Article 19 with a revised tax exemption level of \$2,500; Selectman Trindade seconded. No discussion. VOTE: 5-0-0.

Article 24 – Zoning Map Revision: ARII to Commercial V: Utilizing PowerPoint slides, Ms. Susy Affleck-Childs reviewed a map showing relevant parcels located near the intersection of Milford and Summer Streets. She reviewed the individual parcels that have been proposed for merge into the Commercial V Zoning District. It was noted that the owners of the affected parcels have signed off on appropriate documentation. While abutter notification is not required, she stated that the Planning Board chooses to do so. Ms. Affleck-Childs reported that the Commercial V parcels in this area were all zoned ARII until several years ago. She noted that this action is a way to open up more property to potential commercial development. All updates to zoning must be addressed at a public hearing.

Article 25 – Zoning Map Revision: Commercial IV: Ms. Susy Affleck-Childs stated the section shaded bright pink on the PowerPoint slide is the area currently zoned Commercial IV but that the boundary lines do not correlate to the boundaries of the parcels. It is noted that abutters have not been notified but it will be addressed at the public hearing.

Article 28 –Amend Zoning Bylaw: Add a new Sub-Section CC. Village Zoning District – Section V. Use Regulations: Ms. Susy Affleck-Childs explained the background behind this proposal while pointing out the area on a slide. This will make the lots in this area less non-conforming and allowing multi-unit dwellings by right rather than by special permit. This will help meet a need for modest housing units. Brief discussion followed on controls for potential demolition of existing dwellings and rebuilds that would now be allowed. Additional language can be added to the article to narrow the scope of the change and to establish design to monitor the scope of projects affected by the proposed zoning By Law. Responding to a question from Selectman Trindade, Ms. Affleck-Childs theorized that this article could

be considered at next year's Town Meeting. Selectman Crowley expressed concern for increasing the available housing units in areas where the underlying infrastructure may not be sufficient to support such an increase.

Miscellaneous Discussion:

Ms. Kennedy reported that the Town has been approached by a developer to install a solar facility on open fields behind Choate Park. This property would be on property presently owned by Mr. Briggs (through the Family Trust), for which the Town has the first right of refusal if the property is under Chapter 61A Agricultural Tax Classification. Brief discussion followed.

An additional Warrant Article may be added relative to the Board granting a sewer easement over a portion of the Senior Center property to connect to existing sewer. Ms. Kennedy noted that this preliminary information comes from a request from a citizen who wants to tie into a sewer line due to a failed septic system.

At this time, Ms. Kennedy reported that the Board will be receiving preliminary budget books on Monday.

Discussion – Norfolk County Mosquito Control District Budget:

Ms. Kennedy reported she is not happy with the current situation, as they are requesting a larger budget than last year. The amounts are predicated by the governor's budget which has not yet been announced. Brief discussion followed.

**At 3:10 PM Selectman Trindade moved to adjourn; Selectman D'Innocenzo seconded. No discussion.
VOTE: 5-0-0.**

Respectfully submitted,
Jeanette Galliardt
Night Board Secretary