

**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**

**April 16, 2013, 6:00 p.m.**

**Medway Senior Center, 76 Oakland Street**

**Present:** Chairman Andrew Espinosa; Selectmen John Foresto, Richard D'Innocenzo, and Glenn Trindade (arrived 6:35PM); and Town Administrator Suzanne Kennedy.

The meeting was called to order at 6:08 p.m.

**Selectman Foresto moved that the Board enter into Executive Session under Exemption 6 to consider the purchase, exchange, lease, or value of real property, specifically utility appraisals, if the Chair declares that an open meeting may have a detrimental effect on the negotiating position of the public body and to return to open session immediately following the Executive Session; Selectman D'Innocenzo second; Chairman Espinosa recognized that an open meeting would have a detrimental effect on the negotiating position of the public body; Roll call vote: D'Innocenzo, aye; Espinosa, aye; Foresto, aye.**

The Board returned to public session at 7:05 p.m.

**The Meadows Subdivision Street Acceptances:** Chairman Espinosa recused himself from the meeting for this agenda item due to a conflict of interest. The Board voted to accept these streets at a previous meeting but Town Counsel revised the motion to be more comprehensive and recommended the Board reaffirm its previous vote.

**Selectman Foresto moved; Selectman D'Innocenzo seconded; that**

**WHEREAS, The General Court enacted Chapter 387 of the Acts of 2011 "An Act Relative to Municipal Acceptance of Roads within a Subdivision in the Town of Medway", (hereinafter Chapter 387), and**

**WHEREAS, Goldenrod Drive and Cardinal Circle in their entireties are constructed roads in a residential subdivision shown on *The Meadows Definitive Subdivision Plan*, approved by the Town of Medway Planning and Economic Development Board and recorded at the Norfolk County Registry of Deeds in Plan Book 456 as Plan #329 of 1998; and**

**WHEREAS, Town has fully complied with the requirements of Chapter 387 for the municipal acceptance of said roads as public ways; said compliance includes submittal of written certification and plans by the Medway Planning and Economic Development Board to the Medway Board of Selectmen and the Board of Selectmen**

holding of a public hearing on April 1, 2013, after having given prior written notice thereof by first class mail, postage prepaid, to the owners of record of each property abutting the roads, as appears from the municipal records, and notice by newspaper publication,

**NOW THEREFORE, BE IT VOTED THAT:**

- 1. The Board of Selectmen determines that it is in the public interest to accept Goldenrod Drive and Cardinal Circle in their entirety as shown on the above-referenced definitive subdivision plan and also shown on the street acceptance plans entitled “As Built/Street Acceptance Plan – Goldenrod Drive, Medway, Mass.” and “As Built/Street Acceptance Plan – Cardinal Circle, Medway, Mass.” dated September 5, 2007, revised August 25, 2009, prepared by GLM Engineering Consultants, Inc. of Holliston, MA, to be recorded herewith, as public ways.**
- 2. In accordance with said determination, the Medway Board of Selectmen hereby accepts the following roads shown on said street acceptance plans as public ways with the fee ownership thereof to vest in Town:**

**Goldenrod Drive, for its entire length  
Cardinal Circle, for its entire length**

**Together with ownership of all of the easements shown on said street acceptance plans, described on said street acceptance plans as:**

**30’ wide utility easement  
30’ wide drainage easement  
20’ wide drainage easements  
15’ wide drainage easements  
drainage easements (width unspecified)  
20’ wide sewer easement  
10’ wide trail easement**

**as well as all pipes, structures and other improvements located within any roadway or easement, upon approval by Town Meeting and recordation of a true copy of the acceptance order and said street acceptance plans at Norfolk County Registry of Deeds, as provided in Chapter 387.**

- 3. The Board of Selectmen has further directed that an article be placed on the warrant for the 2013 annual town meeting to accept the noted roadways.**

**Discussion: No discussion; Ayes 3-0-1 (Selectman Espinosa).**

**Authorization of Chairman to Execute Contract with Massachusetts Clean Energy Center for Solarize Massachusetts Grant Program and Authorization to Expend**

**Grant Funds:** Medway participated in the Local Energy Action Plan (LEAP) Program through the Massachusetts Area Planning Council (MAPC). One of the LEAP recommendations was for Medway to apply to the Solarize Massachusetts Program through the Massachusetts Clean Energy Center. The goal of the Solarize Massachusetts Program is to educate residents on the benefits of solar energy and encourage them to install solar photovoltaic (PV) systems on their homes. Those residents who are interested will then enter into a contract with an installer and receive a favorable rate. Medway was selected to participate in the Solarize Massachusetts Program along with 9 other towns and will be given a \$2,500 grant. The grant will cover the expense of marketing materials related to the program.

**Selectman Trindade moved that the Board authorize the Chair to execute the MassCEC-Community Contract to allow for the Town's participation in the Solarize Massachusetts Program; Selectman Foresto second; Discussion: No discussion; All ayes 4-0-0.**

**Selectman Trindade moved that the Board approve the Notice of Grant Award which provides for \$2,500 from the Massachusetts Clean Energy Center for marketing costs related to Medway's participation in the 2013 Solarize Massachusetts Program; Selectman Foresto second; Discussion: The Board wanted to make sure that the Town was not under any contractual obligations to contribute additional funds. Shelley Wieler Chair of the Energy Committee assured the Board that the Town was only committing to this one project and is not required to contribute any additional funds; All Ayes 4-0-0.**

**Public comments:** Resident Tracy Bennett Stewart presented the Board with a petition signed by Medway residents for the Town of Medway to purchase the properties at 195 & 197 Main Street, which are known as the Cole Library and Fire Station. Ms. Stewart explained that the buildings are currently for sale and are historical buildings that should be preserved and utilized by the Town. The buildings are currently being sold for \$200,000. Chairman of the Community Preservation Committee (CPC) Mark Cerel was present relative to an unrelated matter and explained that the CPC doesn't have an official position but, as a committee, they have decided that they would not purchase any additional land or buildings in Medway unless there was a clear vision. Mr. Cerel said that he has thought about the property and agrees that they have historical significance to the Town but stressed that they present challenges that could be very costly including, limited parking and ADA compliance. He stated that CPC would not be in favor of the required continued maintenance which could serve as a drain on funds. Cerel further suggested use as affordable housing with the former fire station bays serving as parking for both. Selectman Foresto added that the buildings are currently under agreement. The Board urged Ms. Stewart to form a committee and create a viable plan and strategy for

the properties. They asked her to formally present the idea to the CPC as soon as possible. This would allow the CPC to make an offer if the current agreement falls through. Selectman Trindade volunteered to walk Ms. Stewart through the process. The Board thanked Ms. Stewart for her work.

**Northeastern University Capstone Project Presentation – Village Street Redesign:**

The Town of Medway participated in Northeastern University's Capstone Project. The program pairs a small team of Northeastern students with an entity in the private or public sector and presents them with an issue that the entity needs help with and likely does not have the funds to address. The students work together over fourteen weeks to analyze the problem and make recommendations. This group of students was asked to redesign a 2 mile stretch of Village Street from Franklin Street to School Street. Their goal was to create distinct and attractive village areas, optimize the space, improve accessibility, and promote safety. The students focused on several dangerous intersections and recommended safety measures to improve these intersections. They also recommended creating several attractive open spaces where residents could gather. The Board commended the students on their work and thanked them for creating a vision for this area. The Board said that this is very important but they have not had the time or resources to address it. The Town will receive all of the analysis that the students gathered throughout the project which Selectman Trindade requested in electronic format. Selectman Trindade suggested the crafting of a letter for the students to include with their future resumes.

**Route 109 Design Project Update:** Several members of the Route 109 Design Committee provided the Board with an update on the project. They reported that there will be a Public Hearing on May 1, 2013 that residents are encouraged to attend. The project consultant will review the plans and answer any questions at that time. They said it is important for the public to attend because there have been some changes from the original proposal. The committee said they are making good progress, were close to the 25% completion threshold and are in a position to accept TIP funding in 2016. The Board thanked the committee for its work.

**5 West Street Statement of Claim:** On the recommendation of Town Counsel, the Town is requesting reimbursement from the owners of 5 West Street for expenses incurred in connection with the demolition of the building at 5 West Street. The Town needs to file a Statement of Claim to formally request reimbursement. Medway Building Commissioner John Emidy reported that if the owners do not reimburse the Town, it will become a lien against the property. The Board asked Commissioner Emidy to have the fallen tree removed from the property and contact his counterpart in Bellingham to ask them to remove the trailer that is on the Bellingham's portion of the property.

**Selectman Trindade moved that the Board adopt the 5 West Street Statement of Claim as prepared by Town Counsel; Selectman Foresto second; No discussion; All ayes 4-0-0.**

**Legion Place and Local Initiative Program Discussion:** Medway Community Housing Coordinator J. Douglas Havens presented the Board with information on the Local Initiative Program (LIP) permitting process. A developer is in the process of purchasing the property on Cutler Street that was the former site of the American Legion. He is proposing to build 16 1-bedroom market affordable housing units. The proposal has received initial support from Medway's Affordable Housing Trust. Mr. Havens recommended that he be included in all meetings between the Town and developer going forward so that he can stay apprised of the situation and also report back to the Board regularly.

Several residents from Cutler Street and Phillips Street attended the meeting and voiced their concerns about how the development will impact the neighborhood. They also expressed their frustration that the Town was not trying to purchase the property. Selectman Foresto said that the Town originally donated the building to the American Legion years ago. The American Legion is now asking the Town to buy it back. The laws have recently changed and the American Legion is no longer obligated to gift it back to the Town. The Board said they asked the developer to meet with residents and hear their concerns referring the abutters to watch the tape of an earlier Board of Selectmen's meeting. They assured the residents that this matter will be handled with due diligence and asked Administrator Kennedy to make sure residents in this area were aware of all public hearings related to this project.

**Approval of Warrants:**

Warrant - 4/18/2013

Town Bills \$448,907.58

Total \$448,907.58

**Selectman Trindade 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 Holliston and Hopkinton have entered into an inter-municipal agreement to work together to oppose the proposed casino in Milford and approached Medway to see if they would like to join. The Towns would be represented by the same firm and share legal costs. Administrator Kennedy said there are legal funds available that can be repurposed if the Board is agreeable to joining Holliston and Hopkinton. Chairman Espinosa stated that the issue of being declared a "surrounding community" and the rights accompanying said designation are still somewhat confusing, but he suggested a two prong approach – one to work in opposition to the casino and another to prepare to advocate for mitigation funds should the casino be approved and move forward. Chairman Espinosa said he would like additional information on the coalition and how it would be structured and if the three towns would have equal votes. He also requested that Administrator Kennedy reach out to her counterparts in those towns and arrange a meeting for all three Boards to meet and further discuss this matter. In addition, the Board asked Administrator Kennedy to look further into the matter and make sure Medway was clear on all the details so they would be prepared on all fronts.

**Opening and Closing of Special Town Meeting Warrant:**

**Selectman Trindade moved that the Board open the Special Town Meeting warrant for May 13, 2013; Selectman D’Innocenzo second; No discussion; All ayes 4-0-0.**

**Selectman Trindade moved that the Board add a warrant article appropriating \$40,000 to be used to defend the Town’s position relative to the proposed casino; Selectman D’Innocenzo second; No discussion; All ayes 4-0-0.**

**Selectman Trindade moved that the Board close the Special Town Meeting warrant for May 13, 2013; Selectman Foresto second; No discussion; All ayes 4-0-0.**

**Selectmen’s Reports:**

Selectman Foresto – He reported that the Thayer House groundbreaking took place. The fences are going to be put up shortly. In addition, the Community Farm at 50 Winthrop Street is having an open house Sunday, April 21<sup>st</sup>.

**Approval of Minutes: Selectman Trindade moved that the Board accept the Board of Selectmen minutes from March 2, 2013; Selectman Foresto second; No discussion; All ayes 4-0-0.**

Respectfully submitted,

Michelle Reed