

**Board of Selectmen's Meeting
Monday, May 6, 2013 – 7:00 PM
Sanford Hall
155 Village Street**

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

Absent: Selectman Glenn Trindade.

Also Present: Tom Holder, Director, Department of Public Services; Susy Affleck-Childs, Planning and Economic Development Coordinator; Carol Pratt, Town Accountant; Sue Ellis, Director, Human Resources;

At 7:04 PM Chairman Espinosa called the meeting to order and led the Pledge of Allegiance.

Public Comment: None.

Authorization of Chairman to Execute Contract for Performance Measurement – UMass/Edward J. Collins Jr. Center for Public Management -- \$12,000:

The Board reviewed a contract between the Town and UMass/Edward J. Collins, Jr. Center for Public Management.

Present: Mike Ward, Michael Perez – Edward J. Collins, Jr. Center for Public Management.

Ms. Kennedy briefly reviewed the Massachusetts Municipal Performance Management Program Funded by the Executive Office of Administration and Finance's Community Innovation Challenge Grant Program. The Town of Medway is among 19 communities hoping to establish contractual relationships with the Collins Center.

Mr. Mike Ward, Director of Municipal Services at the Collins Center (UMASS Boston), stated the Center has been around since 2008, noting that this particular program is relatively new, having begun in 2012. The goal is that each participating community share best practices within their community and with other communities in the group. New communities are added in each phase. He noted that they are trying to develop a designation similar to "Green Community" that would indicate whether a town has been "certified" as using appropriate goals and measures through this program. Although funding had been insufficient to continue as grant program, they are looking to develop as a sustainable model.

Mr. Michael Perez introduced himself and noted that he has been working with the communities of Chatham, Holliston, Wrentham and Braintree, as well as Medway. There are a lot of similarities between the communities and a number of practices can be shared. Utilizing a PowerPoint presentation, he demonstrated different types of data gathered representing a number of years and compared to note increases or decreases, or establishment of a trend that needs to be addressed. Using a police department as an example, data tracking overtime, citations, crime statistics, 911 call volume, fleet maintenance, and sick time, were analyzed. Another example was a DPW. He shared data indicating

maintenance calls, sick time, overtime, etc. Mr. Perez concluded the presentation by stating data can be very helpful for administrators to be able to make informed decisions in developing policy or making budgetary decisions. Discussion followed. It was noted that each community can determine the kind of data it wishes to gather, and those categories can change as needs change. Comparisons can be made between communities of similar size; however, Mr. Perez cautioned against comparing too closely as there are inevitable variations.

Selectman Foresto questioned the confidence in the data being collected. Mr. Perez indicated that Medway was not alone in being data deficient. However, he believed the focus of the data selected for comparison will allow for benchmarking with other comparable communities.

Selectman Foresto asked what kind of deliverable would be contracted as the scope of work included in the contract was very general and inquired as to how the final information would be delivered. Mr. Ward responded that the intent is to integrate information, build data sets, use software, etc., not necessarily to produce a report to be handed over at the end of the project. Brief discussion followed.

Selectman Crowley wondered if Medway could see the Wrentham and Holliston reports, and vice versa. For example, could Medway get a copy of the Wrentham Fire Department Report? Mr. Ward responded that they work with each municipality to set up their individual systems aimed at improving that community's performance. Each community would have to agree that their data was available for sharing with others in the group.

Selectman Crowley asked how much time staff would spend in gathering and entering this data. Mr. Perez responded it depends on the data access, as in many cases he was able to get access to the data directly. Some software systems will import data while others will not. Selectman Crowley wanted assurance that this data gathering task would not entail pushing regular tasks aside.

Selectman Foresto moved that the Board authorize the Chairman to execute the contract with UMass/Edward J. Collins, Jr. Center for Public Management in an amount not to exceed \$12,000 for performance management services; Selectman D'Innocenzo seconded. No further discussion. VOTE: 4-0-0.

Ms. Kennedy thanked Allison Potter, Carol Pratt and Karen Kisty for their work on this matter.

Update – Sustainable Watershed Management Initiative:

During the meeting, the Board received a memorandum, dated May 6, 2013, from Kristen Ryan, Project Manager, Sustainable Watershed Management Initiative.

Present: Tom Holder, Director, Department of Public Services; Kirsten Ryan, Kleinfelder.

Mr. Holder stated the first of two workshops has taken place with 495 MetroWest Partnership, attended by Chan Rogers, Richard Parrella, Susy Affleck-Childs, Bill Donahue, Doug Downing and Karon Skinner-Catrone. The workshop's focus was how watershed management would benefit and impact Medway's water resources now and in the future. He handed out a report on the update and indicated that this work would complement the Integrated Water Resources Management Program (IWRMP) and current agreement with Department of Environmental Protection (DEP).

Ms. Kirsten Ryan briefly updated the Board on the initiative itself. The Sustainable Watershed Management Initiative recognizes inter-relationships between drinking water, stormwater and other resources, striving to minimize impact on resources, while finding ways to reduce the overall impact, such as additional water conservation measures. Ms. Ryan further indicated that the State's public drinking water and stormwater regulations should be out in the fall of 2013. A second workshop is tentatively scheduled for May 29, and the final report is due to MassDEP by June 30, which will include a ranking of matrices that can be considered for future implementation. It is anticipated that another update will be presented to the Board of Selectmen on June 17. General discussion followed.

Brentwood Update:

During the meeting, the Board received a letter, dated May 2, 2013, from Haley and Ward, Inc.

Mr. Holder gave the Board a letter from Haley and Ward, Inc. addressed to MEMA requesting a modification of the Hazardous Mitigation Grant Program funding for the Brentwood Drainage project. Mr. Holder briefly reminded the Board that there have been difficulties gaining access to some properties. FEMA will not support a deferment of the center section, and encourages completion of the east and west portions. It is believed that if the side sections are completed, the water will move quickly and avoid backup in the center section.

Selectman Crowley inquired as to the number of favorable responses received to date from the 17 affected property owners; Mr. Holder replied that only 7 property owners have responded. Selectman Crowley expressed concern that the lack of an easement is an issue, and asked what the Town's position should be if there are problems in the future that require repair of pipes on those properties. Would the Town be responsible for the replacement of that pipe? Town Administrator Kennedy reminded the Board that the remaining 10 property owners have not replied in the negative to the easement matter but have instead been unresponsive. She suggested Town Counsel be contacted for advice as to whether or not notice can be served to the remaining 10 property owners which clearly states that the Town will no longer be liable for any future corrective measures. Brief discussion followed.

Public Hearing – 7:15 PM – Street Acceptances – Claybrook II Subdivision (Wildebroad Road, First Colony Drive, Portion of Summit Road, portion of Olde Surrey Lane):

The Board reviewed the following information: (1) Notice of Public Hearing; and (2) Street acceptance certification and maps.

At 7:55 PM Selectman Crowley moved that the Board convene a public hearing for the purpose of considering proposed street acceptances for the Claybrook II Subdivision; Selectman D'Innocenzo seconded. No discussion. VOTE: 4-0-0.

Ms. Susy Affleck-Childs stated this public hearing is required in order to advance the street acceptance process for the Claybrook II subdivision. A public hearing was held for this purpose about six weeks ago, but it was later learned that all the drainage easements were not shown on the map that had been used. Therefore, the public hearing needed to be held again, and abutters were notified of the new hearing date and time.

A representative from the neighborhood association indicated that residents were in favor of the streets being accepted by the Town.

At 8:00 PM Selectman Foresto moved to close the public hearing on the Claybrook II subdivision street acceptances; Selectman D’Innocenzo seconded. No discussion. VOTE: 4-0-0.

Approval – Street Acceptances – Claybrook II Subdivision:

Selectman Crowley stated he would abstain from the vote as he was absent from the last meeting.

Selectman Foresto moved the following motion; Selectman D’Innocenzo seconded. No discussion. VOTE: 3-0-1 – Crowley abstain.

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, Wildebrook Road and First Colony Drive in their entireties and portions of Summit Road and Olde Surrey Lane are constructed roads in a residential subdivision shown on a definitive subdivision plan entitled *Definitive Subdivision Plan of Claybrook II*, Medway, Massachusetts, approved by the Town of Medway Planning and Economic Development Board and recorded at Norfolk County Registry of Deeds in Plan Book 443 as Plan No. 725 of 1996; and

WHEREAS, the 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 May 6, 2013, after having given prior written notice thereof by first class mail, postage prepaid, to the owner 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 Wildebrook Road and First Colony Drive in their entireties and portions of Summit Road and Olde Surrey Lane all shown on the acceptance plan entitled *Town of Medway Street Acceptance Plan Claybrook II – Wildebrook Road and First Colony Drive Street Acceptance Plan ST-1 and ST-1B, and Town of Medway Street Acceptance Plan Claybrook II – Summit Road and Olde Surrey Lane ST-2* dated 4-09-2013, prepared by Tetra Tech Rizzo, Inc. of Framingham, 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:

Wildebrook Road
First Colony Drive
Portion of Summit Road
Portion of Olde Surrey Lane

Together with ownership of the following easements shown on said street acceptance plans:

20' Wide Drainage Easements
Drainage Easements (variable widths)
35' wide Drainage Easement
25' Wide Drainage Easement
Pedestrian Access Easement

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

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

Authorization of Chairman to Execute First Amendment to Contract for Thayer Owner Project Manager Service – Architectural Consulting Group, LLC -- \$94,910:

The Board reviewed the following information: (1) First Amendment to Agreement Between the Town of Medway and Architectural Consulting Group; and (2) Original contract for references purposes.

Selectman Foresto moved that the Board authorize the Chairman to execute the first amendment to the contract with Architectural Consulting Group not to exceed \$94,910 for additional owner project manager services related to the Thayer redevelopment project; Selectman D’Innocenzo seconded. Selectman Crowley asked how this figure was determined. Ms. Kennedy explained that the figure represents two amendments. Brief discussion followed. VOTE: 4-0-0.

Authorization of Chairman to Execute Contract for Reverse Emergency Notification Services – Blackboard Inc. -- \$26,987.87:

The Board reviewed the following information: (1) Contract; and (2) Emails from Town Counsel dated March 27, 2013; February 13, 2013, and December 9, 2012.

Selectman Foresto moved that the Board authorize the Chairman to execute the contract with Blackboard Connect, Inc. in an amount not to exceed \$26,987.97 for reverse emergency notification services; Selectman D’Innocenzo seconded. It is noted that this is a three-year contract. Chairman Espinosa suggested that the program be used to announce Annual Town Meeting. Selectman Foresto stated he has never received a negative comment from residents about getting messages. Ms. Kennedy noted that the Town does not have access to many emails for residents so telephone messages are important. VOTE: 4-0-0.

Recommendation of Insurance Advisory Committee – Renewal of Tufts Health Plan and Altus Dental Contracts:

The Board reviewed correspondence, dated April 25, 2013, from the Insurance Advisory Committee.

Ms. Kennedy credited Ms. Sue Ellis, Human Resources Director, for diligent work making sure there was no increase. It was reported that some cushion had been built into the total figure to provide a contingency for possible future changes from individual to family health plans. She clarified that no official vote was necessary. This matter was placed on the agenda only to bring the renewal to the Board’s attention.

Approval – James Race 5K:

The Board reviewed the following information: (1) Public Event Application for James Race 5K; and (2) Approval letter, dated April 26, 2013, from Police Chief Tingley.

Selectman Foresto moved that the Board approve the event application for the James Race 5K proposed to be held on October 12, 2013 with the proviso that the conditions set forth in Police Chief Tingley’s memo of April 26, 2013 are met; Selectman Crowley seconded. No discussion. VOTE: 4-0-0.

Approval – Alex Handy 5K Memorial Walk/Run:

The Board reviewed the following information: (1) Approval letter, dated April 12, 2013, from Police Chief Tingley; and (2) Email, dated April 11, 2013, from Vice President of The Alexander Handy Memorial & Scholarship Foundation and supporting documentation.

Selectman Foresto moved that the Board approve the event application for the 5th Annual Alex Handy 5K proposed to be held on September 7, 2013 with the proviso that the conditions set forth in Police Chief Tingley’s memo dated April 12, 2013 are met; Selectman Crowley seconded. No discussion. VOTE: 4-0-0.

Approval – Tri-State Trek:

The Board reviewed the following information: (1) Correspondence, dated April 10, 2013, from David Virde, Sr. Development Manager, ALS Therapy Development Institute and supporting documentation; and (2) Approval letter, dated April 26, 2013, from Police Chief Tingley.

Selectman Foresto moved that the Board approve the event application for the Tri-State Trek proposed to be held July 19-21, 2013 with the proviso that the conditions set forth in Police Chief Tingley’s memo of April 26, 2013 are met; Selectman D’Innocenzo seconded. No discussion. VOTE: 4-0-0.

Approval – Christina Clarke Genco Mother’s Day Memorial Ride:

The Board reviewed the following information: (1) Public Event Application and supporting documentation for the 2nd Annual Christina Clarke Genco Mother’s Day Memorial Ride; and (2) Approval letter, dated April 26, 2013, from Police Chief Tingley.

Selectman Crowley Dennis asked if there was a master list of activities or events happening in Medway. Ms. Kennedy responded there was not. Such a listing could be maintained on the Town website or on some kind of electronic bulletin board.

Selectman Foresto moved that the Board approve the event application for the Christine Clark Genco Mother’s Day Memorial Ride proposed to be held on May 12, 2013 with the proviso that the conditions set forth in Police Chief Tingley’s memo, dated April 26, 2013, are met; Selectman Crowley seconded. No discussion. VOTE: 4-0-0.

Discussion – Casino Inter-municipal Agreement and Selection of Designee:

The Board reviewed the following information: (1) Correspondence, dated April 30, 2013, from Attorney Robert L. Allen Jr. re: FCX Massachusetts LLC.; and (2) Casino inter-municipal agreement.

There was brief discussion on joining the anti-casino group and the benefits of doing so. Chairman Espinosa explained for viewers that the Towns of Hopkinton, Ashland, Holliston and Medway have come

together to deal with the possibility of a casino being located in this area. This group would take a stance that the area is opposed to the casino, at least at the outset.

Brief discussion followed on the wording of a motion that would move the Town forward in this matter.

Selectman Foresto moved that the Town of Medway enter into negotiations to establish an inter-municipal agreement with the communities of Hopkinton, Ashland and Holliston relative to the proposed Milford casino; Selectman Crowley seconded. No discussion. VOTE: 4-0-0.

Selectman Crowley moved that the Board appoint Selectman John Foresto as its designee to the Metro-West Anti-Casino Coalition; Selectman D’Innocenzo seconded. No further discussion. VOTE: 4-0-0.

At this time, discussion began on the text of the agreement. Selectman Crowley expressed concern for the wording on page 2 in paragraph 2 referring to the “lead town”, specifically that if a vote of each selectman of each member town is considered, and that those communities with larger boards may have an advantage. Ms. Kennedy will also remove the reference to the Town of Holliston. It is anticipated that the Board’s designee will be the official representative and will vote the Town’s position in all related matters.

If someone wanted to leave the group as noted in Paragraph 3, it is suggested that the letter be sent to the Board of Selectmen instead of the Steering Committee. Ms. Kennedy explained that the Boards of Selectmen are the authority who enter into the agreements and would therefore be the likely recipient of a withdrawal letter. Discussion followed on how another community could get involved, that communications should go through the Steering Committee and related topics. Ms. Kennedy will send these changes out so there is time to review before the Coalition meeting on May 23. It was further suggested that a link to casino-related materials be placed on the Town’s website for the benefit of residents.

Action Items from Previous Meeting:

Chairman Espinosa reported that the public hearing for the Route 109 Proposed Design was held on May 1 and it went relatively well, moving the project one step closer to happening. Ms. Kennedy noted she heard good comments from many people. Selectman Crowley noted that Medway is still on the TIP for 2016. Brief discussion followed.

Approval of Warrants:

The Board reviewed Warrant 13-45, dated 5/9/13.

Selectman John Foresto, Clerk, read aloud Warrant 13-45, dated 5/9/13, presented for payment:

13-45S	School Bills	\$137,697.59
13-45	Gross Payroll – Town	\$268,829.48
13-45S	Gross Payroll – Schools	\$753,357.96
	TOTAL	\$1,159,885.03

Selectman Foresto moved to approve the Warrant as presented; Selectman D’Innocenzo seconded. No discussion. VOTE: 4-0-0.

Town Administrator’s Report:

Ms. Kennedy announced that the Annual Town Meeting Warrant would be available electronically on the website. Hard copies will be available at the Fire Station, Town Clerk's office, Medway Public Library and the Senior Center. Postcards were sent to 4,671 households announcing the availability of electronic copy and instructions on how to request a hard copy. Ms. Kennedy added that she will also send out a Blackboard message about Special Town Meeting and Annual Town Meeting.

Ms. Kennedy reported that she has issued letters of commendation to two Medway Police officers, Jason Brennan and John McLaughlin. Both of these individuals participated actively in the Boston Marathon situation including time during President Obama's visit through the Friday activities and apprehension of the perpetrator. She publicly praised their efforts, noting she is proud to have those two young men on staff for the Town of Medway.

Regarding the proposed casino in Milford, Ms. Kennedy reported that, in an effort to protect Town interests, she wrote twice to the Milford Applicant who designates the "surrounding communities". A response was received on April 30. The letter indicated the applicant would be presenting a plan to the Town of Milford in June. One point mentioned in the letter was that there will be significant reliance on the existing study instead of securing more information via additional studies. Funding available for communities to assess impacts will be limited. Discussion followed.

Selectmen's Reports:

Selectman D'Innocenzo reported he met with Gale Associates regarding field use and proposed designs. Additionally, he plans to meet with the Open Space Committee about trails and other items that came up in the Recreation survey. They should be close to finalizing information gathering by the end of May.

Selectman Foresto thanked Ms. Kennedy and her team for getting everyone out and organized for Medway's Clean Sweep. Over 250 people came out to participate in the effort. He noted that the group did not cover as much area as they had hoped as there was much more trash to be picked up than anticipated. The Department of Public Services and the recycling center were very helpful. The post cleanup meeting presented some ideas for next year, as well as ways to improve the effort.

Selectman Crowley announced that there are three candidates in the race for Selectman, adding that Candidates Night is tomorrow at Medway High School beginning at 7:30 PM. He noted that Medway 300 Craft Day is this weekend from 10 AM – 5 PM and encouraged viewers to check the Medway 300 Facebook page for a list of all activities.

Chairman Espinosa reported that there is a Leadership meeting tomorrow at which the Service Level Agreement (SLA) will be discussed, as well as the proposed Town solar project with Broadway Electric, status of parking area, the Health Fair, Capital Improvement Planning list, and other topics.

Chairman Espinosa wondered if residents who have to drive into Boston on Town business might be reimbursed for their parking fees, and would like the Board of Selectmen to consider some sort of program. Selectman Foresto expressed concern that it would be difficult for the Town Administrator to prioritize the importance of each attendance at each meeting. Ms. Kennedy noted that expenses such as these would need to be budgeted in order to have a fund for the reimbursements. It is possible that some receipts can be paid by the Planning Board if the meeting is relative to Planning, for example. It is a reasonable request but it has to be supported by the budget. Discussion followed.

Approval of Minutes:

The Board reviewed draft minutes from April 16, 2013.

Selectman Foresto moved to approve the minutes from April 16, 2013, as drafted; Selectman D’Innocenzo seconded. No discussion. VOTE: 3-0-1-- Selectman Crowley was not in the room at the time of the vote.

At 9:10 PM Selectman Foresto moved to adjourn; Selectman D’Innocenzo seconded. No discussion. VOTE: 4-0-0 – Selectman Crowley had returned to the room for the vote.

Respectfully submitted,
Jeanette Galliardt
Night Board Secretary