

**Board of Selectmen's Meeting  
July 15, 2013 – 6:00 PM  
Sanford Hall  
155 Village Street**

**Present: Selectman Glenn Trindade, Chair; Selectman Dennis Crowley (6:10 PM), Vice-Chair; Selectman Richard D'Innocenzo (6:30 PM), Clerk; Selectman John Foresto, Selectman Maryjane White and Suzanne Kennedy, Town Administrator.**

Also Present: Tom Holder, Director, Department of Public Services; David D'Amico, Deputy Director, Department of Public Services; Sue Ellis, Human Resources Director; John Givner, Veterans' Agent; Claire O'Neill, Economic Development Specialist.

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At 6:00 PM Chairman Trindade called the meeting and led the Pledge of Allegiance.

**At 6:01 PM Chairman Trindade moved that the Board enter into executive session under Exemption 6 to consider the purchase, exchange, lease or value of real property if the chair declares that an open meeting may have a detrimental effect on the negotiating position of the public body [Mayer], with the intent to return to open session; Selectman Foresto seconded. No discussion. Roll Call Vote: 3-0-0 -- Foresto, aye; Trindade, aye; White, aye.**

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At 6:13 PM Chairman Trindade reconvened public session.

**Public Comments:** None.

**Discussion – Town Administrator Search:**

Present: Sue Ellis, Human Resources Director.

For the benefit of viewers, Chairman Trindade explained that Ms. Kennedy will be retiring in July of 2014 and the Town needs to begin the search process for a new Town Administrator. Ms. Sue Ellis, Human Resources Director, stated she is now seeking guidance on how the Board of Selectmen would like her to proceed in this matter.

Ms. Ellis distributed a handout on the recruitment services of the Collins Center. This group has worked with the communities of Dracut, Burlington, Framingham, Chatham, Plymouth, Sherborn and South Hadley in similar recruitment endeavors. She asked the Board to consider who it wants on the search committee, the number of people and the availability of potential members. She suggested that the recruitment service can meet with the Board beforehand, noting that the handout references the work they did for the community of Topsfield when they worked with them. Mr. Richard Kobayashi has offered to come to a meeting in October.

Selectman White indicated she believes using this service is a good idea; Selectman Foresto concurred. The Board asked her to put together a general timeline of all necessary steps. Selectman Crowley suggested having the representative meet with the Board in September in case the Board decides it wants to go a different direction. He also asked if the Town Charter specifies who makes the decision in this matter. Ms. Ellis responded that a selection committee would narrow the pool of candidates down to three or four individuals and then the Board of Selectmen would make the final decision. Selectman White noted this is the same process that was followed in the past.

After brief discussion, it was decided the representative would be invited to meet with the Board in September. Chairman Trindade asked all parties to begin thinking about qualifications as well as salary range. It was noted that \$14,000 has been set aside for the search costs. Discussion followed on overlapping Ms. Kennedy and the new Town Administrator by a month and whether that salary was included in the FY14 budget.

Ms. Kennedy stated she does not think a month of overlap is necessary, having had the experience herself before. She pointed out that the Town will be choosing someone with the skills and experience to do the job, making an overlap unnecessary. Chairman Trindade stated he spoke with representatives from two communities who used the Collins Center for recruitment and recommended them. He suggested a few days of overlap could not hurt.

Chairman Trindade noted that the Board should consider how broad the search should be. Ms. Kennedy noted that salaries are competitive so that should be considered as well. Chairman Trindade summarized as follows:

- 1- September – meet with a representative from the Collins Center;
- 2- Consider who should serve on the search committee; and
- 3- Get the timeline in place

Responding to a question from the Board, Ms. Ellis stated money for advertising may be included in the cost, but she will check for certain. Chairman Trindade asked for a list of the communities served as he can touch base with them. It was noted that if additional money is necessary for the search process, it could be included at Fall Town Meeting.

**Discussion – Redevelopment Authority, Claire O’Neill, Economic Development Director:**

*The Board reviewed the following information: (1) Memorandum, dated June 11, 2013, from Claire O’Neill, Economic Development Director; (2) Sample notice to residents; and (3) Document entitled Medway Redevelopment Authority – Sample 5 Month Plan.*

Ms. Claire O’Neill directed the Board’s attention to a document in the meeting packet that discussed the next steps for a redevelopment authority including identifying candidates to appoint, holding the first organizational meeting and submitting appropriate documentation to the state. She included a brief timeline with recommendations including advertising locally as soon as possible. Local advertisement would include announcements via local cable access, email blast, and other means to solicit members. Letters of interest will be reviewed by staff, some interested parties would be selected for interview and, lastly, appointments would be made. Then the Town Administrator, Town Counsel and other individuals should meet to determine procedural steps going forward.

Selectman Crowley inquired about expenses for a recording secretary. Ms. O'Neill thought staff would handle it in the beginning. Ms. Kennedy pointed out that there is nothing in her budget for secretarial support. Discussion followed.

It was noted that the state appointment may not happen quickly, and could take over a year. There is a difference between how a redevelopment authority operates in cities versus towns. In a city, the mayor makes the appointments, while a town administrator can appoint members only for the first year; after the first year, they are elected. Discussion followed on elections and appointments in general. Selectman White suggested that Ms. O'Neill check with those communities that have redevelopment authorities to learn whether there are open seats or if people are eager to be appointed.

Ms. O'Neill concluded by stating authorization was sought at Town Meeting in May, some of the setup work is being undertaken and a more defined plan could be presented at the Fall Town Meeting.

**Annual Report—Veterans' Services Director John Givner:**

*The Board reviewed a document, dated May 30, 2013, entitled "Veterans' Director Activity Report/Portions of FY2012 and FY2013".*

Ms. Kennedy reminded the Board that this matter has been rescheduled from a previous meeting, and some of the information in his report may be a little dated. Mr. John Givner, Veterans' Services Director, briefly reviewed how the Veterans District was formed, noting that the district approval expires at the end of 2014. Shortly before the expiration the District has to determine that all participating towns want to continue, and apply to serve as a district for another two years. Next he reviewed some of the projects that have taken place, including working with two interns and other people, home visits, and office hours.

Mr. Givner reported he has made 23 home visits since he came to Medway. He would like to be able to better determine widow status as that is not data captured on regular census forms. Fifty-five widows have been identified and they would be entitled to benefits. Approximately \$40,000 is paid out to recipients, and he estimates that 20-25% of it is spent locally. Chairman Trindade suggested there could be an outreach via the senior center to help determine widows.

Mr. Givner complimented the Memorial Committee in identifying as many veterans as possible for inclusion on the military memorials. He takes turns with another agent to attend parades and ceremonies for Veterans Day and Memorial Day.

Selectman Foresto wondered why Medway has a high percentage of veterans compared to its population. Mr. Givner suggested that could be because of a good informal network among veterans in the area. Discussion followed. His goal going forward is to identify more widows and to increase outreach to develop a more vibrant understanding of the services here.

Selectman Crowley theorized that a very active VFW may contribute to the increase in both area veterans and subsequent benefits. He added that Mr. Givner's report featured the most information on veteran services and benefits that he has ever seen.

**Discussion – Single Stream Automated Recycling:**

*The Board reviewed a document entitled FY15 Projected Program Costs v. FY15 Estimated Program Costs – Automated System.*

Present: Tom Holder, Director, Department of Public Services.

Mr. Holder briefly reported on recent efforts to convert the way the Medway trash program has been handled, noting that he believes it is time to transition to an automated single-stream operation. Other communities have been making the change. He has been talking to those communities to see how it is going, lessons learned, etc.

There is an initial increase in cost for the program due to the cost of the carts themselves. The program will require 4,000 each of recycling and trash carts. The proposal is for three years, with that cost amortized over the three years after which time the Town would own the carts. The Department of Public Services has applied for a grant with MassDEP on June 12, which would refund the money spent on the carts. Should a bin "disappear" from a residence, it can be located as they are outfitted with a microchip.

Selectmen Foresto asked if residents would still use the yellow bags along with the trash cart. Mr. Holder responded that once a Pay-As-You-Throw program is established in a community, it is not in the best interests of the community to relinquish it. Some associated programs require that the community be a Pay-As-You-Go community or it may not be eligible for many grants. It was noted that the truck has a camera to see whether the yellow bags are being used before the cart is dumped. A fine structure could be set up. Selectman Foresto expressed concern that this could reduce recycling. Discussion followed.

Mr. Holder stated that he anticipated that the program would start with the next budget cycle as the current contract ends June 30, 2014. By November of this year, the Town needs a commitment so that the vendor can build a truck for the Town. He suggested that additional discussions should occur.

Chairman Trindade recommended that Mr. Holder prepare a timeline, list of pertinent issues and associated steps with this program along with any other alternatives the Town might consider.

Selectman Crowley stated he would like a separate meeting for this discussion. Mr. Holder asked if he could invite a representative from a vendor.

Chairman Trindade summarized as followed:

- 1- Mr. Holder provide a potential timeline;
- 2- Schedule a meeting for further discussion, bring vendor, someone from DEP (maybe September);
- 3- Get someone from a neighboring community on how the program is working; and
- 4- Any additional documentation on available grants

Responding to a question from the Board, Mr. Holder stated that, for large bulk items to be picked up, a separate pickup would have to be scheduled. Large items will likely not be able to be picked up by the automated truck.

Mr. Holder stated he would like to reach out to the community November through June if the decision to move forward with the program is made, noting he would publicize it to the residents and develop a list of FAQ's that will answer many questions.

**Authorization of Chairman to Execute Contract for Engineering and Testing Services relative to Thayer Property – Briggs Engineering and Testing Services, \$5,000:**

*The Board reviewed a contract between the Town and Briggs Engineering and Testing Services, a Division of PK Associates, Inc.*

Selectman Foresto reported that the engineers needed to test the cement, rebar, steps and other structural components from a structural strength perspective. He noted that the required funds are in the project budget. The work has been done, and the OPM has been overseeing the process.

**Selectman Foresto moved that the Board authorize the Chair to execute the contract with Briggs Engineering and Testing Services relative to the Thayer redevelopment project in an amount not to exceed \$5,000; Selectman Crowley seconded. It was noted that Town Counsel has reviewed the contract. VOTE: 5-0-0.**

**Authorization of Chairman to Execute Contract for Chicken Brook Sewer Rehabilitation – New England Pipe Cleaning, \$139,683.40:**

*The Board reviewed the following information: (1) Memorandum from Tom Holder, DPS Director, dated July 9, 2013; (2) Memorandum from Haley and Ward, Inc. dated June 21, 2013 containing bid results; and (3) Contract between the Town and New England Pipe Cleaning Co.*

Mr. Tom Holder reported that there were two bidders on this project. There was \$200,000 budgeted for this. He noted that Haley and Ward will have some contracted engineering services paid out of the \$200,000 but the contract came in significantly lower than anticipated. Responding to a question from Selectman Crowley, Mr. Holder stated Town Meeting action will be necessary to repurpose any surplus that might remain in the fund at the completion of the project. Discussion followed. Mr. Holder concluded by stating that the project will take a couple of weeks to complete, estimating that if it is approved tonight, it could be done in August.

**Selectman Foresto moved that the Board authorize the Chair to execute the contract with New England Pipe Cleaning relative to the Chicken Brook Sewer Rehabilitation project in an amount not to exceed \$139,683.40, subject to approval by the Town Accountant; Selectman D’Innocenzo seconded. It was noted that Town Counsel had approved the contract. VOTE: 5-0-0.**

**Update—Brentwood Project:**

Mr. Holder reported that FEMA has to approve the procedural steps, as well as some of the work. A meeting was held with the Conservation Commission last week to finalize some conservation issues, and there are still a couple of easement issues to work out. He indicated he will need to request a time extension as the original deadline was April 2014.

**Update -- Route 109 Design Project:**

Mr. Holder reported good comments and questions were received at the 25% design hearing. He will be working with a Right-of-Way team at MassDOT due to large number of utility poles, stone walls and trees that will have to be addressed during the project. There will be a letter signed by the Parks Commission regarding the entrance to Choate Park and its relationship to activities there.

Discussion followed on whether motorists would use the entrance to Choate Park as a short cut to Oak Street and, if so, traffic-calming measures that could be used. It was noted that it is already used as a cut-through, and no one wants that to become more of a situation than it already is.

It was suggested that the committee should be meeting on a monthly basis. Mr. Holder cautioned that doing so may not be practical, noting that the committee's mission was theoretically over when the 25% design point was reached. Selectman Crowley noted that the Board needs to appoint someone from the Board of Selectmen as liaison on the committee. Mr. Holder noted there is value in keeping the committee together to continue with outreach and focus on the amenities such as street lighting and other things.

**Selectman Foresto moved that the Board appoint Selectman Dennis Crowley as liaison to replace Andrew Espinosa on the Route 109 Design Committee; Selectman White seconded. Selectman Crowley agreed to serve on the committee. VOTE: 5-0-0.**

**General Update – Department of Public Services:**

Selectman Crowley wanted to publicly thank the DPS staff for its help on Community Day.

At this time, Selectman Crowley asked for an updated list of street projects. Similarly, he asked if there was an update on Chapter 90 funds from the state.

**Authorization of Chairman to Execute Amendment to Contract for Demand Response Services –**

**GATRA:**

*The Board reviewed an Amendment to the contract between the Town and Greater Attleboro-Taunton Regional Transit Authority, dated 7/1/2013.*

Present: Missy Dziczek, Director, Council on Aging.

Ms. Dziczek briefly explained that there has been a change in the insurance coverage. The Council on Aging used to insure the vehicles, but now GATRA will handle it on their end. Brief discussion followed.

**Selectman Foresto moved that the Board authorize the Chair to execute the amendment to the contract with GATRA, as outlined; Selectman D'Innocenzo seconded. Selectman Crowley expressed concern for the future of this program if the Transportation Bill does not pass as it might lock the Town into an agreement for a program that would not be funded. Discussion followed. It was noted that there is a glitch in federal funding, but this would be handled through the cherry sheet. The state budget has been approved, but not signed. VOTE: 4-1-0 -- Crowley clarified that his opposing vote was not against GATRA but against the state.**

**Approval – Mass in Motion Wellness Grant – MA Department of Public Health, \$10,000:**

The Board reviewed the following information: (1) Memorandum to Board of Selectman from Stephanie Bacon, Health Agent, Dated July 2, 2013; (2) Notice of Grant Award, dated July 2, 2013; (3) Grant application documents, dated February 26, 2013; (4) Associated Inter-municipal Agreement between the Town of Ashland and the Town of Medway, dated June 26, 2013.

Present: Stephanie Bacon, Health Agent.

Ms. Bacon stated that, when considering a community as a whole, over 25% of school age children are considered to be obese. People who live closer to grocery stores fare better because those closer to convenience stores tend to favor snack foods. This grant would provide funding that would allow the Board of Health to approach restaurants and small food retailers to consider healthier options for their

patrons. She listed displaying a bowl of oranges next to a package of potato chips as an example of offering options.

Ms. Kennedy advised that the motion should not be the one that is suggested as Town Counsel has not yet reviewed the agreement, and asked that the Board vote on that at a later date.

**Selectman Foresto John moved that the Board of Selectmen approve the Mass in Motion Wellness Grant in the amount of \$10,000; Selectman White seconded. No discussion. VOTE: 5-0-0.**

[It is noted that Selectman D’Innocenzo left the meeting room at 7:55 PM and returned at 8:00 PM.]

**Approval – Third Amendment to LLB Architects Contract for Thayer Property, \$6,640:**

*The Board reviewed the following information: (1) Memorandum from Architectural Consulting Group, LLC, dated June 20, 2013; and (2) Third Amendment to the contract between the Town and LLB Architects.*

This expense is for hazardous waste removal, and the funds will come out of the contingency fund. It was noted that the amendment contains a letter from LLB Architects in which it outlines the details of the amendment, most notably the \$2,640 expense for the hazardous waste removal. This matter would wait until the August meeting to allow time for clarification. Discussion followed.

**Selectman Crowley moved that the Board approve the Third Amendment to the contract with LLB Architects in an amount not to exceed \$2,640 for the hazardous materials survey and design services; Selectman D’Innocenzo seconded. No further discussion. VOTE: 5-0-0.**

**Approval – Braking Aids Bicycle Ride, September 27, 2013:**

*The Board reviewed the following information: (1) Correspondence from Jim Dreher, Logistics Coordinator for Braking AIDS Ride, dated June 17, 2013, including 65-mile CF Cycle for Life route outline; and (2) Approval memorandum with recommendation from Police Chief Tingley, dated July 9, 2013.*

Chairman Trindade reminded the Board this was something that the Board had permitted in the past, noting that the Police Chief has recommended one detail officer.

**Selectman Foresto moved that the Board approve the Braking AIDS Bicycle Ride planned route through Medway on September 27, 2013 with the proviso that all conditions set forth in Chief Tingley’s memo dated July 9, 2013 are met; Selectman D’Innocenzo seconded. No discussion. VOTE: 5-0-0.**

**Discussion – Annual (Re) Appointment Process:**

Chairman Trindade reported that he asked for this matter to be added to the agenda. He said that he would like to develop a formal process where people actually come to meet with the Board of Selectmen to introduce themselves or to give feedback on what they have been doing on their committee and whether they want to continue.

Selectman Foresto expressed concern that asking people to meet with the Board might make them uncomfortable and might discourage people from volunteering to serve on committees. He suggested that the chair of each committee should be in charge of keeping track of those who are actively participating. Ms. Karen Kisty, Operations Manager, stated the Town Administrator’s office asks all committee chairs to report back, noting that the majority of the chairmen reveal that they are happy with those members who are choosing to come back

Selectman White asked why a committee member would need to come back to meet with the Board if they are doing a good job and want to be reappointed. She wondered what the Board's response would be if members come in to give feedback.

Selectman Crowley suggested setting it up so that two committees come to each meeting to give a periodic update, maybe a ten minute report. The Board could then ask the chairman how the members are doing, who is actively participating, etc.

Selectman White reported that there used to be an "All Boards" meeting once a year where people would come in and give an update. Chairman Trindade suggested this would be a good way for people to meet people on other committees.

Chairman Trindade asked the Ms. Kennedy if the Town Charter specifies that everyone on a committee is required to attend Town Meeting. He wondered if the Board could establish a policy that if a member misses two meetings of their committee, that they are dropped from the committee. Discussion followed. It was agreed to do the appointments in September, discuss Board of Selectmen liaisons to groups and consider holding an All Boards meeting which would be primarily social in nature yet informational.

Ms. Kisty pointed out that, unless reappointed, constables cannot function as constables. She stated their terms of service have expired.

**Selectman Foresto moved that the Board appoint Gary Ekland, William Pride, Paul Trufant, Gordon White and Paul Yorkis as Constables for a three-year term to end on June 30, 2016; Selectman D'Innocenzo seconded. No discussion. VOTE: 5-0-0.**

**Discussion – Dog Hearing Process:**

*The Board reviewed the following information: (1) Correspondence from Town Counsel, dated June 19, 2013, containing document entitled "Procedure for Dog Hearing"; (2) Document entitled "Dog Hearing – Animal Control Officer Confirmation to Hearing Authority"; and (3) Document entitled "Dog Hearing Authority Procedural Steps".*

There are some items that have not been incorporated into the dog hearing process. The major component was the change in definition of Dangerous Dog, among others. The major changes are incorporated into the new procedures. Ms. Kennedy pointed out that the dog hearing process can be delegated to the selectmen, mayor or administrator, chief or commissioner of police, etc. She recommended that the Board designate the Police Chief to take over the hearing process for the Board of Selectmen. Her own experiences have shown that when the hearing is in front of the Police Chief, the dog owner behaves much better. Ms. Kennedy added that Chief Tingley is agreeable to taking on this process, and she has offered to participate in those hearings, as necessary.

It was decided to place the matter on the agenda for the next meeting so that the proper language can be drafted for the motion, and official action will be taken at that time.

**Action Items from Previous Meeting:**

It was noted that these matters were discussed at other times during tonight's meeting.



Selectman Crowley asked that the following items be added to the list: gateway signs and status of Oakland Street easement.

**Approval of Warrants:**

*The Board reviewed Warrants 13-31SP and 14-3, dated 7/18/13.*

Selectman D’Innocenzo, Clerk, read aloud Warrants 13-31SP and 14-3, dated 7/18/13, as follows:

14-3	Town Bills	\$ 1,846.07
14-3P	Gross Payroll Town	\$330,467.90
14-3SP	Gross Payroll School	\$ 58,695.28
13-E1SP	Gross Payroll School	<u>\$548,137.77</u>
	TOTAL	\$939,147.02

**Selectman Crowley moved that the Board approve Warrants 13-31SP and 14-3, as read; Selectman White seconded. No discussion. VOTE: 5-0-0.**

**Town Administrator’s Report:**

Regarding the Solarize Mass program, Ms. Kennedy reported the program received 120 inquiries, 30 site visits, and proposals submitted resulting in three signed contracts.

Ms. Kennedy reported there have been policy changes in the Solar Energy program, noting that emergency regulations were established in early June regarding participation, but the regulations will not be completed until the fall with an anticipated roll-out in early 2014. Ms. Kennedy and Selectman Foresto will be attending several meetings in the coming weeks on a variety of related issues.

**Selectmen’s Reports:**

Selectman White and Selectman Crowley had no reports.

Selectman D’Innocenzo reported that the Gale Study is finally coming to an end. He will be meeting with EPFRAC on Wednesday, July 24 at 6:30 PM at the Senior Center.

Selectman Foresto reported that the Medway Library Board of Trustees will be interviewing this week for the position of Library Director, noting that there are five candidates, three from out-of-state.

Regarding the Thayer House renovation project, Selectman Foresto noted there are no major issues with the construction at this time.

It was announced that Free Concerts at Choate Park start on Thursday, July 19.

**Approval of Minutes:**

*The Board reviewed draft minutes from meetings held on January 3, 2012; January 17, 2012; March 12, 2012; March 19, 2012; and March 29, 2012.*

**Selectman Crowley moved that the Board approve the minutes of January 3, 2012, as drafted; Selectman Foresto seconded. No discussion. VOTE: 3-0-2 – D’Innocenzo and White abstained.**

**Selectman Crowley moved that the Board approve the minutes of January 17, 2012, as drafted; Selectman Foresto seconded. No discussion. VOTE: 3-0-2 -- D’Innocenzo and White abstained.**

**Selectman Crowley moved that the Board approve the minutes of March 12, 2012, as drafted; Selectman Foresto seconded. No discussion. VOTE: 3-0-2 -- D’Innocenzo and White abstained.**

**Selectman Crowley moved that the Board approve the minutes of March 19, 2012, as drafted; Selectman Foresto seconded. No discussion. VOTE: 3-0-2 -- D’Innocenzo and White abstained.**

**Selectman Crowley moved that the Board approve the minutes of March 29, 2012, as drafted; Selectman Foresto seconded. No discussion. VOTE: 3-0-2 -- D’Innocenzo and White abstained.**

**At 8:42 PM Selectman Foresto moved to adjourn; Selectman D’Innocenzo seconded. No discussion. VOTE: 5-0-0.**

Respectfully submitted,  
Jeanette Galliardt  
Night Board Secretary