

**Board of Selectmen's Meeting
June 16, 2014 – 6:30 PM
Sanford Hall, Town Hall
155 Village Street**

Present: Dennis Crowley, Chair; John Foresto, Vice-Chair; Richard D'Innocenzo, Clerk (6:58 PM); Glenn Trindade and Maryjane White.

Also Present: Town Administrator Suzanne Kennedy; Carol Pratt, Town Accountant; Melanie Phillips, Finance Director; Tom Holder, Director, Department of Public Services; David D'Amico, Deputy Director, Department of Public Services; Sue Ellis, Human Resources Director; Susy Affleck-Childs, Planning and Economic Development Coordinator; Stephanie Bacon, Health Agent; Donna Greenwood, Principal Assessor.

At 6:30 PM Chairman Crowley called the meeting to order and led the Pledge of Allegiance.

Public Comments: None.

Appointment – William Kennedy, Zoning Board of Appeals:

The Board reviewed the following information: (1) Resume from William J. Kennedy; and (2) Email, dated May 1, 2014, from David Cole, Chair of Zoning Board of Appeals.

Mr. William Kennedy introduced himself, noting that he moved to Medway in September, has a real estate business and was interested in volunteering in the community.

Selectman Trindade moved that the Board approve the appointment of William J. Kennedy to the Zoning Board of Appeals for a three-year term to expire on June 30, 2017; Selectman Foresto seconded. No discussion. VOTE: 4-0-0.

Appointment – Peter Monego, Medway Cultural Council:

The Board reviewed the following information: (1) Letter of interest and resume from Peter Monego; and (2) Email, dated May 19, 2014, from Audrey Ritter, Chair of Medway Cultural Council.

Mr. Peter Monego, 165 Holliston Street, stated he has a bachelor's degree in economics and master's degree in public policy and wanted to get involved in community affairs. He also plays a guitar and believes his combination of interest and experience will benefit the Town.

Selectman Trindade moved that the Board approve the appointment of Peter Monego to the Medway Cultural Council for a three-year term to expire on June 30, 2017; Selectman Foresto seconded. No discussion. VOTE: 4-0-0.

Approval – State Revolving Fund Loan (MWPAT), \$3,690,000:

There were no back-up materials.

Ms. Melanie Phillips stated that this is the first approval in the process. The interim loan is for 1.5%, but the full amount has to be approved by the Board. Chairman Crowley confirmed that there is opportunity to reassess financing for future projects in this group.

Selectman Trindade moved that the Board of Selectmen approve the issuance of a bond or bonds in an aggregate principal not to exceed \$3,690,000 pursuant to Chapters 29C and 44 of the General Laws and a vote of Town Meeting passed May 13, 2013 as Article 11 for a drinking water project identified in such vote; that in anticipation of the issuance of the Bond, the Treasurer is hereby authorized to issue an interim loan note or notes in an aggregate amount not to exceed \$3,690,000. Selectman Trindade moved that each Bond or Note is to be issued as a single registered security and sold to the Massachusetts Water Pollution Abatement Trust and the Treasurer is authorized to determine the date, the form, the maximum interest rate and the principal maturities of each Note or Bond and is authorized to execute a Financing Agreement(s) with the Trust with respect to the sale of the Bonds and Notes, such date, form and maturities and the specific interest rate of the Bonds and Notes to be approved by a majority of the Board of Selectmen and the Treasurer and evidenced by their execution of the Bonds or Notes. Selectman Trindade further moved that all action taken to date by the Town and its officers and agents to carry out the Project and its financing, including the execution of any loan commitment or agreement by the Treasurer and the other appropriate Town officials are each hereby authorized to take any and all actions necessary and convenient to carry out the provisions of this vote, including execution and delivery of the Financing Agreement (s) and the Project Regulatory Agreement relating to the project. Selectman Foresto seconded the sequence of motions. At the request of the Board, Ms. Phillips briefly reviewed the interest rates. Mr. Holder briefly described the project. VOTE: 4-0-0.

Authorization of Chairman to Execute Contract – Gravity Construction Co., Adams Street and Village Street Water Main Replacement, \$1,093,401.50:

The Board reviewed the following information: (1) Scope of Work memorandum, dated June 16, 2014, from Tom Holder, DPS Director; and (2) Contract excerpt. It is noted that the full contract document was available at the meeting.

Mr. Tom Holder stated that the work is scheduled to commence once school is dismissed for the summer, beginning with Adams Street and then to Village Street. Brief discussion followed, noting that work on the nearby athletic fields will be done simultaneously. Mr. Foresto inquired about the comparison bids. Mr. Holder stated that this information had been provided at a prior meeting. He added that although he had not worked with Gravity before, the references obtained were all good and, further, that the project came in under budget.

Selectman Trindade moved that the Board authorize the Chairman to execute the contract with Gravity Construction Co. for water main replacement project on Adam and Village Streets in an amount not to exceed \$1,093,401.50; Selectman Foresto seconded. No discussion. VOTE: 4-0-0.

Authorization of Chairman to Execute Contract – Weston & Sampson, Construction Engineering Services Water Main Replacement Project, \$148,600:

The Board reviewed the following information: (1) Scope of Work memorandum, dated June 16, 2014, from Tom Holder, DPS Director; and (2) Contract.

Mr. Tom Holder stated that this contract is for the work as oversight relative to Adams Street and Village Street projects. Chairman Crowley expressed concern that the fee of approximately 14% of the total

contract amount seemed excessive; however, Mr. Holder explained that such a fee was quite common. Brief discussion followed.

Selectman Trindade moved that the Board authorize the Chairman to execute the contract with Weston & Sampson for construction engineering services related to the FY14 water main replacement project in the amount of \$148,600; Selectman Foresto seconded. No discussion. VOTE: 3-1-0 – Crowley opposed.

Authorization of Chairman to Execute Change Order – Gale and Associates, \$58,000:

The Board reviewed Change Order #3 – Additional Site Presence Services.

Mr. Holder explained that there was a desire to have much more site presence by the engineer, 40 hours per week, during the refurbishment of the athletic field as well as installation of new synthetic turf. Discussion followed. The Board asked that Mr. Holder provide the background information on the specific appropriations and Town Meeting action relative to projects and contracts submitted for approval in the future.

Selectman Trindade moved that the Board authorize the Chairman to execute the contract with Gale Associates, Inc. for the provision of an engineering design professional on site in an amount not to exceed \$57,600; Selectman Foresto seconded. Brief discussion followed. VOTE: 5-0-0.

Town Administrator Recognitions:

At this time, Ms. Kennedy expressed her appreciation to several staff members for excellence in service. She noted that such recognition often is bestowed on department heads, but instead opted to recognize other individuals who went “above and beyond” in the performance of their duties:

Melanie Phillips, Finance Director, and Carol Pratt, Town Accountant – Ms. Phillips was one of the best hires in Ms. Kennedy’s professional career. Ms. Pratt was hired as Assistant Town Accountant but took over as Town Accountant after two years. Both women have been instrumental in taking the Town from junk bond days to a rating of A+ in a period of ten years.

Fred Sibley – Mr. Sibley started his career in Chicago and later in Manhattan. He has a masters’ degree in landscape architecture. He has worked for the Town for 37 years, and is currently the operations manager for environmental services for the Department of Public Services. A recent project involved the construction of walking trails and plantings near Choate Park.

Sue Ellis and Jeff Roach – The labor relations environment was not good when Ms. Kennedy came to Medway, but Ms. Ellis and Mr. Jeff Roach have helped make that a much smoother operation. The work with the union is now harmonious and productive.

David D’Amico – Mr. D’Amico is an invaluable assistant to the DPS Director and equally invaluable to Ms. Kennedy. Each year during budget development process, he is on target with energy consumption, Energy Team, net metering, as well as development of the Town’s Capital Plan.

Michael Fasolino, Craig Vinton, and Tom Irwin – Officer Fasolino has been instrumental in the development of training and curriculum. Officers Vinton and Irwin have been attending training to become paramedics, often on their own time. All three spend significant time responding to calls when off duty.

School Resource Officer Grimes has been a senior police officer for 33 years, 14 of them served as resource officer for the schools. Detective Matthew Reardon has been involved in many high profile investigations, often overseeing department IT operations keeping departmental records and email systems functioning. Officer Paul McLaughlin is a highly-motivated motorcycle officer and has participated in numerous investigations and arrests. He has served as part of the Metro motorcycle response unit for funerals, dignitary escort, and security details including the search for the marathon bomber and the visit of President Obama after the bombing.

Lastly, staffers in Ms. Kennedy's office – Ms. Allison Potter who recently completed a masters' degree in public administration and Ms. Karen Kisty who attended the Suffolk Center for Public Management, a program designed for prospective Town Administrators. They will be excellent support for the next Town Administrator.

Authorization of Chairman to Execute Contract with Sansoucy for Appraisal Services, \$20,202:

The Board reviewed the following information: (1) Memorandum from Donna Greenwood, Assessor, regarding the scope of work; and (2) Contract.

Present: Ms. Melanie Phillips, Finance Director; and Ms. Donna Greenwood, Principal Assessor.

Ms. Phillips reported that this work is necessary to update utility values and confirmed for the Chair that funding for same was in the approved budget. It was noted that Town Counsel has approved the contract. Brief discussion followed.

Selectman Trindade moved that the Board authorize the Chairman to execute the contract with George E. Sansoucy, P.E., Inc. for engineering consulting and valuation services in an amount not to exceed \$20,202 contingent upon receipt of acceptable certificate of insurance; Selectman Foresto seconded. No discussion. VOTE: 5-0-0.

Authorization of Chairman to Execute Contract with RKG Associates, Inc. for Zoning Bylaw Revisions, \$20,250:

The Board reviewed the following information: (1) Letter, dated February 28, 2014, from Judi Barrett (RKG Associates) regarding proposed zoning bylaw revisions as a result of zoning diagnostic; (2) Email, dated March 3, 2014, from Judi Barrett regarding contract for zoning revisions; (3) Contract and (4) Letter, dated April 1, 2014 regarding results of zoning diagnostic.

Selectman Trindade moved that the Board authorize the Chairman to execute the contract with RKG Associates, Inc. for revisions to the zoning bylaws in an amount not to exceed \$20,250; Selectman White seconded. It was noted that the funds were approved by Town Meeting in May but cannot be spent until after July 1. Ms. Barrett intends to do a complete reorganization of the bylaw. Her presence at the hearing and any subsequent work is part of the original contract. VOTE: 5-0-0.

Approval – Conservation Restriction, Parcel A/Williamsburg Condominium Development:

The Board reviewed the following information: (1) Memorandum, dated June 10, 2014, from Susy Affleck-Childs, Planning and Economic Development Coordinator; (2) Related correspondence from Town Counsel dated April 2, 2014; and (3) Conservation Restriction documents.

Ms. Susy Affleck-Childs stated the Williamsburg Condominium Development was approved by the Planning Board in 2009 as an open space residential development. Parcel A is one of the open space parcels closest to the street. The Condominium Association owns the property but the Conservation Restriction will be under the jurisdiction of the Town and the Conservation Commission. It was noted that Town Counsel reviewed the Conservation Restriction as well as the Conservation Commission.

Selectman Trindade moved that the Board approve and accept the Conservation Restriction relative to the Williamsburg Condominium development as presented; Selectman White seconded. No discussion. VOTE: 5-0-0.

Approval – Inter-Municipal Agreement Medway/Millis for Shared Energy Manager, Associated State Contract and Associated Grant Award, \$50,000:

The Board reviewed the following information: (1) Intermunicipal agreement between the towns of Medway and Millis relative to shared energy manager; (2) Notice of Grant Award from the Department of Energy Resources, \$50,000; and (3) State Contract.

Present: Ms. Susy Affleck-Childs, Planning and Economic Development Coordinator; and Ms. Carey Bergeron, Chair, Energy Commission.

Ms. Affleck-Childs explained that Medway is one of 30 communities who received the grant. The Board must complete three actions in the process: (1) Accept the grant award; (2) Authorize the Chairman to execute the state contract and (3) Agree to execute the agreement with the Town of Millis for the shared position. She further confirmed that the cost to Medway, \$18,700, had been approved at TM and includes funds for incidentals as well as salary. In response to Chairman Crowley's inquiry as to the scope of work for this position, Selectman Foresto explained that an initial baseline would be performed relative to each building's consumption; next the individual would work with department heads to determine energy-saving goals and opportunities. He/she would also oversee the solar contract. The focus will not only be on reducing energy costs but also on changing the habits of the community. Brief discussion followed. It was noted that the grant is good for one year and includes education and outreach. There will be an office in each community.

Selectman Trindade moved that the Board accept the grant award of \$50,000 from the Massachusetts Department of Energy Resources for purposes of hiring an Energy Manager to be shared by the towns of Medway and Millis, and, further, to authorize the Chairman to execute the Memorandum of Agreement with the Town of Millis for the shared energy manager position and to execute the required State contract with the Massachusetts Department of Energy Resources; Selectman Foresto seconded. VOTE: 5-0-0.

Approval – One-Day Entertainment License Request, VFW Auxiliary; July 12, 2014:

The Board reviewed the following information: (1) Notice of Grand Award; and (2) Email, dated April 23, 2014, from Sarah Soan, Budget Analyst – Department of Veterans' Services.

Selectman Trindade moved that the Board approved a grant from the Massachusetts Department of Veterans' Services related to the Vietnam War Moving Wall project in an amount of \$15,000; Selectman D'Innocenzo seconded. No discussion. VOTE: 5-0-0.

Approval – Medway Community Farm 5K Fundraiser; June 21, 2014:

The Board reviewed the following information: (1) Application for Public Event; and (2) Memorandum, dated June 9, 2014, from Police Chief Tingley.

Selectman Foresto moved that the Board approve the 5K Fundraiser for the Medway Community Farm scheduled for June 21, 2014 with the proviso that all the conditions set forth in Police Chief Tingley's memorandum of June 9, 2014 are met; Selectman Trindade seconded. No discussion.

VOTE: 5-0-0.

Discussion – Food Truck Operation, Choate Park:

The Board reviewed the following information: (1) Approval letter granted by Parks & Recreation Commissioners to William and Michelle DaCruz; (2) Email, dated June 11, 2014, from David D'Amico; (3) Email, dated June 12, 2014, from Town Counsel; and (4) Related photographs.

Present: David D'Amico, Deputy Director, Department of Public Services; Stephanie Bacon, Health Agent; Robert Reagan, Parks Commissioner.

Chairman Crowley explained that a resident asked him about the truck and he knew nothing about it. Mr. Reagan reported that the vendor came to him after visiting the Board of Health, and the Parks Commission thought the truck would enhance use of the park by offering refreshments and food. Mr. D'Amico stated they wanted to reach out to the Friends of Choate Park and various camp groups who use the park. No one thought it was a bad idea. At the meeting, the Park and Recreation approved it, and both Selectman Trindade and Selectman D'Innocenzo were present at that meeting. The vendor agreed that he would not be in the park when there were events at the Thayer House, as well as competing with other vendors at the park. Mr. Reagan added that the vendor was also given a three-month trial period.

Selectman Foresto expressed concern that the Town is paying for the electricity that the vendor uses. He also expressed concern about procurement procedures that would allow other vendors an opportunity to also situate their business in the park area. His third concern is liability. Because the vendor is on Town property, the Town is likely at risk. Mr. D'Amico responded that the vendor has all necessary insurances and the police department did a background check. He submitted copies of the insurance forms.

Ms. Kennedy stated that Town Counsel research discovered that this situation falls under a Hawkers and Peddlers License section, which is not under the jurisdiction of the Board of Selectmen. Even though the vendor has a state license, the business still needs to have appropriate permits from the local permitting authority which, in this case, is the Parks Commission.

Selectman White expressed concern for CORI checks on the vendor and any staff, given that he is situated in a park frequented by children and families. She also wondered if the visible propane tank would be an attraction to vandals. She reported that a recent sign advertising free coffee caused congestion on that road.

Selectman Trindade suggested that the three-month trial period presents an opportunity to see how it works out and the matter can be revisited then.

Selectman Crowley summarized that the Board does not have a say at this point, but it would like to be informed of future efforts. Permission had not been granted for the sign. Ms. Kennedy stated that she will ask Town Counsel to review the insurance paperwork.

Fiscal Year 2015 Board/Commission/Committee (Re) Appointment:

The Board reviewed the FY2015 Appointment Spreadsheet.

Board members were encouraged to submit new names or corrections to the Town Administrator, and the resulting list will be reviewed at the next Board meeting.

Fiscal Year 2015 Board of Selectmen Liaison Designations:

The Board reviewed the FY2014 liaison designation list.

Brief discussion followed on the existing assignments. Only two changes were made – Selectman Trindade and Chairman Crowley swapped Town Counsel and Water & Sewer Commission slots. The final list is as follows:

Board of Selectmen
Liaison Positions
FY 2015

Affordable Housing Commission	Glenn Trindade
Affordable Housing Trust	Glenn Trindade
Board of Assessors	Dennis Crowley
Board of Health	Richard D’Innocenzo
Board of Library Trustees	John Foresto
Cable Advisory Committee	John Foresto
Capital Improvement Planning Committee	Dennis Crowley
Community Preservation Committee	Maryjane White
Conservation Commission	Glenn Trindade
Constables	John Foresto
DPS Facility Study Committee	Glenn Trindade
Economic Development Board	Maryjane White
Finance Committee	Dennis Crowley
GATRA	Maryjane White
Housing Authority	Richard D’Innocenzo
MBTA Advisory Board	Richard D’Innocenzo
Medway Community Farm	Glenn Trindade
Medway School Building Committee	Dennis Crowley
Norfolk County Advisory Board	Maryjane White
Open Space	Glenn Trindade
Park Commission	Richard D’Innocenzo
Planning and Economic Development Board	Glenn Trindade
School Committee Rep	Dennis Crowley
	Richard D’Innocenzo
SWAP	Glenn Trindade
Town Clerk	Maryjane White
Town Counsel	Dennis Crowley
Town Moderator	Glenn Trindade
Town Wide Energy Committee	John Foresto
Tri County Vocational School	Glenn Trindade

Selectman Trindade moved that the Board approve the FY15 liaison list, as amended; Selectman Foresto seconded. No discussion. VOTE: 5-0-0.

Action Items from Previous Meetings:

The Board reviewed a list of ongoing Action Items.

Chairman Crowley stated that, going forward, not every item on the list will be reviewed at each meeting, but encouraged members to speak up on particular items when a progress report was important.

Approval of Warrants:

The Board reviewed Warrant 14-51.

Selectman D’Innocenzo, Clerk, read aloud Warrant 14-51, dated 6/19/2014 as follows:

Town Payroll	\$ 305,698.71
School Payroll	<u>\$ 868,034.66</u>
TOTAL	\$1,173,733.37

Selectman Trindade moved that the Board approve the Warrant as read; Selectman White seconded. No discussion. VOTE: 5-0-0.

Approval of Minutes:

The Board reviewed draft minutes from the following Selectmen meetings: 2014 – March 4, March 15, March 17, March 18, March 24, April 15, May 12, and May 19.

Review of the minutes was postponed until another meeting.

Town Administrator’s Report:

Ms. Kennedy stated there will be another contract in connection with Mr. Sansoucy for a tri-annual valuation. The assessor will want to complete that project in early September. This amount has been budgeted, and the contract is being prepared. She asked the Board to have a short meeting to approve that contract, possibly by the end of June.

The Board reviewed a mockup of the suggested banner for the VFW, and due to its size and content, it will not work as designed. Following brief discussion, **Selectman Foresto moved that the Board authorize the Chair to negotiate the banner content for the VFW; Selectman Trindade seconded. No further discussion. VOTE: 5-0-0.**

Lastly, Ms. Kennedy reported that money to be appropriated for unexpended balances for continuing Community Preservation Act appropriations is somewhere between \$10 and \$20 million dollars.

Selectmen Reports:

No report from Selectman D’Innocenzo, Selectman Trindade or Selectman White.

Chairman Crowley stated the contract for the parking lot project at the middle school did not include the lighting; the contract needs to be executed now so that the work can be completed before school begins in the fall. The lighting work may come in as a change order. He asked if Town Counsel could review the contract in time for the Board to consider it at a meeting on Friday, June 20, at 7:30 AM.

Both Human Resources and Town Counsel have reviewed the contract for the new Town Administrator with only minor changes. Chairman Crowley will call Mr. Michael Boynton to arrange a meeting to sign the contract with a suggested start date of July 28, 2014.

Approval – Pledge of License and Proposed Manager – VIVAAN LLC d/b/a One Stop Convenience, 76 Holliston Street (Liquor license transfer from The Little Store):

The Board reviewed supplemental information to the original liquor license transfer application, specifically, a vote of Corporate Board Authorizing License Pledge, and the Manager Application.

It was noted that the supplemental documentation was to correct an error in the original paperwork.

Selectman Trindade moved that the Board approve the pledge of liquor license request associated with the liquor license transfer from JANL Corp. doing business as The Little Store, 76 Holliston Street, to VIVAAN LLC, doing business as One Stop Convenience, same location, which was approved by the Board following a public hearing on April 22, 2014; Selectman D’Innocenzo seconded. No discussion. VOTE: 5-0-0.

Selectman Trindade moved that the Board approve Hardik B. Patel as the manager of VIVAAN LLC d/b/a One Stop Convenience, 76 Holliston Street; Selectman Foresto seconded. No discussion. VOTE: 5-0-0.

Next Meeting:

The next regular meeting of the Board of Selectmen will be Monday, July 7 at 6:30 PM.

At 8:19 PM Selectman Trindade moved to adjourn; Selectman Foresto seconded. No discussion. VOTE: 5-0-0.

Respectfully submitted,
Jeanette Galliardt
Night Board Secretary