

1 **Board of Selectmen's Meeting**
2 **Monday, April 6, 2015 – 6:30 PM**
3 **Sanford Hall**
4 **15 Village Street**
5
6

7 **Present: Dennis Crowley, Chair; John Foresto, Vice-Chair; Richard D’Innocenzo, Clerk (6:36 PM); and**
8 **Maryjane White.**
9

10 Absent: Glenn Trindade, Selectman.
11

12 Also Present: Michael Boynton, Town Administrator; Sue Ellis, Director, Human Resources; Jeffrey
13 Lynch, Fire Chief; Sue Ellis, Human Resources Director; Susy Affleck-Childs, Planning and Economic
14 Development Coordinator; Andrew Rodenhiser, Chair, Planning and Economic Development Board;
15 Carol Pratt, Town Accountant; Bridget Graziano, Conservation Agent.
16

17 *****
18

19 At 6:35 PM Chairman Crowley called the meeting to order and led the Pledge of Allegiance.
20

21 **Executive Session:**

22 **At 6:31 PM Selectman Foresto moved that the Board enter Executive Session under Exemption 3:**
23 **To discuss strategy with respect to collective bargaining or litigation if an open meeting may have a**
24 **detrimental effect on the bargaining or litigating position of the public body and the chair so declares**
25 **[Memorandum of Agreement between the Town and Medway Permanent Firefighters Association**
26 **and Memorandum of Agreement between the Town and the Medway Police Association] , Selectman**
27 **White seconded. Chairman Crowley did so declare. No discussion. Roll Call Vote: 3-0-0 (Crowley,**
28 **aye; Foresto, aye; White, aye).**
29

30 Chairman Crowley reconvened public session at 7:00 PM.
31

32 **Public Comments:** None.
33

34 **Collective Bargaining Agreement Approval:**

35 *The Board reviewed the motions for associated Annual Town Meeting Articles (27-29) reflecting funding*
36 *amounts and sources for the agreements that were reviewed in Executive Session.*
37

38 Mr. Boynton reported that the Town has reached agreement with both the Medway Permanent
39 Firefighters Association and the Medway Police Association. He noted that both contracts must be
40 ratified during public session. Mr. Boynton thanked and commended all union representatives for their
41 efforts during the bargaining sessions, as well as the Human Resources Director, Police Chief Tingley and
42 Fire Chief Lynch.
43

44 **Selectman Foresto moved that the Board ratify and approve the collective bargaining agreement**
45 **between the Town of Medway and the Medway Permanent Firefighters Association for the period of**
46 **July 1, 2015 through June 30, 2018 subject to Town Meeting approval of the Fiscal Year 2016 monetary**
47 **items contained therein, and further, to favorably recommend Annual Town Meeting Article 28 and the**
48 **appropriation of \$14,376 for this purpose, of which \$8,424 be transferred from the FY2016 Salary**

1 Reserve Account and \$5,952 be transferred from the EMS Enterprise Fund; Selectman White seconded.
2 At this time, Chairman Crowley thanked Mr. Boynton, explaining to viewers that there have been a
3 number of meetings of the last 2-3 months. There was no further discussion. VOTE: 4-0-0.
4

5 Selectman Foresto moved that the Board of Selectmen ratify and approve the collective bargaining
6 agreement between the Town of Medway and the Medway Police Association for the period of July 1,
7 2015 through June 30, 2018 subject to Town Meeting approval of the Fiscal Year 2016 monetary items
8 contained therein, and further, to favorably recommend Annual Town Meeting Article 29 and the
9 appropriation of \$36,585 for this purpose which amount shall be transferred from the FY2016 Salary
10 Reserve Account; Selectman D’Innocenzo seconded. No discussion. VOTE: 4-0-0.
11

12 Selectman Foresto moved that the Board of Selectmen favorably recommend approval of Annual
13 Town Meeting Article 27, the funding of Fiscal Year 2016 monetary items contained in the collective
14 bargaining agreement between the Town of Medway and the Medway Public Employees’ Local Union
15 in the amount of \$55,935 and to meet this appropriation, \$36,000 be transferred from the FY2016
16 Salary Reserve Account, \$464 be transferred from EMS Enterprise Fund Retained Earnings, \$4,923 be
17 transferred from Solid Waste Enterprise Fund Retained Earnings, \$10,229 from Water Enterprise Fund
18 Retained Earnings, and \$3,819 be transferred from Sewer Enterprise Fund Retained Earnings;
19 Selectman White seconded. No discussion. VOTE: 4-0-0. It was noted that the contract had already
20 been ratified, and this vote is for the funding mechanism.
21

22 **Appointments:**

23 *The Board reviewed the following information: (1) Brian Snow’s letter of interest and resume; (2) Letter*
24 *dated March 31, 2015, endorsement from the Conservation Commission. It was noted that the Town*
25 *Clerk reported Ms. Mucci’s current term expired on 4/1/15.*
26

27 Selectman Foresto moved that the Board of Selectmen appoint Brian Snow to the Conservation
28 Commission for a three-year term and to reappoint Florence Mucci to the Board of Registrars, also for
29 a three-year term; Selectman White seconded. No discussion. VOTE: 4-0-0.
30

31 **Approval – Indirect Cost Agreement for Fiscal Year 2016 Enterprise Funds:**

32 *The Board reviewed a Proposed Agreement drafted by Town Accountant.*
33

34 Ms. Carol Pratt, Town Accountant, stated that the agreement includes descriptions, and she briefly
35 reviewed each grouping including administrative services (salaries), Town Administrator, Treasurer/
36 Collector, Human Resources and Information Technology Support. The debt expense is billed directly to
37 the individual Enterprise Fund. Ms. Pratt then reviewed the addendums. Discussion followed.
38 Responding to a question from the Board, Mr. Pratt explained that she “trues up” to the General Fund
39 once the fiscal year has concluded.
40

41 Ms. Pratt reported that the Town signed the same agreement last year based on the auditors’
42 recommendation. It is also good to be part of the water and sewer budget. She noted she has always
43 done it, but has not always shared it with the Board.
44

45 Selectman Foresto moved that the Board approve the Fiscal Year 2016 indirect cost allocation
46 agreement for the Town’s enterprise funds as presented; Selectman White seconded. No discussion.
47 VOTE: 4-0-0.
48

1 **Authorization of Chairman to Execute Contracts with EcoTec Inc. for Review of Wetland Flagging --**
2 **\$2,200 and \$2,350:**

3 *The Board reviewed the following information: (1) Contract for Millwood Village project; and (2) Contract*
4 *for Wickett property project.*

5
6 Present: Bridget Graziano, Conservation Agent.

7
8 Ms. Graziano stated that both contracts are for separate Abbreviated Notice of Resource Delineation,
9 and identified the specific parcels also known as the Wickett property. She reported that the public
10 hearing was opened in January. The applicant had already flagged the wetland, and this contract asks
11 for the flagging to be reviewed for accuracy. Chairman Crowley clarified that a large parcel was already
12 flagged, and these parcels will be in addition to that. Responding to a question from Selectman Foresto,
13 Mr. Boynton stated that this fee will be paid by the applicant via fees paid into the wetlands funds. The
14 flagging activity cannot begin until the snow cover thaws.

15
16 Ms. Graziano stated that the other one is for a filing on Village Street, and EcoTec was only one who
17 responded. She reported that Town Counsel has approved these documents.

18
19 Depending on how good the original flagging is, the work could be done in a day or two. If the flagging
20 is inconsistent and regular soil testing is required, it could take as long as a month.

21
22 **Selectman Foresto moved that the Board authorize the Chairman to execute the contracts between**
23 **the Town and Eco Tec, Inc. for review of wetland flagging in the amounts of \$2,350 and \$2,200;**
24 **Selectman White seconded. No discussion. VOTE: 4-0-0.**

25
26 **Approval – Conservation Restriction, Millstone Village:**

27 *The Board reviewed the following information: (1) Memorandum from the Conservation Agent; (2)*
28 *Proposed conservation restriction; and (3) Restriction sketch plan.*

29
30 Present: Bridget Graziano, Conservation Agent; Susy Affleck-Childs, Planning and Economic
31 Development Coordinator.

32
33 Ms. Graziano provided a brief overview of the project, an over-55 housing development, and described
34 the process of editing and changes. She noted that the document has been reviewed by Town Counsel
35 and the State. Lastly, it was approved by the Conservation Commission on March 25, 2015.

36
37 Chairman Crowley asked about the parking lot as there is not one depicted. Ms. Graziano responded
38 that there is no formal parking lot, just an area where one could be placed. Brief discussion followed on
39 access to the parcel. Ms. Affleck-Childs clarified that the Special Permit application does include a plan
40 that shows a spot with gravel and such. Chairman Crowley stated he wanted to confirm that it could not
41 be built somewhere else on the property. It was noted that the condo/homeowners association will be
42 responsible for maintaining the parking area and the walking trails.

43
44 With regard to property taxes on the parking lot land, it is likely those taxes would be minimal and likely
45 the responsibility of the condo association. In such a situation, the taxes are typically spread throughout
46 all the owners. There will be access to the trails via an entrance on Lovering Street.

1 Responding to a question from Selectman Foresto, Ms. Graziano stated that the oversight of the work
2 would fall to her as the Conservation Agent. There should be an annual walk to monitor every
3 Conservation Restriction in town though there is not enough staff to make sure the requirements of the
4 Conservation Restrictions are met. Ideally, there should be a binder in the office containing all
5 Conservation Restrictions. As Agent, she must do all permitting paperwork before anything else.

6
7 Chairman Crowley asked her to take a look at where the bridges are supposed to go off Larussi Way, as
8 the bridge locations are under water right now.

9
10 **Selectman Foresto moved that the Board approve the Conservation Restriction for Millstone Village as**
11 **presented; Selectman White seconded. No discussion. VOTE: 4-0-0.**

12
13 **Re-Opening of May 11, 2015 Annual Town Meeting Warrant – Language Amendments. . .**

14 *The Board reviewed the following information: (1) Language amendments made to Zoning Articles 25*
15 *and 26 relative to multifamily housing and business transition district; (2) Proposed article to authorize*
16 *Selectmen to negotiate PILOT agreement with Exelon; and (3) Draft CPC Budget (amendment is*
17 *anticipated at 4/6/15 meeting of the Community Preservation Committee).*

18
19 Present: Susy Affleck-Childs, Planning and Economic Development Coordinator; Andrew Rodenhiser,
20 Chair, Planning and Economic Development Board.

21
22 Ms. Affleck-Childs explained the changes necessary. She added that Town Counsel has reviewed the
23 changes. Selectman D’Innocenzo asked for clarification that it is an overlay district. She reminded the
24 Board that this is still a Special Permit process, not by right. It is designed to protect some of the larger
25 single-family homes in town that are expensive to maintain, prompting owners to divide them into
26 apartments. The rental income justifies the construction loan from the bank. Each applicant would
27 have to demonstrate parking capabilities as well as other factors in order to get the approval from Town
28 Boards.

29
30 Mr. Rodenhiser pointed out that Medway does not have enough rental housing, noting that it is
31 important to recognize “that the fiber of our community is being stressed because there isn’t an
32 affordable option. Our children have to move out of town because there isn’t safe affordable rental
33 housing here”. Increasing this housing stock will also benefit older citizens who are downsizing,
34 divorced people, or other people who are not interested in homeownership.

35
36 Ms. Affleck-Childs stated they have reviewed the data from the Assessors’ Office, looking at buildings
37 with 3 units or more. There are a total of 300 units involved.

38
39 Regarding the Business District Transition, Ms. Affleck-Childs explained the changes for exterior criteria
40 as to appearance. Businesses will resemble residential housing more, providing a smoother transition to
41 the bona fide business district. It was noted that there were some concerns expressed by abutters at
42 the public hearing, a major one being that the area will be limited to offices, and no retail or drive-thru
43 establishments. Some of the changes are in response to initial concerns.

44
45 **Selectman Foresto moved that the Board reopen the May 11 Annual Town Meeting Warrant;**
46 **Selectman White seconded. No discussion. VOTE: 4-0-0.**

1 **Selectman Foresto moved that the Board approve the changes in Articles 25 and 26 amending the**
2 **language relative to multifamily housing and business transition district, as presented; Selectman**
3 **White seconded. No discussion. VOTE: 4-0-0.**

4
5 Regarding the Exelon Facility, Mr. Boynton noted that this group has been working on a number of options
6 to expand their facility. They have been working with ISO Energy Manager and the Commonwealth. An
7 important item is to negotiate a prudent and responsible PILOT agreement. This is a two-step process, the
8 first being a Town Meeting authorization to enter into that agreement, and the second to prepare and
9 execute the agreement. It was determined that a new article needed to be added. Town Counsel drafted
10 the language to meet requirements of the statute.

11
12 **Selectman Foresto moved that the Board add a Warrant Article to the May 11 Annual Town Meeting**
13 **Warrant relative to the negotiation of a Payment in Lieu of Taxes agreement with Exelon, as**
14 **discussed; Selectman White seconded. No discussion. VOTE: 4-0-0.**

15
16 **Selectman Foresto moved that the Board approve the Warrant Article relative to the negotiation of a**
17 **Payment in Lieu of Taxes agreement with Exelon, as discussed; Selectman White seconded. No**
18 **discussion. VOTE: 4-0-0.**

19
20 **Selectman Foresto moved that the Board close the Annual Town Meeting Warrant; Selectman White**
21 **seconded. No discussion. VOTE: 4-0-0.**

22
23 **Authorization of Chairman to Executive Contract with The Cecil Group for Design Guideline**
24 **Development Services -- \$15,000:**

25 *The Board reviewed a Proposed Contract. It is noted that the contract will be signed by Town Counsel*
26 *and the Town Accountant prior to the Selectmen's meeting.*

27
28 **Selectman Foresto moved that the Board authorize the Chairman to execute the contract with The Cecil**
29 **Group in an amount not to exceed \$15,000; Selectman White seconded. No discussion. VOTE: 4-0-0.**

30
31 **Interviews – Affordable Housing Committee:**

32 *The Board reviewed the following information: It is noted that there are only two openings and three*
33 *applicants. The Board will make its appointments at the next meeting. The applicants are listed in*
34 *chronological order as to the order in which they were received.*

35
36 Present: Robert Ferrari, Chair, Affordable Housing Committee; Doug Havens, Community Housing
37 Coordinator; Susan Rorke, Michael Leone, and Judi LaPan.

38
39 Chairman Crowley announced that there are three applicants for two openings, and invited each
40 candidate to introduce themselves.

41
42 Ms. Susan Rorke stated her belief that a diverse community benefits everyone; however, the major
43 increase has been in high-end housing. She is employed at MetroWest Independent Living in Framingham
44 and understands the need for affordable and accessible housing for people with limited means. She
45 acknowledged that she is not an expert in housing, but would like to help in any way she can. Responding
46 to a question from Selectman White, she stated her main interest is affordable housing. At this time,
47 Chairman Crowley reported that the Board is in receipt of a support letter from the Chairman of the
48 Affordable Housing Committee. Ms. Rorke has been attending the meetings for several months.

1
2 Mr. Bob Ferrari, Chair, Affordable Housing Committee, stated the committee is defined as having five
3 members but would take as many as are interested. Chairman Crowley cautioned that increasing the
4 number sometimes makes obtaining a quorum difficult.

5
6 Mr. Michael Leone stated that he is a retired fire captain from Watertown, with additional career
7 experience as an EMT and trainer. He noted that he was one of the first Hazardous Materials technicians
8 in the state. Mr. Leone added that he is also a construction supervisor as he has a home improvement
9 contractor license and knowledge of codes. He is on the Board of Directors of his condominium assoc. and
10 some of those units are labeled as affordable. His main objective is to make the system smoother so that
11 people have information for the affordable units when they are buying them.

12
13 Addressing his question to Mr. Ferrari, Selectman Foresto asked about the time commitment in serving
14 on the committee. Mr. Ferrari responded that the group meets twice monthly in conjunction with the
15 Affordable Housing Trust. They just purchased the former American Legion building with the intent to
16 convert it to housing. Ultimately their goal is to keep moving forward toward the 10% requirement.
17 The committee and the trust are looking for a range of housing for workforce housing, municipal
18 employees (police, fire, teachers), and senior citizens, as well as children wanting to come back to their
19 hometown. They need someone with a strong mechanical background and construction knowledge, but
20 also need people with advocacy experience and people with realty backgrounds, all to make the
21 committee more able to respond to inquiries.

22
23 As to duties and responsibilities, Mr. Ferrari stated that the committee helps with educational materials,
24 walk throughs on sites, etc. but has no input or participation on votes taken by the Affordable Housing
25 Trust.

26
27 Ms. Judi LaPan stated that she is currently part of the Affordable Housing Trust and would like to be
28 involved in both groups. She indicated she is a proponent of affordable housing, workforce housing for
29 police, fire and school staff, noting that it is difficult to purchase a home here. She said it is important
30 that we have housing for all segments of the population. Ms. LaPan stated that she brings a lot to the
31 table, noting that as program administrator for the Department of Public Services, she is familiar with
32 water, sewer, solid waste, and other areas. Selectman White asked for clarification that being a
33 member of both groups did not constitute a conflict of interest. Ms. LaPan stated she has been involved
34 with the Affordable Housing Trust for about two years. Chairman Crowley asked the Town
35 Administrator to confirm with Town Counsel that there is no conflict.

36
37 Mr. Doug Havens, Community Housing Coordinator, clarified that the Affordable Housing Committee is
38 really a policy-setting group, while the Affordable Housing Trust manages the funds. He supports both
39 groups as part of his job description. There is just not enough time to do everything. He stated he is in
40 favor of increasing the member number to six even though there could be tie votes. Mr. Havens advised
41 that the time commitment is getting to be more than just attending meetings as they move forward
42 with the Cutler Street project. They need someone who has the energy to do the research.

43
44 **Approval – One-Day Liquor License Applications:**

45 *The Board reviewed the following information: (1) Hooper application for Thayer Homestead with Police*
46 *Department recommendation; and (2) Keaney application for Thayer Homestead with Police Department*
47 *recommendation.*

1 **Selectman Foresto moved that the Board approve one-day wine and malt licenses for Dan Hooper and**
2 **Aileen Keaney for the April 25 and May 2 events at the Thayer Homestead, as presented; Selectman**
3 **White seconded. No discussion. VOTE: 4-0-0.**

4
5 **Approval – Public Event Permits:**

6 *The Board reviewed the following information: (1) CCG Foundation Mother’s Day Memorial Ride*
7 *application and Police Department recommendation; (2) Tri-State Trek application and Police Department*
8 *recommendation; and (3) Turkey Trot application and Police Department recommendation.*

9
10 **Selectman Foresto moved that the Board approve permits for these fundraising events (Christine**
11 **Clarke Genco Foundation Ride, Tri-State Trek, and Turkey Trot) as presented conditioned upon the**
12 **fulfillment of the Police Department’s recommendations with respect to detail officers; Selectman**
13 **D’Innocenzo seconded. No discussion. VOTE: 4-0-0.**

14
15 **Re-Opening of May 11, 2015 Special Town Meeting Warrant – Add Article to Extend Expenditure**
16 **Deadline on 2014 Annual Town Meeting Warrant Article 7 – Various Projects.**

17 *The Board reviewed the following information: (1) Special Town Meeting Warrant with added article to*
18 *extend expenditure deadline for various projects approved under Article 7 of the May 2014 Annual Town*
19 *Meeting; and (2) Information about the status of these projects.*

20
21 Mr. Boynton and the Board briefly reviewed the Warrant articles, noting the status of each at the
22 present time. With regard to the new article, it was clarified that the article is for the Cassidy Field
23 work. All projects would have the “sunset clause” added which would allow work to continue past June
24 30 of this year. Brief discussion followed.

25
26 **Selectman Foresto moved that the Board re-open the May 11 Special Town Meeting warrant to add**
27 **an article to extend the expenditure deadlines of various projects approved under Article 7 of the May**
28 **2014 Annual Town Meeting, as presented; Selectman White seconded. Chairman Crowley clarified for**
29 **viewers that the Board has reviewed the original warrant articles numerous time. No further**
30 **discussion. VOTE: 4-0-0.**

31
32 **Selectman Foresto moved that the Board approve all Special Town Meeting articles that have not**
33 **been approved; Selectman White seconded. No discussion. VOTE: 4-0-0.**

34
35 **Selectman Foresto moved that the Board close the Special Town Meeting Warrant; Selectman White**
36 **seconded. No discussion. VOTE: 4-0-0.**

37
38 **Approval of Warrants**

39 *The Board reviewed Warrants 15-41S, 15-41SP, and 15-41P.*

40
41 Selectman D’Innocenzo, Clerk, read aloud the Warrants, dated 4/9/15, presented for approval as
42 follows:

43		
44	School Bills	\$ 293,623.92
45	Town Payroll	\$ 274,659.30
46	School Payroll	<u>\$ 784,298.27</u>
47	TOTAL	\$1,352,581.49
48		

1 **Selectman Foresto moved to approve the Warrants as read; Selectman White seconded. No**
2 **discussion. VOTE: 4-0-0.**

3

4 **Town Administrator's Report:**

5 Mr. Boynton asked the Board if it wanted a booth for Medway Pride Day. Brief discussion followed.

6

7 Mr. Boynton reported that Medway Cleanup Day is coming on Saturday, and many volunteers have
8 signed up.

9

10 Additionally, he noted that Patriots Day is on Monday, April 20, the Board's regular meeting day, and
11 asked if April 21 would be an appropriate meeting night. The Board agreed.

12

13 **Selectmen's Reports:**

14 Selectman Foresto asked about the agreement with Borrego Solar. It was reported that discussions are
15 ongoing. He reported that he met with Medway Public Library Trustees and the Cultural Council about
16 the addition of a kiln and a loom in the basement room. The Fire Chief and the Building Commissioner
17 need to weigh in on the proposal.

18

19 Chairman Crowley announced that there will be a pizza party for the DPS staff on April 21 as a way to
20 publicly thank them for their hard work during this winter.

21

22 Chairman Crowley reported that he has heard good things about the scheduling of activities at the
23 athletic fields. Mr. Boynton concurred, noting that testing on the fields was performed today, and
24 results are within specifications. The fields are basically open and ready to go.

25

26

27 **At 8:55 PM Selectman Foresto moved to adjourn; Selectman D'Innocenzo seconded. No discussion.**
28 **VOTE: 4-0-0.**

29

30 Respectfully submitted,

31 Jeanette Galliardt

32 Night Board Secretary