

DRAFT

Board of Selectmen’s Meeting
May 4, 2015 – 6:30 PM
Sanford Hall, Town Hall
155 Village Street

Present: Dennis Crowley, Chair; John Foresto, Vice Chair; Richard D’Innocenzo, Clerk; Maryjane White, Member.

Absent: Glenn Trindade, Member.

Others present: Michael Boynton, Town Administrator; Tom Holder, Director, Department of Public Services; Carol Pratt, Town Accountant; Melanie Phillips, Finance Director;

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

At 6:31 PM Selectman Foresto moved that the Board enter executive session under Exemption 3 for the purpose of discussing strategy with respect to collective bargaining or litigations if an open meeting may have a detrimental effect on the bargaining or litigating position of the public body and the chair so declares [Patrick Roque]; Selectman White seconded. Chairman Crowley declared that an open meeting of this matter may have a detrimental effect on the bargaining or litigating position of the Town. Chairman Crowley further declared that the Board would return to public session upon the conclusion of executive session. No discussion. Roll Call Vote: 4-0-0 (Crowley, aye; D’Innocenzo, aye; Foresto, aye; White, aye).

At 7:00 PM Chairman Crowley reconvened public session.

Public Comments: Mr. Charles Meyers briefly expressed concerns about the impending Exelon contract. Not necessarily against the power plant, but is concerned about the oil side of the power plant and the associated emissions. It is his understanding that the oil will only be used if the natural gas side malfunctions. The town has not been involved with the power plant for a long time, and I recommend deferring the contract until such time as they can get up to speed or get some assistance from a consultant. Discussion followed on particulate emissions, health risk of emissions, wind flow, pollutants to be monitored, and the like. He suggested that it may be in the Town’s best interest to get more information before proceeding with the PILOT.

Mr. Boynton theorized that the Town does need some expertise, but the Board needs to have some authorization to keep moving forward and this authorization is the reason for it being on the Town Meeting Warrant. The actual PILOT agreement would have to come back to Town Meeting.

The PILOT agreement does not permit the project. It merely defines a financial agreement with regard to taxation and valuation.

Chairman Crowley asked Mr. Meyers to prepare a short summary of his concerns.

1 **Authorization of Chairman to Execute Contract with Weston & Sampson for Construction**
2 **Engineering and Oversight – Water Main Replacement Project, \$165,000:**

3 *The Board reviewed the following information: (1) Memorandum, dated April 30, 2015, from Tom*
4 *Holder, DPS Director; (2) Memorandum, dated April 30, 2015, from Town Counsel approving all*
5 *documents; and (3) Contract between the Town of Medway and Weston & Sampson.*

6
7 Present: Tom Holder, Director, Department of Public Services.

8
9 Mr. Holder explained that this contract is for the oversight of the water main replacement project. The
10 Town Accountant cannot sign until an account is established for it. Upon favorable vote at the SRF
11 meeting, we will have use of those funds and will be able to get the account established.

12
13 Selectman Foresto asked if DPS had used Weston & Sampson before. Mr. Holder responded that the
14 company had worked with the Town last year. The contract amount is approximately 9 % of the
15 construction cost which is \$1.8Million. This will complete this project. At Chairman Crowley’s request,
16 Mr. Holder briefly described the project for viewers, which will start at Main Street and working its way
17 to Lovering Street. It will likely take until October to complete.

18
19 **Selectman Foresto moved that the Board authorize the Chairman to execute the contract with**
20 **Weston & Sampson for construction engineering and oversight relative to the water main**
21 **replacement project in the amount of \$165,000, conditioned upon the approval of the Town**
22 **Accountant; Selectman White seconded. No discussion. VOTE: 4-0-0.**

23
24 **Authorization of Chairman to Execute Contract with Clean Harbors for Household Hazardous**
25 **Waste Day, \$10,000:**

26 *The Board reviewed the following information: (1) Memorandum, dated April 30, 2015, from Tom*
27 *Holder, DPS Director; and (2) Draft contract between Town of Medway and Clean Harbors.*

28
29 Mr. Holder explained that this is a draft copy of the contract, noting that the hard copy is on its way. He
30 stated that the collection is scheduled for May 16 in conjunction with Medway Pride Day. It will be held
31 from 9AM-1PM at the Alder Street cul-de-sac in the industrial park. He encouraged residents to check
32 the Town website to see the list of things that will be accepted, and the things that will not.

33
34 Selectman Foresto moved that the Board authorize the Chairman to execute the contract with Clean
35 Harbors for Household Hazardous Waste Day services in the amount of \$10,000, conditioned upon the
36 approvals of Town Counsel and Town Accountant and receipt of all final documentation; Selectman
37 White seconded. No discussion. VOTE: 4-0-0.

38
39 **Authorization of Chairman to Execute Contract with Concrete Modular Systems Inc. for Cassidy**
40 **Field Restroom, \$55,905.95:**

41 *The Board reviewed the following information: (1) Memorandum, dated April 30, 2015, from David*
42 *D’Amico, Deputy Director, DPS; and (2) Draft contract between the Town of Medway and Concrete*
43 *Modular Systems, Inc.*

44
45 Mr. Holder explained that this company will fabricate a bathroom structure for the fields. It will take 8
46 weeks to construct. Then it will be delivered it on a flat-bed truck and lowered into place with a crane. It
47 is the Town’s responsibility to prepare the foundation. It was noted that there is a lack of vendors in
48 Massachusetts for this type of structure.

1 Mr. Boynton stated that the intention is that the Town will take care of the bathrooms, foundation and
2 footings, install the utilities, etc. There will be an on-site meeting this week. The Little League will be
3 doing some electrical upgrades from the box at the street.
4

5 **Selectman Foresto moved that the Board authorize the Chairman to execute the contract with**
6 **Concrete Modular Systems, Inc. for Cassidy Field restrooms in the amount of \$55,905.95,**
7 **conditioned upon the approval of Town Accountant and receipt of all final documentation;**
8 **Selectmen White seconded. No discussion. VOTE: 4-0-0.**
9

10 **Authorization of Chairman to Execute Contract Change Order from Guidry & Platt Real Estate**
11 **Analysts for Re-Appraisal of Route 109 Corridor, \$47,348:**

12 *The Board reviewed a Contract Change Order, dated April 21, 2015, between the Town of Medway and*
13 *Guidry & Platt Real Estate Analysts.*
14

15 Present: Tom Holder.
16

17 Mr. Boynton stated the appraisal number has to later be reviewed to ascertain that the appraisal is valid.
18

19 **Selectman Foresto moved that the Board authorize the Chairman to execute the contract change**
20 **order from Guidry & Platt Real Estate Analysts for the re-appraisal of the Route 109 Corridor in**
21 **the amount of \$47,348, as presented; Selectman White seconded. No discussion. VOTE: 4-0-0.**
22

23 **Authorization of Chairman to Execute Contract with Howard S. Dono & Associates for Review**
24 **Appraisal of Route 109 Corridor, \$23,625:**

25 *The Board reviewed the following information: (1) Memorandum, dated April 30, 2015, from David*
26 *D'Amico, Deputy Director, DPS; (2) Memorandum, dated April 30, 2015, from Town Counsel approving*
27 *as to form; and (3) Contract between the Town of Medway and Howard S. Dono & Associates.*
28

29 **Selectman Foresto moved that the Board authorize the Chairman to execute the contract with**
30 **Howard S. Dono & Associates for review appraisal of the Route 109 Corridor in the amount of**
31 **\$23,625, conditioned upon the approval of the Town Accountant; Selectman White seconded. No**
32 **discussion. VOTE: 4-0-0.**
33

34 Brief discussion followed on scheduled roadway paving. Mr. Holder distributed a handout featuring the
35 cheap sealing process. Mr. Boynton stated that this process can actually extend the life of the roadway.
36 Mr. Holder explained that this process will be used in part of the Claybrook II development. A hot
37 surface is down first and then a layer of stone is pressed into the hot surface with a steel drum roller.
38 Selectman Foresto stated that Ocean Circle was done this way. Funds will come out of the monies
39 bonded for the roadway project. Discussion followed and plans were developed to hold an informational
40 meeting for the residents of the roads to be done, perhaps in June. Informational materials will be
41 available on the Town's website for those who cannot attend the meeting.
42

43 **Authorization of Chairman to Execute Contract Amendment for Revised Contract End Date for**
44 **Shared Energy Manager – August 24, 2015:**

45 *The Board reviewed the following information: (1) Memorandum, dated April 27, 2015, from Stephanie*
46 *Mercandetti, Community Development Specialist; and (2) Contract Amendment between Town of*
47 *Medway and Commonwealth of Massachusetts for DOER Energy Manager Grant end date revision.*
48

49 Mr. Boynton explained that this amendment will identify the full year of employment for the Shared
50 Energy Manager. The funds from the grant will renew after August 24.
51

1 **Selectman Foresto moved that the Board authorize the Chairman to execute the amendment to the**
2 **Commonwealth of Massachusetts Standard Contract Form for the DOER Energy Manager Grant**
3 **which provides for a revised contract end date of August 24, 2015; Selectman White seconded. No**
4 **discussion. VOTE: 4-0-0.**

5
6 **Authorization of Chairman to Execute Contract with Attorney Peter J. Epstein for Renegotiation**
7 **of Cable Contract:**

8 *The Board reviewed the following information: (1) Client Fee Agreement between Town of Medway and*
9 *Peter J. Epstein; and (2) Draft contract between Town of Medway and Peter J. Epstein.*

10
11 Mr. Boynton clarified that both the Verizon and Comcast contracts are in the contract renewal period. He
12 added that Town Counsel has reviewed and approved the contract.

13
14 **Selectman Foresto moved that the Board authorize the Chairman to execute the contract with Peter J.**
15 **Epstein for renegotiation of cable contract, conditioned upon the approvals of Town Counsel and**
16 **Town Accountant and receipt of all final documentation; Selectman White seconded. No discussion.**
17 **VOTE: 4-0-0.**

18
19 **Approval – One-Day Liquor License Applications:**

20 *The Board reviewed an application and recommendation from the Medway Police Department for the*
21 *following applicants and events at the Thayer Homestead: (a) Barbara & Michael Faron - June 7, 2015;*
22 *(b) Jennifer Gallagher –May 23, 2015; (c) Susan Lynch –May 31, 2015: (d) Donald Ralph/Staples –May*
23 *19, 2015 (rescheduled from 1/28/15); and (e) Kathleen & Michael Russo – May 17, 2015*

24
25 **Selectman Foresto moved that the Board approve one-day wine and malt licenses for Barbara and**
26 **Michael Faron, Susan Lynch, Donald Ralph/Staples, and Kathleen and Michael Russo as well as a**
27 **one-day all-alcohol license for Jennifer Gallagher for events at the Thayer Homestead on June 7,**
28 **2015; May 31, 2015; May 19, 2015; May 17, 2015; and May 23, 2015, respectively, with the proviso**
29 **that all conditions set forth in Police Chief Tingley’s approval letters are met; Selectman White**
30 **seconded. No discussion. VOTE: 4-0-0.**

31
32 **Action Items from Previous Meeting:**

33 *The Board reviewed the Action Items List.*

34
35 Brief discussion followed on the Choate Park project, and the ALS programs for Emergency
36 Management.

37
38 **Approval of Warrants:**

39 *The Board reviewed Warrants 15-45P and 15-45SP.*

40
41 Selectman D’Innocenzo, Clerk, read aloud Warrants 15-45P and 15-45SP, presented for approval:

42	15-45P	\$ 278,186.79
43	15-45SP	\$ 751,327.85
44	TOTAL	\$1,029,514.64

45
46
47 **Selectman D’Innocenzo moved that the Board approve the Warrants as read; Selectman White**
48 **seconded. No discussion. VOTE: 4-0-0.**

49
50 **Approval of Minutes:**

51 *The Board reviewed draft minutes from public sessions held on March 9, 2015; March 24, 2015;*

1 April 14, 2015; and April 29, 2015.
2

3 **Selectman Foresto moved that the Board approve the public session minutes from March 9, 2015,**
4 **as presented; Selectman White seconded. No discussion. VOTE: 3-0-1. Crowley abstained as he**
5 **was absent from the meeting.**
6

7 **Selectman Foresto moved that the Board approve the public session minutes from March 24, 2015,**
8 **as presented; Selectman White seconded. No discussion. VOTE: 2-0-2. Crowley and**
9 **D’Innocenzo abstained as they were not at the meeting.**
10

11 **Selectman Foresto moved that the Board approve the public session minutes from April 14, 2015, as**
12 **presented; Selectman White seconded. No discussion. VOTE: 2-0-2. Crowley and D’Innocenzo**
13 **abstained as they were absent from the meeting.**
14

15 **Selectman Foresto moved that the Board approve the public session minutes from April 29, 2015, as**
16 **presented; Selectman White seconded. No discussion. VOTE: 2-0-2. Crowley and D’Innocenzo**
17 **abstained as they were absent from the meeting.**
18

19 **Town Administrator’s Report:**

20 Mr. Boynton reported briefly on the following:

- 21 ➤ Chip Seal Program Update – Wildbrooke Road, First Colony Drive and Summit Road
 - 22 ➤ Labor Counsel – The Town will be using the firm of Feeley & Brown
 - 23 ➤ Update – Village Street Project
 - 24 ➤ Update – Highland Street Water Line Project
 - 25 ➤ Budget Updates – Fire Department and Veterans Services Needs
 - 26 ➤ Open Space Bond Bill for Choate Park
 - 27 ➤ Capital Project List Submitted
 - 28 ➤ Senate Program Requests Submitted
 - 29 ➤ House Budget Amendment -- \$60,000 for School Zone Signs
- 30

31 **Selectmen’s Reports:**

32 Selectman D’Innocenzo reminded residents of the upcoming Annual Town Meeting. He added that the
33 athletic fields are being used a lot.
34

35 There was brief discussion on placing a banner publicizing Annual Town Meeting across Route 109,
36 which would be followed by a banner for the Annual Town Election.
37

38 Selectman Foresto announced that the Medway Cable Board authorized replacement of cameras and other
39 equipment in Sanford Hall so that meeting broadcasts can be in High Definition.
40

41 Chairman Crowley reported that Ms. Stephanie Mercandetti is presently meeting with Zoning Recodification
42 and Design Review to discuss various issues.
43
44

45 **At 8:33 PM Selectman White moved to adjourn; Selectman Foresto seconded. No discussion.**
46 **VOTE: 4-0-0.**
47
48

49 Respectfully submitted,
50 Jeanette Galliardt
51 Night Board Secretary

DRAFT

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