

**Board of Selectmen's Meeting
June 1, 2015 -- 7:00 PM
Sanford Hall, Town Hall
155 Village Street**

Present: Dennis Crowley, Chair; John Foresto, Vice-Chair; Richard D'Innocenzo, Clerk (7:03 PM); Glenn Trindade and Maryjane White.

Staff Present: Michael Boynton, Town Administrator; Allison Potter, Assistant to the Town Administrator; Stephanie Mercandetti, Director, Community and Economic Development; David D'Amico, Deputy Director, Department of Public Services.

Others Present: Doug Havens, Affordable Housing Trust.

At 7:00 PM Chairman Crowley called the meeting to order and led the Pledge of Allegiance.

Public Comments: None.

Reorganization of the Board – Chair, Vice Chair, Clerk:

There were no background materials.

Chairman Crowley took this opportunity to thank the current Board members, noting that most people have little idea how much time it involves to be on the Board, usually meetings on two or three nights each week. “Maryjane is a source of information that reflects what the public shares with her in the Town Clerk’s office. Glenn and John, you are out every night with me, and I greatly appreciate your efforts.”

Addressing his last comment to Mr. Boynton, Chairman Crowley stated that he “wanted to make sure that the transition between Town Administrators would go well, and it did. To date, you have been an outstanding Town Administrator. You have done an excellent job, and the more open Town Administrator Office gives residents a chance to come in and talk with you.”

At this time, Selectman Trindade nominated Selectman Foresto as Chair; Selectman White seconded. There were no further nominations. Selectman Foresto agreed to serve. VOTE: 4-0-1 – Selectman Foresto abstained from the vote.

Selectman Trindade nominated Selectman White as Vice-Chair; Selectman D'Innocenzo seconded. There were no further nominations. Selectman White agreed to serve. VOTE: 5-0-0.

Selectman White nominated Selectman D'Innocenzo as Clerk; Selectman Trindade seconded. There were no further nominations. Selectman D'Innocenzo agreed to serve. VOTE: 4-0-1 – Selectman D'Innocenzo abstained from the vote.

At this time, Selectman Crowley turned the gavel over to Chairman Foresto.

Chairman Foresto stated that he did not think anyone can appreciate the amount of time Selectman Crowley puts in, both locally and at the state level. Brief discussion followed.

Appointment – Eric Arbeene – Zoning Board of Appeals:

The Board reviewed the following information: (1) Letter of interest, dated May 17, 2015; and (2) Resume from Eric Arbeene.

Present: Eric Arbeene.

Mr. Arbeene stated that he approached Ms. Mercandetti about an opening on the Economic Development Committee, and she informed him of the opening on the Zoning Board of Appeals. He noted that he is currently working as a community planner and has a lot of experience working with municipal government including time on the Medway Finance Committee.

Selectman Trindade stated he was glad to see Mr. Arbeene interested in serving the Town again, noting that he has terrific experience as well as knowledge of the Town.

Selectman Trindade moved that the Board appoint Eric Arbeene to the Zoning Board of Appeals for a three-year term to expire on June 30, 2018; Selectman White seconded. No discussion.

VOTE: 5-0-0.

Annual Committee Appointments: List Follows Agenda:

The Board reviewed the following information: (1) List of FY16 openings; and (2) Letters of interest in reappointment. It is noted that, if there is not a letter of interest in reappointment, the intent was stated verbally.

Brief discussion followed on varying term lengths, during which it was noted that sometimes the term is defined by statute and other times it is desired that a couple of members rotate off each year instead of all members. For this reason, when a new committee is formed, the initial terms may be of varying lengths.

Selectman Trindade moved that the Board reappoint the incumbent board and committee members as listed on the summary sheet for the customary terms associated with their respective boards and committees and that Ms. Mercandetti be appointed as the Town’s representative to the MAPC; Selectman White seconded. No discussion. VOTE: 5-0-0.

Update – Paving Schedule:

The Board reviewed an updated schedule of paving projects.

Present: David D’Amico, Deputy Director, Department of Public Services.

Mr. Boynton reported that state funds have brought \$600,000 to the Town, though \$200,000 is not available immediately. Brief discussion followed.

Selectman Crowley informed residents that the Board is aware that there are streets and sidewalks that need to be done, but that funding is simply not available. The Board hopes to have funding available within six months or a year, and asked that residents continue to be patient.

Selectman Trindade asked Mr. D’Amico if there was some kind of guideline on what it costs to replace a sidewalk, i.e., dollars per foot. Mr. D’Amico responded that the type of construction (curbing) can vary which changes the costs, drainage, ponding vs. puddling, etc. It is often a case-by-case assessment. Chairman Foresto added that handicapped accessibility is also a consideration. Selectmen Crowley stated that \$10 million would handle most, but not all, sidewalks that need to be repaired or replaced. Mr. Boynton stressed the importance of connecting this kind of work to a larger project. For the benefit of viewers, Selectman Crowley emphasized that any proposed funding solutions would NOT include debt

exclusions or budget overrides. Discussion followed on varying kinds of construction and curbing, estimates, limited resources, Village Street and the Route 109, and subdivision roads that will need routine maintenance as they reach 30 years of age.

Approval –Amendment #1 to Paving Contract – Lorusso Corp.:

The Board reviewed the following information: (1) Amendment #1; and (2) Original contract. It is noted that this amendment changes the contract language to accurately reflect unit pricing, as bid, rather than a total sum.

Mr. Boynton explained that, in review of the invoices, it was discovered that the contract language did not correlate with the invoices, i.e., ceiling amount vs. unit pricing. He noted that the proposed language came from Town Counsel. Brief discussion followed.

Selectman Trindade moved that the Board authorize the Chairman to execute Amendment #1 to the Town’s paving contract with Lorusso Corporation, as presented; Selectman White seconded. No discussion. VOTE: 5-0-0.

Change Order – Gravity Construction Contract for Village and Adams Streets Water Main Replacement - \$11,610.52:

The Board reviewed a Change Order, dated 3-29-15. It is noted that the change order will be signed by the Town Accountant prior to the Selectmen’s meeting.

Mr. D’Amico explained that some items have come up that were not included in the contract and need to be done. He added that other items need to be removed, resulting in the finished price being lower than the original contracted price.

Selectman Trindade moved that the Board approve the change order for Gravity Construction in the amount of \$11,610.52, as presented; Selectman White seconded. No discussion. VOTE: 4-1-0 – Selectman Crowley opposed, citing the lack of a recap sheet on this contract. Selectman Crowley reminded the Board he had asked for budget/contract information whenever a change order is presented.

Review Municipal Comment Letter to MassHousing – Proposed Timber Crest LLC Affordable Housing Development:

The Board reviewed a Draft comment letter, last revised 6-1-15.

Present: Stephanie Mercandetti, Director, Community and Economic Development; Paul Cusson, Delphic Associates; Mounir Tayara, Timber Crest, LLC; Paul DeSimone, Colonial Engineering; Jim Pavlik, Outback Engineering.

Mr. Boynton stated Ms. Mercandetti has been working hard on this, collecting comments from Town officials and integrating those comments as necessary. He briefly explained the process of the comment period as well as the Town submitting comments relative to the suitability of the site and related matters. Among issues not included are community impact, school impact, and other things.

Ms. Mercandetti briefly reviewed the timeline beginning with the receipt of the ANRAD (Abbreviated Notice Request for Area Delineation) of the proposed site. She emphasized that there is no formal application for the project at this time. She stated she reached out to Town Departments and relevant boards and committees for their comments thus far. MassHousing will contact the Town if it requires further information on any items. The Conservation Commission has not completed its process yet.

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Ms. Mercandetti informed the Board that documents are posted online so that residents can stay informed of the progress.

For the benefit of viewers, Ms. Mercandetti listed some of the general topic areas that were considered, Residents have the ability to write to MassHousing to voice their concerns and opinions relative to the site suitability and the application. Residents may contact Ms. Mercandetti for more information.

Selectman Crowley expressed concern that the Town does not have a complete set of drawings, and without that, the Town does not have the ability to completely evaluate the proposal. Ms. Mercandetti responded that the Town has included a comment which indicated that project information is “sorely lacking”. Mr. Crowley asked to add to the letter that the Town reserves its rights to provide additional comments to MassHousing as more complete plans are received by the agency. Brief discussion followed. Ms. Mercandetti noted that this comment submission is the first step, which, if approved by MassHousing, would be followed by the Comprehensive Permit application. The Comprehensive Permit application would need to include complete plans. MassHousing has to approve the plan if, and when, the Comprehensive Permit is granted.

Selectman Crowley mentioned there is a bylaw that prohibits pumping stations and expressed a concern that the force main presented in the plan might not be approved by the Water and Sewer Commission. Ms. Mercandetti responded she will look into it.

Brief discussion followed on the Comprehensive Permit process, appeals to Housing Appeals Court if the permit is denied, and other matters. Mr. Boynton stated that a meeting with Town Departments would have been advantageous prior to the receipt of the ANRAD application, action that begins a tight timeline that does not allow that kind of cohesive meeting.

Responding to a question from Selectman Trindade, Ms. Mercandetti stated a purchase and sale agreement is included as part of the application.

At this time, Chairman Foresto asked if there was public comment.

A Fairway Lane resident thanked Ms. Mercandetti for her work on this project. He wanted to know if there is any history on this developer such as what type of work he has done, his track record, etc. Ms. Mercandetti this project involves Delphi Associates along with their partner, Stonebridge Homes. The most recent project is in Bellingham. She noted that there are several projects in various stages of construction or in the permitting process. Brief discussion followed on the sale of affordable units, stormwater runoff, and concerns about the surveyor associated with this project. It has been alleged that the man that did the surveying may not be a licensed surveyor and presenting plans stamped by another individual. Selectman Crowley responded that it was discussed with Town Counsel and suggested the residents write something themselves. It was asked if a single petition with many signatures would be better than individual letters from a dozen residents.

Mr. Kurt Schaefer, Fairway Lane, noted that the developer had to pay for drainage issues that arose back in the 1990s. He expressed concern for wetland areas and that stormwater runoff will come down toward Fairway Lane. Ms. Mercandetti responded that the Conservation Commission will review wetlands issues, and the Zoning Board of Appeals will retain control of the stormwater issues. The Board asked to have further language added to the letter regarding drainage, noting that Fairway Ln residents had to take measures to alleviate prior, post development runoff issues.

Another Fairway Lane resident also expressed concern about the developer and reclaimed wetlands, as well as concern for the number of entities listed in the application. She indicated it is hard to find a track

record, or how previous units are selling. Can these concerns be addressed in queries to MassHousing? She feels that this applicant approached the project in a somewhat disingenuous manner and she does not trust them. Brief discussion followed. Lastly, she asked about the existing dwelling that may be considered historical and therefore needs protection.

Selectman Crowley emphasized that the Board is not against 40B projects, but agrees that 192 units on this property is too many.

Mr. Boynton asked if the Board would entertain a motion to approve the letter with the two proposed changes (Town reserves right to further comment as updated plans are submitted to MassHousing and noting Fairway Ln susceptibility to drainage issues) and authorize the letter, as amended, to put forward to the Board for signature. Selectman Trindade offered that motion; Selectman Crowley seconded. No further discussion. VOTE: 5-0-0.

Approval – One-Day Liquor License Applications:

The Board reviewed applications and recommendations from the Police Chief for the following events:

- a. Lisa Johnson – Thayer Homestead – June 14, 2015*
- b. Nancy Sheppard – Thayer Homestead – June 28, 2015*
- c. Jenny Kangis – Thayer Homestead – August 2, 2015*
- d. Jacqui Olsen – Thayer Homestead – August 8, 2015*
- e. Phyllis Dunn – Thayer Homestead – August 9, 2015*

Selectman Trindade moved that the Board approve one-day liquor licenses for Lisa Johnson, Nancy Sheppard, Jenny Kangis, Jaqueline Olsen and Phyllis Dunn for the dates requested conditioned upon fulfillment of the Police Chief’s recommendations for each respective event; Selectman White seconded. It was recommended that large events have police details to monitor parking. VOTE: 5-0-0.

Approval –Cystic Fibrosis Foundation Cycle for Life Bicycle Tour – Oct. 3, 2015:

The Board reviewed the following information: (1) Request, dated May 11, 2015, from the Cystic Fibrosis Foundation; and (2) Memorandum, dated May 18, 2015, from the Police Chief.

Selectman Trindade moved that the Board approve the Cystic Fibrosis Foundation’s Cycle for Life Bicycle Tour on October 3, 2015 conditioned upon the organization’s hiring of two detail officers to assure the safety of the riders and the movement of traffic during the event; Selectman White seconded. No discussion. VOTE: 5-0-0.

Action Items from Previous Meeting:

The Board reviewed the Action Items List.

- #5 – Net Metering: Mr. Boynton provided a brief report.
- #6 – School constructions project: Mr. Boynton stated there is a good working relationship between Town and schools. Mr. Holder and Mr. D’Amico are working closely with school staff on renovations.
- #7—Zoning Bylaw Recodification: This was accomplished at Annual Town Meeting and can come off.
- #8 – DPS Facility study: This should be relabeled as DPS Building Project.
- #9 – Playground Concepts – Selectman Trindade anticipates having an article for Fall Town Meeting.
- #11 – Searchable minutes: It was noted that this may require an overhaul of the Town’s website.
- #12 – Police access to school surveillance: Mr. Boynton reported this will happen in the near future.
- #13 – ALS Program: This training is still on target for a September report.
- #15 – Toxic Use Reduction Institute grant application: There is discussion of a possible pilot program for a small section of athletic field to help train staff on these techniques.

Approval of Warrants:

The Warrant was not available for review.

Town Administrator's Report:

Mr. Boynton reported that he is monitoring developments with Eversource (NStar); their union workers will go on strike at midnight.

Mr. Boynton congratulated Fire Chief Lynch for a significant reimbursement for ambulance recertification services. He noted these funds will be deposited into the Ambulance Enterprise Account.

At this time, Mr. Boynton presented the rest of his report.

Selectmen's Reports:

Selectman Crowley congratulated Colonel Matondi and the Memorial Day Committee for an outstanding Memorial Day program.

Selectman Crowley asked for a quick update on the Route 109 project. It was noted that letters will be going out to businesses soon.

Selectman White reported that 777 voters participated in recent election, noting that there are over 8,000 registered voters in Medway. There were two important races (School Committee and Parks Commission) so the low voter turnout was a little disappointing.

Chairman Foresto thanked Selectman Crowley for his efforts as Chairman and his very moving speech on Memorial Day.

**At 9:05 PM Selectman D'Innocenzo moved to adjourn; Selectman White seconded. No discussion.
VOTE: 5-0-0.**

Respectfully submitted,
Jeanette Galliardt
Night Board Secretary