

**Board of Selectmen's Meeting
September 14, 2015 – 7:00 PM
Sanford Hall, Town Hall
155 Village Street**

Present: John Foresto, Chair; Maryjane White, Vice-Chair; Richard D'Innocenzo, Clerk; Dennis Crowley, Member and Glenn Trindade, Member.

Staff Present: Michael Boynton, Town Administrator; Allison Potter, Assistant Town Administrator; Susy Affleck-Childs, Planning and Economic Development Coordinator; Tom Holder, Director, Department of Public Services.

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

Public Comments:

It is noted that all comments relate to the proposed Exelon expansion.

Mr. Mark Reddy stated he was impressed with list of questions posed to Exelon, but far less impressed with answers that were received, which seemed dismissive. Mr. Boynton responded that the language used is "legalese" and the Town will not accept that kind of answer. Mr. Reddy's other concern was that the public forum was taking place after the deadline to submit information to the Siting Board. Mr. Boynton clarified that the deadline date is one by which the Town must submit the second set of questions. Selectman Crowley added that the Board encourages residents to ask questions. Questions should be sent to the Town Administrator's office by email or regular mail. They will be submitted to the team for review and to make sure that the questions are all worded correctly.

Ms. Diane Burkhardt asked what power the Town has in this situation noting she is a senior citizen living in the immediate area and already has breathing issues. She asked how the Town could be assured that Exelon will use the fuels as they claim they will. Mr. Boynton responded that the Town's expectation is that the state will continually monitor the facility as it is a heavily regulated industry. Brief discussion followed.

Mr. Brian Adams asked about the nature of the conditions in the recent Community Compact agreement. Mr. Boynton responded that this is more of a technical services assistance agreement to better facilitate communications to the residents. Chairman Foresto added that this assistance will help a lot toward developing increased use of social media, as well as existing forms of communication.

Mr. Adams continued, asking about monitoring throughout the community. Mr. Boynton responded that the only plant in the Commonwealth that has monitors other than on the stacks is Brockton and that was done by the state. Selectman Crowley cautioned that the Board cannot say a lot because conditions such as these may be included in the agreements. Mr. Boynton noted that the existing plant has been running for 40 years, clarifying that typically there would be a renewal of an existing agreement when the end of the first agreement term is approaching.

Mr. Adams asked about an oil spill from 1977 and the concern that once the contaminated soils are disturbed, the remaining oil will move into the water table or into private wells. Mr. Boynton responded that whatever action is taken will be done in conjunction with DEP. Selectman Trindade reported that the Town has cleaned up areas where contaminated soils have been discovered in conjunction with paving or other projects.

Responding to Mr. Adams' question about water usage, Mr. Boynton stated that the Town is not proposing to supply the water at this time. Brief discussion followed in which it was noted that the residents of Medway would not be able to vote on any proposed agreement with another community. Any inter-municipal agreement would have to come before the Board of Selectmen. Mr. Adams emphasized that he is not against economic development but has serious concerns about this one and the environmental impact.

Mr. Chris Ash wanted to know how the Town can increase awareness of these types of facilities. Mr. Boynton responded that the state monitors the facilities and, if there are violations, there are fines. He also stated that the Town is hiring consultants to help get some answers about the particulates and how they compare to other common sources of them, such as fire pits, bonfires, etc. He further stated that they do not want to provide answers now in case they are not correct. Selectman Trindade stressed that Massachusetts has one of the most stringent set of regulations relative to power plants. He encouraged residents to learn about single cycle fuel plants as well as combined cycle fuel plants to better understand how these plants work. Discussion followed.

Mr. Jeff Hall stated that he works with several communities as a broadcast engineer, utilizing multimedia and other types of communications. He strongly encouraged that the Town figure out how to get the word out to people. Perhaps there should be a subcommittee that could assist with better communications such as increased signage, flyers home with students, etc.

Appointment – Alex Burinskiy, Historical Commission:

The Board reviewed the following information: (1) Email of interest dated September 2, 2015; (2) Resume of Alex Burinskiy; and (3) Email dated August 31, 2015 from Jeanne Johnson, Chair, Historical Commission, to Town Clerk supporting appointment.

Present: Alex Burinskiy.

Mr. Burinskiy stated that he was a history major in college and finds it very interesting. He started attending meetings and would like to take a larger role.

Selectman Trindade moved that the Board of Selectmen appoint Alex Burinskiy to the Historical Commission for a three-year term to expire of June 30, 2018; Selectman D'Innocenzo seconded. No discussion. VOTE: 5-0-0.

Approval – Bond Anticipation Note (BAN), \$2,654.348:

The Board reviewed relevant documentation associated with this Bond Anticipation Note.

Present: Melanie Phillips, Finance Director/Treasure-Collector.

Ms. Phillips briefly explained the Town's current bond rating of AA+, assuring the Board that it would eventually get to AAA, the top rating. A lot of credit goes to the Board of Selectmen and former Town

Administrator Suzanne Kennedy who held tight control over fiscal management in addition to Ms. Phillips' skill set. She briefly outlined the components of the BAN.

Selectman Trindade moved that the Board of Selectmen approve the award of the \$2,654,348 Bond Anticipation Note dated September 15, 2015 at the rate of 0.449% NIC, which includes a \$20,848 premium; Selectman White seconded. No discussion. VOTE: 5-0-0.

At this time, Selectman Crowley asked Ms. Phillips to update the Town's debt schedule and send the report to the Board.

Approval – Ecological Study for Adams Street Management Area, Conway School of Landscape Design:

The Board reviewed the following information: (1) Memorandum dated September 9, 2015 from Bridget Graziano, Conservation Agent; (2) Draft acceptance letter to Kristin Thomas, Administrator, The Conway School Graduate Program in Sustainable Landscape Planning & Design; (3) Document entitled "Proposed Management Goals for Medway's Open Space and Conservation Lands"; (4) Document entitled "Conway School-Scope of Work for Adams Street Management Area"; and (5) Document entitled "Choate Park, Cassidy Fields, Medway High School Walking Trails."

Present: Bridget Graziano, Conservation Agent.

Ms. Graziano briefly explained that the subject parcel is not specifically under the jurisdiction of the Conservation Commission but under just the Town's jurisdiction. There are some trails, wetlands, and unmanaged areas in the total acreage of 47 acres. She stated they would like to include a number of parcels in this study and displayed the new map. This matter currently has an associated placeholder article on the Fall Town Meeting warrant. She indicated it has the support of the Community Preservation Committee; they will vote at their October meeting, and she plans to attend. She described the potential of future projects utilizing the land, passive recreation, trail connections, etc. The purpose of the study is to evaluate the land to see what options might be available to use, as well as to protect it.

Selectman Trindade moved that the Board approve the proposal that the Conway School of Landscape Design complete an ecological study for Adams Street Management Area and that the matter is placed on the Fall Town Meeting Warrant; Selectman White seconded. No discussion. VOTE: 5-0-0.

Discussion – Survey Results, Charge for Additional Recycling Carts:

The Board reviewed the following information: (1) Document entitled "Medway Trash and Recycling Program Comparison to Other Local Communities"; and Document entitled "Cost Analysis for Additional Carts Only".

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

Mr. Holder reminded the Board of previous discussions relative to residents requesting second and third recycling carts, and the costs associated with those carts. At the Board's request, the department developed a fairly comprehensive survey that includes data from neighboring communities. Chairman Foresto suggested the spreadsheet be placed on the Action Items list to revisit at a later date as there is a lot of information to process. Tonight's discussion would then be limited to one about recycling carts.

Selectman Crowley asked that Mr. Holder focus his comments on the second and third cart. Mr. Holder reported that the pickup charge for a recycling cart is \$4.43. The annual service fee is \$35 per

household and there are 3,700 carts. An additional 337 carts have been issued in response to resident requests. He explained the various options that would be available to the Town.

Selectman Trindade expressed surprise that the recycling rate was only 27%. He thought Medway's rate was higher. Mr. Holder responded that this figure reflects only the curbside collection.

Selectman Crowley suggested that, going forward, inform residents that have second carts that they will pay an annual fee of \$50 for that second cart to be serviced and provide the cart at no charge. There may be people who would re-evaluate their need for that second cart and perhaps turn it in.

Selectman White expressed concern that there was no prior discussion of a possible additional charge. Mr. Holder responded that the department did not anticipate the high demand for a second cart. If the Board is agreeable to taking back the second carts, no one is harmed. Those carts would be placed in inventory to be used again. Selectman Crowley theorized that some people got the second carts and are using them for other things, not recycling. Discussion followed.

Chairman Foresto suggested that the department take back the extra carts and then propose to charge for the second cart after 1-1-16. This allows a period of time during which people can return the carts to avoid the annual service charge. Lastly, there would be an exemption from the fee based on the number of people in a household; the calculation could be worked out with the Town Clerk using census information. On future requests for carts, there is a fee for the cart, and then the annual \$50 fee for the collection charge.

Mr. Holder asked Board members to filter any additional questions through the Town Administrator.

Authorization of Chairman To Execute Contract for Owner's Project Manager Services – New DPS Facility, Compass Project Management, Inc., \$404,252 [base contract]:

The Board reviewed a proposed Contract.

Present: Tom Holder, Director, Department of Public Services

Mr. Boynton explained the contract process for all bids received. This contract has allowed for reimbursable expenses.

Selectman Trindade that the Board authorize the Chairman to execute the base contract for Owner's Project Manager services with Compass Project Management, Inc. in the amount of \$404,252 and to further accept hourly charges and rates and reimbursement costs as stipulated; Selectman White seconded. This will be paid out of the short-term borrowing the Finance Director mentioned this evening based on previous Town Meeting approval. No further discussion. VOTE: 5-0-0.

Approval – Designation as Special Municipal Employees, Tax Valuation Consultant and Exelon Tax Consultant:

The Board reviewed correspondence dated August 31, 2015 from Mr. George Sansoucy.

Mr. Boynton reported that Mr. Sansoucy is the renowned expert in utility valuation. The Town is using Mr. Sansoucy as a consultant in reviewing some of the Exelon information. Designating the positions as Special Municipal Employees allows Mr. Sansoucy to perform necessary tasks without any conflict of interest.

Selectman Trindade moved that the Board approve designating the positions of tax valuation consultant and Exelon tax consultant as Special Municipal Employees; Selectman White seconded. No discussion. VOTE: 5-0-0.

Approval – One-Day Liquor License Applications:

The Board reviewed the following information: (1) Applications and Police Chief recommendations for the following applicants for events at the Thayer Homestead: Katherine Green, 10-2-15; Dawn Jasper, 10-10-15; and Lupe Lomeli/Nick Biello, 10-18-15; and (2) Application and Police Chief recommendation for Medway VFW Post 1526 at 123 Holliston Street.

Selectman Trindade moved that the Board approve one-day all alcohol licenses for Katherine Green and Dawn Jasper and one-day wine & Malt licenses for Lupe Lomeli/Nick Biello and the Medway VFW Post 1526 as outlined subject to fulfillment of the Police Chief’s recommendations and receipt of all insurance documentation; Selectman White seconded. Chairman Foresto explained that the Police Chief has expressed concern for traffic issues during larger events and may enforce requirements for police details. No further discussion. VOTE: 5-0-0.

Action Items from Previous Meeting:

The Board reviewed the Action Items list.

Mr. Boynton briefly reviewed items on the list.

Approval of Warrants:

The Board reviewed Warrants 16-11A and 16-12.

Selectman D’Innocenzo, Clerk, read aloud the Warrants 16-11A and 16-12, dated 9/17/2015 presented for payment as follows:

16-12	Town Bills	\$1,621,721.97
16-11A	School Payroll	<u>1,694.65</u>
	TOTAL	\$1,623,416.62

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

Approval of Minutes:

The Board reviewed draft minutes from Selectmen meetings held on April 21, 2015; June 1, 2015; and August 27, 2015.

Selectman Trindade moved that the Board approve the minutes of April 21, 2015 and August 27, 2015, as drafted; Selectman White seconded. No discussion. VOTE: 5-0-0.

Regarding the minutes from June 1, Selectman Crowley asked that changes made in a letter discussed at the meeting be specified in the minutes, referencing page 5 on line 4. These minutes will be brought back after revision.

Town Administrator's Report:

Mr. Boynton reported that the draft Fall Town Meeting Warrant would be sent to the Board tomorrow. There are a large number of zoning articles which goes against the Town Charter guidelines. Fall Town Meeting is intended to handle financial articles. Brief discussion followed on the timeline and meetings of the Selectmen, Finance Committee and Planning Board.

Additionally, Mr. Boynton updated the Board on proposed flagpoles for the Town Hall and Matondi Square.

Selectmen's Reports:

Selectman Crowley announced that the Lt. Governor was coming to Medway on Thursday. He also extended condolences to the family of Carlo Molinari, who had been active in the community. Lastly, he asked the Town Administrator for a recap on the McGovern School funding from all the sources to determine closing out the project and reallocating the remaining funds.

Chairman Foresto reported that the Memorial School sent a thank you card signed by staff members at the school for the work the DPS did over there.

Executive Session:

At 9:05 PM Selectman Trindade moved that the Board enter 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 [Adams Street property] with no intent to return to public session; Selectman White seconded. No discussion. Roll call vote: 5-0-0 (Crowley, aye; D'Innocenzo, aye; Foresto, aye; Trindade, aye; White, aye).

Respectfully submitted,
Jeanette Galliardt
Night Board Secretary