

Board of Selectmen

Dennis P. Crowley, Chair

John A. Foresto, Vice-Chair

Richard A. D'Innocenzo, Clerk

Glenn D. Trindade

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**TOWN OF MEDWAY
COMMONWEALTH OF MASSACHUSETTS**

Board of Selectmen's Meeting

April 14, 2015 – 7:30 AM

Town Administrator's Conf. Rm.

Town Hall, 155 Village St.

Agenda

7:30 AM

1. Re-opening of May 11, 2015 Special Town Meeting Warrant; Vote to Remove Article 10 (Idyllbrook Guardrails); Close Special Town Meeting Warrant
2. Re-opening of May 11, 2015 Annual Town Meeting Warrant; Vote to Remove Article 15 (Construct Playground); Discussion of Articles 30 (Purchase Property Off of Winthrop St), 31 (Citizens' Petition – Purchase Wicket Property) and 32 (Citizens' Petition – Survey Property Off of Winthrop St); Close Annual Town Meeting Warrant

Upcoming Meetings, Agenda and Reminders

April 21, 2015 ---- Regular Meeting (holiday week)

May 4, 2015 ---- Regular Meeting

AGENDA ITEM #1

Re-opening of May 11, 2015 Special Town Meeting Warrant; Vote to Remove Article 10 (Idyllbrook Guardrails); Close Special Town Meeting Warrant

Associated back up materials attached.

- Current draft of warrant

Proposed motions:

1. I move that the Board re-open the May 11 Special Town Meeting warrant.
2. I move that the Board remove Article 10, the purchase of guardrails for Idyllbrook Field, from the warrant.
3. I move that the Board close the warrant.

**TOWN OF MEDWAY
WARRANT FOR MAY 11, 2015
SPECIAL TOWN MEETING**

NORFOLK ss:

To either of the Constables of the Town of Medway

GREETINGS:

In the name of the Commonwealth of Massachusetts, you are hereby required to notify and warn the inhabitants of said Town who are qualified to vote in Town affairs to meet at the **Medway High School, 88 Summer Street, on Monday, May 11, 2015** at 7:00 PM, then and there to act on the following articles:

ARTICLE 1: (Free Cash Transfer: Snow and Ice Deficit)
To see if the Town will vote to appropriate the sum of \$400,000 from Fiscal Year 2014 Certified Free Cash for the purpose of funding the Snow & Ice Fiscal Year 2015 appropriation deficit; or act in any manner relating thereto.

DEPARTMENT OF PUBLIC SERVICES

BOARD OF SELECTMEN RECOMMENDATION: Approve

FINANCE COMMITTEE RECOMMENDATION:

ARTICLE 2: (Free Cash Transfer: Street Acceptance Account)
To see if the Town will transfer the sum of \$15,000 from Fiscal Year 2015 Certified Free Cash to the special Street Acceptance account, or act in any manner relating thereto.

PLANNING ADMINISTRATOR

BOARD OF SELECTMEN RECOMMENDATION: Approve

FINANCE COMMITTEE RECOMMENDATION:

ARTICLE 3: (Transfer: Fire Dept. Overtime)
To see if the Town will vote to transfer \$9,238.95, the unexpended balance of an appropriation authorized by vote of the Town for a Fire Department training program under Article 11 of the May 12, 2014 Special Town Meeting, for the purpose of funding Fiscal Year 2015 Fire Department overtime, or to take any other action thereto.

FIRE CHIEF

BOARD OF SELECTMEN RECOMMENDATION: Approve

FINANCE COMMITTEE RECOMMENDATION:

ARTICLE 4: (Transfer: Memorial Committee)

To see if the Town will vote to transfer from the Legal Account the sum of \$4,000 for the purpose of funding projects and activities of the Memorial Committee, with unexpended funds as of June 30, 2016 being returned to the General Fund, or act in any manner relating thereto.

BOARD OF SELECTMEN

BOARD OF SELECTMEN RECOMMENDATION: Approve

FINANCE COMMITTEE RECOMMENDATION:

ARTICLE 5: (Reserve for Overlay Release)

To see if the Town will vote to transfer from Overlay Surplus the sum of \$7,768.84 to fund a provision for overlay deficit of \$2,124.82 in the year 2000, to fund a provision for overlay deficit of \$2,370.45 in the year 2001, to fund a provision for overlay deficit of \$793.11 in the year 2002, and to fund a provision for overlay deficit of \$2,480.46 in the year 2004, or to act in any manner relating thereto.

BOARD OF ASSESSORS

BOARD OF SELECTMEN RECOMMENDATION: Approve

FINANCE COMMITTEE RECOMMENDATION:

ARTICLE 6: (Repurpose Monetary Article: McGovern Generator)

To see if the Town will vote to transfer the sum of \$60,908.11 from previously appropriated article funds for generators at Burke and McGovern Schools (Article 3 of the 2012 Annual Town Meeting and Article 8 of the 2013 Annual Town Meeting) for the purpose of supplementing funds to be used for a new generator and associated work at the McGovern School, said appropriation to be expended by June 30, 2016, with unexpended funds as of June 30, 2016 being returned to the General Fund, or to act in any manner relating thereto.

BOARD OF SELECTMEN

BOARD OF SELECTMEN RECOMMENDATION: Approve

FINANCE COMMITTEE RECOMMENDATION:

ARTICLE 7: (Repurpose Funds: Thayer Homestead Improvements)

To see if the Town will vote to transfer a sum of money from the unexpended balance of the Thayer property rehabilitation and construction project authorized by vote of the November 13, 2012 Fall Town Meeting, to make repairs and improvements the Thayer property, including the house, sympathetic addition, barn and grounds, or to act in any manner relating thereto.

BOARD OF SELECTMEN

BOARD OF SELECTMEN RECOMMENDATION: Approve

FINANCE COMMITTEE RECOMMENDATION:

ARTICLE 8: (Prior Year Bills)

To see if the Town will vote to transfer from the Council on Aging’s Fiscal Year 2015 electricity account the sum of \$1,687.56 and to transfer from the Dept. of Public Services’ Fiscal Year 2015 electricity account the sum of \$5,000 for the purpose of paying unpaid bills of prior years of the Town, or act in any manner relating thereto.

BOARD OF SELECTMEN

BOARD OF SELECTMEN RECOMMENDATION: Approve

FINANCE COMMITTEE RECOMMENDATION:

ARTICLE 9: (Extend Expenditure Deadlines –2014 Annual Town Meeting Article 7 – Various Projects)

To see if the Town will vote to extend the expenditure deadline for the following appropriations made by the May 2014 Annual Town Meeting:

Article 7	Shaw Street Bridge Repair
Article 7	Town-wide Facility Improvements
Article 7	Cassidy Field Bathroom

Said appropriations to be expended by June 30, 2016 with unexpended funds as of June 30, 2016 being returned to the General Fund, or act in any manner relating thereto.

BOARD OF SELECTMEN

BOARD OF SELECTMEN RECOMMENDATION: Approve

FINANCE COMMITTEE RECOMMENDATION:

ARTICLE 10: (Idylbrook Guardrail)

To see if the Town will vote to raise and appropriate, borrow, or transfer from Community Preservation Funds the sum of \$27,500 for the purpose of funding the purchase and placement of a guardrail system at Idylbrook Field and for the payment of all other costs incidental and related thereto, and to authorize the Board of Selectmen and Town officers to take all related actions necessary or appropriate to carry out this article, or act in any manner relating thereto.



BOARD OF SELECTMEN

BOARD OF SELECTMEN RECOMMENDATION: Approve

FINANCE COMMITTEE RECOMMENDATION:

AGENDA ITEM #2

Re-opening of May 11, 2015 Annual Town Meeting Warrant; Vote to Remove Article 15 (Construct Playground); Discussion of Articles 30 (Purchase Property Off of Winthrop St), 31 (Citizens' Petition – Purchase Wicket Property) and 32 (Citizens' Petition – Survey Property Off of Winthrop St); Close Annual Town Meeting Warrant

Associated back up materials attached.

- Current warrant

Proposed motions:

1. I move that the Board re-open the May 11 Annual Town Meeting warrant.
2. I move that the Board remove Article 15, which seeks funds for the construction of a playground, as well as various playground improvements, from the warrant.
3. I move that the Board move Article 33, the request to negotiate a PILOT with Exelon, to #15 on the warrant.
4. I move that the Board remove Article 30, which seeks funds for the purchase of property off of Winthrop St, from the warrant.
5. I move that the Board amend its recommendation with respect to the Citizens' Petition Articles, numbers 31 and 32, to dismiss.
6. I move that the Board close the Annual Town Meeting warrant.

TOWN OF MEDWAY
WARRANT FOR MAY 11, 2015
ANNUAL TOWN MEETING

NORFOLK ss:

To either of the Constables of the Town of Medway

GREETINGS:

In the name of the Commonwealth of Massachusetts, you are hereby required to notify and warn the inhabitants of said Town who are qualified to vote in Town affairs to meet at the **Medway High School, 88 Summer Street, on Monday, May 11, 2015** at 7:30 PM, then and there to act on the following articles:

ARTICLE 1: (ESCO Stabilization Reserve Transfer)

To see if the Town will vote to transfer the sum of \$43,684 from the ESCO Stabilization Fund to the Fiscal Year 2016 Debt Service expense account for the purpose of funding ESCO related debt service, or act in any manner relating thereto.

BOARD OF SELECTMEN

BOARD OF SELECTMEN RECOMMENDATION: Approve

FINANCE COMMITTEE RECOMMENDATION:

ARTICLE 2: (Appropriation: FY16 Operating Budget)

To see if the Town will vote to fix the salary and compensation of all elected officers of the Town, provide for a Reserve Fund, and determine what sums of money the Town will raise and appropriate, including appropriation from available funds, to defray charges and expenses of the Town including debt and interest, for the Fiscal Year ending June 30, 2016, or to act in any manner relating thereto.

BOARD OF SELECTMEN

BOARD OF SELECTMEN RECOMMENDATION: Approve

FINANCE COMMITTEE RECOMMENDATION:

ARTICLE 3: (Appropriation: FY16 Water Enterprise Fund)

To see if the Town will vote to raise and appropriate or transfer from available funds the sum of \$2,337,466 for the maintenance of the Water Department Enterprise Fund as follows, or to act in any manner relating thereto:

Direct Costs

	Amount
Salaries	\$ 629,334
Expenses	\$ 544,096
Long Term Debt – Principal	\$ 652,121
Long Term Debt – Interest	\$ 222,844
Short Term Debt – Interest	\$ 20,000
Direct Costs Total	\$2,068,395

Indirect Costs

And further to raise and appropriate or transfer from available funds the sum of \$269,071 for indirect costs consisting of health insurance, workers' compensation, Medicare, liability insurance, administrative and operational services.

Indirect Costs Total	\$269,071
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Total	\$2,337,466
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And further that the above listed appropriations be funded as follows:

Fees for Service [User Fees]	\$2,258,350
Retained Earnings	79,116
	\$2,337,466

WATER SEWER COMMISSION

BOARD OF SELECTMEN RECOMMENDATION: Approve

FINANCE COMMITTEE RECOMMENDATION:

ARTICLE 4: (Transfer from Sewer Betterment Stabilization to Sewer Enterprise)
To see if the Town will vote to transfer \$17,386 from the Sewer Betterment Stabilization Fund to the Fiscal Year 2016 Sewer Enterprise operating budget, or to act in any manner relating thereto.

WATER SEWER COMMISSION

BOARD OF SELECTMEN RECOMMENDATION: Approve

FINANCE COMMITTEE RECOMMENDATION:

ARTICLE 5: (Appropriation: FY16 Sewer Enterprise Fund)
To see if the Town will vote to raise and appropriate or transfer from available funds the sum of \$1,557,435 for the maintenance of the Sewer Department Enterprise Fund as follows, or to act in any manner relating thereto:

Direct Costs

	Amount
Salaries	\$ 215,670
Expenses	\$ 950,006
Long Term Debt – Principal	\$ 212,000
Long Term Debt - Interest	\$ 84,862
Short Term Debt – Interest	\$ 5,000
Direct Costs Total	\$1,467,538

Indirect Costs

And further to raise and appropriate or transfer from available funds the sum of \$89,897 for indirect costs consisting of health insurance, workers' compensation, Medicare, liability insurance, administrative and operational services.

Indirect Costs Total	\$89,897
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Total	\$1,557,435
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And further that the above listed appropriations be funded as follows:

Fees for Service [User Fees]	\$1,432,123
Sewer Retained Earnings	\$ 107,926
Sewer Betterment Transfer	\$ 17,386
Total	\$1,557,435

WATER SEWER COMMISSION

BOARD OF SELECTMEN RECOMMENDATION: Approve

FINANCE COMMITTEE RECOMMENDATION:

ARTICLE 6: (Appropriation: FY16 Solid Waste Enterprise Fund)

To see if the Town will vote to raise and appropriate or transfer from available funds a sum of \$1,481,607 to operate the Solid Waste/Recycling Department Enterprise Fund as follows, or to act in any manner relating thereto.

Direct Costs

	Amount
Salaries	\$ 321,125
Expenses	\$1,056,538
Direct Costs Total	\$1,377,663

Indirect Costs

And further to raise and appropriate or transfer from available funds the sum of \$103,944 for indirect costs consisting of health insurance, workers' compensation, Medicare, liability insurance, administrative and operational services.

Indirect Costs Total	\$103,944
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Total	\$1,481,607
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And further that the above listed appropriations be funded as follows:

Trash Recycling Fees/Bag Revenues	\$1,481,607
Total	\$1,481,607

PUBLIC SERVICES DEPT.

BOARD OF SELECTMEN RECOMMENDATION: **Approve**

FINANCE COMMITTEE RECOMMENDATION:

ARTICLE 7: (Appropriation: FY16 Ambulance Enterprise Fund)

To see if the Town will vote to raise and appropriate or transfer from available funds the sum of \$702,516 to operate the Ambulance Enterprise Fund as follows, or act in any manner relating thereto.

Direct Costs

	Amount
Salaries	\$391,459
Expenses	\$172,000
Long Term Debt – Principal	\$ 30,000
Long Term Debt – Interest	\$ 4,200
Direct Costs Total	\$597,659

Indirect Costs

And further to raise and appropriate or transfer from available funds the sum of \$104,857 for indirect costs consisting of health insurance, workers' compensation, Medicare, liability insurance, administrative and operational services.

Indirect Costs Total	\$104,857
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Total	\$702,516
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And further that the above listed appropriations be funded as follows:

General Fund Appropriation	\$150,000
Ambulance Retained Earnings	\$ 60,000

Insurance and Fees for Service	\$492,516
Total	\$702,516

FIRE DEPARTMENT

BOARD OF SELECTMEN RECOMMENDATION: **Approve**

FINANCE COMMITTEE RECOMMENDATION:

ARTICLE 8: (Free Cash Appropriation: Capital Items)

To see if the Town will vote to appropriate the sum of \$665,000 for Fiscal Year 2016 from Certified Free Cash for the purpose of funding the following capital items, including associated engineering, personnel, maintenance and legal service costs; said appropriations to be expended by June 30, 2016, with unexpended funds as of June 30, 2016 being returned to the General Fund, or act in any manner relating thereto:

Project	Department	Cost
Various Road/Sidewalk Improvements	DPS	\$400,000
Purchase Right of Way Maintenance Truck	DPS	52,000
General Town Wide Facility Improvements	DPS	50,000
New Technology for Schools (iPads and Chromebooks)	IS	85,000
Replace Phone System	POLICE/IS	25,000
Install Solar Powered Traffic Signs	POLICE	13,000
McGovern School Generator	SCHOOLS	40,000
Free Cash Total		<u>\$665,000</u>

**CAPITAL IMPROVEMENT
PLANNING COMMITTEE**

BOARD OF SELECTMEN RECOMMENDATION: **Approve**

FINANCE COMMITTEE RECOMMENDATION:

ARTICLE 9: (Borrowing: Capital Projects)

To see if the Town will vote to raise and appropriate, borrow, or transfer from available funds the sum of \$725,000 for Fiscal Year 2016 for the purpose of funding the following capital items, including associated engineering, personnel, maintenance and legal service costs, or act in any manner relating thereto:

Project	Department	Cost
Upgrade Radio Infrastructure	POLICE	\$273,000
Replace Police Cruiser Computers	POLICE	55,000
Replacement of Library Carpet	LIBRARY	90,000
Replace Sidewalk Plow	DPS	157,000
Renovation of Middle School Wing for DPS	DPS	150,000
Total		\$725,000

**CAPITAL IMPROVEMENT
PLANNING COMMITTEE**

BOARD OF SELECTMEN RECOMMENDATION: **Approve**

FINANCE COMMITTEE RECOMMENDATION:

ARTICLE 10: (Repurpose Monetary Articles: Water Enterprise)
To see if the Town will vote to rescind the previously approved water system articles listed below, and, further, to transfer the unexpended sums totaling \$198,529.85 to a new Water System Repair, Maintenance and Improvements Account for the purpose of making repairs, replacements, or improvements to system infrastructure, including, but not limited to, pipes pumps, motor equipment and tanks, as well as technical and professional services related thereto.

Article	Current Balance
New Water Source June 2011 Annual Town Meeting, Art. 13	\$82,701.09
Water Distribution Projects June 2011 Annual Town Meeting, Art. 14	\$41,199.05
Water Testing June 2009 Annual Town Meeting, Art. 11	\$16,192.87
Water Emergency	\$53,436.84
Lowering Tank Fence May 2007 Annual Town Meeting, Art. 11	\$5,000.00

Or act in any manner relating thereto.

PUBLIC SERVICES DEPT.

BOARD OF SELECTMEN RECOMMENDATION: **Approve**

FINANCE COMMITTEE RECOMMENDATION:

ARTICLE 11: (Borrowing: Water Enterprise - Brentwood)
To see if the Town will vote to raise and appropriate, borrow or transfer from available funds for Fiscal Year 2016 from the Water Enterprise Fund the sum of \$200,000 for the purpose of funding the replacement of water main in the Brentwood neighborhood, including associated engineering, personnel, maintenance, construction and legal services costs, or act in any manner relating thereto.

PUBLIC SERVICES DEPT.

BOARD OF SELECTMEN RECOMMENDATION: **Approve**

FINANCE COMMITTEE RECOMMENDATION:

ARTICLE 12: (Repurpose Monetary Articles: Sewer Enterprise)

To see if the Town will vote to rescind the previously approved sewer system articles listed below, and, further, to transfer the unexpended sum of \$41,734.76 to a new Sewer System Repair, Maintenance and Improvements Account for the purpose of making repairs, replacements, or improvements to system infrastructure, including, but not limited to, pipes pumps, motor equipment and tanks, as well as technical and professional services related thereto.

Article	Current Balance
Sewer Project Account June 2008 Annual Town Meeting, Art. 3	\$21,661.64
Sewer Collection Projects June 2011 Annual Town Meeting, Art. 15	\$20,073.12

Or act in any manner relating thereto.

PUBLIC SERVICES DEPT.

BOARD OF SELECTMEN RECOMMENDATION: Approve

FINANCE COMMITTEE RECOMMENDATION:

ARTICLE 13: (Borrowing: Sewer Enterprise – Inflow & Infiltration)

To see if the Town will vote to raise and appropriate, borrow or transfer from available funds the sum of \$75,000 for Fiscal Year 2016 from the Sewer Enterprise Fund for the purpose of funding an inflow and infiltration study, including associated engineering, personnel, maintenance, and legal services costs, or act in any manner relating thereto.

PUBLIC SERVICES DEPT.

BOARD OF SELECTMEN RECOMMENDATION: Approve

FINANCE COMMITTEE RECOMMENDATION:

ARTICLE 14: (Appropriation: Medway Family Day)

To see if the Town will vote to raise and appropriate or transfer from available funds the sum of \$9,500 to be expended under the direction of the Town Administrator for the purpose of funding Medway Family Day, with unexpended funds as of June 30, 2016 being returned to the General Fund, or act in any manner relating thereto.

BOARD OF SELECTMEN

BOARD OF SELECTMEN RECOMMENDATION: Approve

FINANCE COMMITTEE RECOMMENDATION:



ARTICLE 15: (Capital Project: Construct and Improve Playgrounds – CPC Funds)

To see if the Town will vote to raise and appropriate, borrow, or transfer from Community Preservation Funds a sum of money for the purpose of funding the design and construction of a playground at Idylbrook Field and to design and construct improvements to other Town playgrounds or otherwise make repairs and for the payment of all other costs incidental and related thereto, and to authorize the Board of Selectmen and Town officers to take all related actions necessary or appropriate to carry out this article, or act in any manner relating thereto.

BOARD OF SELECTMEN

BOARD OF SELECTMEN RECOMMENDATION: TBD

FINANCE COMMITTEE RECOMMENDATION:

ARTICLE 16: (Borrowing: Design and Project Mgmt. Services for New DPS Facility)
To see if the Town will vote to raise and appropriate, borrow, or transfer from available funds the sum of \$1,100,000 for the purpose of funding the engineering, design and project management services of a new Department of Public Services Facility and for the payment of all other costs incidental and related thereto, and to authorize the Board of Selectmen and Town officers to take all related actions necessary or appropriate to carry out this article, or act in any manner relating thereto.

BOARD OF SELECTMEN

BOARD OF SELECTMEN RECOMMENDATION: Approve

FINANCE COMMITTEE RECOMMENDATION:

ARTICLE 17: (Borrowing: Non-Participatory Items Associated with Route 109 Project)
To see if the Town will vote to raise and appropriate, borrow, or transfer from available funds the sum of \$500,000 for project amenities associated with the Route 109 design and construction project that the Mass. Dept. of Transportation determines to be “non-participatory” and therefore not qualifying for project reimbursement, including associated engineering, personnel, maintenance, and legal services costs, or act in any manner relating thereto.

BOARD OF SELECTMEN

BOARD OF SELECTMEN RECOMMENDATION: Approve

FINANCE COMMITTEE RECOMMENDATION:

ARTICLE 18: (Appropriation: Thayer Property Operations)
To see if the Town will vote to raise and appropriate the sum of \$20,000 to be added to the Thayer Homestead Revolving Account, or act in any manner relating thereto.

BOARD OF SELECTMEN

BOARD OF SELECTMEN RECOMMENDATION: Approve

FINANCE COMMITTEE RECOMMENDATION:

ARTICLE 19: (Revolving Accounts: Annual Authorization)

To see if the Town will vote to authorize the following revolving funds pursuant to Chapter 44, section 53E½ of the Massachusetts General Laws for Fiscal Year 2016 as follows:

FUND	REVENUE SOURCE	AUTHORITY TO SPEND	USE OF FUND	SPENDING LIMIT
Parks and Recreation	Permit Fees	Board of Parks Commissioners	Self-supporting recreation and parks services	\$150,000
Council on Aging	Donations/fees paid by riders and GATRA reimbursement	Council on Aging	Pay for dial-a-ride van service for seniors and disabled; shuttle service to Norfolk commuter rail station, and other necessary transportation services	\$114,000
Library Printer/Copier/Fax	Public printer use and copier and fax machine revenues	Board of Library Trustees	Printer, copier and fax machine expenses.	\$2,000
Library Meeting Room	Meeting room use fees	Board of Library Trustees	Meeting room maintenance, repairs and upgrades	\$1,000
Thayer Homestead	Facility use fees	Town Administrator	Partial self-support of property	\$50,000

**BOARD OF SELECTMEN
(For the Various Departments Indicated)**

BOARD OF SELECTMEN RECOMMENDATION: **Approve**

FINANCE COMMITTEE RECOMMENDATION:

ARTICLE 20: (Appropriation: Community Preservation Committee)

To see if the Town will vote to act on the report of the Community Preservation Committee for the Fiscal Year 2016 Community Preservation budget and to appropriate, or reserve for later appropriations, monies from the Community Preservation Fund annual revenues or available funds for the administrative expenses of the Community Preservation Committee, the transfer to the Affordable Housing Trust, the undertaking of community preservation projects and all other necessary and proper expenses for the Fiscal Year 2016, as follows:

Appropriation

	Amount
CPC Administrative Expenses	\$ 15,000
CPC Salaries	\$ 5,000
Long Term Debt – Principal	\$347,600
Long Term Debt – Interest	\$136,453

Subtotal	\$504,053
Affordable Housing Trust Administrative Expenses	\$ 32,500
Design Development of Amphitheatre	\$ 10,000
Direct Costs Total	\$546,553

Reserves

	<u>10% of Estimated Fund Revenues</u>
Open Space	\$79,774
Community Housing	\$57,274
Historical Preservation	\$89,774

Or act in any manner relating thereto.

COMMUNITY PRESERVATION COMMITTEE

BOARD OF SELECTMEN RECOMMENDATION: TBD

FINANCE COMMITTEE RECOMMENDATION:

ARTICLE 21: (Acceptance of MGL chapter 64L, § 2 Local Option Meals Tax)
To see if the Town will vote to accept Massachusetts General Law chapter 64L § 2 to impose a local option meals tax to take effect on July 1, 2015, or act in any manner relating thereto.

BOARD OF SELECTMEN

BOARD OF SELECTMEN RECOMMENDATION: Approve

FINANCE COMMITTEE RECOMMENDATION:

ARTICLE 22: (OPEB Trust Funding from Meals Tax)
To see if the Town will vote to allocate the sum of \$100,000 in local meals tax revenue collected under Mass. General Law chapter 64L § 2 for Fiscal Year 2016 to the Town of Medway Other Post-Employment Benefits (OPEB) Trust account, or act in any manner relating thereto.

BOARD OF SELECTMEN

BOARD OF SELECTMEN RECOMMENDATION: Approve

FINANCE COMMITTEE RECOMMENDATION:

ARTICLE 23: (Acceptance of Sidewalk Easement)
To see if the Town of Medway will agree to accept from Onilleva Realty, LLC of Medway, MA, two permanent sidewalk easements on property located on the southerly side of Milford Street

(Route 109) Medway Parcel 56-039 (34 Summer Street) containing a combined total of three hundred forty-six (346 ± sq. ft.) square feet of land, more or less, as shown on a plan entitled “ Sidewalk Easement Plan in Medway, MA” prepared by Civil Design Group, LLC of North Andover, MA, dated March 18, 2014 for the purpose of providing pedestrian access on the southerly side of Milford Street and further to authorize the Board of Selectmen and town officers to take any and all related actions necessary or appropriate to carry out the purposes of this article; or to act in any manner relating thereto.

PLANNING AND ECONOMIC DEVELOPMENT BOARD

BOARD OF SELECTMEN RECOMMENDATION: Approve

FINANCE COMMITTEE RECOMMENDATION:

ARTICLE 24: (Zoning Bylaw Recodification)

To see if the Town will vote to adopt a comprehensive recodification of the Medway Zoning Bylaw as presented in a proposed version on file with the Medway Town Clerk and with the office of the Planning and Economic Development Board and also posted at the Planning and Economic Development Board page at the Town of Medway web site.

The proposed recodification includes but is not limited to:

- A. re-organizing, re-positioning, re-captioning and re-numbering of the Zoning Bylaw;
- B. creating a Table of Uses which generally reflects the current use provisions;
- C. adding definitions to define various uses in the Table of Uses;
- D. creating a Table of Dimensional and Density Regulations which generally reflects the current provisions;
- E. making revisions to the nonconformities language to bring it into conformance with current law;
- F. eliminating redundant or unnecessary provisions regarding content of applications, review procedures, and enforcement;
- G. making housekeeping amendments such as eliminating numbers in parentheses that are already spelled out; correcting spelling, typographical and grammatical errors; eliminating or updating outdated statutory or other references; and deleting wording that repeats provisions of state law;
- H. revising the section on fines and enforcement; and
- I. making other needed amendments for clarification and consistency.

Or to act in any manner relating thereto.

PLANNING AND ECONOMIC DEVELOPMENT BOARD

BOARD OF SELECTMEN RECOMMENDATION: Approve

FINANCE COMMITTEE RECOMMENDATION:

ARTICLE 25: (Amend Zoning Bylaw: New Sub-Section for Multifamily Housing)

To see if the Town will vote to amend the Medway Zoning Bylaw by adding a new Sub-Section DD. Multifamily Housing to SECTION V. USE REGULATIONS as follows:

- DD. Multifamily Housing

1. Purpose: The purpose of this sub-section is to further the goals of the Medway Master Plan and the Medway Housing Production Plan to encourage the provision of a diversity of housing types, to promote pedestrian oriented development, and to increase the number of affordable housing units by establishing a special permit option to allow for the development of Multifamily Dwellings or Apartment Houses, and Multifamily Developments within the capacities of existing Town utilities and services.
2. Applicability:
 - a) The Planning and Economic Development Board may grant a Multifamily Housing special permit for a Multifamily Dwelling or Apartment House, and/or a Multifamily Development on a tract of land within the AR-I, AR-II, Commercial III or Commercial IV zoning districts whether on one parcel or a set of contiguous parcels, with a minimum of fifty feet of frontage on an existing street located within the Multifamily Housing Overlay District as shown on a map on file with the Medway Town Clerk. The street shall, in the opinion of the Planning and Economic Development Board, have sufficient capacity to accommodate the projected additional traffic flow from the development.
 - b) Tracts of land within residential subdivisions approved and constructed under the Subdivision Control Law since September 29, 1952 or granted a special permit under the Medway Zoning Bylaw, SECTION V. USE REGULATIONS, Sub-Section T (Open Space Residential Development) or Sub-Section U (Adult Retirement Community Overlay District) shall not be eligible for a special permit under this Sub-Section.
 - c) Multifamily Dwellings or Apartment Houses and Multifamily Developments within the Adaptive Use Overlay District must comply with the Medway Zoning bylaw, SECTION V. USE REGULATIONS, Sub-Section W. Adaptive Use Overlay District, Paragraph 5. Adaptive Use Special Permit Site Development Standards.
 - d) These provisions apply to the following:
 - 1) The alteration/rehabilitation and conversion/adaptive reuse of existing buildings
 - 2) Construction of new buildings or additions to existing buildings.
3. Dimensional Regulations
 - a) The minimum dimensional requirements for area and setbacks shall be the same as for the underlying zoning district in which the parcel is located. However, the Planning and Economic Development Board may adjust these dimensional requirements by a four-fifths vote if, in its opinion, such adjustment will result in a more desirable design of the development or provide enhanced buffering for adjacent residential properties.
 - b) Legally pre-existing nonconforming buildings shall be eligible for a Multifamily Housing special permit provided there is no increase in any dimensional nonconformity or the creation of a new nonconformity, and the applicant can demonstrate compliance with the parking and open space requirements of this section.

- c) Maximum building height: 2.5 stories or 40'
4. Density Regulations - The density of a Multifamily Dwelling or Apartment House, and a Multifamily Development shall not exceed twelve dwelling units per acre or portions thereof, except that the Planning and Economic Development Board may grant a density bonus for one or more of the following:
- a) + one unit when the project involves the rehabilitation/adaptive reuse of an existing structure at least seventy-five years of age and is completed in a manner that preserves and/or enhances the exterior architectural features of the building;
 - b) + one unit for each three thousand sq. ft. of existing interior finished space that is substantially rehabilitated in accordance with the Board's *Multifamily Housing Rules and Regulations*.
 - c) + two units when twenty-five percent of the dwelling units are designated as affordable independent of the provisions of the Medway Zoning Bylaw, SECTION V. Use Regulations, Sub-Section X. Affordable Housing.

In no case shall total density, including bonus units, exceed twenty dwelling units per acres.

5. Special Regulations
- a) Affordable Housing Requirement: Projects approved pursuant to this Sub-Section shall comply with:
 - 1) the Town's Affordable Housing requirements as specified in the Medway Zoning Bylaw, SECTION V. USE REGULATIONS, Sub-Section X. Affordable Housing;
 - 2) the Massachusetts Department of Housing and Community Development (DHCD)'s Local Initiative Program (LIP) Guidelines, July 1996, as may be amended; and
 - b) Open Space: There shall be an open space or yard area equal to at least fifteen percent of the parcel(s) total area. This area shall be unpaved and may be landscaped or left natural, with the balance being trees, shrubs and grass suitable for the site. This area shall not be built upon but may include a play area.
 - c) Parking: At least one and one-half off-street parking spaces shall be provided for each dwelling unit plus one additional visitor parking space for every two dwelling units.
 - d) There shall be Town water and sewer available in the street on which the Multifamily Dwelling or Apartment House or Multifamily Development has its frontage and said water and sewer lines shall have sufficient capacity to accommodate the project.
 - e) A Multifamily Dwelling or Apartment House shall not contain more than twelve dwelling units.
 - f) Any Multifamily Development shall not exceed forty dwelling units.

6. Rules and Regulations: The Planning and Economic Development Board shall adopt *Multifamily Housing Rules and Regulations* which shall include application submittal requirements, public hearing and review procedures, and site development and design standards including but not limited to landscaping, buffering, lighting, building style, pedestrian access, off-street parking, utilities, and waste disposal.
7. Development Limitation: The maximum number of Multifamily Dwelling units authorized pursuant to this sub-section shall not exceed five percent of the number of detached single-family dwellings located in the Town of Medway, as determined by the Board of Assessors.
8. Special Permit Procedures:
 - a) The special permit application, public hearing, and decision procedures shall be in accordance with this Sub-Section, the Planning and Economic Development Board's *Multifamily Housing Rules and Regulations*, and the Medway Zoning Bylaw, SECTION V. Use Regulations, Sub-Section C. Site Plan Review and Approval.
 - b) Application Requirements. The Applicant shall submit a Multifamily Housing special permit application together with the size, form, number, and contents of the required plans and any supplemental information as required in the Planning and Economic Development Board's *Multifamily Housing Rules and Regulations*.
 - c) The special permit review of Multifamily Dwelling or Apartment Houses, and Multifamily Developments shall incorporate site plan review pursuant to the Medway Zoning Bylaw, SECTION V. USE REGULATIONS, Sub-Section C. Site Plan Review and Approval.
9. Decision: The Planning and Economic Development Board may grant a Multifamily Housing special permit with any conditions, safeguards, and limitations necessary to mitigate the project's impact on the surrounding area and to ensure compliance with this Sub-Section and the Medway Zoning Bylaw, SECTION V. USE REGULATIONS, Sub-Section C. Site Plan Review and Approval, upon finding that the Multifamily Dwelling or Apartment House, or the Multifamily Development will:
 - a) meet the purposes and requirements of this Sub-Section, and the Planning and Economic Development Board's *Multifamily Housing Rules and Regulations* and *Site Plan Rules and Regulations*;
 - b) is consistent with the goals of the Medway Master Plan and the Medway Housing Production Plan;
 - c) not have a detrimental impact on abutting properties and adjacent neighborhoods or such impacts are adequately mitigated;
 - d) provide for greater variety and type of housing stock.

And to amend SECTION II DEFINITIONS by inserting the following definition in alphabetical order:

Multifamily Development – A residential development of more than one building comprised of multifamily dwellings and which may also include one single family house and one or more two family houses.

And to amend SECTION IV. DISTRICTS by inserting Multifamily Overlay District to the list of overlay districts;

And to amend the Medway Zoning Map to include the Multifamily Housing Overlay District as shown on a map on file with the Medway Town Clerk;

Or to act in any manner relating thereto.

**PLANNING AND ECONOMIC DEVELOPMENT BOARD
AFFORDABLE HOUSING TRUST
AFFORDABLE HOUSING COMMITTEE**

BOARD OF SELECTMEN RECOMMENDATION: Approve

FINANCE COMMITTEE RECOMMENDATION:

ARTICLE 26: (Establishment of a Business Transition Zone)

To see if the Town of Medway will amend the Medway Zoning Bylaw by adding a new Sub-Section CC. Business Transition to SECTION V. USE REGULATIONS as follows:

CC. Business Transition District

1. Purpose – The purpose of the Business Transition zone is to further the goals of the Medway Master Plan, expand areas for economic development, and provide opportunities for small-scale and minimally intensive business uses in areas between residential and commercial zoned districts, in a manner consistent with the Medway Design Guidelines.
2. Buildings, structures and premises may be used for any of the following purposes and uses customarily accessory thereto but no others, subject to the regulations enumerated herein.
 - a) Municipal use
 - b) Offices for business, professional or medical use
 - c) Personal care services such as but not limited to barber shops, hair salons, and nail salons
 - d) Consumer services such as but not limited to, optician, dry cleaner, florist, laundry, photocopying/printing, bakery, photography studio, design galleries and studios, tailor, and other similar businesses and services

3. Dimensional Regulations - Permitted and allowable uses pertaining to this district shall comply with the following dimensional regulations:
 - a) Minimum lot size: 12,000 sq. ft.
 - b) Maximum lot coverage, including accessory building: 40%
 - c) Minimum continuous frontage: 100 ft.
 - d) Minimum front yard setback from street line for any building or structure hereafter erected: 10 ft.
 - e) Minimum side yard setback: 15 ft.
 - f) Minimum rear yard setback: 20 ft.
 - g) Maximum building height: 36 ft.
4. Special Regulations
 - a) Parking – To the maximum extent possible, parking shall be located to the rear and/or side of the building. Motor vehicle parking located between the building and street is permitted only if no other reasonable alternative is available due to site limitations. Parking of vehicles may not be located within the setback area from an abutting residence.
 - b. Buffers
 - 1) A site’s existing vegetated buffers to abutting residences shall be maintained and/or enhanced to shield abutters from adverse impacts such as headlights and noise.
 - 2) The side or rear setback area of parcels which abut a residence shall be substantially landscaped so as to provide a suitable visual and sound buffer between the business and residential uses.
 - 3) Additional buffering measures including fencing may be required.
 - 4) Specific buffering measures shall be determined through the site plan review and approval process in accordance with the *Site Plan Rules and Regulations*.
 - c. Building and Site Design – To the maximum extent feasible, building renovations, new construction, and site improvements shall be designed to exhibit qualities of New England residential architecture and be consistent with the Medway Design Guidelines. This shall be determined through the site plan review and approval process.

And to amend the Medway Zoning Map by rezoning the following parcels from Agricultural Residential II District zoning to Business Transition District zoning as shown on a map on file with the Town Clerk:

- 1.38 acre parcel at 32 Summer Street (Berry's Greenhouse) - Medway Assessor's parcel 56-041
- .09 acre parcel at 37 Summer Street (Alexander) - Medway Assessor's parcel 56-017
- .67 acre parcel at 35 Summer Street (Alexander) - Medway Assessor's parcel 56-018
- .42 acre parcel at 33 Summer Street (Notturmo) - Medway Assessor's parcel 56-019
- .34 acre parcel at 31 Summer Street (PMAM Group LLC) - Medway Assessor's parcel 56-020
- 1.25 acre parcel at 38 Milford Street (Buchmiller & Mahaney) – Medway Assessor's parcel 46-048

And to amend SECTION IV. DISTRICTS by adding Business Transition to the list of Medway zoning districts.

Or to act in any manner relating thereto.

PLANNING AND ECONOMIC DEVELOPMENT BOARD

BOARD OF SELECTMEN RECOMMENDATION: Approve

FINANCE COMMITTEE RECOMMENDATION:

ARTICLE 27: (Funding of Collective Bargaining Agreement – Municipal Employees Union)
 To see if the Town will vote to raise and appropriate or transfer from available funds a sum of money for the purpose of funding the monetary items associated with the Fiscal Year 2016 collective bargaining agreement between the Town of Medway and the Medway Public Employees' Local Union, or to act in any manner relating thereto.

BOARD OF SELECTMEN

BOARD OF SELECTMEN RECOMMENDATION: Approve

FINANCE COMMITTEE RECOMMENDATION:

ARTICLE 28: (Funding of Collective Bargaining Agreement – Permanent Firefighters)
 To see if the Town will vote to raise and appropriate or transfer from available funds a sum of money for the purpose of funding the monetary items associated with the Fiscal Year 2016 collective bargaining agreement between the Town of Medway and the Medway Permanent Firefighters Association, or to act in any manner relating thereto.

BOARD OF SELECTMEN

BOARD OF SELECTMEN RECOMMENDATION: Approve

FINANCE COMMITTEE RECOMMENDATION:

ARTICLE 29: (Funding of Collective Bargaining Agreement – Police Association)

To see if the Town will vote to raise and appropriate or transfer from available funds a sum of money for the purpose of funding the monetary items associated with the Fiscal Year 2016 collective bargaining agreement between the Town of Medway and the Medway Police Association, or to act in any manner relating thereto.

BOARD OF SELECTMEN

BOARD OF SELECTMEN RECOMMENDATION: **Approve**

FINANCE COMMITTEE RECOMMENDATION:

ARTICLE 30: (Purchase Property Off of Winthrop St)

To see if the Town will vote to authorize the Board of Selectmen to acquire by purchase, gift, eminent domain or otherwise and to accept the deed to the Town of a fee simple interest in all or a portion of the parcel described below, believed to be now owned by Henry L. Wickett, Sr., Henry L. Sr. and Henry L. Wickett, Jr., Wicket Development Co, upon such terms and conditions as the Board of Selectmen shall determine to be appropriate, the land to be used for purposes allowed by the so-called Community Preservation Act, General Laws Chapter 44B, to be under the management and control of Board of Selectmen said parcel of land being described as follows:



The land located on Fairway Lane, and lands bordering Woodland Road and the property at 102 Winthrop Street, shown on Medway Assessors Map 08/Parcel 016, Map 08/Parcel 019, Map 08/Parcel 024, Map 09/Parcel 059, Map 14/Parcel 005, Map 014/Parcel 020, Map 15/Parcel 001, and Map 15/Parcel 019.

And, further to see if the Town will vote: a) to appropriate a sum of money from the Community Preservation Fund for this purpose and any expenses related thereto; b) authorize the Board of Selectmen to convey a permanent deed restriction in accordance with General Laws chapter 44B, section 12 and General Laws chapter 184, sections 31-33; and c) authorize the Board of Selectmen and Town officers to take all related actions necessary or appropriate to carry out this acquisition, including the submission, on behalf of the town, of any and all applications deemed necessary for grants and/or reimbursements from any state or federal programs and to receive and accept such grants or reimbursements for this purpose, and/or any other purposes in any way connected with the scope of this Article, or act in any manner relating thereto.

BOARD OF SELECTMEN

BOARD OF SELECTMEN RECOMMENDATION: **Approve**

FINANCE COMMITTEE RECOMMENDATION:

ARTICLE 31: (Citizens' Petition: Purchase Wicket Property)

For the Town to purchase all Wicket properties bordering Fairway Lane, and lands bordering Redgate and Woodland Road, and 102 Wintrop St.

CITIZENS' PETITION

BOARD OF SELECTMEN RECOMMENDATION: **TBD**

FINANCE COMMITTEE RECOMMENDATION:

ARTICLE 32: (Citizens' Petition: Survey Property Off of Winthrop St)

As concerned citizens of the Town of Medway we are requesting the Board of Selectmen investigate the accuracy of the surveying of the property off of Winthrop and Woodland Streets as represented on the Wetlands Plan of the land in Medway, MA, by Colonial Engineering dated 12/29/14 submitted to the Conservation Commission for an Abbreviated Notice of Resource Area Delineation (ARAD), and upon which developing is proposed. We are making this request based upon historical issues related to the inaccurate surveying, by the same surveyor that affected many residents of Fairway Lane. The erroneous boundaries represented in the survey caused extreme personal hardship to affected residents, as legal action was taken against residents of Fairway Lane (for either trespassing or owning homes on land not legally belonging to them but rather to the abutter responsible for the survey). After years in court damages were awarded against title insurance companies and otherwise paid out of the pocket of residents without title insurance in place. The financial hardships resulted in no fault of the residents that purchased these homes. The residents believe that it is necessary to have the town investigate and request a new survey from an independent surveyor not associated with the erroneous surveys of the past at the expense of the owner of the properties in question.

CITIZENS' PETITION

BOARD OF SELECTMEN RECOMMENDATION: **TBD**

FINANCE COMMITTEE RECOMMENDATION:

ARTICLE 33: (Authorization to Negotiate Exelon PILOT)

To see if the Town will vote to authorize the Board of Selectmen and Town Administrator to negotiate an agreement with Exelon West Medway, LLC and/or Exelon West Medway II, LLC (Exelon) for payments in lieu of taxes for the new generation facilities proposed to be constructed and installed at Exelon's existing West Medway Generating Site on Summer Street, or act in any manner relating thereto.



BOARD OF SELECTMEN RECOMMENDATION: **Approve**

FINANCE COMMITTEE RECOMMENDATION:

And you are hereby directed to serve this warrant by posting printed attested copies thereof at two (2) locations in each precinct at least SEVEN (7) days before the day of said meeting. Hereof fail not and make due return of this warrant with your doings thereon to the Clerk of said Town at or before the time of said meeting.

Given under our hands in Medway, this 14th day of April 2015.

A TRUE COPY:

SELECTMEN OF THE TOWN OF MEDWAY

Dennis Crowley, Chairman

John Foresto, Vice Chairman

Richard D’Innocenzo, Clerk

Glenn Trindade, Member

Maryjane White, Member

ATTEST: _____
Paul Trufant, Constable