

Board of Selectmen

Glenn D. Trindade, Chair
Maryjane White, Vice-Chair
Richard A. D'Innocenzo, Clerk
Dennis P. Crowley
John A. Foresto



Medway Town Hall
155 Village Street
Medway, MA 02053
Phone (508) 533-3264
Fax (508) 321-4988

TOWN OF MEDWAY

COMMONWEALTH OF MASSACHUSETTS

Board of Selectmen's Meeting

January 3, 2017 7:00 PM

Sanford Hall, Town Hall

155 Village Street

Agenda

7:00 PM

- Call to order; Recitation of the Pledge of Allegiance
- Public Comments

Other Business

1. Joint Meeting with Planning and Economic Development Board:
Discussion with Town Counsel – New Recreational Marijuana Law
2. Continued Public Hearing – TC Scoops – Retail Liquor License Request
3. Donation Acceptance – Estate of William A. Christopherson to Council on Aging -\$59,309.81
4. Vote – Open May 8, 2017 Special and Annual Town Meetings
5. Approval – Change of DBA Request – Derek's Steak and Seafood
6. Designation – Selectman Representative on DPS Director Screening Committee
7. Approval – One-Day Liquor License Requests
 - a. Ken McDonald – Thayer Homestead – January 7, 2017
 - b. Samantha Wills – Thayer Homestead - February 12, 2017
8. Action Items from Previous Meeting
9. Approval of Warrants
10. Approval of Minutes
11. Town Administrator's Report
12. Selectmen's Reports

For more information on agenda items, please visit the Board of Selectmen's page at
www.townofmedway.org

Upcoming Meetings, Agenda and Reminders

January 17, 2017 ---- Regular Meeting

February 6, 2017 ---- Regular Meeting

AGENDA

ITEM #1

Joint Meeting with Planning and Economic Development Board: Presentation – New Marijuana Law

Associated backup materials attached:

- Guide to New Law Legalizing Recreational Marijuana

Proposed Motion: I move that the Board enter into a joint meeting with the Planning and Economic Development Board.

THE REGULATION AND TAXATION OF MARIJUANA ACT *A GUIDE TO THE NEW LAW LEGALIZING RECREATIONAL USE OF MARIJUANA*

On November 8, 2016, Massachusetts voters approved Question 4 legalizing the recreational use of marijuana. Implementation of the Act is generating significant questions at state and local levels. The Act contains inconsistencies and outright contradictions. In particular, questions and concerns have been raised regarding the timeline for implementation, enforcement, local control, regulation of marijuana products produced by personal growers, amount of the tax, and additional matters. It is not certain whether or when the General Court may address these issues. Responding to numerous questions from local officials, we have summarized the Act's provisions regarding the implementation timeline, personal use of marijuana, licensing of recreational marijuana establishments, local control mechanisms, and employment implications.

CURRENT TIMELINE

DECEMBER 15, 2016 Effective Date of Law/ Personal Recreational Growing and Use Allowed	“Personal use” of marijuana will be legal for a person at least 21 years old. General Laws c. 94G, §7 provides that individuals, but not businesses, will be permitted to engage in a range of activities as outlined below.
SEPTEMBER 15, 2017 Deadline for CCC to Adopt “Initial Regulations”	The Act creates a three-member Cannabis Control Commission (“CCC”) to be appointed by and under the jurisdiction of the State Treasurer. The CCC will regulate and issue licenses for recreational marijuana establishments, but not for medical marijuana establishments, regulated by the Department of Public Health.
OCTOBER 1, 2017 Applications Filed with CCC for Various Specific Licenses	The number of available licenses is limited and the filing of certain applications is staged over the course of the next three years.
JANUARY 1, 2018 Deadline for Final Regulations, or “Default”	If the CCC has <u>not</u> adopted regulations, “each medical marijuana treatment center” may begin to “possess, cultivate, or otherwise obtain marijuana and marijuana products and may deliver, sell or otherwise transfer” to anyone over the age of 21. If regulations <u>are</u> timely adopted, the CCC will issue licenses within 90 days after applications are received on or after October 1, 2017, to qualified establishments.

PERSONAL USE OF MARIJUANA

- The Act authorizes persons 21 years of age or older to possess, use, purchase, process or manufacture one ounce or less of marijuana, of which not more than five grams can be in the form of marijuana concentrate.
- Within a person's "primary residence", a person may possess up to 10 ounces of marijuana and any marijuana produced on the premises for personal use by not more than six marijuana plants. If there is more than one grower at the residence, there may be up to 12 plants cultivated on the premises.
- A person may give away or transfer without "remuneration" to a person age 21 years or older up to one ounce of marijuana, of which no more than five grams may be in the form of marijuana concentrate, provided that such transfer is not advertised or promoted to the "public".
- A person 21 years of age or older may also possess or manufacture marijuana accessories or sell such accessories to a person 21 years of age or older.

LOCAL CONTROL

The Act defines a "marijuana establishment" to include, "a marijuana cultivator, marijuana testing facility, marijuana product manufacturer, marijuana retailer or any other type of marijuana-related business", and authorizes certain types of "local control".

Ordinances and Bylaws Regulating Time, Place and Manner

The Act provides that municipalities may adopt ordinances or bylaws regulating the time, place and manner of operations of marijuana establishments, provided that such ordinances or bylaws are not "unreasonably impracticable" and do not otherwise conflict with the Act. Standard practices for adoption of ordinances or bylaws will apply.

Further Regulation - Bylaws and Ordinances/Local Ballot Questions

The Act also authorizes imposition by "ordinance or bylaw by a vote of the voters of that city or town" of additional limitations on recreational marijuana establishments. The use of the phrase "by a vote of the voters of that city or town" typically requires a vote at an election, whereas the adoption of an ordinance or bylaw occurs by vote of the local legislative body (city or town council or town meeting). In our opinion, given this reference to voters, rules of statutory construction suggest that any attempt to approve an ordinance or bylaw, requires approval by the voters of the municipality at an election.

The topics that may be regulated under this section are as follows:

- prohibiting the operation of one or more types of marijuana establishments within the municipality;
- limiting the number of marijuana retailers to fewer than 20 per cent of the number of licenses issued within the municipality for the retail sale of alcoholic beverages not to be drunk on the premises where sold under chapter 138 of the General Laws; or
- limiting the number of any type of marijuana establishment to fewer than the number of medical marijuana treatment centers registered to engage in the same type of activity in the town.

The reference to “one or more types of marijuana establishments”, in our opinion, can be read to allow a municipality to ban marijuana establishments within its borders. However, this language is subject to interpretation, and may be addressed in the CCC regulations.

Under the laws generally governing elections, no question may appear on the ballot unless specifically authorized by law. While the form of the question is typically included in the authorizing law, the Act does not do so. For your information, pursuant to G.L. c.54, §42C, the Board of Selectmen must vote to put the question on the ballot and provide notice to the Town Clerk no less than 35 days prior to the date of the election.

Petition for Question on State Ballot to Permit Marijuana “Cafés”

The Act provides that municipalities may, upon petition of not fewer than 10 percent of the number of the voters of the city or town voting at the state election preceding the filing of the petition, present to the voters of the city or town at the next state election the question of whether it will allow the consumption of marijuana and marijuana products on the premises where they are sold (i.e., so-called marijuana “cafés”). There is no timeline provided in the law for this type of petition, although it is reasonable to anticipate that any such request must be filed with the Secretary of the Commonwealth no later than the first Wednesday in August.

Regulation Prohibited or Strictly Limited

A municipality may not adopt an ordinance or bylaw prohibiting the transportation of marijuana or marijuana products or making such transportation “unreasonably impracticable”.

Similarly, a municipality may not adopt an ordinance or bylaw prohibiting an establishment that “cultivates, manufactures or sells marijuana products in any area in which a medical marijuana treatment center is registered to engage in the same type of activity”. [Emphasis added]. The Act contains no definition of “area”.

The Act provides that no agreement between a municipality and a marijuana establishment may contain a payment that is not “directly proportional and reasonably related” to the costs imposed on the municipality by the operation of the recreational marijuana establishment.

Zoning Moratoria

Municipalities have asked about the ability to adopt a zoning bylaw or ordinance establishing a moratorium on the locating of recreational marijuana establishments to allow time to study the issue and develop appropriate bylaws and ordinances. We expect the Attorney General will likely approve a moratorium for one year, consistent with those approved for medical marijuana and other moratoria. For municipalities with registered medical marijuana facilities, however, a moratorium may not be effective in preventing a recreational marijuana establishment “in any area” in which a medical marijuana treatment center is registered to engage in the same type of activity.

Municipalities may wish to start planning in anticipation of annual town meetings and spring and fall elections. Discussions might include whether or not to adopt ordinances or bylaws regulating time, place and manner issues, including moratoria, or to place questions before the voters relative to limitations on the type or number of recreational marijuana establishments that may be located in the municipality.

EMPLOYMENT ISSUES

The new law may also have significant implications for public employers. The relevant portion of the law provides, “This chapter shall not require an employer to permit or accommodate conduct otherwise allowed by this chapter in the workplace and shall not affect the authority of employers to enact and enforce workplace policies restricting the consumption of marijuana by employees.”

Thus, despite the legalization in Massachusetts of the personal use of marijuana, public employers may continue to prohibit their employees from using or possessing marijuana in the workplace or in public buildings and from working while impaired by marijuana. Drug and alcohol testing and related policies should be reviewed to ensure that such policies will continue to be consistent with the public entity’s desired treatment of marijuana following the change in the law. In some cases, policies may need to be updated or clarified to account for the change in the law.

Be further aware, however, that federal law prohibiting the use of marijuana by employees who possess firearms, such as police officers, and those required to hold a Commercial Driver’s License, will continue to be in full force and effect notwithstanding the change in Massachusetts law. We are aware that some police chiefs are considering issuing a general reminder to all law enforcement personnel that marijuana is still a controlled substance for purposes of federal law and that the use or possession of marijuana is still prohibited.

Further Developments

We will continue to monitor developments in the law, including possible amendments by the General Court and guidance issued by the offices of the State Treasurer, Attorney General, or Secretary of the Commonwealth’s Elections Division.

In the meantime, if you have any questions concerning regulation of recreational marijuana, please contact Attorneys Joel Bard (jbard@k-plaw.com) or Katherine Laughman (klaughman@k-plaw.com) at 617-556-0007. Members of our Labor and Employment Practice Group are also available to assist with employment-related questions.

Disclaimer: This information is provided as a service by KP Law, P.C. This information is general in nature and does not, and is not intended to, constitute legal advice. Neither the provision nor receipt of this information creates an attorney-client relationship with KP Law, P.C. Whether to take any action based upon the information contained herein should be determined only after consultation with legal counsel.

AGENDA

ITEM #2

**Continued Public Hearing – TC Scoops – Retail
Liquor License Request**

Associated backup materials attached:

- Cover Page of Application
- Proposed conditions
- Libations Menu

TC SCOOPS

All Alcohol Liquor License Request

PROPOSED CONDITIONS

1) Only alcoholic beverages commonly known as and referred to as “cordials” may be sold and/or consumed on the premises in and as part of so-called Ice Cream drinks, as offered by the Applicant during the public hearing, and as shown in the “Ice Cream Libations” menu presented by the Applicant at the time of and as part of the license application and attached here.

NOTE: The Applicant, while acceptable with this language related to limiting the “all alcohol” piece to cordials only, has reiterated that beer and wine must not be eliminated as part of her license, and further that she does not want restrict the consumption of beer and wine to any specific part of her establishment. She will be presenting that request to the Board on the 3rd.

2) All alcoholic beverages must be secured in a locked cabinet and/or storage area at any time that an approved license manager is not on the premises.

3) No employee under the age of twenty-one (21) may pour, serve and/or sell alcoholic beverages on the premises.

NOTE: The Applicant would rather follow the statutory authorization of eighteen (18) year olds in this condition.

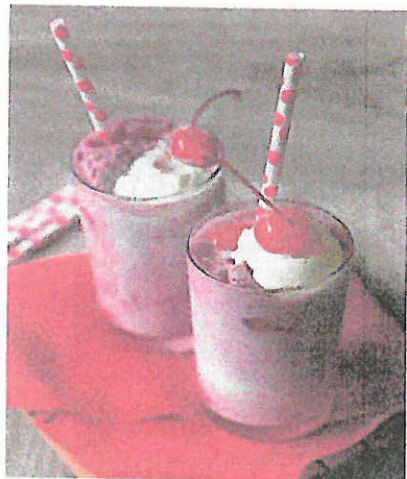
4) Any and all persons selling, pouring and/or serving alcoholic beverages of any kind must be TIPS (or equivalent) certified with all certifications current at all times.

5) The applicant (licensee) hereby agrees that each of these conditions shall remain in full force and effect at all times, and further agrees that they shall renew annually if the license is renewed as well as shall be part of any possible or proposed license sale and/or transfer.

6) No alcoholic beverage may be poured and/or served later than thirty (30) minutes prior to the stated closing times in the license.

7) No employee or business owner in any type of management capacity shall consume alcohol on the premises prior to going on duty or during their respective on duty hours. No alcohol can be

served or consumed by anyone on the premise before official opening hours or after official closing hours. Patrons are not permitted to bring alcoholic beverages on the premises for their own consumption.



Red Wine Float

Vanilla Ice Cream
Seltzer Water
Red Wine



Raspberry Champagne

Raspberry Sorbet
Fresh Berries
Champagne



Rootbeer Floatini

Vanilla Ice Cream
Rootbeer Vodka
Amaretto



Siciliano

Strong cold brew coffee
Simple Syrup
Club Soda
Sweet Vermouth
Amaro (Italian herbal liquor)

Ice Cream Libations



T.C. Scoops

104 Main Street
Route 109

Medway Shopping Center
Medway, MA 02053

508-533-8808

www.tcscoops.com

Summer Hours:

Sunday, 12noon to 9pm

Monday through Saturday, 11am to 9pm

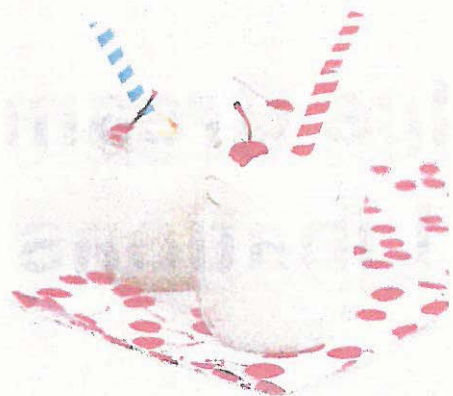
Off Season Hours:

Sunday, 12noon to 8pm

Monday. Closed

Tuesday, Wednesday, Thursday,
11am to 8pm

Friday and Saturday,
11am to 9pm



Cherry Vanilla Float

Whitehouse Cherry Ice Cream
Cherry Soda
Vanilla Vodka



Icy Kahlua Coke

Cappuccino Crunch Ice Cream
Coke
Kahlua



Mint Chocolate Martini

Green Mint Chip Ice Cream
Chocolate vodka
Godiva White Chocolate Liqueur
Chocolate Syrup garnish



Dublin Iced Coffee

Strong cold brew coffee
Simple syrup
Heavy cream
Stout beer
Bailey's Irish Cream



Limoncello Float

Lemon Ice Cream
Lemon Vodka
Grand Marnier
Champagne



Orange Creamsicle

Orange Creamsicle Ice Cream
Orange Soda
Cake Vodka

AGENDA

ITEM #3

Donation Acceptance – Estate of William A. Christopherson to Council on Aging -\$59,309.81

Associated backup materials attached:

- Memo from Courtney Riley- Council on Aging, Director
- Notice of Donation Form

Proposed Motion: I move that the Board accept the donation from the Estate of William A. Christopherson and authorize the expenditure of the funds to benefit the Council on Aging.

Medway Council on Aging

Memorandum

To: Medway Board of Selectman

From: Courtney Riley

CC: Michael Boynton

On December 20, 2016 Paul Kenney of Kenney & Kenney Law presented the Medway Council of Aging with a check for \$59,308.81. This donation was gift from the Estate of William A. Christopherson with no restrictions. This donation was extremely generous and will go towards the Centers Mission to improve the quality of life for older adults.

TOWN OF MEDWAY
NOTICE OF DONATION FUND / AUTHORIZATION TO SPEND

DEPARTMENT: Council on Aging DATE: 12/22/16
PERSON RESPONSIBLE FOR EXPENDITURE: Courtney Riley
NAME OF DONATION: Estate of William A. Christopherson
SOURCE OF FUNDS: 26645417-4860
INITIAL AMOUNT: \$59,309.81

DURATION: _____

DESIGNATED PURPOSE: Bequested to Medway Council on Aging

ARE MATCHING TOWN FUNDS REQUIRED? NO

IF MATCHING IS NON-MONETARY (MAN HOURS, ETC.) PLEASE SPECIFY:

IF MATCHING IS MONETARY PLEASE GIVE ACCOUNT NUMBER AND DESCRIPTION OF TOWN FUNDS TO BE USED:

ANY OTHER EXPOSURE TO TOWN? NO

BOARD OF SELECTMEN: _____

ACTION DATE _____

DEPARTMENT HEAD MUST SUBMIT THIS FORM AND A COPY OF THE DONATION APPROVAL TO THE TOWN ADMINISTRATOR'S OFFICE FOR APPROVAL BY THE BOS TO EXPEND THE FUNDS RECEIVED FOR THE PURPOSE OF THE DONATION MGL 44 S53A

ONCE APPROVED - ORIGINAL TO TOWN ACCOUNTANT

AGENDA

ITEM #4

**Vote – Open May 8, 2017 Special and Annual
Town Meetings**

No associated backup materials.

Proposed Motion: I move that the Board open the Special and Annual Town Meeting warrants set for May 8, 2017.

NOTE: Warrant set to close on February 6, 2017.

AGENDA

ITEM #5

Approval – Change of DBA Request – Derek's Steak and Seafood

Associated backup materials attached:

- Request for DBA change

Proposed Motion: I move that the Board approve the change of DBA name from Derek's Steak and Seafood to Zio Paulo's Trattoria as requested.

THE COMMONWEALTH OF MASSACHUSETTS

TOWN OF MEDWAY

MAY 7 2014

In conformity with provisions of Chapter One Hundred and Ten, Section Five of the General Laws, as amended, the undersigned hereby declare(s) that a business under the title of:

DEREK'S STEAK AND SEAFOOD

Title of Business

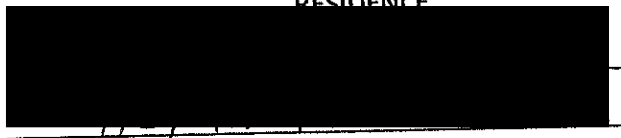
Is conducted at 112 B MAIN ST Medway, MA

Address

FULL NAME

PAUL WINSTHMAU

RESIDENCE



SIGNATURE(S)

[Handwritten Signature]

OFFICE USE ONLY

The above named person(s) personally appeared before me and made the oath the forgoing statement is true.

[Handwritten Signature]
SIGNATURE

Asst. Town Clerk
TITLE

Identification presented



Certificate Expires: 5-19-2018

The Commonwealth of Massachusetts
Alcoholic Beverages Control Commission
239 Causeway Street
Boston, MA 02114
www.mass.gov/abcc

PETITION FOR CHANGE OF LICENSE

00020-125-0684

ABCC License Number

MADWAY

City/Town

The licensee RICHARDS CASH BAR GRILL respectfully petitions the Licensing Authorities to approve the following transactions:

- | | |
|---|--|
| <input type="checkbox"/> Change of Manager | <input type="checkbox"/> Alteration of Premises |
| <input type="checkbox"/> Pledge of License/Stock | <input type="checkbox"/> Cordial & Liqueurs |
| <input type="checkbox"/> Change of Corporate Name | <input type="checkbox"/> Change of Location |
| <input checked="" type="checkbox"/> Change of DBA | <input type="checkbox"/> Change of License Type (\$12 ONLY, e.g. "club" to "restaurant") |

Change of Manager

Last-Approved Manager:

Requested New Manager:

Pledge of License /Stock

Loan Principal Amount: \$

Interest Rate:

Payment Term:

Lender:

Change of Corporate Name/DBA

Last-Approved Corporate Name/DBA:

- 1000 RAKS STEAK & SEA FOOD.

Requested New Corporate Name/DBA:

- 1 ZIO PAOLO'S.

Change of License Type

Last-Approved License Type:

Requested New License Type:

Alteration of Premises: (must fill out attached financial information form)

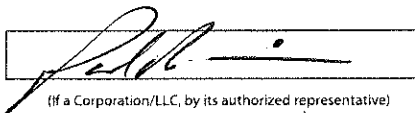
Description of Alteration:

Change of Location: (must fill out attached financial information form)

Last-Approved Location:

Requested New Location:

Signature of Licensee


(If a Corporation/LLC, by its authorized representative)

Date Signed

MAY 20 16

The Commonwealth of Massachusetts
Alcoholic Beverages Control Commission
239 Causeway Street
Boston, MA 02114
www.mass.gov/abcc

RETAIL ALCOHOLIC BEVERAGES LICENSE APPLICATION
MONETARY TRANSMITTAL FORM

APPLICATION SHOULD BE COMPLETED ON-LINE, PRINTED, SIGNED, AND SUBMITTED TO THE
LOCAL LICENSING AUTHORITY.

REVENUE CODE: RETA

CHECK PAYABLE TO ABCC OR COMMONWEALTH OF MA:

C

NO FEE

IF USED EPAY, CONFIRMATION NUMBER:

[Empty box]

A.B.C.C. LICENSE NUMBER (IF AN EXISTING LICENSEE, CAN BE OBTAINED FROM THE CITY):

00020-RS-0684

LICENSEE NAME:

RICHMOND CASINO BAR & GRILL INC / DBA/MS.

ADDRESS:

112 13 MAIN ST.

CITY/TOWN:

MEDFORD

STATE

MA

ZIP CODE

02053

TRANSACTION TYPE (Please check all relevant transactions):

- Change of Hours
- Change of DBA
- Charity Wine License

THE LOCAL LICENSING AUTHORITY MUST MAIL THIS TRANSMITTAL
FORM ALONG WITH THE CHECK, COMPLETED APPLICATION, AND
SUPPORTING DOCUMENTS TO:

ALCOHOLIC BEVERAGES CONTROL COMMISSION
P. O. BOX 3396
BOSTON, MA 02241-3396

CERTIFICATE OF THE CLERK

November 29, 2016

The undersigned, being the duly elected SECRETARY of RICHARD'S CASINO BAR & GRILLE, INC., hereby and herewith certifies that the following Resolutions were adopted by unanimous consent of the Stockholders and Directors of RICHARD'S CASINO BAR & GRILLE, INC. and that the following Resolutions are true, accurate, correct and complete, have not been modified, amended or revoked, and are in full force and effect as of the date hereof:

RESOLVED: That PAUL WINSHMAN, the President and Treasurer (herein the "Authorized Officer") of RICHARD'S CASINO BAR & GRILLE, INC. (herein the "Corporation"), acting singly and on behalf of the Corporation, be and he hereby is authorized and empowered to execute and deliver any and all applications for the change of the name under which the Corporation conducts business from "Derek's Steak and Seafood" to "Zio Paolo's Trattoria" to take effect upon filing of the new d/b/a certificate with the Town of Medway, and the approval, if necessary, of said change by the Town of Medway and the ABCC.

FURTHER

RESOLVED: That the Authorized Officer be and hereby is further authorized and empowered to do any and all things and take any and all action, of whatsoever name, nature and description, as determined by the Authorized Officer, necessary for or incidental to performing and effectuating the foregoing.

FURTHER

RESOLVED: That the Town of Medway and any other entities are hereby authorized to rely upon the foregoing Resolutions and a Certificate signed by the Secretary of RICHARD'S CASINO BAR & GRILLE, INC. for all purposes, until and unless it receives written notice of the alteration, amendment, rescission or revocation hereof.

I hereby certify that the foregoing Resolutions are accordance with the Articles of Organization and By-Laws of RICHARD'S CASINO BAR & GRILLE, INC. and have not been modified, amended or revoked and that the same remain in full force and effect and that I am the duly elected and authorized Secretary of RICHARD'S CASINO BAR & GRILLE, INC.

IN WITNESS WHEREOF, I hereunto set my hand and seal this 29th day of November, 2016.



PAUL WINSHMAN, SECRETARY

CONSENT BY SOLE STOCKHOLDER:



PAUL WINSHMAN, STOCKHOLDER

AGENDA

ITEM #6

**Designation – Selectman Representative on DPS
Director Screening Committee**

No associated backup materials.

AGENDA

ITEM #7

Approval – One-Day Liquor License Requests

- a. Ken McDonald – Thayer Homestead – January 7, 2017
- b. Samantha Wills – Thayer Homestead - February 12, 2017

Associated backup materials attached:

- Applications
- Police Chief's Recommendations

Proposed Motion: I move that the Board approve one-day liquor licenses for Ken McDonald and Samantha Wills for their events to be held at the Thayer Homestead on January 7 and February 12, 2017 subject to Police Chief's recommendations and proof of appropriate insurance coverage.



Town of Medway

BOARD OF SELECTMEN

155 Village Street, Medway MA 02053
Ph. (508) 533-3264 Fax: (508) 321-~~4899~~
4988

APPLICATION FOR SPECIAL ONE-DAY LIQUOR LICENSE

MGL c.138, §14

Application for the purpose of selling or dispensing the following beverages permitted by law. A Section 12 license holder may not also be granted a Section 14 (one-day) license unless event is held at a separate location. A person holding a Section 14 license cannot purchase alcoholic beverages from a package store. Purchase must be made from a licensed wholesaler/importer, manufacturer, farmer-winery/brewery, or special permit holder.

For Profit Businesses are eligible for wine and malt license only.

Application must be submitted at least two weeks prior to event.

Fee: \$50 (May be waived at Board of Selectmen's discretion)

All Alcohol _____ Wine and Malt X

Event Private birthday party

Name of Organization/Applicant KEW McDONALD

Address _____

FID# _____

Non-Profit Organization Y _____ N X

Attach non-profit certificate of exemption

Event Location Thayer Homestead

Event Date 1/7/2017

Event Hours (No later than 1:00 AM; Last call 12:30 AM)

Is event open to the general public? Y _____ N X

Estimated attendance 50

Will there be an age restriction? Y X N _____

Minimum age allowed: 21

How, where and by whom will ID's be checked? _____

Is there a charge for the beverages? Y _____ N _____

Price structure: _____

Alcohol server(s) _____

Attach Proof of Alcohol Server Training _____

Provisions for Security, Detail Officer _____

Does the applicant have knowledge of State liquor laws? Y _____ N _____

Experience _____

The following may be required:

Police Dept. – Detail; Fire Dept. – Detail; Board of Health – Food Permit; Building Dept. – Tent Permit

Date of Application 12/1/2016

Applicant's Signature _____

Applicant's Name KEN McDONALD

Address _____

Phone 617 _____

The Board of Selectmen's Office will forward this application to the Police, Fire, and Building Departments and the Board of Health for approval and recommendations.

Police Department _____
315 Village St _____ Date

Fire Department _____
44 Milford St _____ Date

Board of Health _____
Town Hall, 2nd Fl _____ Date

Building Department _____
Town Hall, 1st Fl _____ Date



Medway Police Department

315 Village Street
Medway, MA 02053

Phone: 508-533-3212
FAX: 508-533-3216
Emergency: 911

Allen M. Tingley
Chief of Police

December 27, 2016

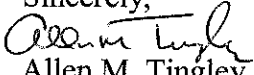
To: Michael Boynton
Town Administrator

From: Allen M. Tingley
Chief of Police

Re: One day liquor license- Thayer Property- Birthday Party

I have reviewed the request from Ken McDonald for a one day liquor license for a birthday party, to be held at the Thayer House, 2B Oak Street, on January 7, 2017. I approve of the issuance of this one day liquor license with the stipulation that the alcoholic beverages are purchased from a licensed alcohol wholesale distributor, as indicated on the license application and the Town of Medway's Alcohol Policy, there will be no on-street parking on Mechanic Street and Oak Street and that a responsible adult will be checking ID's of individuals being served alcohol at the party.

Sincerely,


Allen M. Tingley
Chief of Police



Town of Medway

BOARD OF SELECTMEN

155 Village Street, Medway MA 02053
Ph. (508) 533-3264 Fax: (508) 321-4899

APPLICATION FOR SPECIAL ONE-DAY LIQUOR LICENSE

MGL c.138, §14

Application for the purpose of selling or dispensing the following beverages permitted by law. A Section 12 license holder may not also be granted a Section 14 (one-day) license unless event is held at a separate location. A person holding a Section 14 license cannot purchase alcoholic beverages from a package store. Purchase must be made from a licensed wholesaler/importer, manufacturer, farmer-winery/brewery, or special permit holder.

For Profit Businesses are eligible for wine and malt license only.

Application must be submitted at least two weeks prior to event.

Fee: \$50 (May be waived at Board of Selectmen's discretion)

All Alcohol * _____ Wine and Malt _____

Event Bridal Shower

Name of Organization/Applicant Samantha Wills

Address _____

FID# _____

Phone () _____ Fax () _____ Email _____

Non-Profit Organization Y _____ N No _____

Attach non-profit certificate of exemption

Event Location Thayer Homestead- 2 B Oak Street, Medway MA 02053

Event Date 2/12/2017

Event Hours (No later than 1:00 AM; Last call 12:30 AM)

Is event open to the general public? Y _____ N* _____

Estimated attendance 40-44

Will there be an age restriction? Y _____ N* _____

Minimum age allowed:

How, where and by whom will ID's be checked? _____

Is there a charge for the beverages? Y _____ N* _____

Price structure: _____

Alcohol server(s) _____

Attach Proof of Alcohol Server Training _____

Provisions for Security, Detail Officer _____

Does the applicant have knowledge of State liquor laws? Y* _____ N _____

Experience _____


The following may be required:

Police Dept. – Detail; Fire Dept. – Detail; Board of Health – Food Permit; Building Dept. – Tent Permit

Date of Application 12/9/2016

Applicant's Signature [Signature] 12/9/2016

Applicant's Name Samartha Willis

Address 

Phone (508) 257-3000

The Board of Selectmen's Office will forward this application to the Police, Fire, and Building Departments and the Board of Health for approval and recommendations.

Police Department _____ Date
315 Village St

Fire Department _____ Date
44 Milford St

Board of Health _____ Date
Town Hall, 2nd Fl

Building Department _____ Date
Town Hall, 1st Fl



Medway Police Department

315 Village Street
Medway, MA 02053

Phone: 508-533-3212
FAX: 508-533-3216
Emergency: 911

Allen M. Tingley
Chief of Police

December 12, 2016

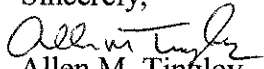
To: Michael Boynton
Town Administrator

From: Allen M. Tingley
Chief of Police

Re: One day liquor license- Thayer Property- Bridal Shower

I have reviewed the request from Samantha Wills for a one day liquor license for a bridal shower, to be held at the Thayer House, February 12, 2017. I approve of the issuance of this one day alcohol license with the stipulation that the alcoholic beverages will be purchased from a licensed alcohol wholesale distributor, as indicated on the license application and the Town of Medway's Alcohol Policy. There will be no on-street parking on Mechanic Street and Oak Street. A responsible adult, with some knowledge of Mass alcohol laws will be checking ID's of individuals served alcohol at this event.

Sincerely,


Allen M. Tingley
Chief of Police

AGENDA

ITEM #8

Action Items from Previous Meeting

	DATE	ACTION ITEMS BOS	WHO	COMPLETED
1	7/6/2010	Street acceptance progress	S. Affleck-Childs	Ongoing
2	9/20/2010	Route 109 Project	DPS	Ongoing
3	2/3/2014	Cable license renewals ; Mtg of Cable Advisory Com; Ascertainment Process	TA/CAC	Ongoing
4	7/28/2014	DPS Facility Building Project	DPS/TA/Committee	On hold
5	4/4/2016	Recreational Facility Improvements	BOS	Ongoing
6	10/17/2016	Benches at memorial park across from Police Station	TA/DPS	
7	12/5/2016	Urban Renewal Plan submission to State	Redevel. Authority	

AGENDA

ITEM #9

Approval of Warrants

Warrants to be provided at meeting

AGENDA

ITEM #10

Approval of Minutes

Associated backup materials attached:

- September 6, 2016 Draft Minutes
- September 19, 2016 Draft Minutes

1 **MEDWAY BOARD OF SELECTMEN**
2 155 VILLAGE STREET • MEDWAY, MASSACHUSETTS 02053
3 (508) 533-3264 • FAX: (508) 533-3281
4

Glenn Trindade, Chairman
Maryjane White, Vice Chairman
Richard D'Innocenzo, Clerk
John Foresto, Member
Dennis Crowley, Member

5 **Board of Selectmen's Meeting Minutes**

6 **September 6, 2016 at 7:00 p.m.**

7 **Sanford Hall, 155 Village Street**
8

9 **Present:** Chairman Trindade; Selectmen Maryjane White, Dennis Crowley, Rick
10 D'Innocenzo, and John Foresto; and Administrator Michael Boynton.

11
12 At 7:00 p.m., Chairman Trindade called the meeting to order and led in the Pledge of
13 Allegiance.

14
15 **Public Comments:**

16 Resident Liam McDermott of 39 Populatic Street asked the Board of Selectmen and
17 Town Administrator to take a more active role in the Spectra pipeline project. Mr.
18 McDermott said the project directly impacts his property. He said he granted Spectra
19 surveying rights but subsequently revoked them after Spectra failed to follow the agreed
20 upon notification process. Mr. McDermott asked the Town to file as an Intervenor.
21

22 Resident Brian Adams of 2 Milford Street agreed that the Selectmen need to take a more
23 active role relative to the Spectra pipeline project. He said he reached out to 350 Mass
24 For a Better Future, who is in opposition of the project, to make a presentation to the
25 BOS. Mr. Adams said he thinks it is important that the Town knows what Spectra's plans
26 are and how they will impact the Town. Chairman Trindade recommended that the Town
27 Administrator meet with proponents and opponents and report back to the BOS with his
28 findings. Selectman Crowley asked Town Administrator Boynton to follow-up
29 immediately with Spectra about being on private property without permission. Selectman
30 Crowley asked if Spectra should be invited to a future BOS meeting to provide the Board
31 with information on the project. Selectman Foresto said representatives from Spectra met
32 with Administrator Boynton and a couple Selectmen 8 months ago to introduce
33 themselves but did not provide specific information on the project. Chairman Trindade
34 emphasized that this is a federal project and is under the authority of the Federal Energy
35 Regulatory Commission (FERC). The BOS agreed that Administrator Boynton would
36 take the lead on scheduling meetings with proponents and opponents but Selectmen
37 would be encouraged to attend. Selectman Crowley said he would like to attend the
38 meetings.
39

40 **Public Hearing – Joint Pole Location Petition – Main Street/Winthrop Street:**

41 *The Board reviewed the following information: (1) Pole Petitions; (2) Abutters List; and*
42 *(3) Legal Notice.*
43

1 Chairman Trindade reported that all abutters have been notified within the 10 day
2 window, and a public hearing notice was placed in the legal section of the Milford Daily
3 News on August 19, 2016.

4
5 **Selectman Foresto moved that the Board open the hearing on the joint petition of**
6 **Verizon and NStar to locate poles on Main Street and Winthrop Street; Selectman**
7 **White second; No discussion; All ayes 5-0-0.**

8
9 Kelly Curry attended the meeting on behalf of Verizon New England, Inc. The
10 installation and relocation of poles is due to the Route 109 project. The petition involves
11 3 new poles and 7 pole relocations. DPS Deputy Director Dave D'Amico reported that
12 nothing has changed since the plan was approved by BOS and the Route 109 Committee.
13 He also confirmed that all of the poles are in the right of way. Deputy Director D'Amico
14 said the companies are eligible for a 50% cost reimbursement from the state if they
15 complete the work on time. Andy Rodenhiser said he spoke with DPS Director Tom
16 Holder about relocating the temporary service that is used for the annual Lions Club
17 Christmas tree fundraiser. Ms. Curry said she will provide Mr. Rodenhiser with the name
18 of the person he should speak to regarding this matter.

19
20 **Selectman Foresto moved that the Board close the hearing; Selectman D'Innocenzo**
21 **second; No discussion; All ayes 5-0-0.**

22
23 **Selectman D'Innocenzo moved that the Board approve the placement of pole**
24 **number T.53S/E.53S on Main Street, 71' southwest from the centerline of Lincoln**
25 **Street, pole number T.1/2/E.-05 on the easterly side of Winthrop Street, 60' North of**
26 **the centerline of Main Street, and pole number T.2S/E.2S on the westerly side of**
27 **Winthrop Street 226' north from the centerline of Main Street as requested;**
28 **Selectman White second; No discussion; All ayes 5-0-0.**

29
30 **Committee Appointment – William Caton – Council On Aging:**

31 *The Board reviewed the following information: (1) Email Correspondence from Council*
32 *On Aging Chair, Mary Lou Staples; and (2) Letter Of Interest.*

33
34 Mr. Caton attended the meeting and said he has been a resident of Medway for about 50
35 years.

36
37 **Selectman Foresto moved that the Board appoint William Caton to the Council on**
38 **Aging for a term to expire June 30, 2019; Selectman White second; No discussion;**
39 **All ayes 5-0-0.**

40
41 **Approval - Neelon Lane Easement – Charles River Village:**

42 *The Board reviewed the following information: (1) Memo from Susy-Affleck Childs,*
43 *Planning and Economic Development Coordinator; (2) Map of Proposed Easement; and*
44 *(3) Easement Deed.*

1 Planning & Economic Development Board (PEDB) Chairman Andy Rodenhiser
2 explained that Neelon Lane never had easement at end of the road. Neelon Lane is a
3 narrow road and as part of the approval process the developer granted a right of easement
4 for a turnaround. The turnaround has already been constructed. The next step in the
5 process is for the Town to accept the easement. The Board agreed to use the motion
6 language that the PEDB recommended.

7
8 **Selectman Crowley moved that the Board accept the deed from Charles**
9 **River Village LLC for a perpetual easement on and over a 6,863 sq. area as shown**
10 **on the Definitive Plan Charles River Village Open Space Residential Development,**
11 **for public access and maintenance and a non-exclusive easement on and over Neelon**
12 **Lane as shown on the Definitive Plan for public access to the open space parcel;**
13 **Selectman White second; No discussion; All ayes 5-0-0.**

14
15 **Approval – Contract with BETA Group for Construction Inspection Services:**

16 *The Board reviewed the following information: (1) Memo from Susy-Affleck Childs,*
17 *Planning and Economic Development Coordinator; and (2) Contract.*

18
19 Planning & Economic Development Board (PEDB) Chairman Andy Rodenhiser said the
20 PEDB accepted the estimate from BETA Group for inspection services on the Exelon
21 facility for the construction phase. BETA Group is replacing TetraTech due to a conflict
22 of interest. Town Counsel has reviewed and approved the contract. Selectman Crowley is
23 concerned that the contract is not specific to constructional phase services. Chairman
24 Rodenhiser agreed that the funds should only be spent after EFSB approval is received
25 and Millis has approved the water request. Chairman Rodenhiser clarified that the PEDB
26 will come back before the BOS for a modification if additional funds are needed.

27
28 **Selectman Foresto moved that the Board authorize the Chairman to execute a**
29 **contract with BETA Group for construction inspection services in an amount not to**
30 **exceed \$11,600; Selectman White second; No discussion; All ayes 5-0-0.**

31
32 **Update – Redevelopment Authority Matters – Andy Rodenhiser, Chair:**

33 Andy Rodenhiser, Chairman of the Redevelopment Authority, and Ray Himmel,
34 Assistant Treasurer of the Redevelopment Authority, provided the Board with an update.
35 Mr. Himmel said the Steering Committee has had two meetings. A Safety Sub-
36 Committee was created and members include Fire Chief Lynch, Safety Officer Jeff
37 Watson, DPS Deputy Director Dave D’Amico, Community & Economic Development
38 Director Stephanie Mercandetti and Mr. Himmel. Mr. Himmel said safety is a major
39 consideration. The Committee discussed implementing physical barriers to limit the
40 impacts on Alder Street. The long-term solution is a traffic signal at the intersection of
41 Route 109 and Trotter Drive but it will cost several hundred thousand dollars. Ms.
42 Mercandetti said the Town is looking at funding opportunities. Short term
43 recommendations are to improve signage at the intersection of Trotter Drive and Route
44 109 and create dedicated turning lanes. Chairman Rodenhiser said developers have
45 shown an interest in the project. Town Administrator Boynton said the conceptual ideas
46 that the Committee has designed are very exciting. The Public Forum is September 20,

1 2016 at 7:00 p.m. at Thayer House. Administrator Boynton said a land aggregation
2 cannot be done until the Urban Renewal Plan is approved by the state. Mr. Rodenhiser
3 said the Urban Renewal Plan will be submitted by the end of the year. Likely the Town
4 will hear whether the plan has been approved by April 2017. After the approval is
5 received, the Committee will begin to accumulate the parcels. Mr. Himmel said the
6 ultimate goal is to create a village with walkways, residential areas, open space and
7 commercial buildings.

8
9 **Update – FY16 Fiscal Year Wrap-up/4th Quarter Financial Report:**

10 *The Board reviewed the following information: (1) Memo – Carol Pratt, Finance*
11 *Director; and (2) FY16 Finance Report.*

12
13 Finance Director Carol Pratt and Treasurer Joanne Russo provided the BOS with an
14 update. Ms. Pratt reported that there was a net gain in FY15 of \$1.7 million and it looks
15 like there will be about the same gain in FY16. Monetary spending was \$1.2 million. She
16 explained that the Town saved enough to cover what was spent on the monetary articles,
17 which means the Town did not have to use the Certified Free Cash to pay for these
18 expenditures. Ms. Pratt encouraged the Board to consider using some of the Certified
19 Free Cash to replenish stability funds that are being used for school improvements. The
20 group discussed why property tax revenue is down. Administrator Boynton said the
21 Town needs to move ahead with foreclosures. He said the leadership team discussed not
22 granting permits to residents who are in delinquency. Ms. Pratt said the Town will never
23 collect 100% due to exemptions and abatements. Town Administrator Boynton said there
24 may be a spike when some of the funds that are being held for the Appellate Tax Board
25 cases are released. Administrator Boynton said if the DOR adopts the Sansousy model as
26 the new standard the Appellate Tax Board cases will go away. The Board also reviewed
27 the status of the Enterprise funds. Solid Waste closed with a deficit of about \$150k from
28 the previous fiscal year. Ms. Pratt reported that \$125k of retained earnings was used to
29 balance the FY17 budget. Ms. Pratt said this was mostly due to increased costs. Chairman
30 Trindade asked if single stream has led to increased recycling. Administrator Boynton
31 said there has not been a solid waste fee increase since the program began. Chairman
32 Trindade asked to discuss this in more detail at a future BOS meeting. Ms. Pratt said all
33 of the Enterprise funds have retained earnings and the Town is not in danger of having to
34 use the General Fund to supplement them. Selectman Crowley asked for an update on the
35 properties that are in foreclosure. Administrator Boynton thanked both Ms. Pratt and Ms.
36 Russo for their work over the past year.

37
38 **Approval – General Obligation Bond Award & BAN (Bond Anticipation Note):**

39 *The Board reviewed the following information: (1) Memo – Joanne Russo, Treasurer;*
40 *and (2) Motions prepared by Bond Counsel.*

41
42 Ms. Pratt reviewed the items that are included in the bond, including the Brentwood
43 water main project and Route 109 non participatory items. The BAN is \$1.1 million for
44 the DPS facility design.

45
46 **Mr. Trindade moved that the Board:**

Vote: that we hereby determine, in accordance with G.L. c.70B, that the amount of the cost of the school project authorized by a vote of the Town passed on March 9, 2015 (Article 1) not being paid by the school facilities grant is \$505,640 and we hereby approve of the issuance of notes and bonds in such amount under said G.L. c.70B.

And further vote: that the sale of the \$2,920,138 General Obligation Municipal Purpose Loan of 2016 Bonds of the Town dated September 15, 2016 (the “Bonds”), to Roosevelt & Cross, Inc. at the price of \$3,188,981.38 and accrued interest, if any, is hereby approved and confirmed. The Bonds shall be payable on September 15 of the years and in the principal amounts and bear interest at the respective rates, as follows:

<u>Year</u>	<u>Amount</u>	<u>Interest Rate</u>	<u>Year</u>	<u>Amount</u>	<u>Interest Rate</u>
2017	\$380,138	4.00%	2022	\$255,000	4.00%
2018	365,000	4.00	2023	240,000	4.00
2019	365,000	4.00	2024	235,000	2.00
2020	350,000	4.00	2025	235,000	2.00
2021	290,000	4.00	2026	205,000	2.00

And further vote: to approve the sale of a \$1,100,000 0.84 percent general obligation bond anticipation note of the Town being issued as State House Notes and dated September 15, 2016, payable September 15, 2017 (the “Notes” and together with the Bonds the “Obligations”), to Easthampton Savings Bank at par and accrued interest, if any.

And further vote: that in connection with the marketing and sale of the Bonds, the preparation and distribution of a Notice of Sale and Preliminary Official Statement dated August 25, 2016, and a final Official Statement dated August 31, 2016, each in such form as may be approved by the Town Treasurer, be and hereby are ratified, confirmed, approved and adopted.

And further vote: that the Bonds shall be subject to redemption, at the option of the Town, upon such terms and conditions as are set forth in the Official Statement.

And further vote: that the Town Treasurer and the Board of Selectmen be, and hereby are, authorized to execute and deliver a continuing disclosure undertaking in compliance with SEC Rule 15c2-12 in such form as may be approved by bond counsel to the Town, which undertaking shall be incorporated by reference in the Bonds for the benefit of the holders of the Bonds from time to time.

And further vote: that we authorize and direct the Treasurer to review and update the Town’s post-issuance federal tax compliance procedures with such changes, if

1 any, as the Treasurer and bond counsel deem necessary in order to monitor and
2 maintain the tax-exempt status of the Obligations.

3
4 **And further vote:** that each member of the Board of Selectmen, the Town Clerk
5 and the Town Treasurer be and hereby are, authorized to take any and all such
6 actions, and execute and deliver such certificates, receipts or other documents as
7 may be determined by them, or any of them, to be necessary or convenient to carry
8 into effect the provisions of the foregoing votes.

9
10 **D’Innocenzo second; No discussion; All ayes 5-0-0.**

11
12 **Inter-Municipal Agreement – Energy Manager Services – Town of Millis:**

13 *The Board reviewed the following information: (1) Contract; and (2) Energy Manager*
14 *Job Description.*

15
16 The contract pertains to the current fiscal year.

17
18 **Selectman Foresto moved that the Board execute an inter-municipal agreement with**
19 **the Town of Millis for energy manager services; Selectman D’Innocenzo second; No**
20 **discussion; All ayes 5-0-0.**

21
22 **Opening of the Fall Town Meeting Warrant:**

23 *The Board reviewed the following information: (1) 2016 Fall Town Meeting Calendar.*
24

25 The Fall Town Meeting will be held on November 14, 2016. There will be a number of
26 zoning articles on the warrant. Chairman Trindade asked Administrator Boynton to put a
27 placeholder on the warrant for the Open Space Committee for the trail on the Lee
28 property.

29
30 **Selectman D’Innocenzo moved that the Board open the Fall Town Meeting warrant**
31 **set for November 14, 2016; Selectman White second; No discussion; All ayes 5-0-0.**

32
33 **Entertainment License Request – Medway Community Farm – September 25, 2016:**

34 *The Board reviewed the following information: (1) Application; and (2) Police Chief’s*
35 *Recommendation.*

36
37 **Selectman Foresto moved that the Board authorize an entertainment license for**
38 **Medway Community Farms for their event to be held at 55 Winthrop Street on**
39 **September 25, 2016 subject to Police Chief’s recommendations; Selectman**
40 **D’Innocenzo second; No discussion; All ayes 5-0-0.**

41
42 **Approval – One-Day Liquor License Requests -**

- 43 **a. Medway Business Council – September 21, 2016**
44 **b. Daniel O’Malley – September 23, 2016**
45 **c. Jamie Van Buren – November 5, 2016**
46 **d. Emily Bernstein – November 25, 2016**

1 **e. Elizabeth Mitchell – November 27, 2016**

2
3 *The Board reviewed the following information: (1) Applications; and (2) Police Chief's*
4 *Recommendations*

5
6 **Selectman Foresto moved that the Board approve one-day liquor licenses for the**
7 **Medway Business Council, Daniel O'Malley, Jamie Van Buren, Emily Bernstein &**
8 **Elizabeth Mitchell for events to be held at the Thayer Homestead respectively, on**
9 **September 21, September 23, November 5, November 25 & November 27, 2016**
10 **subject to Police Chief's recommendations and evidence of appropriate insurance**
11 **coverage; Selectman D'Innocenzo second; No discussion; All ayes 5-0-0.**

12
13 **Block Party – Temporary Road Closure Request (9/10/16) – 11 to 21 Sunset Drive:**

14 *The Board reviewed the following information: (1) Email request for block party from*
15 *Richard Boucher; and (2) Recommendations of the Police Chief, Fire Chief and DPS*
16 *Director.*

17
18 **Selectman Foresto moved that the Board approve the request for a block party**
19 **being held on September 10, 2016 on Sunset Drive subject to the recommendations**
20 **of DPS, Fire, and Police; Selectman D'Innocenzo second; No discussion; All ayes 5-**
21 **0-0.**

22
23 **Action Items from Previous Meeting:**

- 24 • DPS Facility Committee meeting on September 12, 2016.
- 25 • Replacement of the Christmas tree – a new tree will be planted in front of tennis
26 courts at Choate near turtle sculpture. It is being donated by a family in Town.

27
28 **Approval of Warrant:**

29 #17-11P	September 8, 2016
30 Town Payroll	\$356,367.29
31	
32 #17-11SP	
33 School Payroll	\$745,550.97
34	
35 TOTAL	\$1,101,918.26
36	

37 **Selectman Foresto moved that the Board approve the warrant as read; Selectman**
38 **White second; No discussion; All ayes 5-0-0.**

39
40 **Approval of Minutes:**

41 **Selectman Foresto moved that the Board approve the meeting minutes from June**
42 **24, 2016 as written; Selectman White second; No discussion; VOTE 5-0-0.**

1 **Selectman Foresto that the Board approve the meeting minutes from August 30,**
2 **2016 as written; Selectman White second; No discussion; VOTE 5-0-0.**

3
4 Administrator Boynton said the July 11, 2016 minutes are being revised to include a
5 conversation under Action Items about the recreational playground process and
6 committee meeting. They will be voted on at the next BOS meeting.

7
8 **Town Administrator’s Report:**

- 9 • Tax and fee delinquency enforcement.
- 10 • At 4:11 p.m. today the Town received notice that Timbercrest had filed a project
11 change notice with MA Housing and the Town. The next hearing is tomorrow
12 afternoon.
- 13 • High School handicap parking enhancements – there are handicap parking needs
14 to comply with statute closer to Lamson Field. May involve reallocation of space.
15 Chief Tingley and Administrator Boynton have spoken with the concerned
16 resident. Possibly can add additional parking without creating a stormwater issue.
17 Need to keep people from parking on the grassed area.
- 18 • Municipal Aggregation – Energy Committee is recommending Colonial Power
19 Ventures. Proposal needs to come in front of BOS. This needs to go to the state
20 for approval.
- 21 • Town Counsel reviewing statute on quorum when there are vacancies. Potential
22 Bylaw change.
- 23 • Administrator Boynton will be at the ICMA conference at the end of the month.

24
25 **Selectmen’s Reports:**

26 White

- 27 • State primary Thursday, September 8, 2016 at Middle School from 7:00 a.m. to
28 8:00 p.m.

29
30 **At 9:05 p.m., Selectman Foresto moved that the Board enter into Executive Session**
31 **under Exemption 6: to consider the purchase, exchange, lease or value of real**
32 **property if the chair declares that an open meeting may have a detrimental effect on**
33 **the negotiating position of the public body. The Board will not return to Public**
34 **Session; Selectman D’Innocenzo; No discussion; Roll call vote: Crowley, aye; White,**
35 **aye; Trindade aye; D’Innocenzo aye; Foresto, aye.**

36
37
38 Respectfully submitted,
39 Michelle Reed

DRAFT

Board of Selectmen's Meeting
Monday, September 19, 2016 – 7:00 PM
Sanford Hall Town Hall
155 Village Street

Present: Glenn Trindade, Chair; Maryjane White, Vice Chair; Dennis Crowley, Member; John Foresto, Member.

Absent: Richard D'Innocenzo, Clerk.

Staff Present: Michael Boynton, Town Administrator; Allison Potter, Assistant Town Administrator; Richard Boucher, Director, Information Technology; Mary Becotte, Communications Director.

Others Present: Barbara Saint Andre, Town Counsel.

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

Public Comments: None.

Public Hearing (7:00 PM) – Comcast and Verizon Cable License Renewal:

The Board reviewed the following information: (1) Public Hearing Notice; (2) 2007 Comcast Final License; and (3) 2007 Verizon Final License.

At 7:00 PM Selectman Foresto moved that the Board open the ascertainment public hearing for the renewal of the Comcast and Verizon cable television licenses; Selectman White seconded. No discussion. VOTE: 4-0-0.

Present: Richard Boucher, Director, Information Technology; Greg Franks, Comcast, Senior Manager of Government Regulatory Affairs,

Mr. Boynton stated that this is an ascertainment hearing for the license renewal for both Comcast and Verizon cable licenses. Their franchise agreements will expire in 2017 and 2018. This is the first step in the process, giving the public an opportunity to share concerns or issues. Channel lineup is not an issue that can be included in this renegotiation. Meetings will be held with each provider in the coming months.

At this time, Chairman Trindade opened the floor to the public for comments.

Mr. Richard Boucher, Director, Information Technology, stated his service at home has been working pretty well, upgraded to Verizon FIOS, and has little need to contact customer service. Regarding Comcast, there have been no issues regarding service to Medway Public Schools. There are a minimal number of "drops" which may become problematic in time, but seems to be satisfactory now. Brief discussion followed on drops in the high school library. Selectman Foresto stated that, from a cable access perspective, we would like a listing of the shows on the menu without having to go to the website to find out when a particular program will be broadcast. Also we record in High Definition but cannot broadcast in HD. We also stream in High Definition, but cannot broadcast in HD. To do so requires access to high definition channels.

1
2 Ed Houser, Little Tree Road, stated that the volume on broadcast meetings is a problem, noting that he
3 has a hard time hearing people. Selectman Foresto responded that Board members often lean back in
4 their chairs which move them away from the microphones.

5
6 Selectman Crowley noted that most complaints seem to be on the Comcast side. Is there a way to find
7 out what kind of service-related complaints are for Comcast and Verizon?

8
9 Mr. Greg Franks, Comcast, Senior Manager of Government Regulatory Affairs, stated that once a year
10 the company is required to submit a Form 500 to the Town identifying number of calls and what kind of
11 calls they were. That form is sent soon after the close of the calendar year. Receipt of this form will
12 be added to the Action Items list.

13
14 Selectman Foresto emphasized that this hearing is the start of the process. Ascertainment is something
15 that will go on for two or three months. If anyone watching this evening has an issue with either
16 company, they should call the Town Administrator. We can schedule another hearing if there are
17 enough issues to explore.

18
19 **At 7:10 PM Selectman Foresto moved to close the public hearing; Selectman White seconded. No**
20 **discussion. VOTE: 4-0-0.**

21
22 **Affirmation of Committee Appointments – EPFRAC (Evaluation of Parks, Fields & Recreation Areas**
23 **Committee):**

24 *The Board reviewed a List of EPFRAC Members.*

25
26 Mr. Boynton briefly reviewed that, on May 2, 2016, the Board voted to expand the committee by
27 including representatives from several committees that should be part of the process as stakeholders.
28 Those committees were notified after Annual Town Meeting and asked to submit names of participants.
29 Those appointments now need affirmation as members to the EPFRAC, as advised by Town Counsel.

30
31 **Chairman Trindade read aloud the motion of affirmation as follows:**

32
33 **I move that the Board affirm that the steering committee for the parks improvement project, the**
34 **formation of which was voted by the June 9, 216 Special Town Meeting under Article 2, is comprised**
35 **of the Evaluation of Parks, Fields and Recreational Areas Committee as originally constituted and with**
36 **the addition of representatives from the Conservation Commission, Historical Commission, Finance**
37 **Committee and the Friends of Choate Park, as voted by the Board of Selectmen at its meeting on May**
38 **2, 2016. Alternate members representing the Conservation Commission, Finance Committee and the**
39 **Friends of Choate Park, are also affirmed, as discussed at the July 11, 2016 Board of Selectmen’s**
40 **meeting. The members added to the RPFAC are:**

41
42 **David Blackwell, Conservation Commission**
43 **David Travalini, Conservation Commission (alternate)**
44 **Alex Burinsky, Historical Commission**
45 **Michael Schrader, Finance Committee**
46 **Ellen Hillery, Finance Committee (alternate)**
47 **Cathy Morgan, Friends of Choate Park**
48 **Kari MacLeod, Friends of Choate Park (alternate)**

1
2 **Selectman White seconded the motion. No discussion. VOTE: 4-0-0.**

3
4 **Discussion – Alleged Open Meeting Law Violation:**

5 *The Board reviewed an Open Meeting Law Violation Complaint Form submitted by Liam McDermott.*

6
7 Present: Barbara Saint Andre, Town Counsel.

8
9 Mr. Boynton reported that he presented the Complaint Form to Town Counsel who is present to
10 comment on it. Ms. Saint Andre stated that, after researching it and reviewing the meetings, there is
11 no violation. The complaint does not even articulate a specific violation under the purview of the Open
12 Meeting Law. It is more a complaint on how the Committee was formulated, rather than an Open
13 Meeting Law complaint. Ms. Saint Andre offered to prepare a letter for the Attorney General’s office.

14
15 **Selectman Foresto moved that the Board direct Town Counsel to prepare a letter to the Attorney
16 General in response to the Open Meeting Law violation; Selectman White seconded. No discussion.
17 VOTE: 4-0-0.**

18
19 Ms. Saint Andre added that a copy of the letter will also be sent to the complainant.

20
21 **Closing of Fall Town Meeting Warrant:**

22 *The Board reviewed the following information: (1) Draft Fall Town Meeting Warrant; and (2) Correspondence
23 from Eversource.*

24
25 Mr. Boynton pointed out that there is a new article which will be inserted somewhere before the Zoning
26 articles which start with the Street Acceptance article. Continuing, he noted that it is a draft warrant.
27 There are some “housekeeping” articles, as well as standard articles such as Prior Year Bills. The EMS
28 article will be held due to the fact that the company has ceased operations and the Town is pursuing
29 other companies. He briefly reviewed some of the other articles.

30
31 Selectman Crowley asked if the Board could get a presentation on the trail markings.

32
33 Article 10 is a placeholder should the search for a location for a new DPW Facility should proceed at a
34 pace where negotiations proceed at a pace where land acquisition should occur.

35
36 Discussion followed on the new request, Article 4, for a free cash transfer for an assessment of the
37 Police Station generator.

38
39 Chairman Trindade reported that he talked with the Planning Board on the zoning articles, most of
40 which are intended to clean up language.

41
42 Lastly, Mr. Boynton reported that Eversource is looking at property at the back of Fisher Street for a
43 large solar array, 3-4 megawatts in size. The proposed location is outside the area zoned for that kind of
44 use. They have inquired as to whether the Town would entertain an article to rezone that particular
45 parcel. Board members expressed concern that this request comes too late for this Town Meeting and
46 that no details have been provided. It was noted that the proposed location is part of a residential area.
47 Mr. Boynton clarified that he wanted to bring it to the Board before responding to them. Discussion
48 followed.

1
2 **Selectman Foresto moved that the Board close the Fall Town Meeting Warrant; Selectman White**
3 **seconded. Concern was expressed that this is a warrant that is predominantly Planning Board articles**
4 **and it should be more of the State of the Town. Chairman Trindade stated that the language of these**
5 **articles is very clear and will likely not take more than 15 minutes. No further discussion. VOTE: 4-0-0.**
6

7 **Discussion/Vote – SPECTRA Intervenor:**

8 *There were no background materials.*
9

10 Selectman Foresto reported that he, Mr. Boynton and Selectman Crowley met with Spectra last week.
11 Their plans are being pushed off due to the loss of a court case. We made the decision that the Town
12 was going to file to be an intervenor to protect the Town going forward. Selectman Crowley noted that
13 it was a long meeting, but the time was well spent.
14

15 **Selectman Foresto moved that the Town of Medway file as an intervenor on the SPECTRA pipeline;**
16 **Selectman White seconded. No discussion. VOTE: 4-0-0.**
17

18 **Banner Display Request – Taste of Medway:**

19 *The Board reviewed a Banner Display Request Form.*
20

21 **Selectman Foresto moved that the Board approve a banner display request for the Taste of Medway**
22 **event; Selectman White seconded. No discussion. VOTE: 4-0-0.**
23

24 **Liquor License Requests:**

25 *The Board reviewed applications and Police Chief’s recommendations for Thayer Homestead events for*
26 *Ana Elliott and Deborah.*
27

28 **Selectman Foresto moved that the Board approve one-day liquor licenses for Ana Elliot and Deborah**
29 **Higgins for their events to be held at the Thayer Homestead on December 2 & December 16, 2016**
30 **subject to Police Chief’s recommendations and proof of appropriate insurance coverage; Selectman**
31 **White seconded. No discussion. VOTE: 4-0-0.**
32

33 **Action Items from Previous Meeting:**

34 *The Board reviewed the Action Items List.*
35

36 There were no comments on the Action Items List at this time.
37

38 **Approval of Warrants:**

39 *The Board reviewed Warrant 17-13.*
40

41 In the absence of the Clerk, Selectman White read aloud Warrant 17-13, dated 9/22/2016, as follows:
42

43	17-13P	Town Payroll	\$ 343,159.58
44	17-13SP	School Payroll	<u>\$ 817,146.54</u>
45		TOTAL	\$1,160,306.12

46
47 **Selectman Foresto moved to approve warrant as read; Selectman White seconded. No discussion.**
48 **VOTE: 4-0-0.**

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45
46
47
48

Approval of Minutes:

The Board reviewed draft minutes from meetings held on April 19, 2016; June 20, 2016; and July 11, 2016.

Selectman Crowley asked that review of the minutes be postponed. Due to a power outage he could not review them.

Town Administrator's Report:

Mr. Boynton reported that the Fire Chief is working closely with Community Ambulance, Fallon Ambulance and Booster Ambulance to provide ALS Services. He is approaching five companies with the idea of developing a regional approach to providing these services to the participant communities. We hope to have an agreement in place within a few weeks. Brief discussion followed. Having a Medway-based company was indeed an advantage, but we will no doubt be able to work something out. Meetings with all the parties will continue.

Regarding Eversource outages, Mr. Boynton met with Fire Chief Lynch, Police Chief Tingley, Police Lt. Boultenhouse and Assistant Fire Chief Fasolino. We have received full assurance that Eversource will respond in a timely fashion. Today there was an outage and crews were out pretty quickly.

Brief discussion followed on recent conversations about locations of deer stands, and those have been removed. There are no active stands on Town property.

Mr. Boynton announced that there is a presentation on the urban renewal plan tomorrow evening, adding that the public is welcome to attend.

Lastly, Mr. Boynton announced that Detective Matthew Reardon has been appointed as police sergeant, effective October 2. Brief discussion followed on department staffing, civil service testing and open positions.

Selectmen's Reports:

Selectman White reminded residents about the town-wide yard sale. Applications were due on Friday, but the Town Administrator's Office will still take them until tomorrow. Over 80 have been submitted thus far.

Selectman Crowley reported that the high school has a gymnastics team comprised of students from Medway High School and two other schools and are cumulatively ranked second in the state.

Ms. Mary Becotte, Communications Director, reminded everyone that there will be a Forum tomorrow at 7:30 AM at the Thayer Homestead to update businesses on the impact of the Route 109 Improvement Project.

At 7:48 PM Selectman Foresto moved that the Board adjourn; Selectman White seconded. Due to Selectman D'Innocenzo's absence, it was agreed not to hold the Executive Session. No further discussion. VOTE: 4-0-0.

Respectfully submitted,
Jeanette Galliardt
Night Board Secretary

AGENDA

ITEM #11

Town Administrator's Report

AGENDA

ITEM #12

Selectmen's Reports