

## **Board of Selectmen**

*Maryjane White, Chair*

*Richard A. D'Innocenzo, Vice-Chair*

*Glenn D. Trindade, 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**

**September 11, 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
  - Jordan Warnick – SAFE Coalition - #2069 Signs

#### Other Business

1. Appointment Considerations
  - a. Cemetery Commission (1) – Rebecca Atwood
  - b. Council on Aging (2) –Charlene Tingley and Ron Lane
  - c. Cultural Council (1) – Karyl Wong
  - d. Greater Attleboro Taunton Regional Trust Authority (1) – Courtney Riley
  - e. Historical Commission (1) – Craig Reynolds
  - f. Medway Pride Day (1) – Shannon Hodge
  - g. Metropolitan Area Planning Council (1) – Stephanie Mercandetti
2. Approval – Contract with Barbato Construction Company, Inc. for High School Storage Shed - \$71,000
3. Authorization for Route 109 Project Expenditures – Town Administrator
4. Vote to Close November 13, 2017 Town Meeting Warrant on September 18, 2017
5. One-day Liquor License Applications
  - a. Piona – Thayer Homestead – 9/22/17
  - b. Baressi - Garry – Thayer Homestead – 9/24/17
  - c. Baker - Iuliano – Thayer Homestead 10/14/17
  - d. DiMatteo – Thayer Homestead – 11/11/17
  - e. Dykens – Thayer Homestead – 11/26/17.
  - f. Valley – Thayer Homestead – 12/23/17
6. Action Items from Previous Meeting
7. Approval of Minutes – 8/15/2016-Draft; 12/19/2016-Draft; 1/3/2017-Draft
8. Town Administrator's Report
9. Selectmen's Reports

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For more information on agenda items, please visit the Board of Selectmen's page at  
[www.townofmedway.org](http://www.townofmedway.org)

Upcoming Meetings, Agenda and Reminders

September 25, 2017 ---- Workshop

October 2, 2017 ---- Regular meeting

# AGENDA ITEM

## #1

### Appointment Considerations

- a. Cemetery Commission
- b. Council on Aging
- c. Cultural Council
- d. GATRA
- e. Historical Commission
- f. Medway Pride Day
- g. MAPC

*Associated back up materials attached.*

- a. E-mails from candidate Rebecca Atwood and Jeanne Johnson, Cemetery Commission Chair
- b. Letter from candidate Ron Lane, Letter of Interest from candidate Charlene Tingley, and e-mail from Mary Lou Staples, Council on Aging Chair
- c. E-mails from candidate Karyl Wong and Carla Cataldo, Cultural Commission Chair
- d. GATRA by-law regarding GATRA representative appointment
- e. E-mail from candidate Craig Reynolds and Letter of Interest, Jeanne Johnson Historical Commission Chair
- f. E-mails from candidate Shannon Hodge and Sarah Stone, Medway Pride Day Committee
- g. No Back-up Materials

**Proposed motions:**

- a. I move that the Board appoint Ms. Atwood to the Cemetery Commission for a one-year term.
- b. I move that the Board appoint Mr. Lane and Ms. Tingley to the Council on Aging for a three-year term.
- c. I move that the Board appoint Ms. Wong to the Cultural Council for a three-year term.
- d. I move that the Board reappoint Ms. Riley as the Representative to the Greater Attleboro Taunton Regional Transit Authority for a one-year term.
- e. I move that the Board appoint Mr. Reynolds to the Historical Commission for a three-year term.
- f. I move that the Board appoint Ms. Hodge to the Medway Pride Day Committee for a one-year term.
- g. I move that the Board reappoint Ms. Mercandetti as the Representative to the Metropolitan Area Planning Council for a one-year term.

## Liz Langley

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**From:** Allison Potter  
**Sent:** Monday, August 28, 2017 5:22 PM  
**To:** Liz Langley  
**Subject:** FW: Cemetery Commission

Allison Potter  
Asst. Town Administrator  
Town of Medway

**From:** Becky Atwood [REDACTED]  
**Sent:** Friday, August 04, 2017 1:46 PM  
**To:** Board of Selectmen  
**Subject:** Cemetery Commission

I saw a notice recently in the Local Town Pages entitled Volunteers Needed in Medway! If the Cemetery Commission is still needing a member, I may be interested. Please put my name into consideration or put me in contact with a Commission member who can explain how they operate and what they are responsible for.

I spent my entire childhood in Medway and attended Medway Public Schools. After a short absence, I returned to Medway in 1979. My family has a plot at Evergeen Cemetery, as does the builder of my house and my parents' house. I know a great number of the families with plots in this cemetery and the other ones in town. I enjoy being in cemeteries for the contemplative atmosphere, the history and the beauty as well as the artistry of the stones. I have computer skills, particularly with data bases, that might be useful for helping with the cataloging of individuals in these cemeteries.

Rebecca Atwood  
[REDACTED]

## Liz Langley

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**From:** J Johnson [REDACTED]  
**Sent:** Monday, August 28, 2017 4:11 PM  
**To:** Liz Langley  
**Subject:** Re: Cemetery Commission - Mary June Nylander or Becky Atwook -- Recommending Appointment?

I didn't know Bruce was still on the Cemetery Commission. I think it would be a good idea to appoint Becky Atwood as she is already very familiar with Evergreen and much of Medway's history.

Thank you,  
Jeanne

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**From:** Liz Langley <llangley@townofmedway.org>  
**To:** Jeanne Johnson [REDACTED]  
**Cc:** Allison Potter <apotter@townofmedway.org>  
**Sent:** Monday, August 28, 2017 2:31 PM  
**Subject:** RE: Cemetery Commission - Mary June Nylander or Becky Atwook -- Recommending Appointment?

Hi Jeanne:

Sorry for this confusion. Per Allison, there is only 1 open slot for Cemetery since Bruce Hamblin is was reappointed with you.

Please advise whom you would like to be appointed to the Cemetery Commission, Becky or Mary June.

Thanks again. Liz

Liz Langley  
Administrative Assistant  
Town Administrator's Office  
Town of Medway  
155 Village Street, Medway, MA 02053  
508-533-3264 (phone)  
508-321-4988 (fax)

**From:** J Johnson [mailto:[REDACTED]]  
**Sent:** Monday, August 28, 2017 2:17 PM  
**To:** Liz Langley  
**Subject:** Re: Cemetery Commission - Mary Jane Nylander -- Recommending Appointment?

Hello, Liz,

I was just e-mailing Allison about Becky Atwood asking to be appointed to the Cemetery Commission. She applied some time back, too, and I talked to her this morning. I would like to see Mary June Nylander appointed, as well; I think I'm the only commissioner right now.



Mary Jane White  
Board Of Selectmen  
Town Hall  
Village Street  
Medway, MA 02053

Dear Ms. White,

I've just learned of vacancies on the Council on Aging and would like to apply to fill one of them. Courtney directed me to convey to you my desire to do so, and to provide some background.

Age 78, Retired Military, Retired Manager, Married for 46 years to the incomparable Judy Lane, Resident of Medway for 46 years, and not really a user of the Senior Center, and that last is why I'd like to join the Council. There is a need to increase the Center's visibility and usage within the community and I'd like to be part of that endeavor.

Thank you for your consideration.



Ron Lane

RECEIVED  
AUG 22 2017  
TOWN CLERK

August 1, 2017

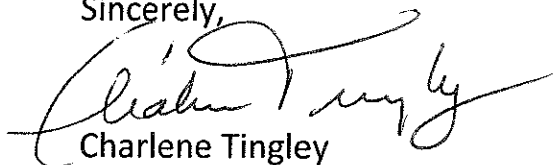
To: Allison Potter  
Asst. Town Administrator

Re: Council on Aging Board

I am writing to advise you of my interest in serving on the Council On Aging Board should a spot become available. I am very supportive of our Senior Center and our senior population. I served on the Triad Board in Medway several years ago and have trained for and conducted Dementia Support Groups at the Center. I have worked for the Town of Medway in many capacities over the past 30 years as well.

I feel that my interest and experience would allow me to, hopefully, be a valuable addition to the Council. Thank you for your consideration.

Sincerely,



Charlene Tingley





## Liz Langley

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**From:** MaryLou [REDACTED]  
**Sent:** Tuesday, August 29, 2017 1:55 PM  
**To:** Liz Langley  
**Subject:** RE: Endorsement for 2 Candidates for Council on Aging--Charlene Tingley & Ron Lane

Hi Liz:

I do endorse the appointment of Charlene Tingley and Ron Lane to the Council on Aging. I feel both candidates will be a great addition to the COA and look forward to them coming on board.

Thank you and have a wonderful remainder of the day!

Mary Lou

**From:** Liz Langley [mailto:llangley@townofmedway.org]  
**Sent:** Tuesday, August 29, 2017 9:36 AM  
**To:** [REDACTED]  
**Subject:** Endorsement for 2 Candidates for Council on Aging--Charlene Tingley & Ron Lane

Dear MaryLou:

Could you please confirm that you endorse the appointment of the following 2 candidates for the Council on Aging who have indicated their interest:

1. Charlene Tingley
2. Ron Lane

Once I receive your endorsement, I can move forward to invite them to the next Selectmen's meeting on September 11<sup>th</sup> for their official appointment.

Thank you so much! Liz

Liz Langley  
Administrative Assistant  
Town Administrator's Office  
Town of Medway  
155 Village Street, Medway, MA 02053  
508-533-3264 (phone)  
508-321-4988 (fax)

**By-Laws  
Of the ADVISORY BOARD  
To the  
GREATER ATTLEBORO-TAUNTON REGIONAL TRANSIT AUTHORITY**

**Article 1**

The Great Attleboro-Taunton Regional Transit Authority shall be known by the acronym GATRA.

**Article II – Officers**

Section 1 - The officers of the Advisory Board shall be a chairman, vice-chairman and clerk. The chairman and vice-chairman shall, the clerk may, but need not, be a member of the Advisory Board. All officers shall be elected by majority vote of the Advisory Board.

Section 2 – Election of officers – The officers first elected shall serve until their successors are elected. The Advisory Board shall elect officers at its regular June meeting, such officers to serve for a term expiring at the next regular June meeting of the Advisory Board, or until their successors are elected. If for any reason there is no regular June meeting of the Advisory Board, officers shall be elected at the next special or regular meeting of the Advisory Board.

Section 3 – Vacancies - Vacancies in office, including those resulting from resignation, removal or an officer ceasing to hold the municipal office upon which Advisory Board membership is based, shall be filled for the unexpired term by election by majority vote of the Advisory Board at its next regular or special meeting following the creation of such vacancy.

Section 4 – Removal – Any officer may be removed from office by a majority vote of the Advisory Board at any regular or special meeting.

Section 5 – Duties and Powers – The chairman, or in the event of his absence or his vacating the chair, the vice-chairman, shall preside at all meetings of the Advisory Board, but neither shall thereby be deprived of the right to vote. The clerk shall be the recording officer of the Advisory Board and shall be responsible for making and keeping a record of all proceedings and votes of the Advisory Board and of its executive committee. The chairman, vice-chairman and clerk shall also have such other powers and perform such other duties as may from time to time be voted by the Advisory Board or may be conferred or imposed by applicable law or these By-Laws.

Section 6 – No person shall hold more than one office on the Advisory Board.

Section 7 – The designee of a member of the Advisory Board, appointed in accordance with Massachusetts General Laws, Chapter 161B, Section 5, may hold no office on the Advisory Board or perform the duties of any office to which the member who appointed the designee may have been elected.

Section 8 – In the absence of the chairman and vice-chairman or the clerk at any meeting, the Advisory Board may appoint “pro tem” officers to act in their stead.

### **Article III – Meetings of the Board**

**Section 1 – Regular Meetings** - The Advisory Board shall meet on the second Tuesday of each month or as the Advisory Board determines necessary. In the event that said regular meeting date falls on a legal holiday; the meeting shall be held on the next succeeding day.

**Section 2 – Special Meetings** - The chairman or vice-chairman shall, upon the written request of two members or their designees, call a special meeting of the Advisory Board.

**Section 3 – Place of Meeting** – All meetings of the Advisory Board, shall be held at the principal offices of GATRA in the absence of a specific designation of a meeting place in the notice of the meeting. Unless otherwise designated in the notice of a meeting, all meetings of the Authority shall be considered as having been called for at 2:00 p.m.

**Section 4 – Notice of Meetings** - The clerk shall mail, postage pre-paid, a notice of every meeting, which shall include the date, the time and place of such meeting, and an agenda that the chair reasonably anticipates will be discussed at the meeting, to each member of the Advisory Board at least three days, excluding Saturday, Sundays and legal holidays prior to the day of the meeting. Copies of such notices shall be posted by the clerk at the GATRA office and on the GATRA website, and notices posted by the clerk of each city and town within the territory of the authority at least forty-eight hours prior to such meeting, including Saturdays but not Sundays and legal holidays.

**Section 5 – Subject of Meetings** – The Advisory Board may at its regular monthly meeting deal with any matter upon which it is empowered to act by law or these By-Laws. At a special meeting, no business shall be considered other than as designated in the notice of the meeting, unless all of the members of the Advisory Board agree to open the meeting to any other item or items of business.

**Section 6 – Quorum** – A quorum shall be members (or designees) representing more than one half of the Advisory Board approved weighted vote.

### **Article IV – Executive Committee**

In accordance with Massachusetts General Laws, Chapter 161B, Section 5, the Advisory Board may make a revocable delegation of its power of approval to an executive committee which shall be comprised of the chairman, vice-chairman and such others members of the Advisory Board or their designees as are from time to time elected to said committee by said Board. In order to act under the provisions of law and this article, the executive committee shall be constituted at the time of such action of members of the Advisory Board or their designees, having at least a majority of the total vote of the Advisory Board. All members of the executive committee other than the chairman and vice-chairman shall serve at the pleasure of the Advisory Board.

Upon formation of such executive committee by election of its membership as herein provided, said committee shall promulgate By-Laws governing its activities and proceedings.

Other Committees can be formed by the Advisory Board as deemed necessary to perform specific functions.

**Article V – Finance and Audit Committee**

In accordance with Massachusetts General Laws, Chapter 29 §29K (b) (1), the Advisory Board shall establish an ongoing Finance and Audit Committee to retain an independent auditor and review the results of the audit and other responsibilities as deemed necessary by the Advisory Board. Members of the committee will be determined by the Advisory Board.


**Article VI – Executive Compensation Committee**

In accordance with Massachusetts General Laws, Chapter 29 §29K (b) (2), the Advisory Board shall designate a Compensation Committee. This committee will meet independently of management to evaluate compensation for all executives and other responsibilities as deemed necessary by the Advisory Board. Members of the committee will be determined by the Advisory Board.

**Article VII – Voting/Non-Voting Members**

The Advisory Board voting membership shall consist of one of the following from each member community: the Mayors of each City and the Town Manager, Town Administrator, or Chairman of the Board of Selectmen of each Town.

One representative of the disabled commuter population shall serve on the Advisory Board as a voting member for a one year term. *Each* City or Town in the region, on a rotating basis alphabetically A-Z, shall appoint a representative successively; provided, however, that the representative of the disabled commuter population and the representative of the rider community shall not be appointed by the same City or Town in the region. The Mayor, Town Manager, Town Administrator, or Chairman of the Board of Selectmen shall appoint a resident of the City or Town for this purpose. The representative shall be mobility impaired or have a family member who is mobility impaired, be a caretaker of a person who is mobility impaired, or work for an organization that serves the needs of the physically disabled. The representative of a City or Town may be reappointed after representatives from the other Cities and Towns within the region have served their one year terms.



One representative of the rider community population shall serve on the Advisory Board as a voting member for a term of one year. Each City or Town in the region, on a rotating basis alphabetically Z-A, shall appoint a representative successively; provided, however, that the representative of the disabled commuter population and the representative of the rider community shall not be appointed by the same City or Town in the region. The Mayor, Town Manager, Town Administrator, or Chairman of the Board of Selectmen shall appoint a community rider for this purpose from a list of at least five persons nominated by the Massachusetts AFL-CIO and its regional councils. The representative of a City or Town may be reappointed after representatives from the other Cities and Towns within the region have served their one year terms.

**Article VIII – Designees**

A designee shall act at Advisory Board meetings in the absence of the appointed Board member. The writing required by Section 5 of Chapter 161B of Massachusetts General Laws for the appointment of a

designee shall be construed as being for an indefinite period of time unless otherwise specifically provided in said writing. Except as hereinafter provided, such designation may be revoked by a writing filed with the authority by the appointing member. In the event that both a member of the Advisory Board and said member's designee are in attendance at a duly called meeting of the Advisory Board, only the Advisory Board member shall be entitled to vote. The ineligibility of a person to serve as an Advisory Board member shall constitute a revocation of any designation made by such member.

#### **Article IX – Administrator**

The Advisory Board shall appoint an administrator who shall be the chief executive officer of the authority. Such appointment shall be in the form of a contract, which shall be subject to revocation at any time at the pleasure of the Advisory Board as provided therein. Said contract may provide conditions and other requirements as the Advisory Board shall deem necessary for the management of the affairs of the authority.

The Advisory Board shall determine the annual salary of the administrator, and shall approve the penal sum and sureties upon his official bond.

#### **Article X – Assessments**

No assessment for any cost, whether administrative or operating, shall be made upon any city or town within the territory of the authority except in the proportion attributable to the cost of maintaining services as requested by the city or town. If no service is maintained within a city or town during a fiscal year, such city or town will be assessed a zero assessment.

Notwithstanding the foregoing provisions, any city or town which votes not to be a member of the authority as provided in Massachusetts General Laws Chapter 161B shall not be assessed or subject to any obligation of the authority.

#### **Article XI – Weighted Vote**

Each City and Town shall have one vote on the Advisory Board plus additional votes and fractions thereof determined by multiplying one and one half times the total number of cities and towns in the authority by a fraction of which the numerator shall be the total amount of all assessments made by the state treasurer to such city or town under this chapter and the denominator shall be the total amount of all such assessments made by the state treasurer to such cities and towns. Weighted vote formula is as follows:  $\text{weighted vote} = 1 + (\# \text{ of GATRA communities, multiplied by } 1.5) \text{ multiplied by (a community's assessment, divided by, the total assessments)}$ . The total vote of each city and town shall each year be determined by the authority and delivered in writing to the advisory board thirty days after the state treasurer has sent his warrants for payments to the cities and towns. The determination of votes shall be based upon the most recent annual assessment.

The representatives of the disabled commuter population and the rider community population on the GATRA Advisory Board shall each have one vote which will be added in addition to the total based on the community assessments.

**Article XII – Voting Procedure**

The Advisory Board shall act on unanimous consent; once a motion is made and seconded the Chair shall ask the members if there is objection to the motion, if none is heard then the motion passes. If there is an objection the Advisory Board shall move to a majority vote of the present voting members.

**Article XIII – Amendment of By-Law**

These By-Laws may be amended by the affirmative majority vote of the Board at a duly called special meeting or regular meeting thereof.

**Article XIV – Procedural Questions**

All procedural questions of the Advisory Board not specifically treated by these By-Laws shall be resolved in accordance with *Robert's Rules of Order Newly Revised*, published by Da Capo Press, copyright 2011.

**Corrections/Updates**

**Date Adopted**

**Addition of Article V – Finance and Audit Committee**

**June 5, 2013**

**Addition of Article VI – Executive Compensation Committee**

**June 5, 2013**

**Amend Article VII – Voting/Non-Voting Members**

**October 29, 2013**

**Addition of Article XII – Voting Procedure**

**October 29, 2013**

**Article XI – Weighted Vote**

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**Liz Langley**

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**From:** Allison Potter  
**Sent:** Tuesday, September 05, 2017 8:59 AM  
**To:** Liz Langley  
**Subject:** FW: [Town of Medway MA] Request to serve on Cultural Council (Sent by Karyl Wong, [REDACTED])

Hello,  
See below. I'll let Carla know we'll try to get her on the 11th.  
Thanks,  
Allison

Allison Potter  
Asst. Town Administrator  
Town of Medway

-----Original Message-----

**From:** Carla C [REDACTED]  
**Sent:** Tuesday, September 05, 2017 8:50 AM  
**To:** Allison Potter  
**Subject:** RE: [Town of Medway MA] Request to serve on Cultural Council (Sent by Karyl Wong, [REDACTED])

Hi Allison - Yes, Karyl came to our August meeting and we would love to have her! Our next meeting is 9/12 so if she could be appointed on the 11th, that would be super!

Best,

Carla C. Cataldo  
[REDACTED]

-----Original Message-----

**From:** Allison Potter [mailto:apotter@townofmedway.org]  
**Sent:** Tuesday, September 5, 2017 7:47 AM  
**To:** carlacataldo@verizon.net  
**Subject:** FW: [Town of Medway MA] Request to serve on Cultural Council (Sent by Karyl Wong, [REDACTED])

Hi Carla,  
I am not sure if you were expecting to hear from this individual, but would you/the Cultural Council please provide a recommendation for the BOS regarding her candidacy? The Board is meeting on Sep 11 and Oct 2.  
Thanks,  
Allison

Allison Potter  
Asst. Town Administrator  
Town of Medway

-----Original Message-----

From: vtsdmailer@vt-s.net [mailto:vtsdmailer@vt-s.net]

Sent: Friday, September 01, 2017 8:27 PM

To: Board of Selectmen

Subject: [Town of Medway MA] Request to serve on Cultural Council (Sent by Karyl Wong, [REDACTED])

Hello Board of Selectmen,

Karyl Wong ([REDACTED]) has sent you a message via your contact form (<https://www.townofmedway.org/user/126/contact>) at Town of Medway MA.

If you don't want to receive such e-mails, you can change your settings at <https://www.townofmedway.org/user/126/edit>.

Message:

To the Committee Chair,

This email is to express my interest in serving on the Medway Cultural Council. I had the pleasure of attending the August 30th meeting with other council members.

Currently, I hold the position of secretary for the Medway Library. I also host a paper crafting drop-in twice monthly in the library Maker Space.

In the past, I have led two Girl Scout troops, emphasizing programs in the arts and sciences and was also responsible for planning town-wide scouting performing arts events. As a former elementary school parent, I chaired the yearbook committee where we hosted an arts competition, voted by the students, for the book cover.

Thank you for your consideration.

Respectfully,  
Karyl Wong



**From:** Liz Langley  
**Sent:** Wednesday, August 16, 2017 7:50 AM  
**To:** [REDACTED]  
**Subject:** Historical Commission - Craig Reynolds -- Recommending Appointment?

Dear Ms. Johnson:

I am the new Administrative Assistant to the Town Administrator and I am writing to follow up the potential appointment of Mr. Craig Reynolds to the Historical Commission.

Please advise if you will be recommending him for appointment so we can address at the September 5<sup>th</sup> Selectman's meeting.

Thank you. Liz

Liz Langley  
Administrative Assistant  
Town Administrator's Office  
Town of Medway  
155 Village Street, Medway, MA 02053  
508-533-3264 (phone)  
508-321-4988 (fax)

**From:** Craig Reynolds [REDACTED]  
**Sent:** Saturday, June 17, 2017 1:54 PM  
**To:** Board of Selectmen  
**Subject:** Historical Commission

Hello

I talked with your office yesterday about volunteering for an opening on the Medway Town Historical Commission and was told to send my information here via email. Attached are my Letter of Interest and my resume.

Regards,  
Craig Reynolds.



Virus-free. [www.avast.com](http://www.avast.com)

Craig Reynolds

Medway Historical Commission

June 15<sup>th</sup>, 2017

Town Historical Commission Letter of Interest

By Craig Reynolds

I recently became aware of an opening on the Medway Town Historical Commission and would like to apply for the currently open position. I became aware of this position through a family member informing me of after they saw the openings listed on the town website. Why I am interested in the position is that I am currently a History major at Framingham State University and have been recently looking for new opportunities to work in this field outside of just the academic field, as I have been doing for the past few years. In addition, I have also been a resident of the town of Medway my entire life and thought working with the history of my own town would be greatly beneficial to my continued studies and interest in the field. Especially considering the town is over 300 years old and I also have a general interest in Massachusetts history, which I have been studying a lot recently. As for time availability , I'm should be available for most of the summer but I do have an internship I am currently working for and also starting up school again the fall for FSU, but I would most likely be able to work around these to be able to volunteer for this position.

## Liz Langley

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**From:** J Johnson [REDACTED]  
**Sent:** Monday, August 28, 2017 10:17 AM  
**To:** Liz Langley  
**Cc:** Mary Jane White; HC-Alex Burinskiy; HC-Bruce Hamblin; HC-Cher Hamilton2017; HC-Eugene Liscombe; HC-Paul Russell  
**Subject:** Re: Historical Commission - Craig Reynolds -- Recommending Appointment?  
**Attachments:** Resume.docx; Cover Letter4.docx

Dear Liz:

I talked with Town Clerk/Selectman Maryjane White about this appointment on Friday while I was at Town Hall.

Craig attended our meeting on August 9 and continues to be interested in being appointed to the Commission. Another applicant, Mary June Nylander, also brought an application for appointment to the Commission to me at home. She has attended recent public hearings and was also at our informal meeting located at 181 Main Street, a property currently under demolition delay. She may also have attended the recent Planning Board meeting where 181 Main Street was discussed. What I recommended to Selectman White was this: Since we now are at 6 members, the BOS could appoint Craig as our 7th member (which makes a full commission) and Mrs. Nylander as associate member, a non-voting position. She would attend meetings and step in to fill the next vacancy on the Commission as a member.

This is what I recommend, if it is possible.

Thank you,

Jeanne Johnson, Chairman, MHC

**From:** Liz Langley <llangley@townofmedway.org>  
**To:** jeanne Johnson [REDACTED]  
**Sent:** Monday, August 28, 2017 10:02 AM  
**Subject:** FW: Historical Commission - Craig Reynolds -- Recommending Appointment?

Dear Ms. Johnson:

The Selectman can consider Craig Reynolds' appointment to the Historical Commission at next Tuesday's, September 5<sup>th</sup> meeting.

Please advise on the Historical Commissions recommendation on his appointment.

Thank you. Liz

Liz Langley  
Administrative Assistant  
Town Administrator's Office  
Town of Medway  
155 Village Street, Medway, MA 02053  
508-533-3264 (phone)  
508-321-4988 (fax)

## Liz Langley

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**From:** Shannon Hodge [REDACTED]  
**Sent:** Monday, August 21, 2017 11:49 AM  
**To:** Liz Langley  
**Subject:** Re: Medway Pride Day Committee--Still Interested in Being Appointed?

Hi Liz,

I am interested and would like to proceed. When/where is the September 5th Selectman's meeting?

Thank you,  
Shannon Hodge

On Wed, Aug 16, 2017 at 7:53 AM, Liz Langley <[llangley@townofmedway.org](mailto:llangley@townofmedway.org)> wrote:

Dear Ms. Hodge:

I am the new Administrative Assistant to the Town Administrator and am following up to ask:

1. Are you are still interested in being appointed to the Medway Pride Day Committee
2. If yes, we would like to swear you in at the September 5<sup>th</sup> Selectman's meeting, would you be available to attend.

Please feel free to contact me with any questions.

Thank you. Liz

Liz Langley

Administrative Assistant

Town Administrator's Office

Town of Medway

155 Village Street, Medway, MA 02053

## Liz Langley

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**From:** Sarah Stone [REDACTED]  
**Sent:** Thursday, August 17, 2017 7:56 AM  
**To:** Liz Langley  
**Cc:** Shannon Hodge  
**Subject:** Re: Medway Pride Day Committee--Still Interested in Being Appointed?

Hi Shannon,  
You can do as much or as little for the event as you'd like. The planning starts in January, the event is in May and we have a wrap up meeting in June. I can certainly give you a call if that would be easiest. When would be a good time?  
Sarah

On Wed, Aug 16, 2017 at 4:06 PM, Liz Langley <[llangley@townofmedway.org](mailto:llangley@townofmedway.org)> wrote:

Hi Shannon:

I have cc'd Sarah Stone on this e-mail who should be able to answer any questions you have.

Thanks again! Liz

Liz Langley

Administrative Assistant

Town Administrator's Office

Town of Medway

155 Village Street, Medway, MA 02053

508-533-3264 (phone)

508-321-4988 (fax)

**From:** Shannon Hodge [mailto:[REDACTED]]  
**Sent:** Wednesday, August 16, 2017 3:57 PM  
**To:** Liz Langley  
**Subject:** Re: Medway Pride Day Committee--Still Interested in Being Appointed?

# AGENDA ITEM

## #2

### **Approval – Contract with Barbato Construction Company Inc. for High School Storage Shed - \$71,000**

*Associated back up materials attached.*

- Memo from Dave D'Amico
- Amended Scope of Work (Memo from Bobby McGee)
- Contract

**Proposed motion:**

I move that the Board authorize the Chair to execute a contract with Barbato Construction Company Inc. in the amount of \$71,000 for the construction of a storage shed at Medway High School.



TOWN OF MEDWAY  
DEPARTMENT OF PUBLIC SERVICES  
MEDWAY, MASSACHUSETTS

*Entrusted To  
Manage The  
Public  
Infrastructure*

DAVID D'AMICO  
DIRECTOR

BARRY SMITH  
DEPUTY DIRECTOR

MEMORANDUM

To: Board of Selectmen  
From: David D'Amico, Director | Department of Public Services  
Date: September 11, 2017  
RE: **Barbato Construction – High School Storage shed**

---

Please find attached three (3) copies of a contract for **Barbato Construction – High School Storage shed**

Furnishing labor and material to build new wood frame, 30 ft X 20 ft storage shed at High School. With 3 bay storage for sporting equipment. Concrete footings and foundation, concrete floor and site work.

**Bid opening results**      **Add Alternate 2x6 wall**

<b>Barbato Constr.</b>	<b>\$70,000</b>	<b>\$1,000</b>
Guaranteed Builder	\$73,722	\$ 750
A J Virgilio	\$124,900	\$2,000

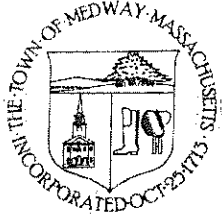
We greatly appreciate your consideration of this issue.

HIGHWAY - WATER - SEWER - FLEET - PARKS - FACILITIES - SOLID WASTE

TOWN OFFICES | 155 VILLAGE STREET | MEDWAY, MASSACHUSETTS 02053 | TEL 508-533-3275

<b>High School Shed Bid Opening 8/15/2017</b>	<b>Barbato Cont Middleboro,MA</b>	<b>Guaranteed Build Douglas, MA</b>	<b>A J Virgilio Westfield, MA</b>
<b>Mandatory Walk Thru</b>	Yes	Yes	Bid not accepted
			NO
<b>Reference</b>	Yes	Yes	Yes
<b>Total Cost</b>	\$70,000	\$73,722	\$124,900
<b>Add Alternate 1</b>	\$1,000	\$750	\$2,000





TOWN OF MEDWAY  
DEPARTMENT OF PUBLIC SERVICES  
MEDWAY, MASSACHUSETTS

*Entrusted To  
Manage The  
Public  
Infrastructure*

DAVID D'AMICO  
DIRECTOR

BARRY SMITH  
DEPUTY DIRECTOR

## ADDENDUM #1

To: Bidders/Contractors  
From: Bob McGee, Project Manager | Department of Public Services  
Date: August 4, 2017  
RE: **High School Storage Shed – Addendum #1**

---

After to Mandatory Site Meeting on August 3, 2017. A few Questions and Changes came up. The following are the proposed changes for the High School Storage Shed.

1. General Conditions (1): Scope of Work  
Change the door sizes to 8 ft wide X 7 ft High –was 9'x7'. The reason is to allow required space between walls and door opening – per code.
2. Ceiling (7.2) – Remove wood ceiling and remove access hatch – not needed, keep open to exposed roof trusses.
3. Exterior – Garage Doors (8.1) - Change the door sizes to 8 ft wide X 7 ft High – (was 9'x7').
4. Sketch - Change the door sizes to 8 ft wide X 7 ft High –was 9'x7'

HIGHWAY – WATER – SEWER – FLEET – PARKS – FACILITIES – SOLID WASTE

TOWN OFFICES | 155 VILLAGE STREET | MEDWAY, MASSACHUSETTS 02053 | TEL 508-533-3275

ADDENDUM #1

**II. GENERAL CONDITIONS**

REVISED 8/4/2017

**1. SCOPE OF WORK:**

✓ The scope of work under this contract shall consist of furnishing all labor and materials required to construct a 20 ft x 30 ft wood frame storage shed for sporting equipment including 3 bays equally spaced, with 3 garage doors 9'x7', concrete foundation, concrete footings, concrete slab, wood stud walls, pre-engineered roof trusses, vinyl siding and site work. Work includes mobilization, performance of the work, clean-up, and demobilization.

**2. WORK AREA**

2.1 Medway High School, 88 Summer Street, Medway, MA.

**3. GENERAL PLAN REVIEW & PERMITTING**

3.1 The contractor shall furnish all engineering plans and specification needed to permit and construct the storage shed. Plans must be approved by the Project Manager prior to permitting.

3.1 Contractor to apply for Building Permit with the Medway Building Department. Building Permit fees will be waived as this is a Town/School project.

**4. SITE WORK**

4.1 Remove Stumps and dirt off site.

4.2 Excavate area for level surface around new storage shed.

4.3 Supply crushed gravel stone base 5 feet around new storage shed

4.4 Grade up to garage doors

**5. FOUNDATION**

5.1 Excavate for footings and foundation

5.2 Foundation – 10" poured concrete- 3000lb

5.3 Footings -12" x 24" – 3000lb concrete

5.4 4" reinforced Concrete floor slab, use 3,500lb concrete. Slab shall be at grade or concrete ramps shall be provided for easy access to the shed.

**6. FRAME & WALLS**

6.1 Sill Plate, Single 2" x 6" pressure treated and single kiln dried with sill seal, anchor bolts and Hurricane straps

6.2 Exterior walls – 2"x4" S.P.F. studs, 16" OC exterior wall construction with a single bottom plate, triple top plate

6.3 Interior walls - 10'x 20' bays, 2"x4" S.P.F. studs, 16" OC with 5/8" plywood on each side ✓

6.4 7/16" OSB Exterior wall sheathing

6.5 Shear walls and hurricane straps per code.

6.6 No windows

## 7. ROOF & CEILING

7.1 5/8" T&G plywood sheathing for roof

7.2 5/8" T&G plywood for ceiling to underside of roof truss with 4'x4' access hatch in middle bay

REMOVE WOOD CEILING - NO ACCESS HATCH

7.3 Pre-Engineered roof trusses spaced 2 feet on center, with 7/12 Pitch

7.4 30 year architectural shingles installed over underlayment and aluminum drip edge.

7.5 Ridge Vent- roll ridge vent with matching shingle color

7.6 One foot Eave overhangs with aluminum fascia and vented soffit

7.7 1-1/2" gable overhang with aluminum fascia

## 8. EXTERIOR

8.1 3-garage doors <sup>8'x7'</sup>9x7 - no glass, with locking device

8.2 30 year vinyl siding in double 4" over 7/16" OSB exterior wall sheathing- CertainTeed 30 year

8.3 Aluminum fascia and vented vinyl soffit.

## 9. SCHEDULE

9.1 Regular work shall be done during normal working hours 7am to 4pm, Monday through Friday. Work on any other days or hours must be specifically authorized by the Town of Medway.

9.2 Work is expected to be started and completed within a reasonable time period. Work unreasonably delayed or subject to multiple changes in planned start dates for reasons other than weather will be considered a breach of contract.

9.3 Once started, the work shall continue on each successive normal workday until it is completed. Interruptions in work to perform work for other customers shall not be allowed unless explicitly approved by the Project Manager/designee in advance.

9.4 Police details will be paid and scheduled by Contractor.

9.5 Mandatory Site Meeting will be on August 3, 2017 at 10 am. Address is Medway Middle School, 88 Summer Street, Medway, MA 02053. Meeting location right side parking lot next to tennis courts. Contractors must attend mandatory meeting in order to bid on this project. If Interested in Site Meeting call or email Bob McGee at [bmcgee@townofmedway.org](mailto:bmcgee@townofmedway.org) or 508-533-3275 office

## 10. CODE REQUIREMENTS

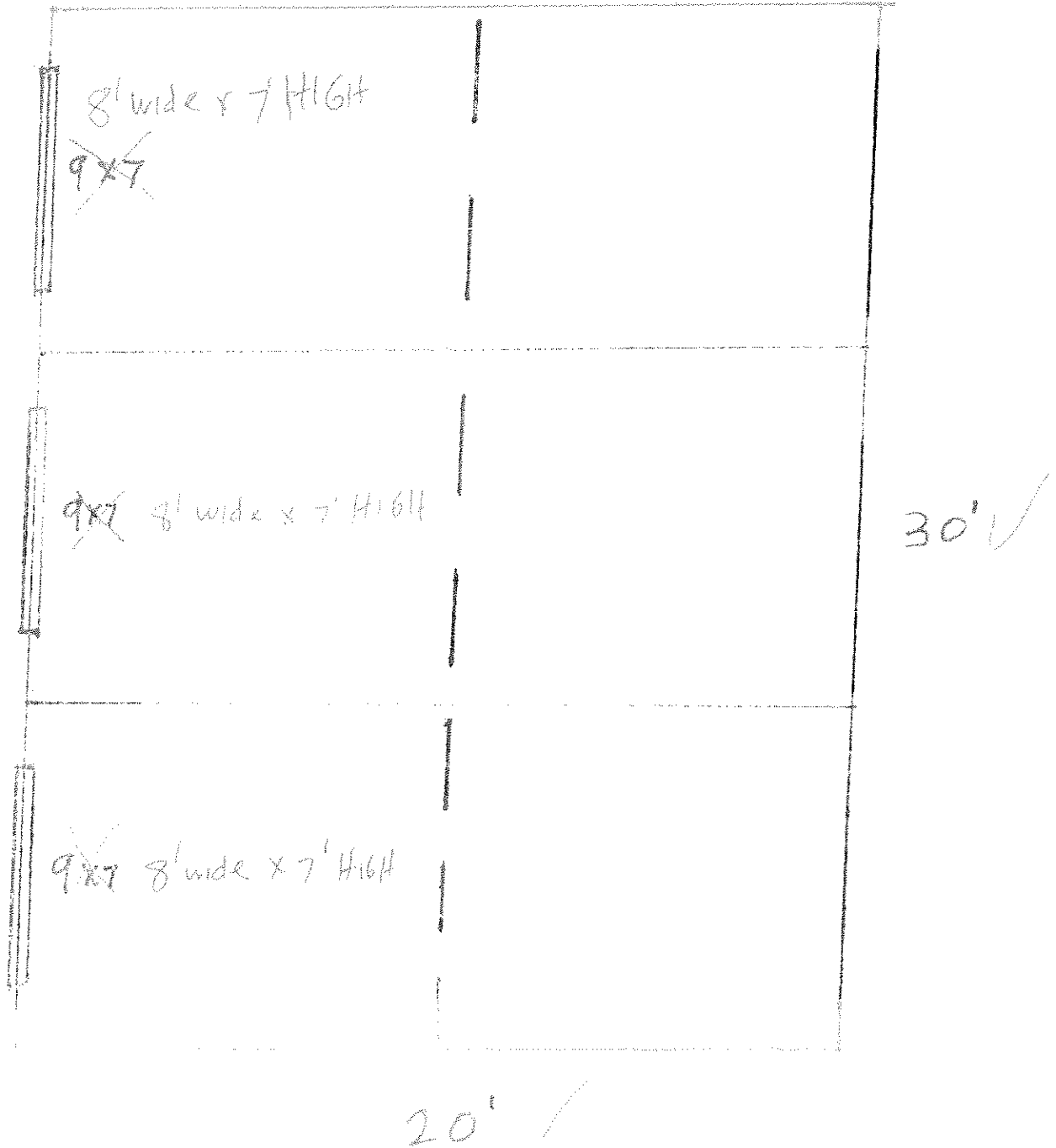
10.1 All work shall be executed in accordance with the latest Massachusetts regulations, local inspection authorities and Occupational Safety and Health Administration (OSHA). It shall be understood that these documents are intended to perform as a guide and that omission of any specific item or failure to mention any local, state or federal requirements or authorities of law specifically shall not relieve the Contractor

HIGH SCHOOL STORAGE SHED

REVISED

8/4/2017

ADDRESS #1



## EXHIBIT B

### AGREEMENT BETWEEN TOWN AND CONTRACTOR

THIS AGREEMENT shall be effective as of the date it becomes fully executed by all parties hereto for **High School Storage Shed** (hereinafter referred to as the "Services"), by and between Barbato Construction Co. Inc., a corporation duly organized under the laws of the Commonwealth of Massachusetts, with a usual place of business at 155 East Grove Street, P.O. Box 1259, Middleboro, MA 02346, (hereinafter referred to as the "CONTRACTOR"), and the Town of Medway, (hereinafter referred to as the "TOWN").

WITNESSETH that the CONTRACTOR and the TOWN, for the consideration hereinafter named, agree as follows:

#### ARTICLE 1: CONTRACT DOCUMENTS

The Contract Documents consist of the following, and in the event of conflicts or discrepancies among them, they shall be interpreted on the basis of the following priorities:

- 1) This agreement between town and contractor
- 2) Invitation for bids, bid specifications, request for proposals or purchase description
- 3) Contractor's bid or proposal
- 4) Copies of all required bonds, certificates of insurance and licenses required under the contract.

EACH OF WHICH IS ATTACHED HERETO. These documents form the entire Agreement between the parties and there are no other agreements between the parties. Any amendment or modification to this Agreement must be in writing and signed by an official with the authority to bind the Town.

#### ARTICLE 2: SCOPE OF WORK

The CONTRACTOR shall furnish all materials, labor and equipment, and perform all work for **High School Storage Shed** and the CONTRACTOR agrees to do everything required by this Agreement and the Contract Documents.

#### ARTICLE 3: TERMS OF AGREEMENT

- (a) The work to be performed under this Agreement shall be commenced within TEN calendar days after the TOWN issues a written contract to the CONTRACTOR,
- (b) The CONTRACTOR hereby agrees that if it fails to carry on the work with reasonable speed or stops work altogether without due cause, as determined in each case by the TOWN, the TOWN may give written notice to the CONTRACTOR to proceed with the work or to carry on the work more speedily. Seven days after the presentation of such notice, if the work is not proceeding to the satisfaction of the TOWN, the CONTRACTOR shall be considered to have defaulted in the performance of this Agreement.

#### ARTICLE 4: THE CONTRACT SUM

The TOWN shall pay the CONTRACTOR for the performance of this Agreement the sum of \$71,000 [**Seventy one thousand Dollars**], Includes Add Alternate 1- increase to 2x6 wood frame, the total amount of compensation due to the CONTRACTOR in consideration of the full performance of services by the CONTRACTOR is the amount set forth above. The TOWN shall pay the CONTRACTOR as services are performed by the CONTRACTOR based upon the portion of services completed.

Subject to Appropriation. The obligations of the TOWN hereunder shall be subject to appropriation on a fiscal year basis. In the absence of appropriation, this agreement shall be terminated immediately without liability of the TOWN for damages, lost profits, penalties, or other charges arising from early termination.

## ARTICLE 5: PAYMENT

- (a) On a monthly basis, forty-five days after receipt by the TOWN office as stamped in by the appropriate TOWN office, of an invoice for work performed or materials supplied the previous month, the TOWN shall pay the CONTRACTOR ninety percent of the invoice. Upon satisfactory completion of the work, forty-five days after receipt of an invoice for final payment, the TOWN shall pay the CONTRACTOR all amounts due under the Agreement, including the retainage.
- (b) With any invoice, the CONTRACTOR shall submit evidence satisfactory to the TOWN that the goods or supplies have been delivered and/or that the work has been completed in accordance with this Agreement, and that all payrolls, material bills and other indebtedness connected with the work have been paid. The billings shall include, if applicable, all charges for CONTRACTOR, subcontractors, plans, equipment, models, renderings, travel, reproductions, postage and delivery, and all other expenses. There shall not be any markup for overhead, administration or profit for any of the above listed services.
- (c) Payments upon substantial completion of contracts for construction of public works shall be governed by General Laws chapter 30 section 39G.

## ARTICLE 6: NON-PERFORMANCE

In the case of any default on the part of the CONTRACTOR with respect to any of the terms of this Agreement, the TOWN shall give written notice thereof, and if said default is not made good within such time as the TOWN shall specify in writing, the TOWN shall notify the CONTRACTOR in writing that there has been a breach of the Agreement, and thereafter the TOWN shall have the right to secure the completion of the work remaining to be done on such terms and in such manner as the TOWN shall determine, and the CONTRACTOR shall pay the TOWN any money that the TOWN shall pay another CONTRACTOR for the completion of the work, in excess of what the TOWN would have paid the CONTRACTOR for the completion of the work, and the CONTRACTOR shall reimburse the TOWN for all expenses incurred by reason of said breach. In case of such breach, the CONTRACTOR shall be entitled to receive payment only for work satisfactorily completed prior to said breach, less any retainage the TOWN is entitled to. The amount of any balance due the CONTRACTOR shall be determined by the TOWN and certified to the CONTRACTOR.

## ARTICLE 7: TERMINATION

- (a) By executing this Agreement, the CONTRACTOR assumes the risk that the necessary funding for completion of the project will be secured. If adequate funding for the project cannot be secured after execution of this contract, the Town Accountant shall certify that fact in writing for the parties.
- (b) Notwithstanding any other provision of this Agreement, the Town reserves the right at any time to suspend or terminate this Agreement in whole or in part for its convenience or due to an unavailability of funds upon fourteen (14) days written notice to CONTRACTOR. Town shall incur no liability by reason of such termination for convenience except for the obligation to pay for work performed and accepted accruing through the date of termination less any offset or claim of Town. Such obligation shall not exceed the available appropriation. CONTRACTOR shall have no right to recover other amounts, including but not limited to amounts for lost profits, indirect, incidental or consequential damages.
- (c) If for any reason the TOWN terminates the Agreement due to lack of funding, CONTRACTOR hereby releases the TOWN and every member, agency, and agent thereof from all claims and liability to the CONTRACTOR for everything done, furnished for or relating to the work pursuant to this agreement.

## ARTICLE 8: NOTICE

All notices required to be given under this Agreement shall be in writing and shall be effective upon receipt by hand delivery or certified mail to:

**Town of Medway:**

Town of Medway - DPS  
David D'Amico, DPS Director  
45b Holliston Street  
Medway, MA 02053

**Contractor:**

Barbato Construction Co. Inc.  
Edward Barbato  
Vice President  
155 East Grove Street  
P.O. Box 1259  
Middleboro, MA 02346

**ARTICLE 9. INSURANCE**

- (a) The CONTRACTOR shall, at its own expense, obtain and maintain commercial general liability, including products-completed operations coverage, and motor vehicle liability insurance policies protecting the TOWN in connection with any operations included in this Contract, and shall have the TOWN named as an additional insured on the policies. General liability coverage shall be in the amount of at least \$1,000,000 per occurrence and \$2,000,000 aggregate for bodily injury liability and property damage liability. The commercial general liability policy shall contain additional insured endorsements of ISO CG 20 37 and either ISO CG 20 33 or CG 20 10, or their equivalent. **The Contractor shall provide a copy of additional insured endorsements for all policies that require the Town to be listed as an additional insured.**
- (b) The CONTRACTOR shall, before commencing performance of this Contract, provide by insurance for the payment of compensation and the furnishing of other benefits in accordance with Mass. Gen. L. Ch. 152, as amended, to all employed under the Contract and shall continue such insurance in full force and effect during the term of the Contract.

All insurance coverage shall be in force from the time of the Agreement until six (6) years beyond the date when all work under the Contract is completed and accepted by the TOWN. **Certificates and any and all renewals substantiating that required insurance coverage is in effect shall be filed with the TOWN and shall list the TOWN as additional insured for each policy.** Since this insurance is normally written on a year-to-year basis, the CONTRACTOR shall notify the TOWN should coverage become unavailable or if its policy should change. If the insurance required by this contract is to be cancelled, whether by the insurers or the insured, such cancellation shall not be valid unless written notice thereof is given by the party proposing cancellation to the other party and to the Town at least fifteen days prior to the intended effective date thereof, which date should be expressed in said notice. Such cancellation shall not waive or excuse the Contractor's responsibility for complying with the insurance requirements of this Contract.

To the fullest extent permitted by law, the CONTRACTOR shall indemnify, defend, and save harmless the TOWN and all of the TOWN'S officers, agents and employees from and against all suits and claims of **liability of every name and nature, including costs of defending any action, for or on account of any injuries to persons or damage to property of the TOWN or any person, firm, corporation or association arising out of or resulting from any act, omission, or negligence of the CONTRACTOR, subcontractors and its and their agents or employees.** The foregoing provisions shall survive the termination or expiration of this Agreement and shall not be deemed to be released, waived or modified in any respect by reason of any surety or insurance provided by the CONTRACTOR under the Contract.

#### **ARTICLE 10: SUBCONTRACTING OF WORK**

The CONTRACTOR shall not subcontract any of the work that it is required to perform under this Contract to any corporation, entity or person without the prior written approval of the TOWN.

#### **ARTICLE 11: MATERIALS AND WORKMANSHIP**

Unless otherwise specified, all materials and equipment incorporated in the work under the Contract shall be new. All workmanship shall be first class and by persons qualified in the respective trades.

#### **ARTICLE 12: PREVAILING WAGE RATES**

The CONTRACTOR shall pay the prevailing wage and comply with Mass. General Laws chapter 149, sections. 26 - 27D, and a Statement of Compliance shall be included in the Contract Documents. Pursuant to Mass. General Laws chapter 149, sections 26 and 27B, the CONTRACTOR shall file weekly certified payroll records with the TOWN for all employees who have worked on the Project. The TOWN and the CONTRACTOR shall preserve said records for a period of not less than three years from the date of completion of the Agreement.

#### **ARTICLE 13: PERFORMANCE AND PAYMENT BONDS**

- (a) Performance Bond Not required.
- (b) The CONTRACTOR shall furnish a **Payment Bond** from a surety company qualified to do business under the laws of the Commonwealth of Massachusetts which is satisfactory to the TOWN in the amount (50%) of the Agreement price for payment of all labor and materials used to carry out the Agreement.

#### **ARTICLE 14: GUARANTEE OF WORK**

- (a) If, within any guarantee period, repairs or changes are required in connection with guaranteed work, which in the opinion of the TOWN are rendered necessary as a result of the use of materials, equipment or workmanship which are inferior, defective or not in accordance with the terms of the Agreement, the CONTRACTOR shall, promptly upon receipt of notice from the TOWN and at its own expense:
  - (1) Make goods and services conform to this Agreement;
  - (2) Make good all damage to the site, or equipment or contents thereof, which, in the opinion of the TOWN, is the result of the use of materials, equipment or workmanship which are inferior, defective, or not in accordance with the terms of the Agreement; and
  - (3) Make good any work or material, or the equipment or site, which is disturbed in fulfilling any such guarantee.

#### **ARTICLE 15: GOVERNING LAW**

The CONTRACTOR shall perform the work required under this Agreement in conformity with requirements and standards of the TOWN and all applicable laws of the Commonwealth of Massachusetts, its political subdivisions, and the Federal Government.

This Agreement and performance thereunder are governed by the laws of the Commonwealth of Massachusetts and all other applicable by-laws and administrative rules, regulations and orders.

#### **ARTICLE 16: BINDING AGREEMENT AND ASSIGNMENT OF INTEREST**



This Agreement shall be binding upon the TOWN and the CONTRACTOR and the partners, successors, heirs, executors, administrators, assigns and legal representatives of the TOWN and the CONTRACTOR. Neither the TOWN nor the CONTRACTOR shall assign, sublet or transfer any interest in this Agreement without the written consent of each other, and such consent shall not be unreasonably withheld.

#### **ARTICLE 17: LICENSURE AND COMPLIANCE WITH MASSACHUSETTS TAX LAW**

By executing this Agreement, CONTRACTOR agrees and certifies that it is licensed to perform the services required by this Agreement, and that it will secure such licensure for so long as it is bound to perform services under this Agreement. Documentation of such licensure shall be attached to this Agreement as an Exhibit. CONTRACTOR shall comply with all applicable laws, ordinances, rules or regulations or codes of the State or Town in performing the work embraced by this Agreement.

Pursuant to Mass. General Laws chapter 62C, section 49A, the CONTRACTOR certifies under the penalties of perjury that the CONTRACTOR has complied with all laws of the Commonwealth relating to taxes, reporting of employees and contractors, and withholding and remitting of child support.

#### **ARTICLE 18: CORPORATE CONTRACTOR**

The CONTRACTOR shall endorse upon this Agreement (or attach hereto) a Clerk's Certificate certifying the authority of the party signing this Agreement for the corporation and the existence of such corporation. Such certificate shall be accompanied by a letter or other instrument stating that such authority continues in force and effect as of the date of submission. The certificate and letter will be Exhibit D to this Agreement. This Agreement shall not be enforceable against the Town unless and until the CONTRACTOR complies with this section.

#### **ARTICLE 19: GENERAL LAWS**

The following provisions of state statute apply to the work performed under this agreement, and these provisions supersede any conflicting provision of this agreement: General Laws chapter 30 §39F; chapter 30 §39G; chapter 30 §39I; chapter 30 §39M; chapter 30 §39N; chapter 30 §39O; chapter 30 §39P; chapter 30 §39R; chapter 149 §25; chapter 149 §26; chapter 149 §34; chapter 149 §34A; chapter 149 §334B; copies of these statutes are attached hereto and the applicable sections are incorporated herein by reference.

Each and every other provision of law or clause required by law to be inserted in this agreement shall be deemed to be inserted herein, and the agreement shall be read and enforced as though it were included herein and any provision contrary to such law or clause shall be deemed null and void. If through mistake or otherwise any such provision is not correctly inserted, then upon application of either party, the agreement shall forthwith be physically amended to make such insertion.

IN WITNESS WHEREOF the parties hereto have executed copies of this Agreement the day and year first above written. \*

\*If a Corporation, attach to each signed copy of this Agreement an attested copy of the vote of the Corporation authorizing the said signing and sealing.

CONTRACTOR: BARBATO Construction Co. Inc.

TOWN OF MEDWAY  
By its Board of Selectmen

By:   
Edward A. Barbato

Title: Vice President

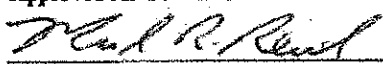
Corporate Seal:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

  
David D'Amico - Director  
Department of Public Service

DATE Signed: \_\_\_\_\_

  
Town Accountant

Approved As To Form  
  
Town Counsel

Dated: 9/5/17

Dated: 8-31-17

Funding Source:

Account: 30259702-5383

**CERTIFICATE OF COMPLIANCE WITH**  
**MASSACHUSETTS TAX LAWS**

Pursuant to Massachusetts General Law Chapter 62C, Section 49A, the undersigned acting on behalf of the Contractor\*, certify under penalties of perjury that to the best knowledge and belief, the Contractor\* is in compliance with all laws of the Commonwealth relating to taxes, reporting of employee and contractors, and withholding and remitting child support.

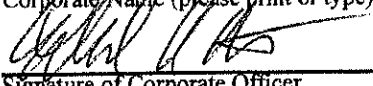
**Individual**

\_\_\_\_\_  
Signature Date

\_\_\_\_\_  
Name (please print or type) Social Security Number

**Corporate**

Barbato Construction Co., Inc.  
\_\_\_\_\_  
Corporate Name (please print or type)

  
\_\_\_\_\_  
Signature of Corporate Officer Date

Edward A. Barbato, Vice President  
\_\_\_\_\_  
Name of Corporate Officer (please print or type) Title

04-2646586  
\_\_\_\_\_  
Taxpayer Identification Number

\* As used in this certification, the word "Contractor" shall mean any natural person, business, partnership, corporation, union, committee, club, or other organization, entity, or group of individuals.



Exhibit E

CERTIFICATE OF AUTHORITY

At a duly authorized meeting of the Board of Directors of the  
Barbato Construction  
Co., Inc. held on 8/24/2017 it  
(Name of Corporation) (Date)

was voted that:

Edward A. Barbato Vice President  
(Name) (Officer)

Of this company, be and he/she hereby is authorized to execute contracts and bonds in the name and on behalf of said company, and affix its corporate seal hereto; and such execution of any contract or obligation in this company's name on its behalf by such

Vice President under seal of the company,  
(Officer)

Shall be valid and binding upon this company.

A true copy,

ATTEST:

TITLE:

PLACE OF BUSINESS:

DATE OF THIS CONTRACT:

I hereby certify that I am the clerk of the Barbato Construction Co., Inc.  
(Name of Corporation)

And that Edward A. Barbato is duly elected Vice President  
(NAME) (POSITION)

Of said company, and that the above vote has not been amended or rescinded and remains in full force and effect as of the date of this contract.

CORPORATE SEAL:

Kevin T. Barbato  
(CLERK) Kevin T. Barbato



*Town of Medway, Massachusetts 02053*

**CERTIFICATE OF NON-COLLUSION**

**REVENUE ENFORCEMENT AND PROTECTION ACT**

Massachusetts General Laws, Chapter 701 of the Acts of 1983, requires that each bidder must certify as follows:

**CERTIFICATE OF NON-COLLUSION**

The undersigned certifies under penalties of perjury that this bid or proposal has been made and submitted in good faith and without collusion or fraud with any other person. As used in this certification, the word "person" shall mean any natural person, business, partnership, corporation, union, committee, club, or other organization, entity, or group of individuals.

Signature of individual submitting bid or proposal

Edward A. Barbato

Barbato Construction Co., Inc.

Name of Business (please type or print)

Exhibit G

**PUBLIC CONTRACTOR DEBARMENT**

The undersigned certifies under penalty of perjury that the below named contractor is not presently debarred from doing public construction work in the commonwealth under the provisions of section twenty-nine F of chapter twenty-nine, or any other applicable debarment provisions of any other chapter of the General Laws or any rule or regulation promulgated thereunder.

**OSHA TRAINING**

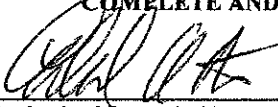
Pursuant to G.L. c. 30, §39S, the Contractor hereby certifies under penalties of perjury as follows:

Contractor is able to furnish labor that can work in harmony with all other elements of labor employed or to be employed in the work;

All employees to be employed at the worksite will have successfully completed a course in construction safety and health approved by the United States Occupational Safety and Health Administration that is at least 10 hours in duration at the time the employee begins work and they shall furnish documentation of successful completion of said course with the first certified payroll report for each employee; and

All employees to be employed in the work subject to this contract have successfully completed a course in construction safety and health approved by the United States Occupational Safety and Health Administration that is at least 10 hours in duration.

**COMPLETE AND SIGN BELOW:**

  
\_\_\_\_\_  
Authorized Person's Signature

8/24/17  
\_\_\_\_\_  
Date

Edward A. Barbato, Vice President  
Print Name & Title of Signatory

Barbato Construction Co., Inc.  
Name of Contractor



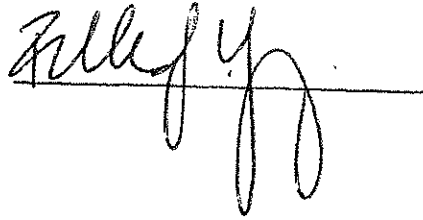


ATTEST:

The Ohio Casualty Insurance Company  
Surety

Ellen J. Young  
(Attorney-in-Fact)

By




Mail Stop 03AN, 20 Riverside Road  
Weston, MA 02493  
(Address-Zip Code)

(SEAL)

Witness as to Surety

Barbato Construction Co., Inc. By:

  
Edward A. Barbato, Vice President

PO Box 1259, 155 East Grove St. Middleboro, MA 02346  
(Address-Zip Code)

NOTE: Date of Bond must not be prior to date of Contract. If Contractor is a Partnership, all partners should execute Bond.

**THIS POWER OF ATTORNEY IS NOT VALID UNLESS IT IS PRINTED ON RED BACKGROUND.**

This Power of Attorney limits the acts of those named herein, and they have no authority to bind the Company except in the manner and to the extent herein stated.

Certificate No. 7692240

Liberty Mutual Insurance Company  
The Ohio Casualty Insurance Company West American Insurance Company

**POWER OF ATTORNEY**

KNOWN ALL PERSONS BY THESE PRESENTS: That The Ohio Casualty Insurance Company is a corporation duly organized under the laws of the State of New Hampshire, that Liberty Mutual Insurance Company is a corporation duly organized under the laws of the State of Massachusetts, and West American Insurance Company is a corporation duly organized under the laws of the State of Indiana (herein collectively called the "Companies"), pursuant to and by authority herein set forth, does hereby name, constitute and appoint, Christina D. Hickey; Donna M. Robie; Ellen J. Young; Ellen M. Dolan; Frank J. Smith; William J. Dobbins, Jr.

all of the city of Natick state of MA each individually if there be more than one named, its true and lawful attorney-in-fact to make, execute, seal, acknowledge and deliver, for and on its behalf as surety and as its act and deed, any and all undertakings, bonds, recognizances and other surety obligations, in pursuance of these presents and shall be as binding upon the Companies as if they have been duly signed by the president and attested by the secretary of the Companies in their own proper persons.

IN WITNESS WHEREOF, this Power of Attorney has been subscribed by an authorized officer or official of the Companies and the corporate seals of the Companies have been affixed thereto this 27th day of March, 2017.



The Ohio Casualty Insurance Company  
Liberty Mutual Insurance Company  
West American Insurance Company

By: David M. Carey  
David M. Carey, Assistant Secretary

STATE OF PENNSYLVANIA ss  
COUNTY OF MONTGOMERY

On this 27th day of March, 2017, before me personally appeared David M. Carey, who acknowledged himself to be the Assistant Secretary of Liberty Mutual Insurance Company, The Ohio Casualty Company, and West American Insurance Company, and that he, as such, being authorized so to do, execute the foregoing instrument for the purposes therein contained by signing on behalf of the corporations by himself as a duly authorized officer.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my notarial seal at King of Prussia, Pennsylvania, on the day and year first above written.



COMMONWEALTH OF PENNSYLVANIA  
Notarial Seal  
Teresa Pastella, Notary Public  
Upper Merion Twp., Montgomery County  
My Commission Expires March 28, 2021  
Member, Pennsylvania Association of Notaries

By: Teresa Pastella  
Teresa Pastella, Notary Public

This Power of Attorney is made and executed pursuant to and by authority of the following By-laws and Authorizations of The Ohio Casualty Insurance Company, Liberty Mutual Insurance Company, and West American Insurance Company which resolutions are now in full force and effect reading as follows:

**ARTICLE IV - OFFICERS** - Section 12. Power of Attorney. Any officer or other official of the Corporation authorized for that purpose in writing by the Chairman or the President, and subject to such limitation as the Chairman or the President may prescribe, shall appoint such attorneys-in-fact, as may be necessary to act in behalf of the Corporation to make, execute, seal, acknowledge and deliver as surety any and all undertakings, bonds, recognizances and other surety obligations. Such attorneys-in-fact, subject to the limitations set forth in their respective powers of attorney, shall have full power to bind the Corporation by their signature and execution of any such instruments and to attach thereto the seal of the Corporation. When so executed, such instruments shall be as binding as if signed by the President and attested to by the Secretary. Any power or authority granted to any representative or attorney-in-fact under the provisions of this article may be revoked at any time by the Board, the Chairman, the President or by the officer or officers granting such power or authority.

**ARTICLE XIII - Execution of Contracts - SECTION 5. Surety Bonds and Undertakings.** Any officer of the Company authorized for that purpose in writing by the chairman or the president, and subject to such limitations as the chairman or the president may prescribe, shall appoint such attorneys-in-fact, as may be necessary to act in behalf of the Company to make, execute, seal, acknowledge and deliver as surety any and all undertakings, bonds, recognizances and other surety obligations. Such attorneys-in-fact subject to the limitations set forth in their respective powers of attorney, shall have full power to bind the Company by their signature and execution of any such instruments and to attach thereto the seal of the Company. When so executed such instruments shall be as binding as if signed by the president and attested by the secretary.

**Certificate of Designation** - The President of the Company, acting pursuant to the Bylaws of the Company, authorizes David M. Carey, Assistant Secretary to appoint such attorneys-in-fact as may be necessary to act on behalf of the Company to make, execute, seal, acknowledge and deliver as surety any and all undertakings, bonds, recognizances and other surety obligations.

**Authorization** - By unanimous consent of the Company's Board of Directors, the Company consents that facsimile or mechanically reproduced signature of any assistant secretary of the Company, wherever appearing upon a certified copy of any power of attorney issued by the Company in connection with surety bonds, shall be valid and binding upon the Company with the same force and effect as though manually affixed.

I, Renee C. Llewellyn, the undersigned, Assistant Secretary, The Ohio Casualty Insurance Company, Liberty Mutual Insurance Company, and West American Insurance Company do hereby certify that the original power of attorney of which the foregoing is a full, true and correct copy of the Power of Attorney executed by said Companies, is in full force and effect and has not been revoked.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the seals of said Companies this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.



By: Renee C. Llewellyn  
Renee C. Llewellyn, Assistant Secretary

To confirm the validity of this Power of Attorney call 1-610-832-8240 between 9:00 am and 4:30 pm EST on any business day.

Not valid for mortgage, note, loan, letter of credit, currency rate, interest rate or residual value guarantees.



# CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)  
8/24/2017

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

**IMPORTANT:** If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

<b>PRODUCER</b> Eastern Insurance Group LLC 77 Accord Park Drive Unit B1 Norwell MA 02061	<b>CONTACT NAME:</b> Anita Chesson	
	<b>PHONE (A/C No. Ext.):</b> (781) 596-8913	<b>FAX (A/C No.):</b> (508) 647-3261
<b>E-MAIL ADDRESS:</b> achesson@easterninsurance.com		
<b>INSURER(S) AFFORDING COVERAGE</b>		<b>NAIC #</b>
<b>INSURER A</b> Massachusetts Bay Ins.Co.		22306
<b>INSURER B</b> Hanover Insurance Co.		22292
<b>INSURER C</b> Acadia Insurance Company		
<b>INSURER D:</b>		
<b>INSURER E:</b>		
<b>INSURER F:</b>		
<b>INSURED</b> Barbato Construction Co Inc P O Box 1259 Middleboro MA 02346		

**COVERAGES** CERTIFICATE NUMBER Master 16-17 REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL SUBR INSR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	GENERAL LIABILITY		ZDN5579769	10/31/2016	10/31/2017	EACH OCCURRENCE \$ 1,000,000
	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY					DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 100,000
	<input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR					MED EXP (Any one person) \$ 5,000
	GEN'L AGGREGATE LIMIT APPLIES PER:					PERSONAL & ADV INJURY \$ 1,000,000
	<input type="checkbox"/> POLICY <input checked="" type="checkbox"/> PRO-JECT <input checked="" type="checkbox"/> LOC					GENERAL AGGREGATE \$ 2,000,000
						PRODUCTS - COMP/OP AGG \$ 2,000,000
						\$
A	AUTOMOBILE LIABILITY		ADN6019892	10/31/2016	10/31/2017	COMBINED SINGLE LIMIT (Ea accident) \$ 1,000,000
	<input type="checkbox"/> ANY AUTO					BODILY INJURY (Per person) \$
	<input type="checkbox"/> ALL OWNED AUTOS	<input checked="" type="checkbox"/> SCHEDULED AUTOS				BODILY INJURY (Per accident) \$
	<input checked="" type="checkbox"/> HIRED AUTOS	<input checked="" type="checkbox"/> NON-OWNED AUTOS				PROPERTY DAMAGE (Per accident) \$
						PIP-Basic \$
B	<input checked="" type="checkbox"/> UMBRELLA LIAB	<input checked="" type="checkbox"/> OCCUR	UHN5150309	10/31/2016	10/31/2017	EACH OCCURRENCE \$ 10,000,000
	<input type="checkbox"/> EXCESS LIAB	<input type="checkbox"/> CLAIMS-MADE				AGGREGATE \$ 10,000,000
	DED	RETENTION \$ 10,000				\$
A	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY		WHN8929131	10/31/2016	10/31/2017	<input checked="" type="checkbox"/> WC STATUTORY LIMITS <input checked="" type="checkbox"/> OTHER
	ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH)	Y/N				E.L. EACH ACCIDENT \$ 1,000,000
	If yes, describe under DESCRIPTION OF OPERATIONS below	N/A				E.L. DISEASE - EA EMPLOYEE \$ 1,000,000
						E.L. DISEASE - POLICY LIMIT \$ 1,000,000
C	Builders Risk/Inst Fltr		CIM5180670	10/31/2016	10/31/2017	Any One Location \$3,000,000
A	Leased/Rented Equipment		ZDN5579769	10/31/2016	10/31/2017	Max \$50,000 per item \$120,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (Attach ACORD 101, Additional Remarks Schedule, if more space is required)  
 Town of Medway- DPS are included as additional insured for General Liability, Automobile Liability and Umbrella Liability if required by written contract.

**CERTIFICATE HOLDER****CANCELLATION**

Town of Medway- DPS  
 David D'Amico, DPS Director  
 45b Holliston Street  
 Medway, MA 02053

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

John Koegel/ACI

# AGENDA ITEM

## #3

### Authorization for Route 109 Project Expenditures– Town Administrator

*Associated back up materials attached.*

- Agreement # 90603 RT109 Non-Participating Agreement Contract with MassDOT including List of Non-Participating Monetary Items

**Proposed motion:**

I move that the Board of Selectmen authorize the Town Administrator to approve expenditures not to exceed \$15,000 individually, and that each expenditure made be reported to the Board with a budgetary update of the \$500,000 appropriation approved by Town Meeting, and, further, that any expenditure exceeding \$15,000 shall first be presented to the Board of Selectmen for approval.

Agreement Number: 90603

Agreement made this        of        2015, by and between the MASSACHUSETTS DEPARTMENT OF TRANSPORTATION, hereinafter called "MassDOT", and the MUNICIPALITY OF MEDWAY, hereinafter called the "Municipality".

WHEREAS, MassDOT proposes to reconstruct and improve Route 109, from Holliston St., to 100 ft. West of Highland St., including the rehabilitation of Bridge # M-13-012, (hereinafter referred to as the "Project"), in the Municipality of Medway, in said Commonwealth, and

WHEREAS, the Municipality desires MassDOT, in conjunction with the Project, to make certain roadway improvements. The contract items to install said improvements are listed on "Exhibit A" and hereinafter called NON-PARTICIPATING WORK, and

WHEREAS, the plans and specifications for the said Project and the NON-PARTICIPATING WORK desired by the Municipality, meets with approval of the Municipality and are on file in records of MassDOT.

NOW THEREFORE, in consideration thereof, MassDOT and the Municipality hereby agree as to the apportionment of the work, the expense, ownership and future maintenance of the above-mentioned NON-PARTICIPATING WORK as follows:

#### DIVISION OF WORK

MassDOT, by its own contractor, will furnish on behalf of the Municipality necessary labor, materials, equipment and other services for the above-mentioned NON-PARTICIPATING WORK.

Preliminary estimates of items and quantities of work prepared by MassDOT, also known as "Exhibit A" necessary for the NON-PARTICIPATING WORK is attached hereto and made a part hereof.

The terms of this agreement incorporate by reference the Project's construction contract special provisions, and MassDOT's Standard Specifications for Highways and Bridges, as amended. The Municipality hereby agrees to be bound by any decision by MassDOT concerning the Standard Specifications and Special Provisions referenced.

Any and all approvals made by MassDOT during the Project's design review shall not relieve the Municipality's responsibilities for design errors and/or omissions that are related to the said Non-Participating Work.

#### **DIVISION OF EXPENSE**

In consideration of the benefits to be derived by the Municipality from the NON-PARTICIPATING WORK, the Municipality agrees to pay in amounts equal to the bid prices, of MassDOT's Contractor, for the actual quantities of the NON-PARTICIPATING WORK.

Pursuant to the applicable provisions of M.G.L. Chapter 44, the Municipality has appropriated or identified the funds necessary to construct the NON-PARTICIPATING WORK

The following costs relating to the above NON-PARTICIPATING WORK shall also be borne by the Municipality:

1. Extra work orders initiated at the request of the Municipality or its duly authorized official.
2. Claims for "changed conditions" pursuant to M.G.L. c.30§39N arising out of the NON-PARTICIPATING WORK. MassDOT shall promptly notify the Municipality upon receipt of such claims.
3. Interest charges on Contractor payments levied pursuant to M.G.L. c.30§39G.
4. Any and all construction increases that are related to the NON-PARTICIPATING WORK. The said cost increases shall include, but are not limited to (1) Extra work, (2) changed conditions, (3) traffic police, (4) item overruns, and (5) design errors and/or omissions.

Payments to be made by the Municipality are to be made directly to MassDOT's Contractor at such times and in such amounts as specified in written orders from MassDOT to the Municipality.

**FUTURE MAINTENANCE**


The Municipality's representative shall be made available to attend MassDOT's final inspection of the Project. When all punch items identified as part of the final inspection are addressed to the satisfaction of MassDOT, MassDOT shall notify the Municipality in writing that the Project has been completed. Upon such date of notification, the Municipality shall be responsible hereafter for the maintenance and preservation for said NON-PARTICIPATING WORK including any additional work items undertaken in accordance with this Agreement.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement on the day and year first above written.

**MASSACHUSETTS  
DEPARTMENT OF TRANSPORTATION**

\_\_\_\_\_  
THOMAS TINLIN  
HIGHWAY ADMINISTRATOR

**MUNICIPALITY OF MEDWAY**

  
\_\_\_\_\_  
(Signature)

*Michael F. Baynton*  
\_\_\_\_\_  
(Name-Printed)

*Town Administrator*  
\_\_\_\_\_  
(Title)

## Office Estimate By Funding Breakouts

Project # : 605657

District : 3

Location : MEDWAY

Description : MEDWAY- RECONSTRUCTION ON ROUTE 109, FROM HOLLISTON STREET TO 100 FT. WEST OF HIGHLAND STREET. INCLUDES REHAB OF M-13-012

Funding Description : MUNICIPALITY (NON-PARTICIPATING ITEMS) - MEDWAY

Item #	Quantity	Unit	Item Description	Unit Price	Total
227.3	45	CY	REMOVAL OF DRAINAGE STRUCTURE SEDIMENT	\$150.000	\$6,750.00
227.31	675	FT	REMOVAL OF DRAINAGE PIPE SEDIMENT	\$7.000	\$4,725.00
* 655.25	140	FT	ORNAMENTAL FENCE	\$150.000	\$21,000.00
* 715.5	21	EA	RURAL MAIL BOX REMOVED AND STACKED	\$100.000	\$2,100.00
* 716.1	67.5	EA	RURAL MAIL BOX	\$400.000	\$27,000.00
* 775.03	8	EA	ELM - PATRIOT 3-3.5 INCH CALIPER	\$1,500.000	\$12,000.00
* 775.441	5	EA	LOCUST - HONEY - 'SKYLINE' 3-3.5 INCH CALIPER	\$1,500.000	\$7,500.00
776.561	10	EA	MAPLE - RED - 'RED SUNSET' 3-3.5 INCH CALIPER	\$1,500.000	\$15,000.00
777.036	1	EA	OAK - NORTHERN RED 2-2.5 INCH CALIPER	\$1,000.000	\$1,000.00
777.043	7	EA	OAK - NORTHERN RED 3-3.5 INCH CALIPER	\$1,500.000	\$10,500.00
783.045	3	EA	SHAD TREE - DOWNY 6-8 FEET	\$750.000	\$2,250.00
* 785.734	145	\$	INKBERRY-SHAMROCK 18-24 IN HT	\$70.000	\$10,150.00
* 786.083	610	EA	JUNIPER - WILTONI - 2 GAL	\$60.000	\$36,600.00
* 796.3	109	EA	ROSE - VIRGINIA - 2 GAL	\$50.000	\$5,450.00
* 796.428	373	EA	FEATHER REED GRASS -KARL FOERSTER - 2 GAL	\$30.000	\$11,190.00
* 796.765	2,016	EA	DAYLILY - HAPPY RETURNS - 1 GAL	\$15.000	\$30,240.00
* 796.900	17,100	EA	DAFFODILS - TOP SIZE	\$2.000	\$34,200.00
815.2	0.1	LS	TRAFFIC CONTROL SIGNAL LOCATION NO. 2	\$61,520.000	\$6,152.00
815.3	0.1	LS	TRAFFIC CONTROL SIGNAL LOCATION NO. 3	\$193,030.000	\$19,303.00
815.4	0.1	LS	TRAFFIC CONTROL SIGNAL LOCATION NO. 4	\$204,980.000	\$20,498.00
815.5	0.1	LS	TRAFFIC CONTROL SIGNAL LOCATION NO. 5	\$67,270.000	\$6,727.00
* 816.06	0.1	LS	TRAFFIC SIGNAL RECONSTRUCTION LOCATION NO. 6	\$223,000.000	\$22,300.00
<b>MUNICIPALITY (NON-PARTICIPATING ITEMS) - MEDWAY Total:</b>					<b>\$312,635.00</b>
<b>Office Estimate Grand Total :</b>					<b>\$10,983,193.66</b>



# Massachusetts Department of Transportation

## CONTRACTOR AUTHORIZED SIGNATORY LISTING



CONTRACTOR LEGAL NAME:  
CONTRACTOR VENDOR/CUSTOMER CODE: VC

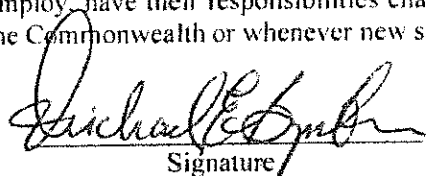
**INSTRUCTIONS:** Any Contractor (other than a sole-proprietor or an individual contractor) must provide a listing of individuals who are authorized as legal representatives of the Contractor who can sign contracts and other legally binding documents related to the contract on the Contractor's behalf. In addition to this listing, any state department may require additional proof of authority to sign contracts on behalf of the Contractor, or proof of authenticity of signature (a notarized signature that the Department can use to verify that the signature and date that appear on the Contract or other legal document was actually made by the Contractor's authorized signatory, and not by a representative, designee or other individual.)

**NOTICE:** *Acceptance of any payment under a Contract or Grant shall operate as a waiver of any defense by the Contractor challenging the existence of a valid Contract due to an alleged lack of actual authority to execute the document by the signatory.*

For privacy purposes **DO NOT ATTACH** any documentation containing personal information, such as bank account numbers, social security numbers, driver's licenses, home addresses, social security cards or any other personally identifiable information that you do not want released as part of a public record. The Commonwealth reserves the right to publish the names and titles of authorized signatories of contractors.

AUTHORIZED SIGNATORY NAME	TITLE
<i>Michael E. Boynton</i>	<i>Town Administrator</i>

I certify that I am the President, Chief Executive Officer, Chief Fiscal Officer, Corporate Clerk or Legal Counsel for the Contractor and as an authorized officer of the Contractor I certify that the names of the individuals identified on this listing are current as of the date of execution below and that these individuals are authorized to sign contracts and other legally binding documents related to contracts with the Commonwealth of Massachusetts on behalf of the Contractor. I understand and agree that the Contractor has a duty to ensure that this listing is immediately updated and communicated to any state department with which the Contractor does business whenever the authorized signatories above retire, are otherwise terminated from the Contractor's employ, have their responsibilities changed resulting in their no longer being authorized to sign contracts with the Commonwealth or whenever new signatories are designated.

  
Signature

Date: 11/5/2015

Title: *Town Administrator*

Telephone: *(508) 321-4933*

Fax: *(508) 321-4988*

Email: *mboynton@townofmedway.org*

[Listing can not be accepted without all of this information completed.]

A copy of this listing must be attached to the "record copy" of a contract filed with the department.

# Massachusetts Department of Transportation CONTRACTOR AUTHORIZED SIGNATORY LISTING



CONTRACTOR LEGAL NAME:  
CONTRACTOR VENDOR/CUSTOMER CODE: VC

## PROOF OF AUTHENTICATION OF SIGNATURE

It is a requirement of MassDOT to obtain authentication of signatures for all signatories listed on the attached Contractor Authorized Listing

**This Section MUST be completed by the Contractor Authorized Signatory in presence of notary.**

Signatory's full legal name (print or type): *Michael E. Boynton*

Title: *Town Administrator*

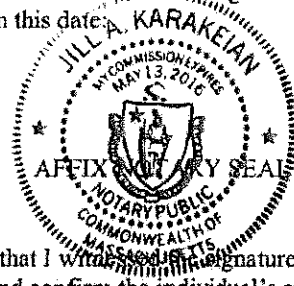
X *Michael E. Boynton*  
Signature as it will appear on contract or other document (Complete only in presence of notary):

AUTHENTICATED BY NOTARY OR CORPORATE CLERK (PICK ONLY ONE) AS FOLLOWS:

*Jill A. Karakeian* (NOTARY) as a notary public certify that I witnessed the signature of the aforementioned signatory above and I verified the individual's identity on this date:

*11/3, 2015*

My commission expires on: *5/13/16*



I, \_\_\_\_\_ (CORPORATE CLERK) certify that I witnessed the signature of the aforementioned signatory above, that I verified the individual's identity and confirm the individual's authority as an authorized signatory for the Contractor on this date:

\_\_\_\_\_, 20\_\_\_\_.

AFFIX CORPORATE SEAL

# AGENDA ITEM

## #4

### **Closing of November 13, 2017 Fall Town Meeting Warrant**

*No associated back up materials attached.*

**Proposed motion:**

I move that the Board close the November 13, 2017 Fall Town Meeting Warrant on September 18, 2017.

# AGENDA ITEM

## #5

### Approval of One-Day Liquor License Applications

- a. Piona – Thayer Homestead – 9/22/17
- b. Baressi/Garry – Thayer Homestead – 9/24/17
- c. Baker/Iuliano – Thayer Homestead – 10/14/17
- d. DiMatteo – Thayer Homestead – 11/14/17
- e. Dykens – Thayer Homestead – 11/26/17
- f. Valley – Thayer Homestead – 12/23/17

*Associated back up materials attached.*

- Police Chief's recommendations for: Caitlin Piona, Heather Baressi & Joanne Garry, Heidi Baker & Bill Iuliano, Kristin DiMatteo, Victoria Dykens, Jessica Valley

Note: One-day applications on file in Board of Selectmen's office.

**Proposed motion:**

I move that the Board approve one-day liquor licenses for Caitlin Piona, Heather Baressi and Joanne Garry, Heidi Baker and Bill Iuliano, Kristin DiMatteo, Victoria Dykens and Jessica Valley for events to be held at the Thayer Homestead on September 22, September 24, October 14, November 11, November 26 and December 23, 2017 respectively, subject to Police Chief's recommendations and proof of appropriate insurance coverage.



# 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

August 23, 2017

To: Michael Boynton  
Town Administrator

From: Allen M. Tingley  
Chief of Police

Re: One-Day Liquor request -- Thayer House -- Wedding Reception

I have reviewed the application for the <sup>one</sup> day wine and malt license request from Caitlin Piona for a wedding reception scheduled for September 22, 2017 at the Thayer House.

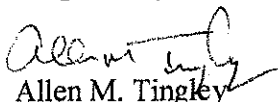
I approve of the issuing of the permit with the following conditions.

There will be no on-street parking on either side of Oak Street or Mechanic Street. Additional parking may be found at the Choate Park complex and in the rear parking lot off of Winthrop Street.

The serving of the beer and wine will comply with the standards set forth in the Town of Medway's liquor policy for a one day alcoholic beverage license, including the stipulation that all alcohol/wine served at the event will be purchased from a licensed alcohol liquor distributor, as indicated on the license application.

A responsible adult will be checking ID's of individuals being served alcohol at this event.

Respectfully Submitted

  
Allen M. Tingley  
Chief of Police



# 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

August 28, 2017

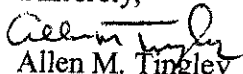
To: Michael Boynton  
Town Administrator

From: Allen M. Tingley  
Chief of Police

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

I have reviewed the request from Joanne Garry for a one day wine and malt license for a bridal shower, to be held at the Thayer House, September 24, 2017. I approve of the issuance of this one day alcohol license with the stipulation that the wine and malt 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



# 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

August 14, 2017

To: Michael Boynton  
Town Administrator

From: Allen M. Tingley  
Chief of Police

Re: One-Day Liquor request – Thayer House – Wedding Reception

I have reviewed the application for the <sup>one</sup> day wine and malt license request for the Baker-Iuliano wedding reception scheduled for October 14, 2017 at the Thayer House.

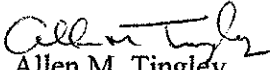
I approve of the issuing of the permit with the following conditions.

There will be no on-street parking on either side of Oak Street or Mechanic Street. Additional parking may be found at the Choate Park complex and in the rear parking lot off of Winthrop Street.

The serving of the beer and wine will comply with the standards set forth in the Town of Medway's liquor policy for a one day wine and malt license, including the stipulation that all wine and malt served at the event will be purchased from a licensed alcohol liquor distributor, as indicated on the license application.

A responsible adult will be checking ID's of individuals being served alcohol at this event.

Respectfully Submitted

  
Allen M. Tingley  
Chief of Police



# 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

August 28, 2017

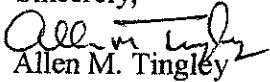
To: Michael Boynton  
Town Administrator

From: Allen M. Tingley  
Chief of Police

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

I have reviewed the request from Kristin DiMatteo for a one day alcohol license for a baby shower, to be held at the Thayer House, November 11, 2017. I approve of the issuance of this one day alcohol license with the stipulation that the alcohol will be purchased from a licensed alcohol wholesale distributor, as indicated on the license application and the Town of Medway's Alcohol Policy. A responsible adult with some knowledge of Mass Liquor Laws will be checking ID's of individuals who are served alcohol at the baby shower. There will be no on-street parking on Mechanic Street and Oak Street.

Sincerely,

  
Allen M. Tingley

Chief of Police





# 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

August 15, 2017

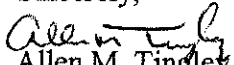
To: Michael Boynton  
Town Administrator

From: Allen M. Tingley  
Chief of Police

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

I have reviewed the request from Victoria Dykens for a one day Alcohol license for a bridal shower, to be held at the Thayer House, November 26, 2017. I approve of the issuance of this one day alcohol license with the stipulation that the wine, malt and alcohol 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



# 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

August 16, 2017

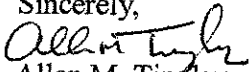
To: Michael Boynton  
Town Administrator

From: Allen M. Tingley  
Chief of Police

Re: One day liquor license- Thayer Property- Family Christmas Party

I have reviewed the request from Jessica Vallely for a one day liquor license license for a family Christmas Party, to be held at the Thayer House, 2B Oak Street, on December 23, 2017. I approve of the issuance of this one day liquor 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 and that a responsible adult with some knowledge of Mass liquor laws will be checking ID's of individuals being served beer and wine at the party

Sincerely,

  
Allen M. Tingley

Chief of Police

# AGENDA ITEM

# #6

## Action Items from Previous Meeting

*Associated back up materials attached.*

- Action Item list dated 8/22/17

	DATE	ACTION ITEMS BOS	WHO	DUE - COMPLETED
1	7/6/2010	Street acceptance progress	S. Affleck-Childs	Ongoing
2	9/20/2010	Route 109 Project Cable license renewals ; Mtg of Cable Advisory Com;	DPS	Ongoing
3	2/3/2014	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	
8	5/1/2017	Ch. 90 funds expenditure policy (roads & sidewalks)	TA/BOS	
9	5/30/2017	OPEB trust management	Finance Director	
10	IWRMP Task Force Mtg	Unaccounted for water loss status report	DPS	Oct BOS Mtg
11	7/17/2017	Centralized v Individual Well Water Treatment Options	DPS	Oct BOS Mtg
12	8/21/2017	Tax title - identify parcels for auction	Task Force	30-Sep-17

# AGENDA ITEM

## #7

### Approval of Minutes

*Associated back up materials attached.*

- 8/15/16 draft minutes
- 12/19/16 draft minutes
- 1/3/17 draft minutes

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**Board of Selectmen's Meeting**  
**August 15, 2016 – 7:00 PM**  
**Sanford Hall, Town Hall**  
**155 Village Street**

**Joint Meeting with Planning & Economic Development Board,**  
**Water & Sewer Commission and Conservation Commission**

**Present: Glenn Trindade, Chair; Maryjane White, Vice Chair; Richard D’Innocenzo, Clerk (7:02 PM); Dennis Crowley, Member.**

Absent: John Foresto, Member.

Staff Present: Michael Boynton, Town Administrator; Allison Potter, Assistant Town Administrator; Mary Becotte, Communications Director; Susy Affleck-Childs, Planning and Economic Development Coordinator; Stephanie Mercandetti, Community Development Director;

Conservation Commission: David Travalini, David Blackwell.

Planning & Economic Development Board: Andy Rodenhiser, Chair; Tom Gay, Jim Wieler, Bob Tucker.

Water & Sewer Commission: Leo O’Rourke, Chair; Bob Wilson, Chan Rogers.

Others Present: Gino Carlucci, Planning Board Consultant.

\*\*\*\*\*

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

**Public Comments:** None.

**Approval – Contract Extension – BSC Group:**

*The Board reviewed the following information: (1) Memorandum from Stephanie Mercandetti, Director of Community and Economic Development; (2) BSC Contract, Board Approved 12/7/15; and (3) Proposed Contract Extension.*

Present: Stephanie Mercandetti, Director of Community and Economic Development; and Andy Rodenhiser, Chair, Planning and Economic Development Board.

Ms. Mercandetti stated there are some unfinished pieces of work so the contract needs to be extended. Both Ms. Mercandetti and Mr. Rodenhiser indicated they are satisfied with the work thus far. We have had outreach and visits and have received some waiver requests which represent cost savings. We also do not have to secure appraisals on Town-owned properties. We want to do appropriate community outreach with public forums when people are back from vacation in the fall. This extension simply adds more time to the contract, and there are no other changes.

Mr. Boynton reported that the contract has been vetted by Town Counsel. Ms. Mercandetti noted that this is just one step in the process before the Urban Renewal Plan is submitted to the State, adding that it must get a favorable vote at Town Meeting. Brief discussion followed.

1  
2 Responding to a question from Selectman Crowley, Ms. Mercandetti estimated that the project should be  
3 completed by November. Mr. Rodenhiser noted that it is a fairly smooth process with a lot of good  
4 people working on it. Selectman Crowley asked that someone come in and give the Board an update in  
5 September or October.  
6

7 **Selectman White moved that the Board execute a contract extension with BSC Group for the**  
8 **preparation of an urban renewal plan as presented; Selectman Crowley seconded. No discussion.**  
9 **VOTE: 4-0-0.**

10  
11 **Approval – Inter-municipal Agreement with Town of Holliston for Health Agent Services:**

12 *The Board reviewed the following information: (1) Memorandum dated August 10, 2016 from the Health*  
13 *Director; and (2) Contract.*  
14

15 Mr. Boynton clarified that this agreement is designed to assist both communities when their respective  
16 staff is away on vacation or otherwise out of the office for an extended period.  
17

18 **Selectman D’Innocenzo moved that the Board execute an inter-municipal agreement with the Town**  
19 **of Holliston for Health Agent Services, as presented; Selectman White seconded. No discussion.**  
20 **VOTE: 4-0-0.**

21  
22 **Contract Awards – Friends of Medway Athletics, Coakley Concession Stand:**

23 *The Board reviewed the following information: (1) Letter dated July 22, 2016 from Lynne Sheehan,*  
24 *FOMA President; (2) FOMA proposal; and (3) Contract. It is noted that the contract has been sent to*  
25 *Town Counsel for review.*  
26

27 Mr. Boynton stated that the contract is simple and straightforward. We put out an RFP and several bids  
28 came in. This group has been vetted by the Parks and Recreation Commission and it recommends  
29 approval.  
30

31 **Selectman White moved that the Board award a contract for the operation of the Coakley**  
32 **Concession Stand to the Friends of Medway Athletics subject to Town Counsel approval;**  
33 **Selectman Crowley seconded. Selectman Crowley asked Mr. Boynton to contact the group**  
34 **tomorrow as this process is behind schedule. VOTE: 4-0-0.**  
35

36 **Discussion – MS4 Regulations:**

37 *The Board reviewed the following information: (1) PowerPoint presentation entitled “Integrated Water*  
38 *Resources Management and Medway”; (2) Spreadsheet displaying Tasks and Timeline.*  
39

40 Present: Tom Holder, Director, Department of Public Services; Kirsten Ryan and Betsy Frederick,  
41 Kleinfelder; Tom Kenney, Deputy Executive Director and Education Manager, New England Water  
42 Works Association.  
43

44 Chairman Trindade explained that various groups have been invited to this meeting so they know what  
45 will be happening and how it may impact some of the things handled by the respective groups. Mr.  
46 Boynton added that this initiative has been around for a few years, but the EPA has not closed the  
47 window on the removal of the nutrients that have been deposited into the rivers. This is an expensive  
48 proposition. We have 200 outfalls in Medway.  
49

50 The Town of Medway is joined with a couple dozen other communities on looking into a legal issue  
51 regarding compliance and the level of compliance based on definitions of industry standards.

1  
2 Tom introduced Ted Kenney, Deputy Executive Director and Education Manager, New England Water  
3 Works Association.

4  
5 Integrated Water Resources Management

6 Ms. Ryan stated that she will review Integrated Water Resources Management as they relate to the Town  
7 of Medway. Medway has been getting ready for the final permit for the past couple of years. She noted  
8 that she and Mr. Holder were here on June 20 to present cost projections. The annual cost will be  
9 approximately \$475,000 per year for the first five years. We do not, however, have a handle on the  
10 ancillary costs of construction, cost of land, and other preparatory measures. The capital costs are  
11 unknown. She cautioned that the overall totals could be in the \$10-15 million area. Those lands may be  
12 in competition for other uses in the community so it would make those decisions sooner rather than later.

13  
14 Selectman Crowley asked the Town Administrator if any of these costs have been built into the FY17  
15 budget. Mr. Holder responded that the Department of Public Services has built some into the  
16 departmental budget in three areas: Stormwater Operating funds, Grant funds and Integrated Water  
17 Resources Management Program (IWRMP) funds.

18  
19 Ms. Ryan proceeded to explore how Medway's water resources management can be integrated into the  
20 MS4 program as a multitasking endeavor. Utilizing a PowerPoint presentation, she began with a review  
21 of integrated planning and fields some questions from the audience on phosphorous levels. Ms. Betsy  
22 Frederick, also from Kleinfelder, explained that the number was determined by a formula on water being  
23 deposited, coupled with the runoff from wastewater facilities. There is a mechanism in the permit for an  
24 appeal if the community believes its phosphorous baseline number is not what it is proclaimed to be.  
25 There would have to be an analysis of land use and other factors. It was based on a 2005 study.

26  
27 At this time, Mr. Holder explained the Maximum Extent Practicable concept. Mr. O'Rourke asked for a  
28 copy of the study. Brief discussion followed during which Mr. Boynton reminded everyone that this is  
29 not legislation but regulations handed down from the federal level. Per the terms of the permit we are  
30 obligated to fall under, we have to accomplish certain tasks (i.e., identifying outfalls and other factors)  
31 and components of the process, and after that point we should be able to determine the test number.

32  
33 Selectman Crowley asked if Medway's number is below the required minimum level, do we still have to  
34 complete the remaining tasks for millions of dollars. Mr. Frederick responded that the EPA defines  
35 particular controls by which the phosphorous can be controlled. Ultimately, the EPA would like  
36 communities to get property owners who are contributing to the high phosphorous levels to reduce or  
37 eliminate the nutrient before it is discharged into the municipal system. Selectman Crowley expressed  
38 concern that the Board of Selectmen needs to have a better handle on what the costs could be. Ms. Ryan  
39 clarified that high cost could be a multiple of one's levels, and not necessarily absolute. Mr. Chan  
40 Rogers stated that this is like a trial balloon on the Charles River and we will just have to wait and see  
41 how it all falls out. Precise answers are not available at this time.

42  
43 Brief discussion followed on the Benefits of Integrated Water Resources Planning.

44  
45 Timeline & Tasks

46 Ms. Ryan distributed a chart referencing specific tasks and the fiscal quarter in which each task should be  
47 addressed and/or accomplished. Development of the Stormwater Management Plan is the first thing in  
48 Q3 of FY17, and the Notice of Intent is in Q4 of FY17. She briefly reviewed it, explaining as she went  
49 along. She stressed the importance of trying to get ahead on some tasks as doing so will represent cost  
50 savings if these things can be rolled into the overall project sooner than outlined. Brief discussion  
51 followed on projected costs, noting that this is on top of regular maintenance tasks performed by DPS.



1 Mr. Boynton added that we have to get caught up to what should be in the 2016 level as we are behind on  
2 some things. Now that we have a GIS person, some of the mapping may be a little more streamlined.

3  
4 Responding to a question from Mr. O'Rourke on the Phosphorous Control Plan, Mr. Ryan stated that it is  
5 an estimate even though the costs may vary, based on how each piece of the plan is accomplished. She  
6 added that these figures are her recommendations for budgeting purposes and do not necessarily represent  
7 actual costs. It was noted that sources of phosphorous are varied, but exhaust from vehicles contributes,  
8 making runoff from each roadway also a contributing factor.

9  
10 Selectman Crowley noted that he had some questions about budgeting with respect to Enterprise accounts  
11 and other funding sources. Mr. Holder responded that those have already been built into the program,  
12 based on 2011 figures. Selectman Crowley asked for updated numbers and a breakdown of funds. Mr.  
13 Chan Rogers pointed out that the whole purpose was for the EPA to get involved.

14  
15 Next Steps

16 Chairman Trindade asked when the Selectmen will need to make some decisions. Mr. Holder responded  
17 that he and the Kleinfelder representatives will come back in September or October.

18  
19 Chairman Trindade asked if there are things that should be included in rules and regulations that the  
20 Planning Board needs to weigh in on, such as zoning bylaws or other things, that should be addressed at  
21 Annual Town Meeting. Mr. Holder responded that work has already been done on some things with  
22 some staff, and members of those groups have been invited tonight.

23  
24 Mr. Gino Carlucci, Planning Board consultant, stated he has been working with the Planning Board. The  
25 basic framework is that, for any activity requiring a permit from either the Planning Board or  
26 Conservation Commission, the stormwater portion (with respect to design standards) will be handled at  
27 that time. Other things will go through the Planning and Economic Development Board.

28  
29 Mr. David Blackwell, Conservation Commission, asked that the materials be online before the meeting  
30 for the benefit of residents.

31  
32 Ms. Ryan clarified that she is not connected with all the tasks already being done so the costs she's  
33 prepared may actually be lower if those tasks are near completion.

34  
35 Selectman Crowley asked that the DPS secure a phosphorous level right now to see where we stand. He  
36 asked whether it was true that we could not apply for the new permit until the old one expires. Ms.  
37 Frederick responded that the Town can submit information on land use data indicating that the actual load  
38 was inaccurate, but the permit is what it is. There is a rigorous plan, but some of the components are  
39 seasonal tasks which would preclude the notion that it could be completed ahead of schedule.

40  
41 General discussion followed.

42  
43 **Entertainment License Request – Medway Community Farm, August 20, 2016:**

44 *The Board reviewed an Application and Police Chief's Recommendation.*

45  
46 **Selectman D'Innocenzo moved that the Board authorize an entertainment license for Medway**  
47 **Community Farms for their event to be held at 55 Winthrop Street on August 20, 2016 subject to**  
48 **Police Chief's Recommendations; Selectman White seconded. No discussion. VOTE: 4-0-0.**

49  
50 **Approval – One-Day Liquor Requests:**

1 *The Board reviewed Applications and Police Chief Recommendations for the following Thayer Homestead*  
2 *events: (1) James Deso, September 10, 2016; (2) Robin Stuart, September 11, 2016; (3) Kathy Cruz,*  
3 *September 17, 2016; and (4) Angela Price, September 24, 2016.*

4  
5 **Selectman White moved that the Board approve one-day liquor licenses for Jamie Deso, Robin Stuart,**  
6 **Kathy Cruz & Angela Price respectively for their events to be held at the Thayer Homestead, subject**  
7 **to Police Chief's recommendations and evidence of appropriate insurance coverage; Selectman**  
8 **D'Innocenzo seconded. No discussion. VOTE: 4-0-0.**

9  
10 **Action Items from Previous Meeting:**

11 *The Board reviewed the Action Item List.*

12  
13 Mr. Boynton reported that the cable license renewal process is moving forward. The Ascertainment  
14 Hearings for both Comcast and Verizon will be held in September, for both Comcast and Verizon.

15  
16 DPS Building Facility Committee will meet sometime after Labor Day to discuss next steps. We need to  
17 set up the RFP process for the designer as well as get a professional on board in order to move forward.

18  
19 Mr. Boynton reminded the Board that EPFRAC committee will be meeting tomorrow at the Senior Center  
20 to discuss the RFP relative to recreational improvements.

21  
22 **Approval of Warrants:**

23 *The Board reviewed Warrants 17-8 and 17-7AS.*

24  
25 Selectman D'Innocenzo, Clerk, read aloud Warrants 17-8 and 17-7AS, dated 8-18-16, as follows:

26			
27	17-8	Town Expenses	\$872,702.40
28	17-7AS	School Payroll	<u>\$ 2,970.77</u>
29		TOTAL	\$875,673.17
30			

31 **Selectman White moved that the Board approve the Warrants as read; Selectman Crowley**  
32 **seconded. No discussion. VOTE: 4-0-0.**

33  
34 **Town Administrator's Report:**

35 Mr. Boynton stated that the Town needs to begin a planning process for some natural resource areas in the  
36 community. These range from management to forestation. These areas continue to have trees dying and  
37 the reason is unknown. Is it a water issue, a tree issue or the result of beaver dams? At this point, all  
38 opinions and suggestions are welcome.

39  
40 Regarding the proposed Exelon expansion, the DEP is issuing a draft Air Permit and a public hearing is  
41 required. Ms. Stephanie Mercandetti, Community Development Director, is working with the School  
42 Department to identify a space for the hearing to take place in late September. The EFSB permit has not  
43 yet been issued.

44  
45 The funds that Exelon contributed (\$50,000) for emergency preparedness for improving emergency  
46 power supply have been used to upgrade the electrical power connection at the high school. This will be  
47 powerful enough to support a large emergency power trailer.

48  
49 In conclusion, Mr. Boynton reminded the Board that the Town Administrator contract expires at the end  
50 of this fiscal year.

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**Selectmen's Reports:**  
There were no reports.

**At 8:45 PM Selectman D'Innocenzo moved to adjourn; Selectman White seconded. No discussion.**  
**VOTE: 4-0-0.**

Respectfully submitted,  
Jeanette Galliard  
Night Board Secretary

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

Present: Glenn Trindade, Chair; Maryjane White, Vice Chair; Richard D'Innocenzo, Clerk (7:30 PM);  
Dennis Crowley, Member; John Foresto, Member.

Staff Present: Michael Boynton, Town Administrator; Allison Potter, Assistant Town Administrator;  
Richard Boucher, Director, Information Technology; Tom Holder, Director, Department of Public  
Services; Armand Pires, Superintendent of Schools; Mary Becotte, Communications Director.

Others Present: State Representative John Fernandes; State Representative Jeffrey Roy; Doug Havens,  
Affordable Housing Coordinator; Andy Rodenhiser, Chair, Planning and Economic Development Board.

\*\*\*\*\*

At 7:00 PM Chairman Trindade called the meeting to order. At this time, Chairman Trindade welcome  
Scout Troop 367 and their leader Don Pineiri. Scout Leader Pineiri stated that the troop is working on  
the Merit badge. Scouts must observe a meeting and discuss it afterwards. Chairman Trindade invited  
the troop to lead those assembled in the Pledge of Allegiance.

Chairman Trindade briefly explained how the meeting agenda posting process works, noting that it allows  
viewers to pick and choose the items they are interested in. They may watch the live broadcast from  
home or they may decide to attend the meeting. He described items that are typical agenda items for the  
Selectmen, quorum requirement, how voting works, and so forth.

**Public Comments**

Mr. Liam McDermott, 39 Populatic Street, requested that someone please look at some of the crosswalks  
on Route 109. We knew that the road was going to be torn up. Lincoln Street and Cottage Street  
crosswalks are either incomplete due to new asphalt or are so worn out that the striping no longer appears.  
He asked if those could be marked again when weather permits.

**Presentation – SAFE Coalition Update – Representative Jeffrey Roy**

*There were no background materials.*

State Representative Jeff Roy reported that this presentation is an outgrowth of a conversation with  
Selectman Foresto. There are a lot of folks from the community who are helping us out. Mr. Ryan  
Orego in the front row is a Medway resident and my new aide at the State House.

The Coalition began in 2014. Communities all over the country are dealing with substance abuse issues.  
He briefly described how the group got started and its evolution over the past couple of years. It works  
out of the district courts, and this one operates out of the Wrentham District Court. It is typically  
comprised of public safety officers, usually police and fire chiefs, as well as others. Mr. Jordan Wornick  
is a Medway resident, former associate dean of the University of Maryland Medical School and Secretary  
of the SAFE Coalition. Ms. Dot Pearl at Medway High School as well as Dr. Pires, Superintendent of  
Schools also participate. We have a Board of Directors as well as a Board of Advisors and are a 503c3  
entity. Working through these communities with officials, social workers, and others, education on

1 substance abuse is a critical piece of our efforts. We provide treatment access. Early on we learned that  
2 people did not know who to turn to in the event of a crisis in the home. People needed resources and  
3 support services which did not exist two years ago. There are support groups on varying nights of the  
4 week.

5  
6 One of our new initiatives is the development of a Resource Manual which was designed for first  
7 responders upon arrival at a home in crisis. Representative Roy briefly described how they put it  
8 together and the way they gathered procedural information and contact information.

9  
10 Mr. Jim Derick stated he is a Franklin resident and reported that he came to SAFE first as a visitor to a  
11 presentation following his son's overdose and car accident. He described the process as a maze in trying  
12 to find resources and support. As an audience member, he decided to get involved. The booklets are  
13 bright green so they don't get buried in a pile of paperwork.

14  
15 Continuing, Mr. Derick spoke briefly about the Hot Line, a confidential service. We will locate treatment  
16 for substance abuse disorder. We will support people with questions about health insurance including  
17 MassHealth. We will make assessments, and most important, provide information on Chapters 12 and 35  
18 of Mass General Laws. We can provide assistance in getting Narcan. We find that people are finding  
19 access to treatment easy through this gateway. At this time, he gave an address in Franklin where Narcan  
20 is available in addition to local pharmacies, adding that instructions for its use as well as training will be  
21 provided. Mr. Derick is the current SAFE Coalition President.

22  
23 Representative Roy reported that \$50,000 has been allocated for this program. He attributed valuable  
24 help came from Representative Fernandes and Senator Spilka.

25  
26 Representative Fernandes emphasized how important this group is, highlighting Mr. Derick's energy and  
27 passion to help other people in the face of his own situation. Some communities have someone like Jim;  
28 others don't. We are all very proud of what they have in Franklin. Mr. Derick noted that none of this  
29 could happen without leadership from Representative Fernandes and Representative Roy. He added that  
30 he used to be cynical about government, but has a completely different perspective now.

31  
32 Responding to a question from the Board, Mr. Wornick announced an email address where people can  
33 request information: [info@safecoalition.com](mailto:info@safecoalition.com) He reported that they have also launched a social media  
34 program. If interested persons can accept emails from the program, they will be able to spread the work  
35 without additional participation.

36  
37 **Recognition – State Representative John Fernandes**

38 *There were no background materials.*

39  
40 At this time, Chairman Trindade asked State Representative John Fernandes to come forward, noting  
41 many of his accomplishments and how hard he worked while representing the Town of Medway. Mr.  
42 Fernandes did not seek reelection and is retiring. Chairman Trindade thanked Mr. Fernandes for his  
43 tireless efforts for Medway residents

44  
45 **Presentation by MetroWest Collaborative Development – Glen Brook Way Local Initiative Plan**  
46 **Application**

47 *The Board review the following information: (1) Local Initiative Plan Application; (2) Rationale for*  
48 *Local Preference from Ann Sherry - Medway Community Housing Trust Chair; and (3) Draft Letter of*  
49 *Support from Glenn Trindade, Board of Selectmen Chair*

1 Present: Doug Havens, Affordable Housing Trust; Jennifer Van Campen, Executive Director;  
2 MetroWest Collaborative Development.

3  
4 Ms. Van Campen introduced herself, stating that MetroWest Collaborative Development works with  
5 communities. Developing this site would create a Safe Harbor which would prevent unfriendly 40B  
6 projects. We would be the entity to present the Local Initiative Application. Once this project is  
7 deemed eligible, it would come back to the Zoning Board of Appeals and Planning Board. After the  
8 project has successfully secured necessary permits, we would then locate funding.

9  
10 Chairman Trindade explained for viewers how this kind of process works, and who they meet with at  
11 Town Offices. He noted that in all the background checks the Town did on we have done on MetroWest  
12 Collaborative Development, there has never been a bad report.

13  
14 Ms. Van Campen began her presentation with a site plan, describing the area as close to wetlands, yet the  
15 proposed plan is successful in keeping outside of the 200-foot riverfront setback for the most part. There  
16 will be a walking path which will go through the rear grassy area. Structures will have a Victorian feel  
17 with porches and gabled rooflines, porches. She noted that they hope to be able to provide either a porch  
18 or balcony for every apartment. A landscape plan has not been developed yet. As they move earth  
19 around the site, we may unearth boulders that can be used in landscape design.

20  
21 Chairman Trindade remarked that it was his understanding that each unit will have a basement for  
22 washer/dryer and storage. There is already a playground built into these plans and a covered area for a  
23 bus stop. This project will be right across from the entrance to the Eversource facility on West Street.

24  
25 Continuing, Ms. Van Campen stated that they are proposing a mix of one-, two- and three-bedroom units,  
26 though most will be two-bedroom. The required number of parking spaces is for 72 vehicles which will  
27 be provided.

28  
29 Turning her attention to the required paperwork, Ms. Van Campen stated that the project will only gain  
30 support for funding from the state if the Town also contributes funding. Chairman Trindade reported that  
31 \$50,000 is available which will be released once the Board of Selectmen signs off on the application.

32  
33 Ms. Van Campen confirmed that 61% of the site will continue to be open space. The rent for a one-bedroom  
34 unit will be \$994, two-bedroom \$1192, and the three-bedroom \$1377. These will likely not be built for a  
35 couple of years so the numbers will go up somewhat. Tax credits will play a large part in the funding  
36 formula. There are more applications submitted than there are credits available. Additionally, there may be  
37 some waivers involved. Once the list is prepared, it will be forwarded to the Town.

38  
39 Selectman Foresto asked what was happening with the American Legion Post property. Mr. Havens  
40 responded that the project is out for proposals now. Chairman Trindade added that one of the respondents  
41 is MetroWest. If the project is fewer than 20 units, it will not be considered for tax credits. Some sites  
42 will not support large buildings or number of units as it would be too dense. If we combine the legion  
43 property with this project, we can get it done at a lower cost for a total of 60 units.

44  
45 Selectman Crowley stated that he likes the fact that they are rental units as it is difficult to find eligible  
46 people for ownership.

47  
48 Selectman Crowley noted that he will support the Town contribution. It will not be coming out of  
49 general fund, but the Affordable Housing Trust and from Affordable Housing within Community  
50 Preservation Committee. If the Town is going to contribute funds, he would like to see it go toward

1 more than 48 units. Mr. Havens reminded Board members that the Community Preservation Committee  
2 funds are earmarked for housing, but Town Meeting has to vote on their use.

3  
4 Responding to a question from Selectmen Crowley, Ms. Van Campen stated that if things go very  
5 smoothly, the project could be shovel ready in 2019. Selectman Crowley emphasized that it is important  
6 to note that the Town's infrastructure for water and sewer is pretty tight in that area.

7  
8 Mr. Andy Rodenhiser, Chair, Planning and Economic Development Board, stated he and the Board are in  
9 favor of the project.

10  
11 **Selectmen Foresto moved that the Board support the Glen Brook Way local initiative plan**  
12 **application and submit a letter of support as requested; Selectman D'Innocenzo seconded. No**  
13 **discussion. VOTE: 5-0-0.**

14  
15 **Approval – Agreement with Kleinfelder for Phase II of IWRMP (Integrated Water Resource**  
16 **Management Plan)**

17 *The Board review the following information: (1) Memorandum from the Director of Public Services; (2)*  
18 *Contract, approved June 19, 2012; (3) Letter of Understanding – Kleinfelder; and (4) Gantt Chart.*

19  
20 Present: Tom Holder, Director of Public Services; Kristen Ryan, Kleinfelder.

21  
22 Mr. Holder reported that the early tasks have been completed, spending \$82,000 of the \$500,000 set aside  
23 for this project. The Stormwater Regulations MS4 Permit will come into effect in early 2017. We have a  
24 good understanding of the work that will need to be done, and we are prepared to move forward with this  
25 integrated plan. Every drop of water that falls as rain impacts all areas of water. Hence, the name  
26 integrated. At this time, we want to enter into the Letter of Understanding with Kleinfelder. Brief  
27 discussion followed.

28  
29 Selectmen Crowley stated that several people met with Mr. Holder and Ms. Ryan to ask questions, noting  
30 that his main concern is that the EPA regulations are an unfunded mandate. Are we doing to do  
31 something that will become something that has to be undone or changed in the next five years? He added  
32 that this is something the Town needs to do whether or not it is changed along the way so we should do  
33 all three pieces. Selectman Foresto concurred that it is good to have a plan. When Mr. Holder came to  
34 Medway, there was no plan. This is a great idea.

35  
36 **Selectman Foresto moved that the Board approve the agreement with Kleinfelder for Phase II of**  
37 **the integrated water resource management plan as presented; Selectman D'Innocenzo seconded.**  
38 **No discussion. VOTE: 5-0-0.**

39  
40 At this time, Chairman Trindade announced that Mr. Holder will be leaving the Town of Medway to take  
41 a position with the Town of Wayland. Tom had been here with the Town of Medway for seven years and  
42 has done a tremendous job with our Water and Sewer Department, bringing a level of professionalism  
43 along with his expertise. Mr. Holder responded that he appreciates all the support that is extended to the  
44 whole team in the Department of Public Services.

45  
46 **Public Hearing (8:00 PM) Retail Liquor License Request – T. C. Scoops**

47 *The Board reviewed an Application for Alcohol License.*

48  
49 **At 8:05 PM Selectman Foresto moved that the Board open the public hearing on TC Scoops liquor**  
50 **license request; Selectman White seconded. No discussion. VOTE: 5-0-0.**

1  
2 Present: Tina Chemini, owner and operator; Andrew McCarthy, attorney.  
3

4 Attorney McCarthy stated that the applicant has changed the application to be an All Alcohol or Beer and  
5 Wine. We are applying for All Alcohol, but Ms. Chemini only wants to do wine and cordials to  
6 accompany menu items. Additionally, we have 250 signatures in favor of the application as well as a  
7 description of a similar venture in another community whose license was approved in 2015.  
8

9 Continuing, Mr. McCarthy stated that there is plenty of space for private parties at this location. The  
10 owner has doubled the size of available space. There is no expectation that additional vehicular traffic  
11 will be generated. Ms. Chemini has supported many community activities, and her reputation in town is  
12 outstanding. He acknowledged that the Board expressed concern that there may be a lot of children at  
13 this restaurant while alcohol would be served. Ms. Chemini has kept track over the past month and  
14 approximately 50% of the patrons came in with children. Mr. McCarthy pointed out that every Medway  
15 restaurant with a liquor license serves patrons accompanied by children.  
16

17 Based on the criteria set forth in Mass General Laws, it was noted that there is nothing on which the  
18 Board can effect a denial. The servers will become TIPS certified if the license is approved. The menu  
19 for cocktails is limited.  
20

21 The hours would be 2 PM – 9 PM on Sundays, 11 AM – 9 PM on weekdays during summer. Mr.  
22 McCarthy read off other hours of operation from the restaurant's Ice Cream Libations brochure. The  
23 entrances will be monitored so that Ms. Chemini can see the front and rear doors. Glasses containing  
24 alcoholic beverages will be different from those serving non-alcohol beverages.  
25

26 Selectman White asked if there would be more food so that it would be more of a restaurant than an ice  
27 cream parlor. Mr. McCarthy responded that Ms. Chemini offers pies and cakes, but is not going to full  
28 service restaurant. Only a few more items may be added.  
29

30 Selectman Crowley expressed concern that the Town needs to be assured that the primary purpose is to  
31 serve ice cream liquors when a full liquor license will be in place. Is there a way that that the Board can  
32 restrict the license? It was noted that the Board would have the ability to deny a license transfer should  
33 that occur in the future. Discussion followed. Regarding the safety of children in the restaurant, it is the  
34 parent's responsibility to monitor their alcohol consumption when they are with their children.  
35

36 Mr. Boynton pointed out that the ability of the Board is to apply what the Board believes would be  
37 reasonable conditions. If the applicant does not accept the conditions, she can appeal to the ABCC. It  
38 would seem that is a good justification to continue the hearing.  
39

40 Chairman Trindade explained that there is a limited number of full liquor licenses available per community  
41 while there is a different set of rules and requirements for Beer and Wine licenses. A third option is a  
42 license for Beer and Wine with Cordials; however, each community needed to adopt that statute. Medway  
43 never adopted the statute so we cannot offer that kind of license to her. If we adopt the statute at a Special  
44 Town Meeting, that kind of license may then be available to all Medway businesses.  
45

46 Brief discussion followed. It was noted that the Board has 30 days from the date of the application in  
47 which to make a decision. Mr. Boynton stated that the Board could close the hearing tonight, or continue  
48 it in order to gather further information. The hearing could be continued until January 3.  
49



1 Selectman D’Innocenzo asked for clarification on the floor plan, specifically, once food and drink is  
2 ordered and picked up, is there a special place that patrons must sit. Mr. McCarthy responded that  
3 patrons may sit anywhere once their order is ready.  
4

5 Mr. Boynton noted that out of the fourteen available All Alcohol Licenses, the Town has issued nine.  
6 With regard to Wine and Malt Licenses, there are five allotted for Medway, and only one has been issued.  
7

8 Chairman Trindade suggested that the Town Administrator check with the ABCC to ascertain, if Medway  
9 was to adopt the statute to allow Beer and Wine and Cordial Licenses, how many licenses would Medway  
10 be allowed to issue. What is the timeframe under which we could approve and then issue the license?

11 Selectman White asked the applicant if that is the kind of license they would prefer, a Beer and Wine and  
12 Cordial License. Yes, that was our original plan.  
13

14 It was noted that keeping the hearing open allows time to gather info and determine what the process  
15 needs to be from the ABCC. Mr. Boynton stated he will seek answers to these questions. He will also  
16 draft a list of conditions that would be agreeable both to the Board and the applicant.  
17

18 Selectman Crowley asked about the store employees. If anyone under 18 opens the store, are those  
19 liquor bottles accessible? No, there will be someone over 18 there at all times.  
20

21 At this time. Chairman Trindade stated that the Board received comments via email. He now asked if  
22 there was anyone from the public who now wished to speak.  
23

24 Mr. Andy Rodenhiser, 104 Fisher Street, stated that he spoke at the last hearing in favor of the license  
25 being granted. He added that “Tina does a great job on our Economic Development Committee, and she  
26 is trying to support what is considered a seasonal business on a full-year basis”. The restaurant’s location  
27 is in a mall that needs small businesses such as hers.  
28

29 Mr. Paul Yorkis, 7 Independence Lane, stated that he knows Ms. Chemini personally and has also been a  
30 patron. This is an innovative concept, adding hot dogs to her menu, and this is another facet of that. We  
31 need successful small businesses and should support innovative ideas. Very much in favor of the license.  
32

33 Bryan Adams, 2 Milford Street, stated that the Medway Democrats have moved their meeting to this  
34 location, noting that he has known Ms. Chemini for a long time and truly appreciate what she does for the  
35 Town. 100% in favor of granting the license.  
36

37 Alyssa Rodenhiser, 7 Dover Lane, noted that, as a parent, she knows that she has to take responsibility for  
38 her actions. If the servers are TIPS certified, you have to trust the parent that they know what they are doing.  
39

40 Liam McDermott, also a customer of Tina’s, stated that Ms. Chemini is very supportive of the community  
41 and has hosted fundraisers for all kinds of things. Definitely in favor of her getting the license.  
42

43 Kathleen Yorkis stated that she has been a customer and very proud that Ms. Chemini chose Medway in  
44 which to start her business. She has supported us in many organizations, and also in favor.  
45

46 Kelly O’Rourke theorized that she did not think there would be an issue if the restaurant name did not  
47 include the word “Scoops”. We need to support local businesses so they can be as successful as possible.  
48

49 Mr. Boynton will meet with the applicant and attorney on Wednesday.  
50

1 **At 8:40 PM Chairman Trindade moved to continue the public hearing until 8:00 PM on Tuesday,**  
2 **January 3, 2017; Selectman White seconded. No discussion. VOTE: 5-0-0.**

3  
4 **Presentation – ClearGov (Web-based Financial Reporting Tool)**

5 *The Board reviewed a PowerPoint presentation.*

6  
7 Present: Chris Bullock, Founder of ClearGov; Richard Boucher, Director, Information Technology.

8  
9 Chairman Trindade stated that this tool is designed to let taxpayers know where they money is going.  
10 We had a presentation about a month ago, and this is the product we hope will go forward. It could be  
11 called a financial transparency center.

12  
13 Mr. Bullock began by stating that, over the past few years, the average interest of the taxpayer in how  
14 their taxes are spent has dramatically changed. He noted that his personal experience found information  
15 on his town's website that was confusing and technical. While we feel the effort for transparency is well-  
16 placed, it needs to be understandable and functional.

17  
18 Utilizing a PowerPoint presentation, Mr. Bullock demonstrated how one would access Medway's  
19 information such as demographics, revenue analysis, revenue per capital, and compared to other  
20 communities of similar sizes. It could also breakdown the budget into smaller units. Overall it provided  
21 the ability to drill down into other categories of information.

22  
23 Selectman Foresto asked where the data comes from. Mr. Bullock responded that it comes from a variety  
24 of sources including the US Census Bureau, school sources, assessing information, etc.

25  
26 Chairman Trindade asked if the staff will be spending time gathering this information. Mr. Bullock  
27 responded that they would ask for an export of financial data from MUNIS. We take it and format it and  
28 upload it into our database. We map the accounts in the system to one in ours, and the list is reviewed  
29 and approved by your staff. Once that mapping is done, it is easy to update. Something that would take  
30 time is the addition of clarifying comments on each page. Budgeted figures can be added as well.  
31 Numbers can be hidden until the budget is ready to be made public, then it would be active. We can  
32 compare Medway's information to similar information from other communities.

33  
34 Mr. Bullock added that there is a school side as well. They have to report such detailed data that we get  
35 their whole database. He demonstrated how to access some areas of the website.

36  
37 Services are available in a Town Package or a Town plus School Package. Responding to a question  
38 from Selectman White, Mr. Boynton stated there is no downside to it. Discussion followed on including  
39 the Schools. Chairman Trindade stated that the Board does not need the Schools' approval as it is all  
40 Town funds. It is an 18-month contract for Town Plus School at a cost of \$10,800 or only the Town  
41 Package for \$6,750 for 18 months. Discussion followed.

42  
43 Chairman Trindade expressed concern that posting this information may lead to a lot of questions from  
44 residents. This would be easier for the Town to provide this information to the public in an organized,  
45 understandable format. Mr. Bullock responded that this information is not only for the public but is also  
46 useful for boards, Selectmen, etc.

47  
48 Mr. Boynton asked the Board to authorize the Town Administrator to enter into a purchase plan with  
49 ClearGov for the municipal side. Selectman Crowley asked why the schools should not be included. Mr.  
50 Bullock clarified that they can add the schools quickly while the municipal information is mapped.  
51 Selectman Crowley theorized that it would be good to proceed slowly and take the extra time.

1  
2 **Selectman Foresto moved that the Board authorize the Town Administrator to move forward with**  
3 **an agreement with ClearGov for the municipal side while working with the schools on their**  
4 **inclusion; Selectman D’Innocenzo seconded. No discussion. VOTE: 5-0-0.**  
5

6 **Easement Acceptance – 9 Marc Road:**

7 *The Board review the following information: (1) Memorandum from the Planning & Economic*  
8 *Development Coordinator; (2) Map of Proposed Easement; and (3) Grant of Easement.*  
9

10 **Selectman D’Innocenzo moved that the Board accept a grant of easement from Ellen Rosenfeld,**  
11 **Trustee of the Ellen Realty Trust, to convey to the Town of Medway, a perpetual easement in, over,**  
12 **under, through, across, upon and along an approximately 15,579 sq.ft. portion of 9 Marc Road**  
13 **(Medway Assessor Parcel Number 32-027) as shown on the 9 Marc Road Right-of-Way Plan of Land**  
14 **in Medway, MA, Prepared by Paul J. DeSimone, dated September 15, 2016, for all purposes for**  
15 **which public roads and ways are commonly used in the Town of Medway; Selectman Foresto**  
16 **seconded. No discussion. VOTE: 5-0-0.**  
17

18 **Approval – Adopt Partial Easement Release at 15 Tulip Way**

19 *The Board reviewed an Agreement.*  
20

21 **Selectman Foresto moved that the Board adopt the partial release of the Town’s drainage easement**  
22 **at 15 Tulip Way as shown on a plan entitled “New Easement Line Plan of Land in Medway, MA,**  
23 **Owner: Carlo & Jacqueline Cautilli, 15 Tulip Way, Medway, MA, 02053” dated August 12, 2016;**  
24 **Selectman D’Innocenzo seconded. No discussion. VOTE: 5-0-0.**  
25

26 **Consideration of Appointments -- Debi Rossi – Capital Improvement Planning Committee; Dayna**  
27 **Gill – Con Com**

28 *The Board reviewed the following information: (1) Resume from Debi Rossi; and (2) Resume from Dayna*  
29 *Gill.*  
30

31 **Selectman Foresto moved that the Board appoint Debi Rossi to the Capital Improvement Planning**  
32 **Committee for a term to expire June 30, 2021 and Dayna Gill to the Conservation Commission for**  
33 **a term to expire June 30, 2020; Selectman D’Innocenzo seconded. The remaining vacancy on the**  
34 **Conservation Commission has been advertised. VOTE: 5-0-0.**  
35

36 **Appointments – Records Access Officers (New Public Records Law Effective January 1)**

37 *The Board reviewed a Memorandum from the Assistant Town Administrator.*  
38

39 *The beginning steps of the implementation of the new Public Records Law. The first thing that we will*  
40 *do is that Mary will be our primary Records Access Officer, and there will be a secondary one. There*  
41 *will be a major undertaking to insure compliance to the new law. Our plan is to put as much information*  
42 *online as possible. We will log public records requests outside of those for birth certificates, death*  
43 *certificates and other vital records.*  
44

45 **Selectman D’Innocenzo moved that the Board appoint the Communications Director as Records**  
46 **Access Officer, and The Police Chief, Fire Chief and DPS Director as secondary records access**  
47 **officers as requested; Selectman Foresto seconded. No discussion. VOTE: 5-0-0.**  
48

49 **Recognition Discussion – Holliston and Main Street Corner:**

50 *Mr. Boynton stated that Rosetti’s Restaurant had been a landmark in Medway for years, noting that the*  
51 *police could go in and cook food on night shift as they had a key. Selectman White added that when she*

1 was in high school she and her friends used to hang out there. She suggested naming the intersection  
2 Rosetti's Corner.

3  
4 Chairman Trindade asked about the process. Mr. Boynton responded that, as road commissioners for the  
5 Town, the Board can put forward a recognition plaque honoring any individual. It is within the Board's  
6 purview to designate that location as Rosetti's Corner. He suggested that they work collaboratively  
7 with the Route 109 team to find a good place for it as the road will be under construction in the coming  
8 months.

9  
10 Brief discussion followed on researching the area, history of Mr. Rosetti, etc. while the road is under  
11 construction. Mr. Boynton suggested inviting the family in for the meeting when it will be voted or  
12 presented. Let's reach out to the family for the appropriate meeting night.

13  
14 The Board postponed its vote on this matter.

15  
16 **Approval – One-day Liquor License Requests**

17 *The Board reviewed Applications and Police Chief recommendations for the following events scheduled*  
18 *for the Thayer Homestead: (1) Sara Bond & Drew Gavin - December 31, 2016; (2) Ann Hurwitz Carey –*  
19 *December 26, 2016; and (3) Carolyn & Andrew Moring – January 8, 2017.*

20  
21 **Selectman Foresto moved that the Board approve one-day liquor licenses for Sara & Drew Bond,**  
22 **Ann Hurwitz Carey, Ann Hurwitz Carey, and Carolyn & Andrew Moring for their events to be**  
23 **held at the Thayer Homestead on December 21, 2016, December 26, 2016, and January 8, 2017**  
24 **subject to police Chief's recommendations and proof of appropriate insurance coverage; Selectman**  
25 **D'Innocenzo seconded. No discussion. VOTE: 5-0-0.**

26  
27 **Action Items**

28 *The Board reviewed the Action Items List.*

29  
30 Regarding the Urban Renewal Plan, Mr. Boynton reported that he talked with Ms. Stephanie Mercandetti  
31 this afternoon who reported that they are waiting for final comments from their committee. Draft  
32 comments should be ready in a couple of meetings.

33  
34 **Approval of Warrants**

35 *The Board reviewed Warrants 17-26 and 17-26S.*

36  
37 Selectman D'Innocenzo, Clerk, read aloud Warrants 17-25, dated 12/15/16 and 17-26S, dated  
38 12/22/16, presented for approval:

39  
40           17-26S School Expense           \$       80.16  
41           17-26 Town Expense           1,292,962.24  
42           17-25P Town Payroll           401,928.57  
43           17-25P2                               84.04  
44                           TOTAL           \$1,695,055.01

45  
46 Selectman Foresto moved that the Board approve the Warrants as read; Selectman White seconded. No  
47 discussion. VOTE: 5-0-0.

48  
49 **Approval of Minutes**

50 The Board postponed review of draft minutes from September 6, 2016 and September 19, 2016.

1 **Town Administrator's Report**

2 Mr. Boynton apologized that he read the wrong name of an officer appointed as a police officer. The  
3 correct name is Carl Shepherd instead of Anderson.

4  
5 Sue Ellis has announced she is retiring. There is a desire to have a joint solution for Human Resources  
6 between the Town and School Department, and we have accomplished that. Katheryn Bird (currently at  
7 the schools) will be coming over to the Town to be the new Human Resources Coordinator. We are  
8 reorganizing the department. She will remain an integral member of the leadership team at the schools.

9  
10 Mr. Boynton announced that Tom Holder will be leaving as DPS Director. We are advertising now. Ms.  
11 Potter will chair the screening team comprised of the Police Chief, a member of the Board of Selectmen,  
12 and the Town Administrator from Bellingham.

13  
14 Providing an update on the Veterans District, Mr. Boynton stated he needs the Board to vote to continue  
15 its membership in the Veterans District and appoint the Town Administrator as the Medway  
16 Representative. We are looking at the bylaws in order to add a secondary representative who could  
17 represent Medway in the time of emergency such as Michael's medical leave of absence.

18  
19 **Selectman Foresto moved that the Board extend Medway's participation in the Veterans District**  
20 **and, further, to appoint the Town Administrator as Medway's Representative; Selectman**  
21 **D'Innocenzo seconded. No discussion. VOTE: 5-0-0.**

22  
23 Mr. Boynton reported that the Veterans Agent John Givner will be stepping down as well. That position  
24 will be advertised as well.

25  
26 Mr. Boynton met with insurance consultant who is projecting an increase though the percentage is not  
27 ready to announce to the public. The negotiations are ongoing.

28  
29 Exelon has been issued its final air permit.

30  
31 The dam at Mill Street in Bellingham will be coming out in the near future. There may be some sediment  
32 issues for a short time, but no real impacts to those of us downstream.

33  
34 Town Offices will be open until 10 am this Friday and closed on December 26 and January 2.

35  
36 **Selectmen's Reports**

37 The Board wished everyone a Merry Christmas, Happy Holidays and Happy New Year.

38  
39 **At 9:36 PM Selectman D'Innocenzo moved to adjourn; Selectman Foresto seconded. No discussion.**  
40 **VOTE: 5-0-0.**

41  
42  
43 Respectfully submitted,  
44 Jeanette Galliard  
45 Night Board Secretary  
46

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

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 **January 3, 2017 at 7:00 p.m.**  
7 **Sanford Hall, 155 Village Street**  
8

9 **Present:** Chairman Trindade; Selectmen Maryjane White, Dennis Crowley, John Foresto  
10 and Rick D'Innocenzo; Town Administrator Michael Boynton; Director of Community &  
11 Economic Development Stephanie Mercandetti; Chairman of the Planning & Economic  
12 Development Board Andy Rodenhiser; Members of the PEDB Bob Tucker, Matt Hayes,  
13 and Tom Gay; Town Counsel Barbara Saint Andre.

14  
15 At 7:01 p.m., Chairman Trindade called the meeting to order and led in the Pledge of  
16 Allegiance.

17  
18 **Public Comments:** None  
19

20 **Donation Acceptance – Estate of William A. Christopherson to Council on Aging -**  
21 **\$59,309.81:**

22 *The Board reviewed the following information: (1) Memo from Courtney Riley, Director*  
23 *of Council on Aging; and (2) Notice of Donation Form.*  
24

25 Town Administrator Michael Boynton said Mr. Christopherson also made a donation in  
26 the same amount to the Medway Firefighters' Association. Mr. Boynton said the donation  
27 was made through Mr. Christopherson's will. The Board acknowledged Mr.  
28 Christopherson's generosity.  
29

30 **Selectman Foresto moved that the Board accept the donation from the Estate of**  
31 **William A. Christopherson and authorize the expenditure of the funds to benefit**  
32 **the Council on Aging; Selectman D'Innocenzo second; No discussion;**  
33 **All ayes 5-0-0.**  
34

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

36  
37 **Selectman White moved that the Board open the Special and Annual Town Meeting**  
38 **warrants set for May 8, 2017; Selectman D'Innocenzo second; No discussion; All**  
39 **ayes 5-0-0.**  
40

41 **Joint Meeting with Planning and Economic Development Board: Discussion with**  
42 **Town Counsel – New Recreational Marijuana Law:**

43 *The Board reviewed the following information: (1) Guide to New Law Legalizing*  
44 *Recreational Marijuana.*

1 **Planning & Economic Development Board Chairman Andy Rodenhiser called the**  
2 **joint meeting of the Board of Selectmen and Planning & Economic Development**  
3 **Board to order at 7:11 p.m.**  
4

5 Town Counsel Barbara Saint Andre reported that an amendment to the new law was  
6 passed last week extending all the deadlines by six months. Also, the amendment  
7 clarified that growth and cultivation of marijuana is not to be deemed an agricultural use  
8 and therefore not subject to certain zoning exemptions. Town Counsel recommends that  
9 the Town update its bylaws to include personal use marijuana.

10  
11 Selectman Trindade said Medway's current bylaws allow medicinal marijuana facilities  
12 in certain districts by Special Permit. Town Counsel explained that the Town could adopt  
13 zoning bylaws to impose reasonable safeguards on marijuana facilities, including location  
14 and hours of operation. Chairman Rodenhiser said 54% of Medway voters voted in favor  
15 of Question #4. He said the PEDB is looking for direction from the Board of Selectmen  
16 and voters. He said it is important for everyone to be on the same page so that the new  
17 bylaws are meaningful. Selectman Crowley wondered if Medway voters, who voted in  
18 favor of Question 4, would support the opening of a retail store in Medway. The group  
19 discussed whether certain types of facilities could be prohibited from opening in  
20 Medway. Town Counsel said there is a provision that addresses this issue. In addition,  
21 Town Counsel said some towns are looking at adopting a moratorium. Administrator  
22 Boynton said the legislation is flawed and there are many questions, including what the  
23 tax implications will be and who will regulate the new laws. He said the state is  
24 proposing a Cannabis Control Commission that will operate similar to the Alcoholic  
25 Beverages Control Commission (ABCC). He said there should be a local licensing  
26 process in addition to the state regulations. Administrator Boynton suggested asking the  
27 Attorney General for a position on a moratorium through November 2018. The BOS  
28 agreed to discuss adding a non-binding question on the ballot in May. The group  
29 discussed whether the Town would wait to apply for a moratorium until after the May  
30 Annual Town meeting. Chairman Rodenhiser stressed the importance of communicating  
31 the Town's plan to residents. The BOS asked Administrator Boynton, Assistant Town  
32 Administrator Potter, and Town Counsel to discuss this issue further and bring options to  
33 the BOS at the next meeting. Selectman Crowley said he read the MMA white paper and  
34 has concerns. He said other towns have written letters to the Governor highlighting their  
35 concerns. The BOS asked Administrator Boynton to draft a letter highlighting the  
36 Board's concerns for their review.

37  
38 **Tom Gay moved that the Planning & Economic Development Board adjourn the**  
39 **joint meeting with the Board of Selectman; Matt Hayes second; No discussion; All**  
40 **eyes 4-0-0.**

41  
42 **Approval – Change of DBA Request – Derek's Steak and Seafood:**

43 *The Board reviewed the following information: (1) Request for DBA change.*  
44

45 Administrator Boynton said the Town has no objections. It will be under the same  
46 management but have a different menu.

1 **Selectman Foresto moved that the Board approve the change of DBA name from**  
2 **Derek's Steak and Seafood to Zio Paulo's Trattoria as requested; Selectman**  
3 **D'Innocenzo second; Selectman Crowley said he is voting against the change. He**  
4 **said there have been at least 3 name changes in a short period of time and he feels**  
5 **the applicant should come in front of the Board and explain why there have been so**  
6 **many changes; Vote: 4-1-0 (Crowley nay).**

7  
8 **Designation – Selectman Representative on DPS Director Screening Committee:**

9 DPS Director Tom Holder took a job in Wayland. Administrator Boynton has created an  
10 advisory committee to help find a replacement and asked a selectman to join.  
11 Applications are due by the end of the week. He said they may need to revisit how the job  
12 was posted after looking at the initial submissions. Selectman Foresto volunteered to join  
13 the advisory committee.

14  
15 **Approval – One-Day Liquor License Requests:**

16 **a. Ken McDonald – Thayer Homestead – January 7, 2017**

17 **b. Samantha Wills – Thayer Homestead - February 12, 2017**

18 *The Board reviewed the following information: (1) Applications; and (2) Police Chief's*  
19 *recommendations.*

20  
21 **Selectman Foresto moved that the Board approve one day liquor licenses for Ken**  
22 **McDonald and Samantha Wills for their events to be held at the Thayer Homestead**  
23 **on January 7 and February 12, 2017 subject to Police Chief's recommendations and**  
24 **proof of appropriate insurance coverage.; Selectman White second; No discussion;**  
25 **All ayes 5-0-0.**

26  
27 **Town Administrator's Report**

- 28
- 29 • Departments have submitted their budgets to MUNIS. Not sure about health  
30 insurance rate increases yet. Will have initial plan by beginning of February.  
31 Proposing \$100,000 of free cash to stabilization fund, which will impact the  
32 capital plan. Thinks Verizon ATB case will be settled and proposing to apply  
33 those funds to the stabilization account. It is a tight budget year. Will take a  
34 careful look at capital budget. Creating list of capital needs that may be addressed  
if building permit is pulled on Exelon project.
  - 35 • Clear govs system kick off meeting on Tuesday, January 10, 2017
  - 36 • EPFRAC public session Thursday night at Thayer House at 7:00 p.m.
- 37

38 **Approval of Warrant:**

39 Warrant# 17-38

40  
41 **TOTAL            \$1,372,365.20**



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

3  
4 **Approval of Minutes:**

5 **Selectman Foresto moved to approve the meeting minutes from September 6, 2016**  
6 **as written; Selectman White second; No discussion; All ayes 5-0-0.**

7  
8 **Selectman Foresto moved to approve the meeting minutes from September 19, 2016**  
9 **as written; Selectman White second; No discussion; All ayes 4-0-1 (D’Innocenzo**  
10 **abstained).**

11  
12 **Continued Public Hearing – TC Scoops – Retail Liquor License Request:**

13 *The Board reviewed the following information: (1) Coverage Page of Application; (2)*  
14 *Proposed Conditions; and (3) Libations Menu.*

15  
16 **Selectman Foresto moved to continue the public hearing for the application for an**  
17 **all liquor license for T.C. Scoops; Selectman White second; No discussion; All ayes**  
18 **5-0-0.**

19  
20 Tina Chemini, owner of T.C. Scoops and Attorney Andrea McCarthy joined the meeting.  
21 Administrator Boynton provided a brief summary based on the last public hearing and  
22 subsequent discussions with the applicant. Attorney McCarthy said the applicant is  
23 concerned about a possible restriction of all alcohol and no one under the age of 21 being  
24 able to pour or serve. The applicant also wants to make sure beer and wine are included  
25 as part of the license.

26  
27 Attorney McCarthy explained that the applicant is applying for an all alcohol liquor  
28 license. She said her client is not trying to make her business into a bar room but would  
29 like to offer additional items. She reiterated that 250 signatures were submitted in support  
30 of the application. Attorney McCarthy confirmed with the ABCC that children having  
31 access to a facility is not grounds for denial. She added that the landlord is ok with the  
32 addition of libations. There are currently 9 liquor licenses available in Medway.

33  
34 Selectman White asked when food is served. Ms. Chemini said it is served Tuesdays and  
35 Thursdays from 11:00 a.m. to 2:00 p.m., Wednesdays and Fridays from 11:00 a.m. to  
36 7:00 p.m., and Saturdays from 11:00 a.m. to 5:00 p.m. Selectman Crowley stated he has  
37 concerns. He asked Attorney McCarthy to confirm that she specifically mentioned the  
38 establishment is an ice cream parlor when she spoke with the ABCC. Attorney  
39 McCarthy said she did. Selectman Crowley said he also spoke with the ABCC and was  
40 told they would not comment on serving alcohol at an ice cream parlor. Selectman  
41 Crowley said he does not consider T.C. Scoops a restaurant. The group discussed the  
42 definition of a common victualler. Ms. Chemini confirmed that T.C Scoops has a  
43 common victualler license. Selectman Crowley said he thinks there are too many  
44 businesses with this type of license in a small area. He said he is wrestling as to whether  
45 this is in the best interest of the community. Selectman White said she respects the  
46 residents who came forward to support the applicant. She said she is having a hard time

1 with the idea of introducing alcohol to an ice cream shop. Attorney McCarthy said it is no  
2 different than children walking to the hibachi restaurant for lunch on a half day while  
3 there are people at the bar. Attorney McCarthy said if the applicant got the all liquor  
4 license she may expand her hours. Selectman Trindade asked if it is an acceptable  
5 condition to only serve alcohol when food is available. Ms. Chemini said that is not a  
6 financially viable option. Selectman D’Innocenzo asked why the alcohol could not be  
7 limited to a certain area inside the location. Ms. Chemini said she does not want to limit  
8 alcohol to a specific area because it is possible that children could then be left unattended.  
9 Selectman Crowley said there are residents who are opposed to T.C. Scoops serving  
10 alcohol but they are unwilling to go on the record. Selectman Crowley said he did take an  
11 informal poll. He said many residents said they would be ok if the beer and wine were  
12 limited to a specific area. Selectman Crowley said he is trying to come to a compromise.  
13 Attorney McCarthy confirmed that all parties agreed that it would be beer, wine and  
14 cordials.

15  
16 Matt Hayes speaking as resident said he supports the all liquor license. He said any  
17 patrons who do not approve of it have the option to go somewhere else.

18  
19 Andy Rodenhiser speaking as a resident said it is not the type of atmosphere where  
20 people will go to get a beer and watch a football game.

21  
22 Liam McDermott asked the Board to approve the license and said it is a good decision.

23  
24 Roberta Sherriff said she supports the all alcohol liquor license. She said she thinks it is a  
25 great idea.

26  
27 Ms. Chemini said this is not going to change her attitude towards her business.

28  
29 **Selectman Foresto moved to close the public hearing for the application for an all**  
30 **liquor license for T.C. Scoops; Selectman D’Innocenzo second; No discussion; All**  
31 **eyes 5-0-0.**

32  
33 Administrator Boynton said the Board can approve, approve with conditions, or deny the  
34 application. If the Board denies or approves with conditions that are unacceptable to the  
35 applicant, the applicant can appeal to ABCC. Administrator Boynton said the applicant is  
36 willing to accept conditions. Administrator Boynton reviewed the proposed conditions.

37  
38 Selectman White said based on everything she has heard she would vote in support.

39  
40 Selectman Crowley said he is still struggling with the decision. He said he could consider  
41 approving it if food was served when alcohol was being served. Selectman Crowley said  
42 he would approve the motion as read by Administrator Boynton if an additional condition  
43 was added that food is served when alcohol is served.

44  
45 **Crowley moved to approve the license with an additional condition, Selectman**  
46 **White second**

1  
2 **Crowley withdrew his motion**

3  
4 **Selectman Foresto moved that the Board of Selectmen APPROVE the all-alcohol**  
5 **license application for TC Scoops as presented and to be further subject to the**  
6 **following conditions:**

7  
8 **1) Notwithstanding the serving of beer and wine which may be served subject to**  
9 **licensing conditions outlined below in sections 2 through 7, only those alcoholic**  
10 **beverages commonly known as and referred to as “cordials” as defined in MGL**  
11 **Chapter 138 Section 1 may be sold and consumed on the premises, and may only be**  
12 **in and as part of so-called Ice Cream drinks, as offered by the Applicant during the**  
13 **public hearing, and as shown in the “Ice Cream Libations” menu presented by the**  
14 **Applicant at the time of and as part of the license application and attached here. 2)**  
15 **All alcoholic beverages must be secured in a locked cabinet and/or storage area at**  
16 **any time that an approved license manager is not on the premises. 3) No employee**  
17 **under the age of eighteen (18) may pour, serve and/or sell alcoholic beverages on the**  
18 **premises. 4) Any and all persons selling, pouring and/or serving alcoholic beverages**  
19 **of any kind must be TIPS (or equivalent) certified with all certifications current at**  
20 **all times. 5) The applicant (licensee) hereby agrees that each of these conditions shall**  
21 **remain in full force and effect at all times, and further agrees that they shall renew**  
22 **annually if the license is renewed as well as shall be part of any possible or proposed**  
23 **license sale and/or transfer. 6) No alcoholic beverage may poured and/or served**  
24 **later than thirty (30) minutes prior to the stated closing times in the license. 7) No**  
25 **employee or business owner in any type of management capacity shall consume**  
26 **alcohol on the premises prior to going on duty or during their respective on duty**  
27 **hours. No alcohol can be served or consumed by anyone on the premise before**  
28 **official opening hours or after official closing hours. Patrons are not permitted to**  
29 **bring alcoholic beverages on the premises for their own consumption.**

30  
31 **D’Innocenzo second; No discussion; Vote: 4-1-0 (Crowley nay).**

32  
33 **At 8:53 p.m., Selectman Crowley moved to adjourn; Selectman White second; No**  
34 **discussion; All ayes 5-0-0.**

35  
36 **Respectfully submitted,**

37  
38  
39 **Michelle Reed**

# AGENDA ITEM

## #8

### **Town Administrator's Report**

*No associated back up materials.*

# **AGENDA ITEM**

# **#9**

## **Selectmen's Reports**

*No associated back up materials.*