

Board of Selectmen's Meeting
March 21, 2016 – 7 PM
Sanford Hall, Town Hall
155 Village Street

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

Staff Present: Michael Boynton, Town Administrator; Allison Potter, Assistant Town Administrator; Allen Tingley, Police Chief; Detective Donald Grimes; Mary Becotte, Communications Director; David D'Amico, Deputy Director, Department of Public Services; Donna Greenwood, Principal Assessor; Susy Affleck-Childs, Planning and Economic Development Coordinator; Stephanie Mercandetti, Community Development Coordinator; Bob Weiss, Energy Manager.

Others Present: Andy Rodenhiser, Chair, Planning and Economic Development Board.

At 7:02 PM Chairman Foresto called the meeting to order and led the Pledge of Allegiance.

Sheriff Bellotti – Discussion About Families Coping with Drug and Alcohol Addiction

The Board reviewed a Letter to the Editor from Sheriff Bellotti, dated August 19, 2015.

Sheriff Michael Bellotti stated he has served 17 years as sheriff in the Norfolk County Sheriff's Office and was a state legislator before that. The daily inmate count is about 525. In addition to working with the incarcerated, we also work with police departments in the county. There are sheriffs as well as deputy sheriffs. We see ourselves in a complimentary role doing police details, providing extra resources for communities, keeping up with training and assisting with senior programs.

Sheriff Bellotti stated he wanted to focus on what we do internally. Ninety percent of inmates have some sort of substance abuse issue. Referring to the opioid crisis, he indicated that both nurses and officers are trained to give Narcan and also administer drug treatment by injection. These treatments are covered by MassHealth. Once an inmate leaves the system, they can register for MassHealth, which is prohibited while in jail. If we can get offenders connected to resources, they will be linked to those resources when they leave the system. This includes recovery homes. Statistics show that 65% of inmates are connected to resources, though the success rate is unclear. We thank all your police officers and fire fighters for their hard work and are happy to help out where we can. He briefly talked about the qualifications of professionals entering the workforce as corrections officers. Brief discussion followed on various experiences as well as the people working in support programs.

Public Comments:

Selectman Trindade reported that, at the meeting on March 7, the Board had a discussion on applying for a state grant in the amount of one million dollars. This was at the encouragement of Senator Karen Spilka and the funds could be used to pay for improvements to recreational areas. Last week we discussed the first steps whereupon we learned that some residents were offended by my comments. What we propose could go a long way to enhance quality of life for Medway residents. We began to consider a phased approach and asked the Town Administrator to further research the process. Selectman Crowley mentioned the volleyball pit at Choate Park, noting that it should be redone and asked that this project be included. Initially we thought that \$30K was a lot of money for a volleyball court. "My question was: who plays there? My wife and I are third-generation immigrants on both sides. I understand how it came across, like we were at a

Trump Rally, but that is not the way I do things. I take great pride in serving on this Board and the job we have done to make things better for everyone in this town. We all take the Pledge of Allegiance very seriously, liberty and justice for all. I have nothing against anyone based on their race, creed or religion.“

Mr. Liam McDermott thanked Selectman Trindade for his comments. He distributed his own written comments, then read from them, paraphrasing some of the statements, based on Selectman Trindade's remarks. He expressed how offended he was at the implication that Selectman Trindade was denigrating users of the volleyball court by virtue of their race. How can one tell from a person's appearance whether they are a Medway resident or not? He suggested that, if the parks were funded with state funds, perhaps they should be used by any resident of the state. Mr. McDermott continued his comments for some time. A complete copy of his statement is available in the Town Administrator's office by request.

Appointments – Board of Assessors

The Board reviewed letters of interest from Leonard Mitchell, Lindsie Tosca and Cristina Sauer. It is noted that two appointments are needed. There is currently a vacancy on the Board of Assessors with a term expiring June 30, 2017, and a pending resignation (April 1, 2016) with a term expiring June 30, 2016.

Present: Leonard Mitchell, Lindsie Tosca and Cristina Sauer

Chairman Foresto thanked them for volunteering, noting that this is the first time there are more applicants than positions for the Board of Assessors. He asked each candidate to provide a brief introduction.

Ms. Tosca stated that she has worked in real estate for about ten years as assistant controller. Ms. Sauer Stated she has been a Medway resident for 20 years, currently working in customer support for a software company. Mr. Mitchell stated he has lived in Medway since 2008, working for Verizon as a project engineer assessing equipment.

Selectman Trindade noted that most people do not understand the work that the Board of Assessors does. It is a pretty thankless job, but a very important one. The work has to be fair, equitable and complete.

Responding to a question from Chairman Foresto about how they learned of the vacancy, all three candidates indicated they saw a posting on Facebook. He thanked them for stepping forward.

Selectman Trindade moved that the Board appoint Lindsie Tosca to the Board of Assessors for a term expiring on June 30, 2017; Selectman D'Innocenzo seconded. No discussion. VOTE: 4-1-0 -- Crowley oppose as to the process.

Selectman Trindade moved that the Board appoint Cristina Sauer to the Board of Assessors for a term expiring on June 30, 2016; Selectman D'Innocenzo seconded. No discussion. VOTE: 4-1-0 – Crowley oppose as to the process.

Selectman Trindade moved that the Board appoint Leonard Mitchell to a vacant position on the Capital Improvement Planning Committee; Selectman White seconded. It was noted that doing so was unfair to the CIPC who had no knowledge of this persona's potential interest. Selectman Trindade withdrew his motion.

Appointments – Zoning Board of Appeals - Brian White

The Board reviewed the following information: (1) Memorandum from Stephanie Mercandetti, Community Development Coordinator; (2) Letter of resignation from Craig Olsen; and (3) Email and Resume from Brian White.

Ms. Mercandetti reported that Mr. Brian White is presently serving as an associate member of the Zoning Board of Appeals. One of the full members had submitted a resignation, and Mr. White expressed interest in moving into that position.

Selectman Trindade moved that the Board appoint Brian White as a full member of the Zoning Board of Appeals to fill the vacancy created by Craig Olsen's resignation; Selectman Crowley seconded. Selectman Crowley reported that he had phoned the ZBA chair who indicated that he was in agreement with the appointment. VOTE: 5-0-0.

Vote Articles and Recommendations – May 9 Special and Annual Town Meeting Warrants (ATM Articles 4, 5, 18, 21, 22, 25-34 – STM Article 4)

The Board reviewed the following information: (1) Special Town Meeting Warrant; (2) Annual Town Meeting Warrant; (3) Water Consumption Comparison (FY16 to FY17); (4) Sewer Consumption Comparison (FY16 to FY17); (5) Document listing drivers of Water and Sewer Budget Increases; and (6) Planning and Economic Development Board Article Summaries prepared by Susy Affleck-Childs.

Special Town Meeting Warrant

Mr. Boynton identified two areas of interest: (1) due to recent storm and winter not yet over, we may need funds in the Snow and Ice Budget; and (2) updated amounts for Article 4 with additional funding source.

Selectman Trindade moved that the Board approve Article 4 as presented; Selectman D'Innocenzo seconded. No discussion. VOTE: 5-0-0.

Annual Town Meeting Warrant

Substantive comments are included below.

Article 4 – Appropriation: FY17 Water Enterprise Fund: Selectmen Crowley had questions on the water rates and the way the rate structure is set up. Chairman Foresto noted that the Town cannot continue using retained earnings and will need to raise the rates at some point. Mr. D'Amico reported that a water rate discussion with the Board of Selectmen is tentatively scheduled for April 11. Brief discussion followed in which Selectman Crowley suggested leaving the Board's recommendation as TBD until after that discussion.

Article 5 --Appropriation: Fy17 Sewer Enterprise Fund: The Board will hold on this one as well.

Article 11 – Replacement Ambulance: This article contains new language and an additional sentence.

Article 18 – Appropriation: Community Preservation Committee: It was decided to hold off making a recommendation until after the Community Preservation Committee votes.

Article 21 – CPA Funds: Playground Improvements: Mr. Boynton reported that he presented a letter to the office of the Secretary of Environmental Affairs which outlined a phased approach to the improvements. Funding would be \$500,000 in FY17 and \$500,000 in FY18. Selectman Crowley expressed concern that the Board has not yet finalized its position, noting that residents have approached him about the \$30,000 for the volleyball court. Brief discussion followed on separating specific projects for each Phase. Responding to a question from a resident, Mr. Boynton stated that Fall Town Meeting appropriated less than \$20,000 for the Gale Associated study which was an overall assessment of recreational facilities in the community. The original report came back with an \$8 million price tag. Brief discussion followed on the size of some of the projects, some of which could require varying levels of improvement as projects move forward. Some smaller projects, such as the volleyball court, may not qualify for the bond bill funding, but it could be

accomplished in-house out of the general fund. Selectman Crowley was interested in knowing the itemized costs for each project to make sure the pricing is relevant. It was noted that the study did not itemize costs but instead assigned lump sums. Discussion followed.

Article 22 – Accept Gift of Land and Fund Relation Acquisition Costs: **Selectman Trindade moved that the Board approve Article 22 as presented; Selectman Crowley seconded. No discussion. VOTE: 5-0-0.**

Ms. Affleck-Childs and Mr. Rodenhiser were present for the following articles.

Article 25—Easement Acceptances: Neelon Lane and Charles View Lane: Chairman Foresto asked that easels be available at Town Meeting so residents can see where the parcels are located. Ms. Affleck-Childs stated that this easement is to allow access and maintenance for the development off Neelon Lane.

Selectman Trindade moved that the Board approve Article 25, as presented; Selectman White seconded. No discussion. VOTE: 5-0-0.

Article 26 – Amend General Bylaws: Design Review Committee: The changes apply to memberships as well as the addition of a mission statement, qualifications of members, etc.

Selectman Trindade moved that the Board approve Article 26 as presented; Selectman White seconded. Selectman Crowley expressed concern about the qualifications of advisors. Brief discussion followed. VOTE: 5-0-0.

Article 27 – Amend General Bylaws: Parking & Storage of Recreational and Commercial Vehicles: There has been concern for the parking of large commercial vehicles on commercial and public property. This article is something of a compromise among the Planning Board members, some of whom wanted to be stricter. As a general bylaw, enforcement would fall to the Police Department. Mr. Rodenhiser noted that the Planning Board wants to protect the appearance of our residential neighborhoods. This is not about the local landscaper vehicles but more for the 18-wheel or flat-bed trailer hauling equipment. It was noted that the class of vehicles are based on weights, not size. Recreational Vehicles (RV) would not be included as they are not registered as commercial vehicles.

Selectman Trindade moved that the Board approve Article 27 to amend the General Bylaws; Selectman White seconded. It was noted that a public hearing will be held Tuesday, March 29. Discussion followed. VOTE: 5-0-0.

Article 28 – Accessory Family Dwelling Unit: This allows for a caregiver such as a nanny or other such person to live in the unit. The language clarifies that the unit does not have to be within the original structure, but can be an addition or accessory building and limits the size of new construction. Hopefully allow an in-home aging option. This is being presented jointly with the Zoning Board of Appeals.

Selectman Trindade moved that the Board approve Article 28 to amend the Zoning Bylaw relative to dwelling units; Selectman White seconded. No discussion. VOTE: 4-0-0 (It is noted that Selectman Crowley was out of the room and did not participate in the vote.)

Article 29 – Site Plan Review: This article proposes to tie Site Plan Review more closely to zoning. It adds an option for solar structures as well as modifying various sections by clarification of language.

Selectman Trindade moved that the Board approve Article 29 to amend the Zoning Bylaw regarding Site Plan Review; Selectman White seconded. No discussion. VOTE: 5-0-0.

Article 30 – Editing Zoning Bylaws: This is predominantly a modification of the format as well as the addition of a new section.

Selectman Trindade moved that the Board approve Article 30 for the editing of the Zoning Bylaw; Selectman White seconded. No discussion. VOTE: 5-0-0.

Article 31 – Amend Zoning Bylaw: New Section Zoning District Boundaries: **Selectman Trindade moved that the Board approve Article 31 as presented; Selectman D’Innocenzo seconded. No discussion. VOTE: 5-0-0.**

Article 32 – Amend Zoning Bylaw: Definitions: **Selectman Trindade moved that the Board approve Article 32 as presented; Selectman White seconded. No discussion. VOTE: 5-0-0.**

Article 33 – Amend Zoning Bylaw: Prohibited Uses: Ms. Affleck-Childs explained that this article adds a self-storage facility to the list of prohibited uses. **Selectman Trindade moved that the Board approve Article 33 as presented; Selectman White seconded. No discussion. VOTE: 5-0-0.**

Article 34 – Amend Zoning Map: Rezoning from ARII to Industrial II: This article provides a better correlation of parcels to zoning. Ms. Affleck-Childs added that this article will be discussed at the public hearing scheduled for this coming Tuesday. **Selectman Trindade moved that the Board not support this article as presented; Selectman White seconded. After discussion, the vote was 5-0-0 in favor of the motion. Ms. Affleck-Childs explained that the Planning Board will not make an official recommendation until after the public hearing.**

Discussion followed on setting up the next meeting for next week.

Approval – Competitive Green Communities Grant Application – 4 Projects – est. \$200,000:
The Board reviewed the following information: (1) Draft Grant Proposal; and (2) Proposal Summary.

Present: Bob Weiss, Energy Manager.

Selectman Trindade moved that the Board authorize the Chairman to execute the Competitive Green Communities Grant application as requested; Selectman D’Innocenzo seconded. Mr. Boynton noted that this matter will likely need to be revisited at Fall Town Meeting for \$30,000 in funding if the grant process moves forward. Chairman Foresto added that this is the third time the Town has applied for this. Selectman Crowley asked for clarifications of some figures which will be in by Friday. VOTE: 5-0-0.

Authorization of Chairman to Execute a Contract with Performance Plumbing & Heating Inc. for Plumbing Maintenance Services - \$50,000:
The Board reviewed the following information: (1) Memorandum dated March 21, 2016 from the Director of Public Services; (2) Bid Results; and (3) Contract.

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

Selectman Trindade moved that the Board authorize the Chairman to execute a contract with Performance Plumbing & Heating, Inc. for plumbing maintenance services in an amount not to

exceed \$50,000; Selectman D’Innocenzo seconded. Mr. D’Amico reported the department went out to bid to have a plumber on retainer. This company was the only bidder and his prices are less than when we paid our former plumber. VOTE: 5-0-0.

Approval – Department of Transportation - Rt.109 Project – 110% Agreement:

The Board reviewed the Agreement.

Mr. Boynton explained that the Town is responsible for design work. Based on the bids, MassDOT comes up with a project price. Mr. D’Amico stated that this kind of agreement defines responsibility while setting a cap on potential changes. The Town could be responsible if it is not a design flaw, but a change necessitated by a change in construction or other unforeseen circumstance. This is a 10% contingency clause. Discussion followed.

Selectman Trindade moved that the Board authorize the Chairman to execute the MassDOT 110% agreement for the Route 109 project as presented; Selectman White seconded. No discussion. VOTE: 5-0-0.

Approval – Update Lighting at Middle School - \$40,000:

The Board reviewed the following information: (1) Letter dated March 15, 2016 from Don Aicardi, Director of Finance and Operations, Medway Public Schools; (2) Map of Proposed Area; and (3) Proposal from Giombetti Electric.

This is to repurpose unused funds from the Middle School renovation. No additional funding is requested from the Town.

Selectman Trindade moved that the Board approve the request to expend up to \$40,000 in Middle School renovation project funds to update lighting fixtures at the Middle School for the south side parking lot, as well as the canopy lighting for the front walkway; Selectman D’Innocenzo seconded. No discussion. VOTE: 5-0-0.

Approval - Banner Display Requests

The Board reviewed Requests from Clean Sweep and the Medway Youth Football & Cheer.

Selectman Trindade moved that the Board approve the banner display requests for Clean Sweep and Medway Youth Football & Cheer; Selectman D’Innocenzo seconded. No discussion. VOTE: 5-0-0.

Selectman Crowley asked why the banners would be up for only one week. Ms. Potter responded that it usually takes time for someone to take the banner down so it’s actually up longer than a week.

Selectman Crowley moved that the Board modify its vote to extend the maximum allowable time for banners to two weeks; Selectman White seconded. No discussion. VOTE: 4-0-0. Selectman Trindade was out of the room during the vote.

Approval – One-Day Liquor License Applications

The Board reviewed the following applications with associated Police Chief Recommendations for events at the Thayer Homestead: (1) Shannon Spicer, April 23, 2016; (2) Teresa Ramella, April 24, 2016; (3) Lynsey Gosselin, May 7 2016; and (4) John Williams, May 20, 2016.

Selectman Trindade moved that the Board approve one-day liquor licenses for Shannon Spicer, Teresa Ramella, Lynsey Gosselin and John Williams for their events at the Thayer Homestead on

April 23, April 24, May 7 & May 20, 2016 subject to the Police Chief's recommendations and evidence of appropriate insurance coverage; Selectman White seconded. No discussion. VOTE: 5-0-0.

Approval – Tri State Trek Fundraiser– June 24, 2016

The Board reviewed the following information: (1) Request from Tri-State Trek; and (2) Proof of insurance coverage.

Selectman Trindade moved that the Board approve the request for cyclists to travel through Medway for the Tri-State Trek annual fundraising event on June 24, 2016, subject to fulfillment of the Police Chief's recommendations; Selectman D'Innocenzo seconded. No discussion. VOTE: 5-0-0.

Action Items from Previous Meeting

The Board reviewed the Action Items List.

Brentwood project – The machinery was scheduled to be on site tomorrow, but the Town received a note from the attorney for an abutter. Town Counsel is reviewing the communication and talking to the attorney. We will lose the funding if we cannot get the project started. Also, a property owner is not providing access to allow the Town to complete conditions on Order of Conditions from the Conservation Commission.

The sidewalk and roadway plan is in process.

Net metering can come off.

Town Administrator's Report

Mr. Boynton reported that the salt storage shed needs to be restocked. He will get an update on projected costs for the Snow and Ice Budget.

Regarding the Internet, four people are presently authorized to update various web pieces, Facebook, Twitter, etc. Brief discussion followed on problems with Facebook pages.

Ms. Mary Becotte announced that she launched the first issue of the newsletter on March 16, adding that the subscriptions are increasing. Dr. Pires will contribute something from the schools each week. There will be an instructions section in the next newsletter.

It was noted that the Reverse 911 system should be reserved for emergency situations. Chairman Foresto asked her to come to the next meeting for a more formal update and be early in the agenda so many people can hear all these changes.

Selectmen's Reports

Chairman Foresto reported that he, Ms. Affleck-Childs and Mr. Rodenhiser met with the Brunswick people who are moving to Medway to grow the business.

At 9:42 PM Selectman Trindade moved to adjourn; Selectman White seconded. No discussion. VOTE: 5-0-0.

Respectfully submitted,
Jeanette Galliardt
Night Board Secretary