

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

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

Absent: Richard D'Innocenzo, Clerk.

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

Others Present: Barbara Saint Andre, Town Counsel.

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

Public Comments: None.

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

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

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

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

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

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

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

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

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

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

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

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

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

The Board reviewed a List of EPFRAC Members.

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

Chairman Trindade read aloud the motion of affirmation as follows:

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

**David Blackwell, Conservation Commission
David Travalini, Conservation Commission (alternate)
Alex Burinsky, Historical Commission
Michael Schrader, Finance Committee
Ellen Hillery, Finance Committee (alternate)
Cathy Morgan, Friends of Choate Park
Kari MacLeod, Friends of Choate Park (alternate)**

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

Discussion – Alleged Open Meeting Law Violation:

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

Present: Barbara Saint Andre, Town Counsel.

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

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

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

Closing of Fall Town Meeting Warrant:

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

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

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

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

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

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

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

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

Discussion/Vote – SPECTRA Intervenor:

There were no background materials.

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

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

Banner Display Request – Taste of Medway:

The Board reviewed a Banner Display Request Form.

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

Liquor License Requests:

The Board reviewed applications and Police Chief's recommendations for Thayer Homestead events for Ana Elliott and Deborah.

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

Action Items from Previous Meeting:

The Board reviewed the Action Items List.

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

Approval of Warrants:

The Board reviewed Warrant 17-13.

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

17-13P	Town Payroll	\$ 343,159.58
17-13SP	School Payroll	\$ 817,146.54
	TOTAL	\$1,160,306.12

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

Approval of Minutes:

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

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

Town Administrator's Report:

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

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

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

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

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

Selectmen's Reports:

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

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

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

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

Respectfully submitted,
Jeanette Galliardt
Night Board Secretary