



## BOARD OF SELECTMEN

155 VILLAGE STREET  
MEDWAY, MASSACHUSETTS 02053

### AGENDA

DECEMBER 19, 1988

- 7:00 p.m. Open meeting, sign warrants  
Approve minutes of 12-12-88  
meeting.
- 7:05 Paul DeSimone - drainage on  
Holliston
- 7:20 Elizabeth Henderson - update  
on Station I
- 7:30 Park Commissioners - joint  
appointment to the Park  
Commission to fill vacancy  
created by resignation of  
Nancy Smith
- Administrative Assistant Report

### NOTE:

Decision on appointment to  
Finance Committee

Approve 1989 Licenses  
Heating System in Town Hall

Present: Paul Mitchell, Harry Sabin, Edward Borek and Administrative Assistant, Jeffrey Brown.

- 7:00 p.m. The Board opened the meeting and voted unanimously to approve the minutes of the December 12, 1988 meeting. The Board signed the warrants.
- 7:05 The Board met with Mr. and Mrs. Leo McGowan, Paul DeSimone and Joe Hanlon regarding a condition the planning board placed on the definitive plan for Mr. and Mrs. McGowan entitled "Knollwood Acres" showing 4 proposed lots. One of the conditions was that the applicant acquire approval from the Selectmen to discharge the newly-designed drainage system to outlet on the westerly side of the intersection of Red Gate Road such that a structure be built and said drainage enters the 15 inch corrugated culvert under Holliston Street. There will be a small retention pond at the end of the roadway at the corner of Holliston Street the water would be pipe down Holliston Street and they would install a manhole right over the corrugated culvert running across Holliston Street into the stream. Mr. Borek asked why they could not run the pipe down the gutter instead of the middle of the road. Mr. Hanlon stated because of the water line at the side of the road and that there would be a possibility that the water would back up onto the Ranahan property and the Planning Board would not allow that. The Highway Supt. who was in attendance at this meeting felt the corrugated pipe should be replaced with a concrete pipe of the same size. Mr. Borek objects to where the pipe will be located in the roadway. Jonathan Bruce developer of Red Gate Estates was also in attendance at this meeting and suggested that the engineers look into tying their pipe into the catch basin at the end of Red Gate Road. The Board stated they would like this idea explored and get back to the Board.
- 8:17 The Board met with Elizabeth Henderson, Chairman of the Permanent Fire Building Committee to update the Board on Station I. She informed the Board that Town Counsel is taking care of sending the letter to Mr. Winiker and getting appraisal. The Committee is waiting to hear from him.
- 8:25 The Board held a joint meeting with the Park Commissioners to fill a vacancy created by the resignation of Nancy Smith. Mr. Mitchell was voted unanimously to serve as the Chairman of this meeting. Mr. William Rombalski was in attendance representing the Park Commissioners. It was voted unanimously that Mr. John King, 41 Gorwin Drive be appointed to fill the vacancy until the next town election.

- The Board voted unanimously to appoint Mary Jo Hurley to the Finance Committee until June 30, 1989 and Louis Caccavaro until June 30, 1991.
- The Board voted unanimously to approve the list of 1989 Licenses attached and to have the Police Department check on the Automatic Amusement Devices in Town.

Administrative Assistant Report:

Correspondence was received from Town Counsel that he has a case coming up that he would be in conflict if he defended. The Board voted unanimously to have the Administrative Assistant get in touch with Special Counsel, Greg Barnes to have him cover this case.

The Board received correspondence from the Town Accountant regarding the Trash Billing and a Commitment to be signed. (attached). The Board asked the Administrative Assistant have Town Counsel review this information and rule on both of these matters and the Board voted unanimously that if approved by Town Counsel they could come in and sign the commitment individually.

The Board signed authorization and bonds for anticipation of Chapter 90 Highway Grants and Sewer Grant Renewal.

Discussed the Town Hall Heating System. The Board requested the Administrative Assistant send a letter to Fraser Co. for a proposal for doing what they suggested in their letter.

Meeting adjourned at 9:15 p.m.

RESPECTFULLY SUBMITTED,



Ruth Allen, Secretary

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## TOWN ACCOUNTANT

TOWN OFFICES:  
155 VILLAGE STREET  
MEDWAY, MASSACHUSETTS 02053  
533-8122

December 15, 1988

To: Board of Selectmen  
From: Town Accountant  
Re: First trash billing

As you know, our first trash bills were mailed today. Attached is an analysis of those bills.

We mailed 2,796 bills covering 3,155 units for a grand total of \$311,256.00. We need a commitment immediately for this amount.

It is my duty under Chapter 41, Section 56 to examine and approve all bills after verifying "that the charges are correct and that the goods, materials or services charged for were ordered and that such goods and materials were delivered and that the services were actually rendered to or for the town."

Because I am concerned that the Selectmen as well as the Town Accountant could become personally liable if a "ten-taxpayer lawsuit" becomes filed, I believe that we need to have Town Counsel review our contract with BFI to confirm whether the charges are correct on the invoices we are paying. A copy of the invoice shows that we are paying 23,320.00 which is the 5.83 rate multiplied by 4000 units.

Now that we have sent the first set of bills and confirmed that 3155 units are "actually having the services render", I am fearful that we must confirm whether our payments are properly processed at 23,320.00.

I would like a copy of this confirmation for my files as the auditors will undoubtedly request this backup upon the audit of my contract files and payments.

Thank you,

*Mary J. Shea*  
Mary J. Shea  
Town Accountant



# TOWN ACCOUNTANT

TOWN OFFICES:  
155 VILLAGE STREET  
MEDWAY, MASSACHUSETTS 02053  
617- 533-8122

## FIRST TRASH BILLING

	<u>Period</u>	<u>Bills</u>	<u>Rate</u>	<u>Units</u>	<u>Amounts</u>
Single Family for	1 Month	6	\$18.00	6	108
	2 Mos	5	\$36.00	5	180
	3 Mos	2	\$54.00	2	108
	4 Mos	6	\$72.00	6	432
	5 Mos	4	\$90.00	4	360
	5½ Mos	2589	\$99.00	2589	256,311
		2612		2612	257,499
Single Family Totals					
Two - Family	5½ Mos	131	\$198.00	262	25,938
Three - Family	"	24	297.00	72	7,128
Four - Family	"	14	396.00	56	5,544
Five - Family	"	3	495.00	15	1,485
Six - Family	"	4	594.00	24	2,376
Eight - Family	"	1	792.00	8	792
Nine - Family	"	1	891.00	9	891
Ten - Family	"	2	990.00	20	1,980
Eleven - Family	"	1	1089.00	11	1,089
Twelve - Family	"	1	1188.00	12	1,188
Twenty - Two-Family	"	1	2178.00	22	2,178
Thirty - Two - Family	"	1	3168 00	32	3,168
		2796		3155	311,256
Totals					

INVOICE NO:

INVOICE DATE

DATE	DOC. REFERENCE NO.	DESCRIPTION	AMOUNT
09/30/98	1100 100:	STANDARD MONTHLY CHARGE 10/01/98 THRU 10/31/98	23,320.00
		LOCATION TOTAL	23,320.00
		INVOICE TOTAL	23,320.00

5.83  
x 4000  
23,320



BFI  
WASTE SYSTEMS DIVISION  
1100 S. 1100 ST.  
JF HOLLISTER INC.

PLEASE RETAIN THIS PORTION FOR YOUR RECORDS

(508) 429-6150  
PAGE 1

2292

PLEASE PAY FROM THIS INVOICE  
NO OTHER BILLING WILL BE MADE.

1/86

BFI260-473

## ARTICLE 11

LICENSES AND TAXES - The Contractor shall obtain all licenses and permits (other than licenses and permits granted this contract), and promptly pay all taxes and fees assessed/levied by the Town and/or Commonwealth of Massachusetts.

## ARTICLE 12

12.00 PERFORMANCE BOND - The Contractor shall furnish a corporate surety bond as security for the performance of this contract. The bond shall be 1.30 times the value of the contract in effect.

## ARTICLE 13

### 13.00 BASIS AND METHOD OF PAYMENT

#### 13.01 COLLECTION AND DISPOSAL RATES

A. For collection and removal services as described in sections 3.00 and 4.00, the charges shall not exceed the following rates:

- (i) Rate per residential unit for contract years ending June 30, 1989, \$5.83 per month.
- (ii) Rate per residential unit for contract year ending June 30, 1990, \$6.06 per month.
- (iii) Rate per residential unit for contract year ending June 30, 1991, \$6.30 per month.
- (iv) Rate per vehicle and crew per day for special pickups as may be requested \$680.00 per day in year ending June 30, 1989, \$714.00 per day in year ending June 30, 1990, \$750.00 per day for year ending June 30, 1991.

B. The cost of disposal shall be determined by the contract between the Town of Medway and Wheelabrator Millbury, Inc., dated *August 10*, 1987, in addition to any additional assessments to the Town from Millbury and the Town shall be solely responsible for payment of all disposal fees.

13.02 TOWN TO ACT AS COLLECTOR - The Town shall act as the billing collection agent for the Contractor. Residential producers shall be billed by the Town by means of an enterprise account.

13.03 PAYMENT OF THE CONTRACTOR - The Town shall pay the Contractor within 30 days of each monthly bill from the Contractor.

## ARTICLE 14

14.00 TRANSFERABILITY OF CONTRACT - Other than by operation of law, no assignment of the contract or any rights occurring under the contract shall be made in whole or part by the Contractor without the express written consent of the Town, which shall not be unreasonably withheld; in the event of any assignment, the assignee shall assume the liability of the Contractor.

## ARTICLE 15

15.00 EXCLUSIVE CONTRACT - The Contractor shall have the sole and exclusive franchise, license and privilege to provide refuse collection and disposal to residential and municipal producers



## BOARD OF SELECTMEN

155 VILLAGE STREET  
MEDWAY, MASSACHUSETTS 02053

### SCHEDULE OF SOLID WASTE COMMITMENT FOR MEDWAY

To : Mr. Frederick Lee, Treasurer/Tax Collector

The attached is a summary of bills sent out by the Board of Selectmen for solid waste collection for the period extending from July 18, 1988 until December 31, 1988, and amounting in the aggregate to \$311,256.00. This commitment is made by the Board of Selectmen to Frederick J. Lee, Treasurer/Tax Collector for the Town of Medway, on this 16th day of December, 1988.

By the Board of Selectmen,

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Paul Mitchell, Chairman

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Harry Sabin

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Edward Borek



## BOARD OF SELECTMEN

155 VILLAGE STREET  
MEDWAY, MASSACHUSETTS 02053

### SCHEDULE OF SOLID WASTE COMMITMENT FOR MEDWAY

To : Mary Shea, Town Accountant

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By the Board of Selectmen,

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Paul Mitchell, Chairman

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Harry Sabin

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Edward Borek

LICENSE RENEWALS FOR 1989

LIQUOR LICENSES:

The Medway Veterans Building Assoc.  
Golden Tiger, Inc.  
China Lotus Restaurant  
Speroni's Inc.  
The Little Store  
West Medway Liquors  
Medway Package Inc.  
The Key-stone Corporation  
Elm Social Club of Medway  
Tr. Medway Legion Bldg. Comm.  
Fitz-ren - Village Inn

AUCTIONEER:

Lou's Country Auction  
Allan Osborne

AUTOMATIC AMUSEMENT LICENSE:

Medway Veterans Building Assoc.  
Medway American Legion  
The Village Inn  
Table Top Pizza  
Medway House of Pizza  
Elm Social Club, Inc.  
Papa Gino's Restaurant

TAXICAB LICENSE:

Millis-Medway Taxi  
Transystems, Inc.

COMMON VICTUALLER'S LICENSE:

D. J.'s Donuts  
The Medway House of Pizza  
Lou's Country Auction  
Table Top Pizza  
Medway Restaurant & Ice Cream  
Burger King  
Gabe's Variety  
Gamewell Cafeteria  
Dunkin' Donuts  
Something Special Bakery  
Papa Gino's Restaurant  
The Village Deli & Coffee Shop  
The Village Inn  
Speroni's Restaurant  
American Legion Post #367  
China Lotus Restaurant  
Elm Social Club  
Golden Tiger, Inc.  
The Little Store  
V.F.W. Post #1526

COMMON VICTUALLER'S LICENSE CONT'D.:

Cumberland Farms Inc.  
Super Place  
Medway Package Inc.  
Medway Youth Soccer (Concession Stand)  
Medway Youth Baseball (Concession Stand)  
Wood's Store  
The Meadows Creamery

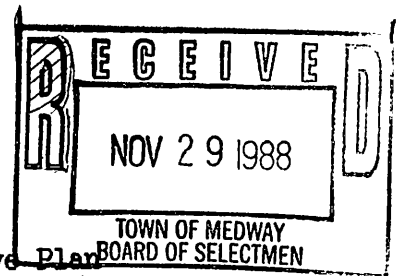
CLASS I, II and III LICENSES:

R & R Auto Inc. - II  
Medway Auto Sales - I  
Bartolini Motor Sales Inc. - II  
R. B. Havens Assoc., Inc. - II  
C & R Auto Wholesales, Inc. - II  
Apollo, Inc. - III  
Apollo, Inc. - II  
Nelson & Son Garage - II  
Elliott Motors - II  
McGowan's Carburetor & Ignition Ser -II

SUNDAY ENTERTAINMENT LICENSES:

Elm Social Club Inc. (2)  
Papa Gino's Restaurant (1)  
Table Top Pizza (1)  
Tr. Medway Legion Bldg. Comm. (2)  
Medway Veterans Bldg. Assoc. (1)

Planning Board  
Town of Medway, Massachusetts  
Superseding  
Certificate of Approval with Modifications of a Definitive Plan



It is hereby certified by the Planning Board of the Town of Medway, Massachusetts that, at a duly called and properly posted meeting of said Planning Board held on November 10, 1988 it was vote to modify a definitive subdivision plan entitled "Knollwood Acres" previously approved on July 12, 1988, owned by Leo & Lillian McGowan, dated March 15, 1988, drawn by Desimone Surveying Services, Inc. originally filed with the Board on April 20, 1988, concerning property westerly off Holliston Street and showing 4 proposed lots with the following conditions and modifications:

Conditions:

That the applicant acquire approval from the Selectmen to discharge the newly-designed drainage system to outlet on the westerly side of the intersection of Red Gate Road such that a structure be built and said drainage enters the 15 inch corrugated culvert under Holliston Street.

That the proposed road profile be modified to include a dip of approximately nine inches below the elevation of Holliston Street, said dip being located at the proposed catch basins.

That an approved street name be added to the plans.

Modifications:

That the requirement for a 45 foot road property width be waived and a 33 foot property line be allowed.

That the requirement for a 26 foot pavement width be waived and a 20 foot pavement width be allowed.

That the requirement for 2 sidewalks be waived and that one sidewalk be allowed on the southerly side of the subdivision.

That the requirement for vertical bituminous berm be waived and that "Cape Cod" bituminous berm be allowed in its place noting that granite curb (sloped) is not waived at roundings and that granite curb inlets at catch basins is not waived.

That the 400 foot limit for a dead end street be waived and that a length of 520 feet be allowed.

That reinforced concrete flaired end pipes are allowed at drain outlets in lieu of concrete headwalls.

The requirement for a 75 foot property line at the cul-de-sac is waived and a 60 foot radius is allowed.

Superseding Certificate of Approval - Knollwood Acres - Page 2

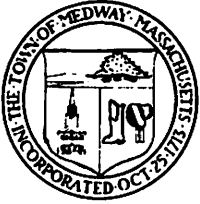
Endorsement of the approval is conditional upon the provision of a Covenant duly executed and approved, to be noted on the plan and recorded with the Norfolk County Registry of Deeds, said form of guarantee may be varied from time to time by the Board,

Modifications must be shown on the plan before its endorsement and recording. The unpaid balance of all fees, postage and advertising must be paid to the appropriate authorities before endorsement.

James J. Broden  
William Romalshi  
R. H. Brown

[Signature]  
[Signature]  
Medway Planning Board





## BOARD OF SELECTMEN

155 VILLAGE STREET  
MEDWAY, MASSACHUSETTS 02053

### AGENDA

DECEMBER 12, 1988

- |           |  |
|-----------|--|
| 7:00 p.m. | Open meeting, sign warrants<br>Approve minutes of 12-5-88<br>meeting.                  |
| 7:05      | Public Hearing - Boston Edison<br>Summer Street - conduit<br>Lovering Street - conduit |
| 7:10      | Joanne Kenney - Blue Cross/<br>Blue Shield Plus  |
| 7:30      | CRPCD Commissioners<br>re: Sludge Removal  |
| 7:45      | Louis Caccavaro - re: vacancy<br>on Finance Committee                                  |
| 8:00      | Board of Assessors - re: abatements<br>on residents near CRPCD                         |
| 8:30      | Joseph Griffiths - decision on drainage<br>Dean Street                                 |
| 8:45      | Charles Truscott - Special Permit<br>6 unregistered vehicles<br>97 Winthrop Street     |

Administrative Assistant Report

Present: Paul Mitchell, Harry Sabin, Edward Borek and Administrative Assistant Jeffrey Brown.

- 7:00 p.m. The Board opened the meeting and voted unanimously to approve the minutes of the December 5, 1988 meeting as amended, page three paragraph three. There were no warrants to be signed.
- 7:03 The Board met with Harry T. Johnson, Chairman of the Board of Assessors regarding the abatements they are giving to the residents within approximately 2,000 feet of the facility (CRPCD). Mr. Johnson stated that the Town of Medway is paying for these abatements and his board felt that it should be an operation cost to the District. The Town of Millis had requested a list of residents receiving abatements because residents in their town are also requesting abatements. The Board was given a copy of the letter sent to the Town of Millis. Mr. Johnson asked if the Assessor's should send a letter to the District about these abatement's or if the Selectmen would like to send the letter. The Board voted unanimously that the letter should come from the Board of Assessors since they are the ones approving these abatements and a courtesy copy could be sent to the Board of Selectmen.
- During this discussion Mr. Mitchell stated that he was mindful of the public hearing at 7:05 p.m. with Boston Edison and that Mr. Johnson was on the agenda for 8:00 p.m. but could not make that time schedule.
- 7:08 The Board held a public hearing for Boston Edison to install conduit on Summer Street - southerly approximately 1380 feet south of Summer Hill Road, a distance of about 43 feet and on Summer Street - northerly approximately 1545 feet south of Summer Hill Road - a distance of about 43 feet. Mr. Edmund Kelly representative of Boston Edison was in attendance for this public hearing and he stated that this is to service a new underground sub-division at Summer Street and Azalea Road. The Board voted unanimously to approve this petition. The Board held a public hearing on the petition from Boston Edison for conduit on Lovering Street - northwesterly approximately 725 feet east of Pond Street, a distance of about 13 feet for an underground service for a sub-division at Memory Lane and Lovering Street. The Board voted unanimously to approve this petition. The Board discussed that PVC pipe was not allowed as covering on any wire going up the pole, that it must be covered with metal pipe.
- 7:18 The Board met with Joanne Kenney, representative from Blue Cross/Blue Shield to discuss the Blue Cross/Blue Shield Master Health Plus Program which is a benefit management program. She stated that the cost for the Plus program is approximately 12% less than the Master Medical program now offered. She stated the town would have to choose one or the other program, they could not have both. The Board felt that the town employees should be surveyed as to which program they would prefer.

- 7:36 The Board met with CRPCD Commissioner, Paul Wilson, regarding the Town of Franklin's question on the District staying within the constraints of Proposition 2½. Copy of letter attached. Mr. Wilson also discussed the possibility of incinerating sludge at the City of Woonsocket. Copy of letter attached. Mr. Wilson was going to attend the Franklin Town Councillor's meeting on Wednesday, December 14, 1988 with the other Commissioner's and give them this information also. Mr. Mitchell informed Mr. Wilson about the discussion with Harry Johnson regarding the abatements. Mr. Faist of Lakeshore Drive questioned Mr. Wilson where the composting facility stands now with this information on incinerating the sludge in Woonsocket? He stated he would like to see this composting idea withdrawn from the State if approval is given for incinerating the sludge. Rep. Parente, who was in attendance at this meeting, stated her agreement with Mr. Faist on this matter. Mr. Mitchell stated the Board would like copies of the letter's sent to the State DEQE and Attorney General's office. Rep. Parente gave copies of her letter's on her Bill for incinerating at Millbury to the Board and to Mr. Wilson. Paul Jacobsen member of the Millis Board of Health was in attendance at this meeting also.
- 7:58 The Board met with Louis Caccavaro and Mary Jo Hurley regarding the vacancy on the Finance Committee. Presently there is only one vacancy but two of the committee members have moved out of town and the committee has asked them to send in their written resignations. The Board told Mr. Caccavaro and Ms. Hurley they hope to make the appointment at next weeks meeting.
- 8:33 The Board met with Joseph Griffiths regarding a decision on draining his sub-division "Dean Estates II" onto Town Property. Mr. Griffiths had been before the Board at last weeks meeting and they stated that they would have a decision for him at this weeks meeting. Mr. Griffiths agreed to replace the corrugated pipe under the railroad bed with concrete pipe. The Board voted Mitchell and Sabin in favor; Borek opposed to replacing the corrugated pipe. Mr. Sabin stated the Board should not hold this developer up because of the other developers in the area who might be draining their properties at this location. Each one should be taken separately. It was stated that Mr. Griffiths development would be adding 3% more water but, Mr. Coras's development would be a net decrease of 20%. Mr. Mitchell and Mr. Sabin voted in favor; Mr. Borek was opposed to allowing this developer to drain onto Town property as is happening presently. The Board requested the Administrative Assistant get together with the Planning Board Chairman to see how he would like this stated for the covenant.
- 9:00 The Board met with Mr. Charles Truscott, 97 Winthrop Street regarding a special permit for 7 unregistered vehicles on his property. Mr. Truscott had received a letter from the Police Chief regarding these unregistered vehicles. Mr. Truscott

stated that two vehicles would be removed on Saturday, December 17th that the Volkswagen Bug will be towed; the Ford Pickup will be licensed and will be sold; 1969 and 1973 Opal GT's would be fixed up for Classic Cars and that the 1981 Omni will be fixed up and put on the road. The Board suggested that he fence in and cover the two Classic cars with the permission of the Building Inspector. The Board requested the Administrative Assistant get together with the Building Inspector and Mr. Truscott to discuss permanency of the long term storage of the vehicles. The Board voted unanimously to allow him until December 31, 1988 to properly dispose or store the unregistered vehicles on his property. The Board requested the Administrative Assistant inform the Police Chief of this decision.

Administrative Assistant's Report:

Read a letter received from the Police Chief regarding the unregistered vehicles owned by Theodore Jones, 177 Holliston Street. The Police Chief, Building Inspector and Administrative Assistant viewed the property. Mr. Mitchell also viewed the property. Chief's letter attached. The Board voted unanimously to deny the request of Mr. Jones for a special permit and to deny the request to issue permits for more than one unregistered vehicle on anyone's property and to further uphold the Town by-law.

Informed the Board that Paul DeSimone had come in and met with him regarding a letter from the Board to allow a sub-division on Holliston Street to tie-in to Town drainage. The Board requested the Administrative Assistant have Mr. DeSimone come before the Board at next weeks meeting.

Informed the Board of a letter received from the Conservation Commission regarding a Recycling Center. The letter states the Commission is very interested in learning the Board's position on the recycling center currently being developed as a joint venture by the Town of Millis and to learn whether or not Medway will be indicating support for the Millis proposal. The Board stated that 'yes' they are interested.

Informed the Board of a letter received from Town Counsel regarding the Board's request to have him look at the Cable Contract regarding the rate regulation for cablevision. It is Town Counsel's opinion that the Town presently has no authority by which it can take any action with respect to the rates charged or to be charged by Massachusetts Cablevision.

## Administrative Assistant's Report Con'td.:

Informed the Board of a letter received from Town Counsel regarding the Milford/Summer Sts. site for Fire Station I and the negotiating for that parcel of land.

Informed the Board of a letter received from Town Counsel regarding the Town Treasurer/Collector serving on the Solid Waste Appeals Committee. He believed it would be inappropriate for Mr. Lee to both collect unpaid user fees and be in a position to have to vote or rule on a request to abate those same fees.

Informed the Board of a letter received from O. Paul Shew inviting the Board to attend their meeting on December 14, 1988 to discuss with the District Commissioners and their representatives whether or not the District is subject to Proposition 2-½ provisions. The Board stated that it does not serve any productive purpose in their attending because the CRPCD Commissioners representing Medway will be in attendance.

Discussed the vacancies on the Affordable Housing Committee. The Board requested the Administrative Assistant meet with the Chairman of the Affordable Housing Committee to discuss the vacancies.

Informed the Board that a Darren Lavoie, Orchard Street, Raynham applied for a Solicitors Permit. The Police Chief had check on him and stated that he was "clean as a whistle". The Board voted unanimously to approve his application to sell Home Audio Equipment door to door.

The Board signed the Contract with Arlington Trust for service to the computer 7-1-88 thru 6-30-89.

Meeting adjourned at 10:00 p.m.

RESPECTFULLY SUBMITTED,



Ruth Allen, Secretary

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December 12, 1988

The District should not make any specific comment on the matter of Proposition 2 1/2 at this time. We have asked our counsel for advise on where we stand. We do not think there will be a quick ruling on this matter. The District and the Towns should be of one mind on this issue. The Commissioners have always proceeded on what we have thought to be the correct method of assessment to the Towns. If it is found that we have not then certainly there will have to be changes made to which all of us can agree to. In the meantime, the District has financial obligations both to it's employees and people who have furnished us with goods and services. It will be necessary to continue to have a constant flow of money to run the plant.

The District is being placed in a Catch-22 position by the circumstances that we are dealing with. On one hand are the Towns which see treatment costs rising more than they think they should. On the other hand, the regulators, EPA and DEQE are saying; you will, at all cost, regardless of the cost, treat and clean the water and dispose of the waste in an authorized manner. The Consent Decree signed by the District is very clear; Abide by all the terms agreed to and meet your discharge permit monthly or else face contempt of court charges.

Since its conception the District has tried to operate in a manner that would reflect the least cost to the user. Bear in mind, we are not always successful. We contend with: old sewer systems that leak badly whenever high ground water or heavy rains invade the lines, high strength waste

which causes more effort in the cleaning process, odor problems from a landfill too close to residents, odors generated in the plant by inadequate controls, and constant increases in the rate of flow in the plant. All these considered items bring on rising costs that we try to moderate. There is a point at we all lose!

December 12, 1988

CRPCD has been discussing for several months the possibility of incinerating sludge at the City of Woonsocket. The incinerator at their sewer plant has been leased by a Connecticut firm called NETCo for the purpose of incinerating sludge generated in Rhode Island and other nearby municipalities. NETCo has been operating an incineration plant in Naugatuck, Connecticut for over five years and has wide experience in handling and disposing of sludge and ash.

CRPCD has been figuring the costs of such a move and the overall effects on our plant if we did so. You will recall the most effective low cost solution of sludge disposal, next to land filling, was incineration at either Millbury or North Attleboro. Neither of these solutions were possible. It would appear at this time that going to Woonsocket is possible and will be effective from a cost stand point.

In order to proceed CRPCD will want to be able to enter into a long term agreement for ten years or more with NETCo. An OK from Mass. DEQE will be needed and the Attorney General's office will have to be persuaded that this option will be the long term sludge disposal plan, negating any further talk about a composting plant.

CRPCD has less than 15-24 months left in its landfill for sludge. Any composting plan, even if it were non-controversial and non-blockable, would take at most three years before it came on line. In that span of time when we had no disposal site we would have to truck off-site all of the waste. The cost of this would run up to plus or minus \$100,000/month depending on the final destination.



The composting plant as near as we can figure will cost the taxpayers in the five towns plus or minus 5 1/2 million dollars to create and something like \$300,000 dollars/year to operate. The result will be a "dry, non-odorous sludge". CRPCD is convinced this sludge will be very difficult to market off-site because of DEQE's very restrictive application regulations.

Our preliminary figures for incineration at Woonsocket show operating costs that would be not more than that of composting. Leaving the taxpayer relieved and no waste for CRPCD to dispose of.

If our negotiations are successful, we will present to the towns a similar outline as this but with more definite costs and how much of an increase will be necessary in this years budget to pay for the incineration.

Dean Estates II is the second phase of development on 13 acres of land off Kelly Street in Medway. Runoff from the site flows south onto land owned by the Town of Medway. Runoff from the road and those lots west of the road will be collected in catchbasin to manhole type system and then routed through a detention and sedimentation basin before being discharged offsite into an existing swale. Runoff from that portion of the site which is not serviced by the drainage system will run overland to the south as in pre existing conditions.

The 10 & 100 year storms were analyzed using Hydrocad computer software and TR 20 methodology. For the purpose of analyzing pre and post development flows, all runoff was routed through an imaginary reach upon leaving the site. This provides a convenient comparison of pre and post conditions.

The calculations were done on 15.98 acres. The area includes the Dean Estates I, Dean Estates II and some offsite area which drains across the property.

#### OFFSITE FLOW RATES

	10 YEAR STORM	100 YEAR STORM
Predevelopment	15.8 CFS	30.2 CFS
Postdevelopment	15.2 CFS	31.2 CFS
Increase	-0.6 CFS	1.0 CFS

- 4%

+ 3%

# Midway Manor

## 1.4 DRAINAGE BASINS

The existing site is covered by four drainage basins. These are labelled the Northeast (NE), the North (N), the West (W), and the East (E). These basins are diagrammed in APPENDIX A, and discussed below.

- NE: This is a small area which includes the existing house, and drains to the east onto the Dean Estates subdivision land.
- N: This is an area of 2.66 ac. Runoff originates from Kelly Street, and flows into the existing man-made water hole. When this water hole over-tops, which would be only during severe storms, this basin then combines with the E basin.
- W: This is an area of 7.16 ac. Runoff originates from Kelly Street and flows to the analysis point at the southwest corner of the site.
- E: This is an area of 4.99 ac. Runoff originates within the northern portion of the site, and flows to the analysis point at the southwest corner of the site.

The sum of the hydrographs to the point of analysis where the runoff leaves the site yields the following peak rates of runoff (See Figure Two):

### 10 Year Storm

21.4 cfs.

### 100 Year Storm

37.6 cfs

## 2.1 PROPOSED CONDITIONS

The main road will extend 1,200 ft. into the site with a cul-de-sac at the end. There will be a cross-road from Dean Estates to the east, through to the border with the vacant land to the west.

## 2.2 STORMWATER MANAGEMENT

The project has been designed to be as nearly "balanced" as possible, so that post-development rates of runoff will be slightly less than pre-development rates.

The flow from the NE basin is reduced by diverting some of the flow into the N basin, thereby making the basin smaller.

The detention basin in the N basin is designed to detain its runoff sufficiently, so that when combined with the flows from the W basin and the remainder of the site, (called the South

basin (S) in the Appendix), the peak rates will be reduced.

In the Post-development condition, the sum of the hydrographs to the point of analysis where the runoff leaves the site yields the following rates:

10 Year

18.7 cfs

100 Year

30.2 cfs

There will be, then, a beneficial 13% reduction in 10 year peak rate of runoff and a 20% reduction in 100 year peak rate of runoff due to the development.

Full calculations are included in Appendix A.

### 2.3 SILTATION CONTROL

At the downstream end of the construction, at the end of the road, a row of haybales will be placed prior to any other work occurring in the area. The integrity of the haybale dam will be maintained by periodic inspection and replacement, as necessary. The haybales will remain in place until the first course of paving has been placed, and the side slopes have been loamed and seeded, and grass has become established.



Jim Brodeur -

Re: Dean Estates II

- ° in conjunction with Medway Manor, there is a total decrease in flow 17% approx.
- ° Selectmen's primary consideration is the flow of water being channelled onto town property, and consequently from town's property (a five acre parcel - formerly r.r. land near the backstop of b.b. field).
  - water is channelled through corrugated pipe under r.r. side road
- ← linear park area  
° pipe may not accept full flow, cause back up (flood pathway roadway). Do the Selectmen have a particular concern about this? There is nothing on the parcel now, but what about future potential use(x) of land?
- ° potential solution would be to replace corrugated metal pipe with a concrete pipe of same size (increased capacity with concrete pipe vs. corrugated metal).

Planning Bd. has a pay in 10 year storm, not a 100 year storm.

Nina Catali —

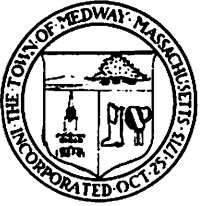
Re: Dean Estates II

Does not recall that the Cont. Comm. forewarn any problem with his proposal.

The water involved in the 100 year storm scenario ( $1 \text{ cfs} / 30.2 \text{ cfs}$ ) is not appreciable amount.

Negligible.

One question the BoS might have is what effect his increased runoff might have on the runoff of the town property during 100-year storm.



## BOARD OF SELECTMEN

155 VILLAGE STREET  
MEDWAY, MASSACHUSETTS 02053

### AGENDA

DECEMBER 5, 1988

- 7:00 p.m. Open meeting, sign warrants  
Approve minutes of 11-~~19~~<sup>27</sup>-88  
meeting.
- 7:05 Vern Robertson - Cable Access
- 7:15 Public Hearing - Liquor License  
Transfer, Hunan Gardens
- 7:45 Joe Griffiths - deeding land to Town  
Discuss drainage on Dean Street
- 8:00 Permanent Building Committee  
Fire Station I, Elizabeth Henderson
- 8:15 Permanent Building Committee  
Police Station, Chief Lambirth

Administrative Assistant Report

Present: Paul Mitchell, Harry Sabin, Edward Borek and Administrative Assistant Jeffrey Brown.

- 7:00 p.m. The Board opened the meeting and voted unanimously to approve the minutes of the November 21, 1988 meeting as amended, page two paragraph two under Administrative Assistant's Report, to stop that paragraph after the word "plan". The Board signed the warrants.
- 7:05 The Board met with R. Vern Robertson and Mary O'Leary from the Cable Access Corporation. Mr. Robertson informed the Board that the Corporation had recently received a check in the amount of \$38,142.70 from Massachusetts Cablevision which represents 5% of the gross Operating Revenues in the Town of Medway for this past fiscal year. This money will be used to update equipment and programing. This meeting was recessed at 7:15 p.m. to read the notice for the public hearing for the Liquor License transfer for Hunan Gardens which will reconvene at 7:20 p.m.
- 7:20 The Board held a public hearing for the Liquor License transfer for Hunan Gardens to Golden Tiger, Inc. located at 75 Main St. Attorney Thomas Chan represented the owners of the Golden Tiger Inc. The Board voted unanimously to approve this transfer contingent on the Police Chief approval through his screening process. The Board requested the petitioner inform the Board of any management changes that they may make.
- Mr. Mitchell informed the Board that Rep. Marie Parente presented the Board with two citations, one from the Governor and one from the House of Representatives at the Anniversary Ball on Saturday, November 26, 1988 with regard to the 275th Anniversary of the Town. The Board requested the Administrative Assistant have these citations framed and hang them in the Hall at Town Hall.
  - The Chairman read a letter received from Mary Jo Hurley who stated that she is interested in serving on the Finance Committee. The Board requested the Administrative Assistant ask her to attend next weeks Selectmen's meeting for an interview.
  - The Chairman read a letter received from Elsie Robinson with a resume from James O'Connor attached. Mrs. Robinson stated that the Affordable Housing Committee has submitted Mr. O'Connor's name to fill the vacancy created by the resignation of William Reardon. The Board requested the Administrative Assistant check and see if this vacancy had been filled.
  - The Chairman read a letter received from the Park Commissioners requesting a joint meeting to fill the vacancy on that Board created by the resignation of Nancy Smith. The Board requested the Administrative Assistant advertise this vacancy in the local papers and on cable, then schedule a meeting with the Commissioners.



- The Board requested the Administrative Assistant advertise the need for two more citizen's at large for the Job Classification Review Board.

7:45 The Board met with Joseph Griffiths who presented the Board with a deed for land which abuts the back of the High School building and his subdivision on Dean Street. The Board voted unanimously to accept this land and requested the Administrative Assistant send this deed to Town Counsel and have him register it and inform the Board as to the date that he has done so. Mr. Griffiths came before the Board to inform the Board that Phase II of Dean Estates would be having a detention pond which would be flowing into a ditch which is located on town property. The Planning Board had requested Mr. Griffiths get permission from the Board of Selectmen because in the 100 year flood he will be putting 3% more water onto this land. The Board asked what the other developers in that area were doing for drainage on their properties, will they be adding to the situation. Mr. Griffiths stated that the other developers were meeting with the Conservation Commission tonight. The Board stated that they would like to delay their decision until next week's meeting and have the Administrative Assistant get information about the other developers from the Conservation Commission and to get the Planning Board's concerns, if any. The Board voted unanimously to postpone their decision until December 12, 1988.

8:30 The Board met with the Permanent Fire Building Committee, Elizabeth Henderson, Chairman. They were before the Board to discuss the procedure they have to take with regard to acquiring the land at Route 109 and 126. The Board suggested the committee meet with Town Counsel and have him help with the negotiations. The Board requested the Administrative Assistant inform Town Counsel about the outcome of this meeting and request him to send a letter to Winiker to see if he would be willing to negotiate the acre of land at the corner of the intersection.

9:10 The Board met with Police Chief Lambirth who informed the Board that the Permanent Police Building Committee had selected the Architect, Hughes & McCarthy of Framingham for the design work for the new station. The Committee will be meeting with their representative on Wednesday, December 7, 1988 for fee negotiations.

- Richard Brown, Chairman of the Finance Committee came before the Board to remind them of the very important meeting on Wednesday, December 7th for all committees, Boards and Departments with regard to the Town's financial status.

## Administrative Assistant's Report:

- Informed the Board he had forwarded the Cablevision Contract to Town Counsel for his review.
- Informed the Board in reviewing the minutes of the meeting for site plan approval on DryBridge Crossing there was no reference to any buffer zone on the north side of the property. The Board requested the Administrative Assistant send a letter to Diversified Funding asking them where they intend to put the opening as required by the Zoning By-laws to make a passage into DryBridge Crossing.
- Informed the Board of the Street Opening Permit application for Vincent Garino of Waterview Drive who is having trouble with his septic system and would like to tie-in to the Town Sewer System. The Board requested the Administrative Assistant have the Board of Health send a letter to the Board of Selectmen requesting us to open the road and request that we grant the permit and that a copy of the letter be sent to the Water/Sewer Commissioners with this letter.
- Informed the Board that James Brodeur is plotting the locations of the test pits at the Landfill for estimates and to determine the area that has not been capped and the amount of materials needed to finish capping.

Meeting adjourned at 10:00 p.m.

RESPECTFULLY SUBMITTED,



Ruth Allen, Secretary

ra



## BOARD OF SELECTMEN

155 VILLAGE STREET  
MEDWAY, MASSACHUSETTS 02053

### AGENDA

NOVEMBER 21, 1988

- |           |  |
|-----------|--|
| 7:00 p.m. | Open Meeting, Sign Warrants<br>Approve minutes of 11-14-88<br>meeting.                 |
| 7:05      | Ted Jones, 177 Holliston Street<br>Re: Special Permit for two<br>unregistered vehicles |
| 7:20      | Police Association<br>Re: Blue Cross/Blue Shield<br>Master Health Plus Plan            |

Administrative Assistant Report

Present : Paul Mitchell, Harry Sabin and Edward Borek. Also Present, Administrative Assistant Jeffrey Brown.

7:00 pm The Board of Selectmen opened the meeting by approving the minutes of the Selectmen's meeting held 11-14-88. The Selectmen then signed warrants.

- The Board requested that the Administrative Assistant contact Mr. Caccavaro and request that he be present at the meeting of December 5, 1988, to discuss his interest in the position currently vacant on the Finance Committee.
- The Board requested that the Administrative Assistant research the positions currently available on the Finance Committee and subsequently inform the Town Cable Access channel of not only current vacancies but of impending openings as well.

7:05 Mr. Ted Jones met with the Board of Selectmen concerning a waiver from the Town By-law which limits each property in town to one unregistered vehicle on the premises. Mr. Jones has two unregistered vehicles currently on his premises - a 1963 Rambler which can now be considered an antique and an unregistered pick-up truck which he is attempting to repair (but currently is delayed due to lack of available funds).

Mr. Borek expressed concern that the issuance of one waiver might set a precedent and lead to a problem which might become unmanageable. Mr. Mitchell expressed concern that the presence of more than one unregistered vehicle on a property might offend the sensibilities of neighbors and passers-by.

The Board directed the Administrative Assistant to contact both the Building Inspector and the Chief of Police and request that they confer with one another and establish a time when they would jointly proceed to Mr. Jones' property, review the situation at that property, and report back to the Board of Selectmen with a recommendation. The review conducted by the Building Inspector and Police Chief should address any potential safety violations and a discussion of what, if any, unsightliness would be caused by permitting the storage of the second vehicle.

- The Board asked the Administrative Assistant to locate the original Cablevision contract and subsequently seek a determination from Town Counsel as to whether we might prevent another fee increase from being imposed on Medway residents.

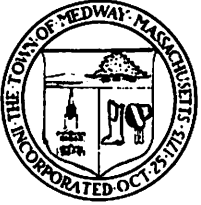
7:20 pm Officers Gerald Treacy and Robert Saleski, representing the Medway Police Association, met with the Board concerning expansion of the current health insurance policies for town employees. The Board asked the Administrative Assistant to contact JoAnne Kenney of Blue Cross/Blue Shield and ask that she attend a Selectmen's meeting in the near future.

- The Board discussed the progress of matters concerning the drainage problems in the Cottage Street/Evergreen Street proximity
- The Board directed the Administrative Assistant to speak with Diarmuid Higgins, Highway Superintendent, concerning the placement of a natural barricade upon the berm at the Home National Bank on Route 109.
- The Board directed the Administrative Assistant to research matters concerning appointments yet to be made to the Job Classification Review Committee

7:45 Administrative Assistant's Report

- The Board authorized the Administrative Assistant to provide a letter to Tiffany Limosine Service stating that the Town of Medway had no objection to the operation of that business within the municipality. The Board also directed the Administrative Assistant to place previously reviewed ordinance proposal concerning carriages for hire in a folder for consideration for the 1989 Annual Town Meeting warrant.
- The Board was advised that the Open Space Committee would not be placing the railroad bed linear park in the town's open space plan.
- The Board was advised of discussions between Mr. Charles Glynn of Glynn-Moore Realty Trust and the Administrative Assistant concerning the Green Buffer Zone at the Drybridge Crossing subdivision on Rt. 109. The Board directed the Administrative Assistant to review the minutes of the Drybridge Crossing site plan review meeting held before the Selectmen, and to act accordingly based upon those minutes.
- The Board was advised of a correspondence from the Norfolk County Advisory Board requesting them to consider adoption of a proposal to eliminate the county tax in favor of an excise tax on property deeds. The Board directed the Administrative Assistant to request back-up data from the Advisory Board so that full consideration of all aspects of this proposal might be performed.
- The Selectmen asked the Administrative Assistant to forward copies of the letter from the Town of Wrentham to all members of the Insurance Committee, and to further advise the members that the Selectmen are unable to attend the subject meeting.
- The Board directed the Administrative Assistant to follow-up on a correspondence from the Norfolk County Sheriff's Dept. concerning the availability of labor and associated skills





## BOARD OF SELECTMEN

155 VILLAGE STREET  
MEDWAY, MASSACHUSETTS 02053

### AGENDA

NOVEMBER 14, 1988

- 7:00 p.m.      Open Meeting, Sign Warrants  
                 Approve minutes of 11-7-88  
                 meeting.
- 7:05            Steve Polechroniz - MBTA  
                 Project Manager - Bellingham  
                 Extension Study
- 7:45            Public Hearing - Edison  
                 Kelley Street/Coras Road  
                 Public Hearing - New England  
                 Telephone/Boston Edison  
                 Main Street
- 8:00            Tiffany's Limo Service  
                 Private Livery License
- Administrative Assistant Report
- NOTE:          Discuss - Tenney Gravel Permit  
                 Shed setback from Town Property
- Appoint Trash Appeals Committee
- Decision on JFK Day - Vote

Present: Paul Mitchell, Harry Sabin, Edward Borek and Administrative Assistant Jeffrey Brown.

7:00 p.m. The Board opened the meeting and voted unanimously to approve the minutes of the 11-7-88 meeting. There were no warrants to be signed.

- The Board voted unanimously to endorse House Bill 4992 establishing a JFK holiday in Massachusetts on the State biennial election day and instructed the Administrative Assistant to send a letter to the legislators to support this Bill and send a copy of the letters to James P. Coughlin, Chairman, Citizens for a JFK Day.

7:05 The Board met with Steve Polechroniz, Representative for the Massachusetts Bay Transportation Authority (MBTA). He informed the Board that State Legislation instructed the MBTA to do a feasibility study from Needham to Route 495 in Bellingham. The first level cut is if service could be restored, ridership for area, cost, cost to restore, question of right-of-ways, new tracks, etc. If feasible then there would be an environmental impact study done. They would also check just the feasibility of bringing the service to Millis at Route 109. The feasibility study will lay out all the facts and whether they should go on with the environmental and design studies. Copies of their feasibility study will be sent to the Board. Mr. Polechroniz stated there are no local assessments for new services after 1981. The Board stated there is a need for overland bus service to service area towns to and from the railroad stations. Mr. Polechroniz will send the Board information on subsidy's for this type of service.

- The Board discussed the notice the Board received from the Zoning Board of Appeals with regard to a petition for a variance to change the allowed side lot line from 15' to 3' at premises located at 15 Chestnut Street. This property abutts Town owned land. The Board voted unanimously to have the Administrative Assistant send a letter to the ZBA stating that the three feet is unacceptable up against Town property and they are opposed to the petition being granted.

7:45 The Board held a public hearing on a petition of the Boston Edison Company for conduit on Kelley Street southeasterly approximately 330 feet northwest of Dean Street - a distance of about 8 feet. Mr. Ed Kelly, Representative of Boston Edison was present at this meeting. There were no abutters present. The Board voted unanimously to approve this petition Plan Order #00410 (Coras Road) with the stipulation that the cable be covered with a metal cover and not PVC at the pole.

The Board held a public hearing on a petition from New England Telephone & Telegraph and Boston Edison Co., for a new pole 83 on Main Street southerly side, approximately 635 ft. easterly of Pond Street. The Board voted unanimously to grant this petition.

- The Board discussed Article 22 on the Special Town Meeting Warrant for November 28, 1988 which is the definition of a "street". Mr. Borek will be attending the Public Hearing on this zoning change to be held Thursday, November 17th at 8:00 p.m. in Sanford Hall.

8:00 p.m. The Board met with Tiffany from Tiffany Limousine, 2 Cassidy Lane who came before the Board for a Private Livery License to pick up and drop off passengers at Logan Airport. This is a requirement of Massport. The Board stated that they will refer this to Town Counsel and get back to Tiffany with their answer. The Board voted unanimously that the Chairman sign the letter or license after decision from Town Counsel.

Administrative Assistant Report:

- Informed the Board that he had received the letters from Bohigian Printing Co. to be sent to the residents in Town regarding the Solid Waste Pickup and Billing. They will be sent out at 11:00 a.m. on November 15th.
- Informed the Board that he had received his first response from the Composting Facility in Lancaster, PA.
- Received letter from the State Bookstore and order form for a set of books on the rules and regulations for DEQE. Board requested the Administrative Assistant ask the Library if maybe it would be something they would like to purchase.
- Received a letter from the Finance Committee requesting the Board meet with them on November 15th to discuss the Special Town Meeting Warrant Articles. Ed will be there and Harry will try to be there, Paul can not attend.
- Informed the Board that the Open Space Committee would like to meet with the Board at the Conservation Commission meeting on November 21st. The Board stated have Nina Casali come in and meet with them at the Selectmen's meeting.



- The Board voted, Mitchell and Sabin - in favor; Borek - opposed to appoint the following to the Solid Waste Appeals Committee:  
Jeffrey L. Brown; Frederick J. Lee; and Richard Parrella  
Selectman Borek stated he was not opposed to the persons be appointed, he is opposed to the way the program is set up.
- The Board voted unanimously to appoint Mary K. Scales to the Council on Aging to fill the vacancy created by the resignation of Diane Piacentini.

Meeting adjourned at 8:25 p.m.

RESPECTFULLY SUBMITTED,

  
Ruth Allen  
Secretary

ra



his the best wishes  
John Kennedy



CITIZENS FOR A JFK DAY -- A STATE HOLIDAY ON ELECTION DAY

(617) 354 - 3961

198 AUBURN STREET, SUITE #7  
CAMBRIDGE, MASSACHUSETTS 02139

ATTENTION: MASS. RESIDENT FROM: CHAIRMAN, JAMES COUGHLIN

A HOLIDAY FOR JFK ON ELECTION DAY

FOR MORE THAN TWENTY YEARS, A BILL TO CREATE A JFK HOLIDAY HAS BEEN FILED IN THE MASSACHUSETTS GENERAL COURT. EVERY YEAR IT HAS BEEN PUSHED ASIDE. THIS YEAR A NEW BILL, HOUSE BILL # 4992 CALLS FOR A JFK HOLIDAY ON ELECTION DAY.

FOR MORE THAN TWO YEARS, A CITIZENS ORGANIZATION HAS BEEN LOBBYING LEGISLATORS, MUNICIPALITIES AND PUBLIC PERSONS FOR THEIR ENDORSEMENT OF THIS OVERDUE ISSUE.

ACCORDING TO CITIZENS FOR A JFK DAY, THE LEGISLATION PROPOSED BEFORE HOUSE BILL #4992 HAS CALLED FOR THE HOLIDAY ON HIS BIRTHDAY. UNFORTUNATELY, THIS IS JUST BEFORE MEMORIAL DAY. EVEN JFK WOULD HAVE TROUBLE PASSING THIS KIND OF BILL.

MORE THAN HALF OF OUR UNITED STATES HAVE A STATE HOLIDAY ON ELECTION DAY. THESE EXAMPLES HAVE PROVEN THAT A HOLIDAY ON ELECTION DAY ENCOURAGES PEOPLE GET OUT AND VOTE.

JFK IS THE EXAMPLE THAT ONE PERSON CAN MAKE A DIFFERENCE IN GOVERNMENT. EVERY PERSON IN MASSACHUSETTS CAN MAKE A DIFFERENCE IN GOVERNMENT BY BEING INVOLVED IN THE ELECTION PROCESS. BY SETTING ASIDE THE STATE BIENNIAL ELECTION DAY AS A JFK HOLIDAY, HIS MESSAGE TO BECOME INVOLVED AND MAKE A DIFFERENCE WILL RESOUND LOUD AND CLEAR.

TO DO YOUR PART FOR THIS NON-PARTIZAN ISSUE, PLEASE SIGN THE LETTER ON THE BACK OF THIS FORM AND MAIL IT. DON'T ASK WHAT YOU CAN DO -- DO THIS NOW.

## Millis joins in call for 'JFK Day'

By Mike McGrail

NEWS STAFF WRITER

MILLIS — Millis last week joined more than 40 other towns across Massachusetts in supporting an election-day holiday to honor the late President John F. Kennedy.

"JFK is the example that one person can make a difference in government," said James Coughlin, chairman of Citizens for a JFK Day. "Every person in Massachusetts can make a difference in government by being involved in the election process. By setting aside the state biennial election day as a JFK holiday, his message — to become involved and make a difference — will resound loud and clear."

Coughlin's crusade to make election day a tribute to JFK has taken him from North Adams to Hull, and to 33 other towns in between. He has enlisted support from American Legion posts, the Veterans of Foreign Wars, the Portuguese-American Social Club of Dartmouth Inc., the Jewish Community Relations Council of Greater Boston, the Chinese Benevolent Association of Greater Boston, Sons of Greece, Polish American Veterans of Massachusetts, the Federation of Franco-American Clubs of Massachusetts, the Massachusetts Black Legislative Caucus, and a host of other veterans organizations, legislative groups, and newspapers. The Waltham City Council endorsed the effort earlier this month.

State Rep. John Businger, D-Brookline, is sponsoring the bill. He said support is growing and the bill stands a good chance of passing.

"If it's going to happen, it's going to happen this year because it's a national election year, and also because it's the 25th anniversary of (JFK's) death," Businger said.

Most holidays dedicated to individuals fall on their birthdays, but JFK Day is being proposed for every other election day to avoid conflicting with Memorial Day. Coughlin told Millis selectmen that Kennedy's birthday falls near Memorial Day weekend, and would create a five-day weekend some years.

Coughlin also said giving people election day off will encourage them to get out to the polls and participate in the democratic process.

"JFK believed that one person can make a difference in our political process," Coughlin said.

"The Commission on National Elections ... states clearly that election day could be made a public holiday. This would have the advantage of reducing unequal access based on hours when potential voters have to work or the distances they have to travel between home and work," Coughlin said.

Millis selectman Douglas Priest said he voted for a resolution to support Coughlin's cause because it may bring people to the polls, but he also upped Coughlin's ante. Priest suggested tossing two other Massachusetts presidents, John and John Quincy Adams, into the holiday pot for their contributions to history.

Coughlin didn't reject the decision, but yesterday he suggested it might be more appropriate to recognize the Adamses for their own accomplishments, and leave Kennedy his day.

"The Adams' family legacy is in the Constitution," Coughlin said. "Kennedy was always politically involved. We feel an election day holiday is the closest we can come to having something meaningful."

Coughlin has been working to get the bill passed for about three years now.

### WEATHER:

PARTLY SUNNY

HIGH 35 TO 40

DETAILS, 2B

# Middlesex News

VOL. 17 • NO. 210 • 48 PAGES

MONDAY, FEBRUARY 29, 1988



# Most inspiring MEN

When asked what man most inspires them, Americans are most likely to pick their own fathers. Following Dad, John F. Kennedy, Martin Luther King, Jr., and Billy Graham come out on top.

## JOHN F. KENNEDY

"PRESIDENT KENNEDY CHALLENGED PEOPLE TO REACH FOR THE BEST IN THEMSELVES. HE SHOWED THEM THAT ONE PERSON CAN MAKE A DIFFERENCE."

—SENATOR EDWARD KENNEDY

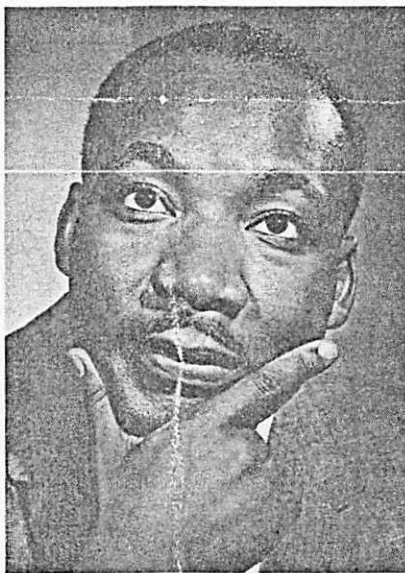


America hasn't forgotten. Twenty-three years after his death, John F. Kennedy is still the public figure who most inspires Americans. What is the secret of his long-lasting appeal? His brother, Senator Edward Kennedy, believes

## MARTIN LUTHER KING, JR.

"I AM MOST ENCOURAGED THAT MARTIN'S ACHIEVEMENTS ARE TODAY RECOGNIZED SO VIVIDLY. WE HAVE COME A LONG WAY IN THE SEARCH FOR EQUALITY."

—CORETTA SCOTT KING

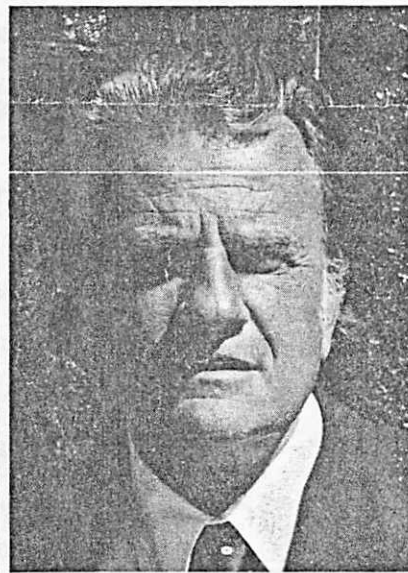


he is inspiring to people because he asked them to give of themselves. "Whether it was entering public service or joining the Peace Corps, he asked us to be selfless rather than selfish," he told the *Journal*. Other inspiring famous men were Martin Luther King, Jr., who was second

## THE REVEREND BILLY GRAHAM

"THERE IS A TREMENDOUS SPIRITUAL VACUUM IN THE WORLD TODAY. PEOPLE EVERYWHERE ARE SEARCHING FOR SOMETHING TO FILL THE VOID IN THEIR LIVES."

—THE REV. BILLY GRAHAM



choice overall and first for the eighteen- to twenty-nine-year-old group, and Billy Graham, who was chosen third overall. Franklin Roosevelt was fourth in our rankings and first among the oldest age group. He was followed by Pope John Paul II.

## FATHER KNOWS BEST

Our hearts still belong to Dad. When asked who most inspired them, more than twice as many respondents chose their own fathers as picked John F. Kennedy, the most inspiring famous man. All fathers were not created equal, however. Here's how Dad rated among different groups.

■ Employed women were considerably more likely than homemakers to say they were inspired by their fathers.

■ Young people were more inclined to pick Dad as most in-

spiring. Thirty-five percent of eighteen- to twenty-nine-year-olds named their fathers first, and the number declined in each age group after that. Only 18 percent of people over sixty picked their fathers.

■ Blacks were least likely to say they were inspired by their fathers—only 13 percent mentioned Dad, as compared with 28 percent of the total.

■ Republicans picked their fathers as most inspiring man 58 percent more frequently than did Democrats.

## THE POWER OF THE PULPIT

Astronauts, entertainers, and politicians were all inspiring to some. But they didn't have a prayer against men of religion. In addition to Martin Luther King, Jr., Billy Graham and Pope John Paul II, the top seven included Jesse Jackson. We asked Billy Graham why he thought so many Americans are inspired by religious leaders. His reply: "People are searching for positive values in a world in which morals have been thrown out the window."

Photo credits, page 210.

# JFK, Lincoln, perceived as greatest presidents

By George Gallup Jr.  
LOS ANGELES TIMES SYNDICATE

PRINCETON, N.J. — John F. Kennedy, Abraham Lincoln, Franklin D. Roosevelt, Harry S. Truman and George Washington are voted by the public as the five greatest presidents in U.S. history, exactly the same positions of honor they held a decade ago in 1975.

Here is the comparison in the voting between the two surveys:

*"Which THREE United States presidents do you regard as the GREATEST?"*

## AMERICA'S GREATEST PRESIDENTS

	1975	1985
Kennedy .....	52%	56%
Lincoln .....	49%	48%
Roosevelt .....	45%	41%
Truman .....	37%	26%
Washington .....	25%	25%

(Note: Dwight D. Eisenhower received 24 percent in the 1975 survey, putting him into a statistical tie with Washington.)

## REAGAN SIXTH HIGHEST VOTE-GETTER

President Ronald Reagan is the sixth-highest vote-getter in the latest survey (with 21 percent), putting him in a virtual statistical tie with Washington, in fifth place.

Over the last decade Eisenhower, seventh in the voting, has lost some luster with the public, with his level of support dropping from 24 percent to 16 percent. Richard M. Nixon, on the other hand, in 8th place, has registered gains in public esteem since 1975.

Here is the question asked in both the 1975 and 1985 surveys:

*"Which THREE United States presidents do you regard as the GREATEST?"*

Here is the full list of choices from the 1985 survey:

## GREATEST PRESIDENTS

	1985
Kennedy .....	56%
Lincoln .....	48%
Roosevelt .....	41%
Truman .....	26%
Washington .....	25%
Reagan .....	21%
Eisenhower .....	16%
Nixon .....	11%
Carter .....	9%
Jefferson .....	7%
T. Roosevelt .....	7%
(tie) Lyndon Johnson .....	5%
Woodrow Wilson .....	1%
Herbert Hoover .....	1%
All others .....	3%

## Gallup poll

Total adds to more than 100 percent due to multiple responses.

Here is the top 10 list from 1975:

## GREATEST PRESIDENTS

	1975
Kennedy .....	52%
Lincoln .....	49%
Roosevelt .....	45%
Truman .....	37%
Washington .....	25%
Eisenhower .....	24%
T. Roosevelt .....	9%
Lyndon Johnson .....	9% (tie)
Thomas Jefferson .....	8%
Woodrow Wilson .....	5%
Richard Nixon .....	5%
All others .....	9%
Don't know .....	3%
Total .....	280%

Total adds to more than 100 percent due to multiple responses.

Predictably, there are wide differences between the current views of Republicans and Democrats on the greatest presidents. Lincoln, JFK and Reagan are the top three choices of Republicans, while Kennedy, Roosevelt and Lincoln are tops with Democrats. Here are the current top 10 choices of Republicans and Democrats:

## 1985 CHOICES OF REPUBLICANS

1. Lincoln .....	54%
2. Kennedy .....	44%
3. Reagan .....	42%
4. Roosevelt .....	29%
5. Washington .....	27%
6. Eisenhower .....	22%
Truman .....	22% (tie)
8. Nixon .....	17%
9. Jefferson .....	9%
10. Carter .....	3%

## 1985 CHOICES OF DEMOCRATS

1. Kennedy .....	71%
2. Roosevelt .....	51%
3. Lincoln .....	42%
4. Truman .....	27%
5. Washington .....	20%
6. Carter .....	15%
7. Eisenhower .....	13%
8. Reagan .....	10%
9. Nixon .....	7%
10. Jefferson .....	4%



# The Boston Globe

Founded 1872

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## The freshness of JFK's spirit

"His passion for the sea would have made him a great explorer," his brother said that day. "He might have sailed with Magellan, navigating beyond the charts to the new and better world he sought." On an Indian summer day five years ago today, with the sun shimmering off Dorchester Bay, America dedicated the Presidential Library of John Fitzgerald Kennedy.

JFK would have enjoyed that day. Sen. Edward M. Kennedy, the presumed oratorical champion, was unhorsed by a former peanut farmer from Georgia, President Jimmy Carter, who used President Kennedy's words of wit from 1962 to mock Sen. Kennedy's ambitions of 1979.

The striking black-and-white structure on the tip of Columbia Point has been host to several million in the half decade since. Library officials have tried especially to spread John Kennedy's ideals to those who never knew him, never smiled at his boyishness, never thrilled to the staccato of that distinctive New England voice.

The Kennedy Library is the only presidential library operating without an endowment. Officials hope to raise funds to keep the archives open to all scholars, from the doctoral level to high school seniors, examining the events and decisions of the Kennedy era.

Except for the use of his spirit as a political football this season, John Kennedy is little remembered in America. Most of today's college freshmen were born five years after his death. The memory of his spirit, that flush of idealism-as-adrenaline, needs constant refreshing.

Kennedy understood history. Twenty-one Octobers ago, less than a month before his death, he journeyed to Amherst College to dedicate a library in honor of his friend Robert Frost. "Libraries are memories," he said, "and in this library you will have the memory of an extraordinary American; much more than that, really - an extraordinary human being. And also you will have the future, and all the young who come into this library will touch something of distinction in our national life, and I hope, give something to it."



# HOUSE . . . . . No. 4992

By Mr. Businger of Brookline, petition of John A. Businger, other members of the General Court and others for legislation to designate a John F. Kennedy memorial election day. Election Laws.

## The Commonwealth of Massachusetts

### Petition signed by:

John A. Businger  
Barbara Hildt  
Kevin G. Honan  
Thomas P. Kennedy  
Anthony M. Scibelli  
David B. Cohen  
Kenneth M. Lemanski  
Geoffrey C. Beckwith  
Christopher J. Hodgkins  
Joan M. Menard  
Byron Rushing  
Richard R. Tisei  
Joseph B. McIntyre  
Michael J. Rea, Jr.  
Peter A. Vellucci  
Frances F. Alexander  
John R. Driscoll  
John H. Loring  
William J. Flynn, Jr.  
Joseph N. Hermann  
Angelo Picucci  
Emanuel G. Serra  
Charles Robert Doyle  
James T. Brett  
Albert Herren  
J. Michael Ruane  
Barbara E. Gray  
Marjorie A. Clapprood  
Susan F. Rourke  
Mary Jeanette Murray  
Athan Catjakis  
Eleanor Myerson  
Kevin W. Fitzgerald  
Michael W. Morrissey

Robert Emmet Hayes  
Charles E. Silvia  
Michael J. McGlynn  
Vincent J. Lozzi  
M. Joseph Manning  
Frank M. Hynes  
Charles N. Decas  
Richard J. Rouse  
Alfred E. Saggese, Jr.  
Thomas P. White  
William J. Glodis, Jr.  
Peter G. Trombley  
Anthony M. Mandile  
Angelo Marotta  
Philip Travis  
Thomas F. Brownell  
Steven Angelo  
Andrew Collaro  
Edward A. LeLacheur  
Susan C. Tucker  
Stephen W. Doran  
Sherwood Guernsey  
Carmen D. Buell  
Frank A. Emilio  
Robert F. Jakubowicz  
Robert J. Bohigian  
George J. Bourque  
Daniel F. Ranieri  
Salvatore F. DiMasi  
Thomas M. Petrolati  
Royal L. Bolling, Sr.  
Frederick E. Berry  
Saundra Graham  
Martin T. Reilly

## Petition signed by (cont.):

Joseph K. Mackey  
Patricia G. Fiero  
Francis G. Mara  
W. Paul White  
Theodore J. Aleixo, Jr.  
Henry R. Grenier  
Denis Lawrence  
Marilyn L. Travinski  
Gregory W. Sullivan  
Paul E. Caron  
Lois G. Pines  
Peter G. Morin  
William R. Keating  
John P. Burke  
Jacqueline Lewis  
Anna P. Buckley  
Francis D. Doris  
Louis P. Bertonazzi  
Paul D. Harold  
Stanley C. Rosenberg  
Nicholas J. Costello  
Thomas C. Norton  
William F. Galvin  
Salvatore R. Albano  
Thomas M. Finneran  
Michael C. Creedon  
Angelo M. Scaccia  
Robert A. Durand  
Robert J. Rohan  
James R. Miceli  
Mary Jane Gibson  
Arthur Joseph Lewis, Jr.  
Augusto F. Grace  
Mark Roosevelt

Raymond A. Jordan, Jr.  
Barry G. Trahan  
Walter J. Boverini  
Charles F. Flaherty  
Michael J. Barrett  
Kevin O'Sullivan  
Thomas P. Walsh  
John J. Binienda  
Daniel E. Bosley  
William G. Reinstein  
Kevin P. Blanchette  
John C. McNeil  
Shirley Owens-Hicks  
William P. Nagle, Jr.  
Robert B. Ambler  
Nicholas A. Paleologos  
Larry F. Giordano  
Timothy F. O'Leary  
Michael LoPresti, Jr.  
Richard A. Kraus  
John W. Olver  
Roger L. Tougas  
Robert D. Wetmore  
Peter C. Webber  
Patrick F. Landers III  
Marie J. Parente  
John C. Bradford  
Forrester A. Clark, Jr.  
James G. Kelley  
Donald J. Castle  
Michael Ferigno  
Eva B. Hester  
Citizen for a JFK Day  
by: James P. Coughlin

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By Mr. Businger of Brookline, petition of John A. Businger, other members of the General Court and others for legislation to designate a John F. Kennedy memorial election day. Election Laws.

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**The Commonwealth of Massachusetts**

In the Year One Thousand Nine Hundred and Eighty-Eight.

AN ACT PROVIDING FOR A JOHN F. KENNEDY MEMORIAL ELECTION DAY.

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:*

1 SECTION 1. Clause Eighteenth of section 7 of chapter 4, as  
2 appearing in the 1984 Official Edition, is hereby amended by  
3 inserting after the word "October" in line 92 the words: — , the  
4 biennial state election day as set forth in section sixty-two of  
5 chapter fifty-nine, which shall be known as John F. Kennedy  
6 Memorial Election Day.

1 SECTION 2. The second paragraph of section 14 of chapter  
2 136 of the General Laws, as so appearing, is hereby amended by  
3 striking out the words "and the first Monday of September" in  
4 line 23 and inserting in place thereof the words: — , the first  
5 Monday of September and the biennial state election day as set  
6 forth in section sixty-two of chapter fifty-four.

report of the  
U.S. President's  
Commission  
on  
REGISTRATION  
AND VOTING  
PARTICIPATION

November, 1963

## Letter of Transmittal

PRESIDENT'S COMMISSION ON REGISTRATION AND VOTING PARTICIPATION  
WASHINGTON, D. C.  
November 26, 1963

Dear Mr. President:

Your Executive Order of March 30 creating this Commission charged it with the responsibility of studying the reasons for low voter turnout in America and of recommending solutions for this condition.

During the past eight months, the Commission has made a detailed analysis of the election laws and practices of the 50 states and has studied the electoral systems of other democracies. It has solicited the opinions of many hundreds of citizens in the fields of national, state and local government, politics, civic and social work and political science. Staff members of the Commission have interviewed a number of officials directly concerned with election administration at the state, county, and municipal levels.

The Commission has met regularly to discuss the implications of the information which has been compiled, and to draw up the report which we now have the honor to submit.

We are most grateful, Mr. President, both for the opportunity you have given us to make a comprehensive study of this subject, and for your continuing interest in our work.

Respectfully,

RICHARD M. SCANNON, Chairman  
BERT L. BENNETT, JR.  
BRENDAN BYRNE  
ROBERT A. FORSYTHE  
EVON H. KIRKPATRICK  
J. BRADSHAW HINTERER  
JOHN A. PERKINS  
RUTH SCHERTZ PHILLIPS  
ROY L. REUTHER  
VICTORIA SCHUCK  
LEON H. WASHINGTON, JR.

The President  
The White House

State in question. Literacy tests in some States are unfairly administered, particularly to deprive Negroes of their right to vote. Only with rigid safeguards is a State likely to eradicate the sort of maladministration reported by the U.S. Commission on Civil Rights. Racial discrimination by means of unfair administration of literacy tests is a perversion of the democratic process.

A more basic question, though, is whether any literacy test can be justified today. When non-citizens could vote, literacy requirements made some sense, but today only citizens may vote, and the process of naturalization involves a test for literacy, so the original reasons for the test as a part of registration are gone.

Many media are available other than the printed word to supply information to potential voters. The Commission is not impressed by the argument that only those who can read and write or have a sixth grade education should have a voice in determining their future. This is the right of every citizen no matter what his formal education or possession of material wealth. The Commission recommends that no literacy test interfere with the basic right to suffrage.<sup>2</sup>

***Standard XII: Election Day Should Be Proclaimed a National Day of Dedication To Our American Democracy***

The President by proclamation and the Congress by resolution should proclaim the even-year General Election Day as a national day of dedication to our

<sup>2</sup> See individual views beginning on page 51.

American democracy. At the same time, the States should consider declaring the day a half-day legal holiday.

If Election Day were a half-day holiday, the privilege of a free ballot would be underscored. A half-day holiday would also alleviate congestion at the polls. We have observed that voting tends to concentrate during certain times: before the workday begins, during lunch hours, and after 5 p.m. Because our population is presently increasing at the rate of 3 million per year, the accommodation of voters is becoming a major problem. The day is fast approaching when 100 million Americans will be voting. If Election Day were a half-day holiday, a more even flow through the polls undoubtedly would result.

The Commission in its deliberations noted with interest the spectacular voter turnout in several European countries which have weekend or Sunday voting. We considered the advantages and disadvantages of holding general elections on Saturday and/or Sunday in the United States, but the Commission is not prepared to recommend nationwide voting on days of religious worship.

***Standard XIII: Polling Places Should Be So Equipped as To Eliminate Long Waiting Periods***

An overcrowded polling place, with its congestion and long lines, creates an unhappy atmosphere. Polling places can accommodate efficiently only a certain number of voters. To eliminate congestion, States should write into law realistic maximum sizes

CONSTITUENCIES FOR A JFK DAY ON ELECTION DAY

The following are in the Supporting Documents section:

Mrs. Lillian Gary, Calahan Senior Center Member, Framingham  
Mrs. Noella C. Alfonso, New Bedford  
Mrs. Ella Stedman, South Boston  
Mr. Michael S. Robertson, Berkley  
Mr. John Quigley, Editorial, The Sunday Post, Lynn  
Mr. George B. Merry, Editorial, Beacon Hill Watch, Boston  
Mr. Frank J. Harnett & The Public Spirit Newspaper, Ayer  
Mr. Phillip Orendella, Editorial, Regional Review, Boston  
Mr. Sal Giarratani, Charlestown

American Ex-Prisoners of War, Inc. SE Mass. Chapter  
The American Legion, 1986 Department Convention  
Boston Vietnam Veterans Association  
AMVETS, Department of Massachusetts Convention  
AMVETS AUXILIARY

Italian American War Veterans of the U.S., Inc.

State Auxiliary, Dept. of Mass.

Fr. William Contino Post 75, Pittsfield

Boston Branch NAACP, Executive Committee

Portuguese-American Social Club of Dartmouth, Inc.

State Student Association of Massachusetts

Jewish Community Relations Council of Greater Boston

Sons of Greece

Massachusetts Young Democrats

Eastern Massachusetts Armenian National Committee

Cedar Grove Civic Association, Dorchester

Greek Democratic Club, Somerville

Canadian American Club of Massachusetts, Inc.

Irish American Club of Lowell, Inc.

Americans for Democratic Action, Massachusetts Chapter

The Massachusetts Black Legislative Caucus

Marine Corps League, Department of Massachusetts

Jewish War Veterans of the United States, Dept. of Mass.

Polish American Veterans of Massachusetts State Convention

Veterans of Foreign Wars of the United States

James A. Logan Post No. 6800, Ladies Auxiliary

Federation of Franco-American Clubs of Massachusetts, Inc.

John Boyle O'Reilly Club of Springfield Massachusetts

The Massachusetts Legislative Council of Older Americans

Ancient Order of Hibernians in America, Mass. State Board

Ladies Ancient Order of Hibernians, Mass. State Board

Saint Aidan's Parish Council, JFK's First Church

Chinese Consolidated Benevolent Association

The Everett Leader Herald News Gazette

Irish American Association of Malden, Massachusetts

The Disabled American Veterans, Department of Massachusetts

Eugene A. Sylvester of the Woburn Daily Times Chronicle

Ward 2 Democratic Committee, Charlestown, Massachusetts

The Boston Irish Echo Editorial : Say yes to JFK Day !

The Weekly News, Editorial , Chelsea, Massachusetts



MUNICIPALITIES FOR A JFK DAY ON ELECTION DAY

Lynn  
Brookline  
Watertown  
Holyoke  
North Andover  
Malden  
Medford  
Marlboro  
Lawrence  
Springfield  
Attleboro  
Salem  
New Bedford  
Hull  
Adams  
Haverhill  
Brockton  
Randolph  
Scituate  
Chelsea  
Cambridge  
Westfield  
Quincy  
Worcester  
Peabody  
Sommerville  
Waltham  
Boston  
Fitchburg  
Everett  
Pittsfield  
North Adams  
Stoneham  
Winthrop  
Athol  
Fall River  
Norwood  
Walpole  
Beverly  
Clinton  
Braintree  
Millis  
Revere  
Newton  
Rockport  
Leominster  
Wakefield  
Milford  
Swampscott  
Northampton  
Ludlow  
Chicopee  
Avon  
Charlton  
Manchester



## MILFORD BOARD of SELECTMEN

Memorial Hall, 30 School St., Milford, Massachusetts 01757 617-473-5115

John A. Beccia Jr., Chairman  
Dino B. DeBartolomeis  
John P. Pyne Jr.

Phyllis A. Ahearn  
Executive Secretary  
Admin. to the Board

April 26, 1988

James P. Coughlin, Chairman  
Citizens for a JFK Day  
State House, Box 122  
Boston, MA. 02133

RE: Citizens for a JFK Day

Dear Chairman Coughlin:

This is to inform you that the Milford Board of Selectmen endorses and supports your proposal to designate JFK Day as a legal holiday in the Commonwealth of Massachusetts, in the manner outlined in your communication of April 10.

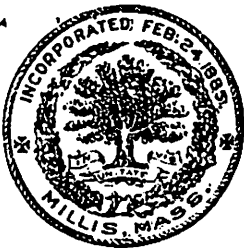
The Board wishes you well in your efforts to accomplish this noteworthy goal.

Yours truly,

Phyllis A. Ahearn  
Executive Secretary/  
Administrator to the Board

PAA/meh

FILES (2)



# TOWN OF MILLIS

## BOARD OF SELECTMEN

March 14, 1988

The Honorable David H. Locke  
306 State House  
Boston, Massachusetts 02133

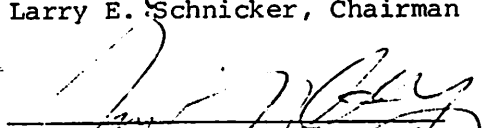
Dear Senator Locke:

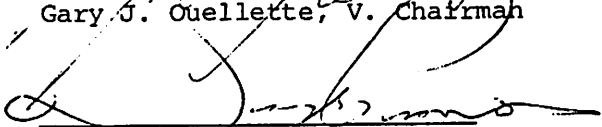
The Millis Board of Selectmen recently voted to endorse House Bill <sup>4992</sup>4920 establishing a JFK holiday in Massachusetts. The State biennial election day would seem an appropriate time to honor John F. Kennedy considering his service and sacrifice.

We urge your support of House Bill <sup>4992</sup>4920.

Sincerely,  
MILLIS BOARD OF SELECTMEN

  
Larry E. Schnicker, Chairman

  
Gary J. Ouellette, V. Chairman

  
Douglas C. Priest, Clerk

a

cc: James P. Coughlin, Citizens for JFK Day  
George Keverian, Speaker of the House

THE FOLLOWING IS A BRIEF DESCRIPTION OF CITIZENS FOR A JFK DAY AND OUR MOTIVATION.

## CITIZENS FOR A JFK DAY -- A STATE HOLIDAY ON ELECTION DAY

(617) 354 - 3961

STATE HOUSE BOX 122  
BOSTON, MA 02133

Citizens For a JFK Day is a non-profit, non-partisan organization that is dedicated to the establishment of a state holiday in the Commonwealth of Massachusetts to honor the late President John F. Kennedy. We feel that the energy that JFK sought to instill in both our nation and the world order needs to be preserved to let future generations know that he was a special figure from our state, for our state, our nation and the world community as a whole. We feel that the best way to do that is through an annual day of the celebration of his life, or a holiday as is presently done for other state and national holidays.

For more than twenty years, a bill calling for the establishment of a JFK Holiday on his birthday, May 29th was always pushed aside of that date's closeness to Memorial Day. This bill has always presented a problem for passage by Legislative Leaders and enactment by Governors merely because of the date.

1986 marked the first time in the history of the Massachusetts General Court that a legislative compromise for the JFK Holiday has been filed for consideration. The new JFK Holiday bill calls for the Commonwealth to establish her biennial state election day as a state holiday and to call the day : " JFK MEMORIAL ELECTION DAY " . This bill has been praised by members of both political parties as a good bill to sign onto. A member of the House Of Representatives wrote the following in support of the bill, House 4920, the current number in the 1987 legislative session that is accompanied by Senate 319.

" I cosponsored the original legislation to make John F. Kennedy's birthday ( May 29th ) a state holiday and beleive that this new bill is a good compromise. It would allow us to honor one of Massachusetts' outstanding citizens while avoiding the conflict that could be created if we had two holidays during the last week of May " .

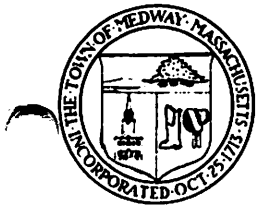
Since 1986, we have received the backing of 32 communities from throughout the Commonwealth for the JFK Holiday on Election Day. The list of those that have done so are : Pittsfield, Adams, North Adams, Westfield, Springfield, Holyoke, Fitchburg, Worcester, Lawrence, North Andover, Haverhill, Salem, Lynn, Peabody, Everett, Malden, Medford, Cambridge, Somerville, Stoneham, Brookline, Boston, Watertown, Quincy, Waltham, Randolph, Hull, Scituate, Brockton, Attleboro, New Bedford and Marlboro.

### CIVIC GROUP SUPPORT

(complete list of communities, over)

That community support is matched by the backing of many civic groups from throughout the state. They are: The State Board of the Anchiient Order of Hibernians ( A.O.H ) and the State Board of the Ladies Division, the Massachusetts Legislative Council of Older Americans, State Student Association of Massachusetts, Americans For Democratic Action of Massachusetts, Sons of Greece, Boston Vietnam Veterans Association, Massachusetts AMVETS and Auxiliary State Conventions, 1986 and 1987, The John Boyle O'Reilly Club of Springfield, The Jewish Community Relations Council Of Greater Boston, Eastern Massachusetts Armenian National Committee, Boston Branch of the NAACP, Cedar Grove Civic Association of Dorchester, Mass., and the Portuguese-American Social Club of Dartmouth, Inc, and the Irish American Club of Lowell.

Our bill enjoys the popular support of the people of this state wherever we travel. Conservative or liberal, Democrat or Republican, or Independent, won't you join with us today to give " Jack his day " ? .



## BOARD OF SELECTMEN

155 VILLAGE STREET  
MEDWAY, MASSACHUSETTS 02053

### AGENDA

NOVEMBER 7, 1988

- 7:00 p.m.      Open Meeting, Sign Warrants  
                 Approve minutes of 10-31-88  
                 meeting.
- 7:05            Richard Malo  
                 re: traffic on Old Summer Street
- Administrative Assistant Report

Decision on Bill for JFK Day

Present: Paul Mitchell, Harry Sabin, Edward Borek and Administrative Assistant Jeffrey Brown.

7:00 p.m. The Board opened the meeting and voted unanimously to approve the minutes of the 10-31-88 meeting. The Board signed the warrants.

- The Board is in receipt of a letter from the Council on Aging with regard to a vacancy on their Board created by the resignation of Diane Piacentini. The Council on Aging recommended that Mary Scales be appointed to fill this vacancy. The Board asked that this be advertised on cable and in the local newspaper.
- The Board requested the Administrative Assistant send a letter to Mr. Scholl and Mr. Ross of Flintlocke Lane regarding the notification of abutters for hearings for the Zoning Board of Appeals with a carbon copy to Town Counsel.

7:12 The Board met with Richard Malo, 8 Old Summer Street regarding the amount of traffic on Old Summer Street since the installation of the Stop Sign at the intersection of Summer/Main/Village Streets. Mr. Malo stated that surveillance has slowed the speed down but has not effected the number of vehicles using the street, he suggested:

1. Make it a dead end street at Summer Street end beyond the Henneberry driveway.
2. Make one way (going North) off of Main Street to Summer Street.
3. Make it one way from Amelia Way

He stated that the traffic is constant all day long. The Board requested that the Administrative Assistant go back and check the Selectmen's minutes as far back as ten years ago to see if this was not discussed previously with regard to it being a one-way street. Also the Board requested that he write a letter to the Police Chief and a copy to the Safety Officer for their recommendations for this area.

Administrative Assistant Report:

- Discussed the telephone call from Mrs. Nuthman regarding the green buffer zone at the Drybridge Crossing shopping plaza. The Board requested the Administrative Assistant handle this situation.
- The Board discussed the letter from L. S. Jack Insurance Agency regarding the Driver Education vehicle. The Board voted unanimously to pay this insurance bill.

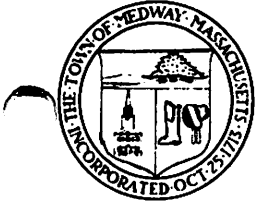
- Discussed the letter received from Diversified Funding, Inc. with regard to the abutters dumping debris over the fence on to the shopping center property. The Board requested the Administrative Assistant meet with Mr. Edward Fox, Div. Fund.; and the Board of Health Agent and have proof that it is neighbor's trash.
- The Administrative Assistant stated that the building inspector has notified Burger King about the blinking light on top of their building.
- Informed the Board about the letter he composed to be sent out to all the residents in the Town of Medway with regard to the Trash collection to be mailed out prior to the bills being sent out. The Board approved this letter. There was discussion with regard to setting the rate to be bill. Prior to the setting of the rate the Administrative Assistant informed the Board about the formula used to come up with the \$18 per month recommendation. This rate was recommended after a meeting of the Solid Waste Study Committee, the Administrative Assistant, the Town Accountant and the Town Treasurer/Collector. The Board voted Paul Mitchell, in favor; Harry Sabin, in favor and Edward Borek, opposed to setting the monthly rate for trash collection at \$18.00.
- There are approximately 21 articles for the Special Town Meeting to be held on November 28, 1988. After reviewing the Articles the Board deleted the article for a new ambulance until the Annual Town Meeting. The Board requested the Administrative Assistant check who is suppose to sponsor articles.
- Mr. Borek asked if the Chapter 90 Reimbursement Forms had been submitted to the State yet and if Hurricane Gloria information had been sent to FEMA yet? The Administrative Assistant stated he has been trying to get together with the Town Accountant to go over these items. Chairman Mitchell dictated a letter to the secretary to be sent to the Town Accountant asking for her help in this matter.
- The Board requested to meet with the Open Space Committee regarding there letter to the Board on their Open Space Plan.
- The Highway Superintendent informed the Board that the Highway Mechanic, Robert Tedford would like to go into the labor force in that department. The Board requested that he work out a work exchange situation.

Meeting adjourned at 9:00 p.m.

Respectfully submitted,



Ruth Allen, Secretary



## BOARD OF SELECTMEN

155 VILLAGE STREET  
MEDWAY, MASSACHUSETTS 02053

### AGENDA

OCTOBER 31, 1988

7:00 p.m. Open Meeting, Sign Warrants  
Approve minutes of 10-24-88  
meeting.

7:05 Meet with the Zoning Board of  
Appeals - candidates to fill  
upcoming vacancy on that Board  
David Harrington  
Albert Koch  
Scott Guyette

~~7:30~~ <sup>7:30</sup> ~~Anthony Mole~~ *Connected Joe Schall*  
~~re: Village Street property~~

8:00 Jim Coughlin - JFK Day

8:15 Shell Gas Station - site plan  
for changes to property.

Administrative Assistant Report



Present: Paul Mitchell, Harry Sabin and Administrative Assistant, Jeffrey Brown. Edward Borek was absent.

7:00 p.m. The Board opened the meeting and voted unanimously to approve the minutes of the 10-24-88 meeting. The Board signed the warrants.

- Chairman Mitchell read the letter from the Massachusetts Bay Transportation Authority with regard to the preparation of a study of the feasibility of extending Commuter Rail Service on the Secondary to the Town of Bellingham at Route 495. The Project to be studied will be an extension of the existing Needham Junction to Bellingham along the Millis Secondary Line.

7:05 The Board met with Zoning Board of Appeals members Robert Collum, Joseph Dziczek and James Gallagher regarding the upcoming vacancy which will be created when Robert Collum resigns that Board around the 18th of November. Mr. Collum recommended Albert Koch who is a mechanical engineer and an attorney licensed in California. He has been a resident of Medway for approximately 3 years and would like to serve in the community. Mr. Gallagher recommended David Harrington who has been a resident for 23 years and has served on the Finance Committee, Solid Waste Committee, Planning Board, C.I.P.C. and Fire Department Study. He has an engineering background, mechanical and has been in the medical field. Scott Guyette is an electrician and a life long resident of the town and he just wanted exposure and would like to serve the town. The Board voted unanimously to take this appointment under advisement until a formal resignation is received from Mr. Collum.

Administrative Assistant Report:

- Jeff Brown stated that he had spoken to Fred Sibley with regard to a letter Mr. Sibley would like to send to Mr. Ronald Dolloff, Backyard Gardens, Village Street, Medway recognizing him for all the volunteer work he has done in beautifying the town this past summer. The Board stated that the Administrative Assistant could sign the letter from the Board but they felt that the Chairman of the Park Commissioners should sign the letter and not Mr. Sibley.
- Reminded the Board of the correspondence received from Nina Casali, Open Space Committee with regard to an open space and recreational plan for the town. The Board would like to discuss this plan with the Open Space Committee.
- The Board received a request from the School Business Manager, Chuck Gallo, to discuss the payment by the town on the privately owned driver education vehicle. Atty. Maciolek wanted to check his notes. The Board would also like confirmation from the Insurance Company.

- 7:32 The Board met with Mr. Joseph Scholl and Mr. William Ross of 1 and 4 Flintlocke Lane respectfully. They were before the Board because they had never been notified of the Public Hearing the ZBA had on the comprehensive permit for the Affordable Housing project (Paul Germano) off of Lovering Street which they are both direct abutters to that property. They wanted to know where do we stand, can we appeal this decision only because we were not given an opportunity for input and questions. The Chairman of the Board stated that we will get a ruling from Town Counsel and get back to them. They were informed of the the 20 day appeal period from the time the written decision is received in the Town Clerk's office.
- 7:50 The Board met with Jim Coughlin with regard to his work in trying to establish JFK Day. He has been traveling throughout the State gathering support for House Bill 4992. The Chairman would like the full Board to vote on whether or not to support this Bill. If the Board votes in the affirmative send copies to the State Representative and Senator and to Jim Coughlin. The Chairman requested that this be put on next weeks agenda.
- 8:15 The Board met with Phil Ayoub and Jim Harrington from Ayoub Engineering, Inc. regarding renovation plans for the Shell Gas Station, 86 Main Street, operated by Bill Condon. There were NO abutters in attendance at this meeting. The Chairman read the letters from the Building Inspector, Jospheh Leone (attached) with regard to this plan. The Board asked Mr. Ayoub to resolve the issues that the Building Inspector discussed. The Chairman stated their is a serious question about the Food Mart because of Cumberland Farms, The Little Store and Gabe's and what the impact might be on these stores. The Board also informed Mr. Ayoub that there is a question of whether in the original Special Permit it is written that the service area will be available forever. The Board requested the Administrative Assistant check if there is any legal obligation for publishing in the newspaper for site plan approvals.

Meeting adjourned at 8:55 p.m.

RESPECTFULLY SUBMITTED,



Ruth Allen,  
Secretary

ra



JOSEPH P. LEONE  
BUILDING INSPECTOR

OFFICE OF THE  
**BUILDING DEPARTMENT**

MEDWAY, MASSACHUSETTS 02053

October 31, 1988

Paul F. Mitchell, Chairman  
Board of Selectmen  
Town of Medway  
Medway, Massachusetts 02053

Dear Mr. Mitchell

In reviewing the plans for the Shell Service Station located at 86 Main Street, I noticed that they indicate that the building, pumps and canopy are to be removed and replaced with a new building, pumps and canopy. If they intend to replace all of these existing fixtures, then I feel the site should be brought up to today's zoning standards, especially in reference to the fifty-foot setback.

They are currently working under a special permit that was issued by the Town and I see no reason to extend it. I think that they should either work under the existing special permit or bring the site up to today's zoning requirements.

The sign that rotates is not located on their property, and in remodeling, the sign must be brought onto their property to conform with current zoning restrictions.

The erection of a canopy that is 64 feet wide 86 feet, 2 inches long and 3 feet high does not seem to be in the interest of a "New England Appearance" as required in the zoning Bylaws, Section C, last paragraph.

If you have any questions, please feel free to contact me.

Sincerely,

Joseph P. Leone  
Building Inspector

JPL:jm



JOSEPH P. LEONE  
BUILDING INSPECTOR

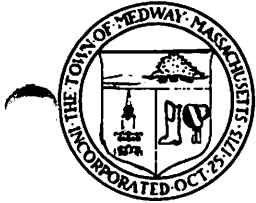
OFFICE OF THE  
**BUILDING DEPARTMENT**

MEDWAY, MASSACHUSETTS 02053

NOTE FOR BOARD OF SELECTMEN

Service stations are controlled under the State Fire Marshal's office and they have to approve all changes to self-service stations.

If after approval by the Town, no building permits will be issued until a set of prints have been signed by the State Fire Marshal's Office.



## BOARD OF SELECTMEN

155 VILLAGE STREET  
MEDWAY, MASSACHUSETTS 02053

### AGENDA

OCTOBER 24, 1988

7:00 p.m. Open meeting, Sign Warrants  
Approve minutes of 10-3-88 & 10-18-88  
meetings.

7:05 Public Hearing - N. E. Telephone  
sidewalk fixture on Barber Street

7:15 Public Hearing - N. E. Telephone  
and Boston Edison for conduit on  
Holliston St. for Willow Crest Way.

7:25 Public Hearing - N. E. Telephone  
and Boston Edison for conduit on  
Holliston St. for Skyview Estates.

~~7:30~~  
~~8:15~~ Board of Health

Administrative Assistant Report

NOTE: Decision on tree in front of Fuery  
Real Estate Office on Milford Street

Appointment to fill vacancy on  
Arts Lottery Council

Present: Paul Mitchell, Harry Sabin. Absent: Edward Borek and Administrative Assistant, Jeffrey Brown.

- 7:00 p.m.        The Board opened the meeting and voted unanimously to approve the minutes of the 10-3-88 and 10-18-88 meetings. The Board signed the warrants.
- Selectman Sabin made a motion to send Backyard Gardens a letter permitting them to sell Christmas trees annually at their location at 230 Village Street and to send a copy of the minutes from the meeting authorizing the sale of the trees. This was voted unanimously to approve this letter.
  - The Board voted unanimously to approve the appointment of Sally Nolan to the Arts Lottery Commission for a two year term.
- 7:05             The Board held a public hearing for New England Telephone Company and Boston Edison Company on a petition for one (1) Sidewalk Fixture off existing pole 2/5 on Barber Street - westerly side approximately 245 feet southerly of North Street. Mr. Joseph Bausk, N. E. Telephone Representative and Mr. Ed Kelley, Boston Edison Representative were present at this hearing. Mr. Bausk stated that this fixture is required to keep the pole from falling over. Mr. Tom Malloy, resident of Barber Street asked if this would be in the same location as it is presently and Mr. Bausk stated in the affirmative. The Board voted unanimously to approve this petition.
- The Board voted unanimously to appoint John E. Dronzek to the Industrial Development Commission.
  - The Board voted unanimously to appoint Michael E. Rojee, Sr. to the Permanent Building Committee (Fire) to fill the vacancy of William Douglas.
  - The Board voted unanimously to approve the use of the Town Emblem as part of the design for the sign to be erected in the central part of the Rabbit Hill National Register Historic District as per the request from the Historical Commission.
  - The Board voted unanimously to hold a Special Town Meeting on Monday, November 28, 1988 at 7:30 p.m. at the Medway Jr.-Sr. High School Auditorium, the warrant was opened on October 24, 1988 and will be closed at the close of the meeting on October 31, 1988.
- 7:15             The Board held a public hearing for New England Telephone Company and Boston Edison Company on a petition for conduit on Holliston Street easterly side, approximately 312 feet northerly of Meryl Street, at existing Pole 62, thence crossing roadway

a distance of about 50 feet to private way (Willow Crest Way). This petition is to provide telephone and electricity for the new development. The Board voted unanimously to approve this petition.

7:25

The Board held a public hearing for New England Telephone Company and the Boston Edison Company on a petition for conduit on Holliston Street - easterly side, approximately 677 feet northerly of Causeway Street, at existing Pole 123 and continuing across roadway to westerly side, a distance of about 80 feet to private way (Skyview Estates). This petition is to provide telephone and electricity for the new development. John Hancock, 181 Holliston Street was in attendance and complained about the water trench in front of his property which has settled and he has been complaining about this trench for the past two years and was wondering when something was going to be done about it. The Highway Supt. stated he has gone for extra monies at town meetings and the articles have been dismissed. He would see what he could do about this situation. Mr. and Mrs. Eagles, 185 Holliston Street asked if the pole on his property to service the house above his could be removed and tied into the new development. Both Mr. Bausk and Mr. Kelley stated they would take a look at this situation and get back to him and the Board to see what could be done. The Board voted unanimously to approve this petition.

7:38

The Board met with Board of Health members, Joseph Hoban and Elizabeth Korona to discuss the vacancy on the Board of Health due to the resignation of Paul Wilson. Mr. Hoban recommended that Robert Collum be appointed to fill the vacancy. The Board had received correspondence and a resume from Toussaint A. L. Liverpool, 32 Holliston Street who was requesting consideration to fill the vacancy. After much discussion Mr. Sabin moved to have Robert Collum appointed, Mr. Hoban seconded the motion and Selectman Sabin, Selectman Mitchell, Health member Hoban and Health member Korona voted unanimously to appoint Robert Collum to fill the vacancy on the Board of Health until the next town election in May, 1989. The Board requested the Administrative Assistant send a letter to Mr. Toussaint A. L. Liverpool thanking him for his interest and that the Board was very impressed with his credentials and may be he would try again. Mr. Hoban requested the Board approval on hiring a legal consultant specializing in wastewater treatment facilities with regard to the proposed composting facility which the town does not want at the site proposed in Medway. The Board requested the Board of Health speak to Town Counsel and inform him of what they are doing and the Board would like to know the dollar amount needed up front. The Chairman of the Board requested that the Board of Health be put on next weeks agenda to discuss this matter.

- The Board voted unanimously not to remove the tree in front of Fuery Real Estate Office on Milford Street. Both Selectman Mitchell and Sabin had personally gone up to the location and checked this out. It was stated that at the Zoning Board of Appeals hearing on this location it was stated that this tree would not be removed. The Board requested the Administrative Assistant send Mr. Fuery a letter informing him of this decision.
- The Board voted unanimously to appoint the following to the Job Classification Review Board for a one year term:
  - Richard Brown - Finance Committee
  - Harry Sabin - Board of Selectmen
  - Michael Bathia - Citizen at largeit was noted that we would need two more citizens at large to complete this committee.

Meeting adjourned at 8:18 p.m.

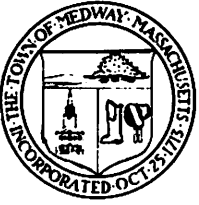
RESPECTFULLY SUBMITTED,



Ruth Allen, Secretary

ra





## BOARD OF SELECTMEN

155 VILLAGE STREET  
MEDWAY, MASSACHUSETTS 02053

### AGENDA

OCTOBER 18, 1988

7:00 p.m.      Public Hearing on the issue of allocating  
the local property tax levy.

Present: Paul Mitchell, Harry Sabin, Edward Borek and Administrative Assistant Jeffrey Brown.

7:00 p.m. The Board held a Public Hearing on the issue of allocating the local property tax levy among the four classes of real property and personal property for the fiscal year 1989. The members of the Board of Assessors, Harry Johnson, Chairman; Joseph Malloy; Albert Borek; John Wilson, Asst. Assessor and Christine Barry, Secretary to the Board were present at the public hearing and resident, John Dovenio was also present. No written correspondence was received from any of the businesses or residents in the town. The Board of Assessors made their presentation before the Board of Selectmen (see attached). The Board of Assessor was not recommending a dual tax rate for this year, but possibly next year when they have all there data regarding the public utilities in the town. There is not much change in the tax rate for this year over last year, thirty-eight cents per thousand valuation. Selectman Borek made a motion for a single tax rate for the residential, commercial, industrial and personal property and Selectman Sabin seconded that motion. The Board voted unanimously in favor of a single tax rate for fiscal year 1989 of \$13.29.

- The Board signed the warrants.
- The Board voted unanimously to purchase a new police cruiser to replace the one totalled in an accident and trade that totalled vehicle in and the take the balance due for the new vehicle from the self-insurance account and that there will be a special article placed on the Special Town Meeting warrant to replace that amount in the self insurance account.

Meeting adjourned at 7:30 p.m.

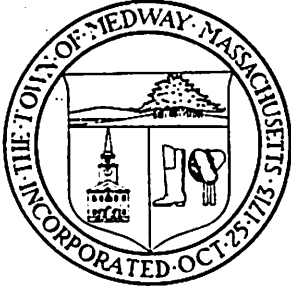
RESPECTFULLY SUBMITTED,

Ruth Allen  
Secretary

ra

TOWN OF MEDWAY F D CLASSIFICATION TAX RATE SHIFT  
Based on a Minimum Residential Factor of 90.2563

PROPERTY CLASSES	\$ VALUATION	PERCENTAGE SHARE (%)	SINGLE TAX RATE "1"	DUAL TAX RATE Using Max. Shift Allow. for C.I.P.	DUAL TAX RATE 92% of Minimum Residential Factor	DUAL TAX RATE 95% of Minimum Residential Factor	DUAL TAX RATE 98% of Minimum Residential Factor
CLASS 1 RESIDENTIAL	\$451,286,050.00	83.6910	\$13.29	\$12.00	\$12.23	\$12.62	\$13.02
CLASS 2 OPEN SPACE	-0-	-0-					
CLASS 3 COMMERCIAL	31,030,450.00	5.7546	13.29	19.90	18.73	16.73	14.67
CLASS 4 INDUSTRIAL	27,091,200.00	5.0240	13.29	19.90	18.73	16.73	14.67
CLASS 5 PERSONAL PROPERTY	29,821,500.00	5.5304	13.29	19.90	18.73	16.73	14.67
TOTALS	\$ 539,229,200.00	100%					



OFFICE OF  
**BOARD OF ASSESSORS**  
MEDWAY, MASSACHUSETTS

DATE: October 14, 1988  
TO: Board of Selectmen  
FROM: Board of Assessors

Enclosed please find all the necessary information regarding the classification hearing scheduled for October 18, 1988 at 7:00 P.M.

1. Department of Revenue Classification Tax Allocation form (LA 5) to be signed the evening of 10/18/88 after voting the residential factor.
2. Explanations for questions on LA 5 form.
3. Chart showing 5 different selections for the FY89 tax rate.

Example 1: If a single rate is voted for all classes of property, the average residential home (\$155,000.) will see an increase of \$58.90 in annual taxes.

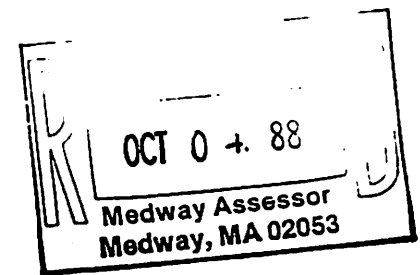
Example 2: If the maximum shift is voted, the average residential home (\$155,000.) will see a decrease of \$141.05 in annual taxes but the C.I.P. (Commercial, Industrial & Personal Property) will receive a significant increase.

Example: A \$155,000. assessed commercial property will see an increase of \$1083.45 in annual taxes.

The Assessors Office will answer any further questions you may have in this matter.

*J. W.*  
John Wilson  
Assistant Assessor

DEPARTMENT OF REVENUE  
BUREAU OF LOCAL ASSESSMENT  
CLASSIFICATION TAX ALLOCATION  
for 1989  
MEDWAY



Return to:

Arthur Ecclestone  
Bureau of Local Assessment  
Box 7015  
Department of Revenue  
200 Portland Street  
Boston, Massachusetts 02204

INSTRUCTIONS FOR COMPLETING THIS FORM ARE ATTACHED

1. The selected Residential Factor is - - - - - %

IF YOU DESIRE EACH CLASS TO MAINTAIN 100% OF ITS  
FULL VALUE TAX SHARE INDICATE A RESIDENTIAL FACTOR  
OF "1" AND GO TO QUESTION 3.

2. In computing your residential factor was a discount granted  
to Open Space? Yes \_\_\_\_ No \_\_\_\_

If Yes, what is the percentage discount? - - - %

3. Was a residential exemption adopted?  
Yes \_\_\_\_ No \_\_\_\_

If Yes, please complete the following:

Class I Total Assessed Value	\$	-----	X	-----	=	-----
Class I Total Parcel Count*				Selected Res. Exemption %		Residential Exemption

\* Include All Parcels with a Mixed-Use Residential Designation

LA5 (5-87)

# MEDWAY

4. The following information was derived from the Minimum Residential Factor Computation Report. Please indicate in Column D the new percentage shares (accurate to 4 digits to right of decimal point) of the tax levy resulting from your selected residential factor. If a residential factor of "1" has been selected, you may leave Column D blank. The full value tax share for each of your property classes that your community will employ are listed under Column C.

A	B	C	D
Class	Certified Full Cash Value of Assessments Total Tax Levy	Percentage Full Value Shares of	New Percentage Shares of Total Tax Levy
1. Residential	\$ 451,286,050	83.6909%	
2. Open Space	0	0.0000	
3. Commercial	31,030,450	5.7546	
4. Industrial	27,091,200	5.0241	
5. Personal Property	29,821,500	5.5304	
Totals	\$ 539,229,200	100.0000%	

5. I hereby attest that notice was given to taxpayers that a public hearing on the issue of adopting the tax levy percentages for fiscal year 19\_\_ would be held on \_\_\_\_\_ (date), \_\_\_\_\_ (time), at \_\_\_\_\_ (place), by \_\_\_\_\_ (describe type of notice)

Town Clerk

6. It is hereby attested that on \_\_\_\_\_ (date) \_\_\_\_\_ (time), at \_\_\_\_\_ (place) a public hearing was held on the issue of adopting the tax levy percentages for fiscal year 19\_\_, that the Board of Assessors presented information and data relevant to making such a determination and the fiscal effect of the available alternatives at the hearing and that the percentages set forth above were duly adopted in public session on \_\_\_\_\_ (date)

7. We have been informed by the Assessors of \$ \_\_\_\_\_ excess levy capacity.

Board of Selectmen

MEDWAY

4. The following information was derived from the Minimum Residential Factor Computation Report. Please indicate in Column D the new percentage shares (accurate to 4 digits to right of decimal point) of the tax levy resulting from your selected residential factor. If a residential factor of "1" has been selected, you may leave Column D blank. The full value tax share for each of your property classes that your community will employ are listed under Column C.

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Town Clerk

6. It is hereby attested that on \_\_\_\_ (date) \_\_\_\_ (time), at \_\_\_\_ (place) a public hearing was held on the issue of adopting the tax levy percentages for fiscal year 19\_\_, that the Board of Assessors presented information and data relevant to making such a determination and the fiscal effect of the available alternatives at the hearing and that the percentages set forth above were duly adopted in public session on \_\_\_\_ (date)

7. We have been informed by the Assessors of \$ \_\_\_\_ excess levy capacity.

Board of Selectmen

- b. The statutory formula set forth above uses the percentage share of the tax burden that each class of real property and that personal property bears to the total to establish the limits within which a community may shift the tax burden from residential and open space property to commercial, industrial and personal property. By adopting a residential factor either at or above the minimum established by the Commissioner, a city or town is assured that the tax levies will fall within the limits prescribed by law.

2. Certification

The Commissioner shall certify, in writing, to the Board of Assessors of each city and town that he has previously determined to be assessing at full and fair cash value:

- a. The total taxable value of each of the four classes of real property and of personal property.
- b. The minimum residential factor.

C. Allocation of Local Tax Levy

1. Public Hearing

After determination by the Board of Assessors of the total valuations and the minimum residential factor, the Board of Selectmen or Town Council of each town or the City Council of each city shall conduct a public hearing on the issue of allocating the local property tax levy among the four classes of real property and personal property for the fiscal year. (Ch. 40, S. 56 as amended by Ch. 369 of the Acts of 1982 and Ch. 79 of the Acts of 1983).

- a. The public hearing called by the Selectmen or City Council shall comply with the requirements of the Open Meeting Law, as supplemented by local by-law or ordinance.
- b. Local officials must provide notice of the conduct of the hearing to all taxpayers by a comprehensive public information release in a newspaper of general circulation in the community, as well as in any other appropriate news media. The release should provide the date, time and place of the public hearing, should provide information regarding the policy decisions available, and should indicate the manner by which interested taxpayers may present oral or written information on their views. In providing notice and conducting the public hearing, local officials shall further the legislative intent to provide an open forum for the discussion of local property tax policy.



- (1) If property has been reassessed, the assessors must also provide notice of the reassessment program to taxpayers by having included in the release information on the basis of the valuation changes and the program's overall effect on assessments or by issuing a separate release prior to tax billing that provides such information.
- c. At the public hearing, the Board of Assessors shall provide all information and data relevant to making a decision on allocating the tax burden including the fiscal effect of the available alternatives.

The statutory formula for determining the allocation of the tax burden among the four classes of real property: residential, open space, commercial and industrial, and personal property is set forth in Ch. 40, S. 56. By adapting the allocation formula to the circumstances of their city or town, the assessors can provide the information required for the public hearing.

## 2. Adoption of Residential Factor

After holding the public hearing, the Board of Selectmen or Town Council in a town, or the City Council, together with the approval of the Mayor, in a city, shall determine the percentages of the tax levy to be borne by each class of real property and by personal property for the fiscal year. (Ch. 40, S. 56).

- a. In determining those percentages, the Selectmen, Town Council or City Council, together with the Mayor's approval, shall first adopt a residential factor. In a city, if the Mayor vetoes the City Council's factor, the City Council may override the veto with a vote equal to two-thirds of the members elected. The residential factor adopted must be an amount not less than the minimum residential factor calculated by the Commissioner. See Section B-1 above.

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- a. In determining those percentages, the Selectmen, Town Council or City Council, together with the Mayor's approval, shall first adopt a residential factor. In a city, if the Mayor vetoes the City Council's factor, the City Council may override the veto with a vote equal to two-thirds of the members elected. The residential factor adopted must be an amount not less than the minimum residential factor calculated by the Commissioner. See Section B-1 above.

- b. The residential factor adopted by a community governs the percentage of the tax levy to be borne by residential property owners. If local officials choose a low residential factor, (for example, the statutory minimum of 65 percent) residential property will bear a proportionately lower share of the total levy. A residential factor of "1" will result in the taxation of all property at the same rate. The statute permits a city or town to adopt a residential factor greater than 100 percent (Ch. 58, S. 1A), which would have the effect of decreasing the commercial, industrial, and personal property tax rates and increasing the rates for residential and open space property.
- c. When determining the residential factor, local officials may select a percentage for Class Two, Open Space, which may not be less than 75 percent of its full and fair cash value percentage. The residential class alone absorbs any discount applied to the open space class.
- d. The percentage to be borne by the remaining property can be calculated according to the provisions of Ch. 40, S. 56, using the residential and open space factors.

3. Residential Exemption

- a. At the option of the Board of Selectmen or Mayor, with the approval of the City Council, an exemption of not more than 20 percent of the average assessed value of all Class One, Residential, parcels may be applied to residential parcels which are the principal residence of the property taxpayer as used by the taxpayer for state income tax purposes as of January first. (Ch. 59, S. 5C as amended by Ch. 369 of the Acts of 1982, Ch. 382 of the Acts of 1985 and Ch. 200 of the Acts of 1988).
- b. Principal residence is ordinarily the residence in which a property taxpayer lives. It is the taxpayer's domicile, that is, his fixed place of habitation, permanent home or legal residence. Therefore, Class One, Residential, parcels not eligible for the residential exemption would include accessory land incidental to a residential use, summer homes, or residential property not occupied by the owner, such as apartments.

- c. The application of the residential exemption, in addition to any other exemptions allowable under Ch. 59, S. 5, may not reduce the taxable value of the property to less than 10 percent of its full and fair cash value, except through the application of the hardship exemption found in Ch. 59, S. 5, Cl. 18 and those provisions relating to the severest form of paraplegia.

4. Tax Rate Approval

- a. Once the public hearing has been held and the percentages of the tax levy to be borne by each class of real property and personal property have been determined, the assessors shall submit to the Bureau of Accounts Form LA-5, "Classification Tax Allocation."

- (1) Include copy of public notice of hearing.
- (2) Note line 7 (new for FY89) which indicates to the selectmen/council the approximate amount of excess levy capacity.

- b. Upon the Commissioner's determination that the percentages meet statutory requirements and that the public hearing has been held, the assessors shall submit to the Bureau of Accounts the local tax rates for final approval using the total valuations, as certified by the Commissioner, and the percentages of the tax levy, as determined by local officials.

- (1) Tax bills for cities and towns implementing a classified tax system must conform to the requirements outlined in IGR 88-226.
- (2) The Bureau of Accounts shall not approve the setting of a tax rate until each of the foregoing requirements has been met.

- c. The application of the residential exemption, in addition to any other exemptions allowable under Ch. 59, S. 5, may not reduce the taxable value of the property to less than 10 percent of its full and fair cash value, except through the application of the hardship exemption found in Ch. 59, S. 5, Cl. 18 and those provisions relating to the severest form of paraplegia.

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  - (2) Note line 7 (new for FY89) which indicates to the selectmen/council the approximate amount of excess levy capacity.
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  - (1) Tax bills for cities and towns implementing a classified tax system must conform to the requirements outlined in IGR 88-226.
  - (2) The Bureau of Accounts shall not approve the setting of a tax rate until each of the foregoing requirements has been met.



## BOARD OF SELECTMEN

155 VILLAGE STREET  
MEDWAY, MASSACHUSETTS 02053

### AGENDA

OCTOBER 3, 1988

- 7:00 p.m.            Open meeting, Sign Warrants  
                     Approve minutes of 9-26-88  
                     meeting.
- 7:05                Public Hearing - J/O Guywire - Walker St.
- 7:15                Public Hearing - Telephone Co.  
                     Conduit - Fisher Street
- 7:30                Public Hearing - J/O Guywire  
                     Holliston Street
- 7:45                MAPC Representative Brian Bishop  
                     Update on MAPC matters.

Administrative Assistant Report

Present: Paul Mitchell, Harry Sabin, Edward Borek. Administrative Assistant, Jeffrey Brown was absent.

7:00 p.m. The Board opened the meeting and voted unanimously to approve the minutes of the 9-26-88 meeting with one correction, that being on page eight, third line from the bottom the name "Mr. Jeffer" should be Mr. Jeffrey Nutting.

- The Chairman informed the Board that he and Edward Borek had attended the joint School Study Committee, School Committee and the Board meeting on Thursday, September 29, 1988. They had an excellent presentation and open forum and the end result of the study was a need for another elementary school.

7:05 The Board held a public hearing for New England Telephone Co. and Boston Edison for a guy wire and anchor at existing pole 39/12 on Walker Street - easterly side, opposite Pearl Street. Joseph Bausk, representative from New England Telephone Co. and David and Linda Deganne, 11 Walker Street were in attendance at this hearing. Mr. Deganne asked if this guy wire petition would have any bearing on his property? Mr. Bausk stated the guywire would be installed on town property. Mr. Borek stated that it has already been installed and Mr. Bausk stated that presently there is a tree guy at that location which will be removed when the guywire anchor is in place. There will be two wires, one for the telephone company and one for the electrical company. Mr. Bausk stated that the telephone company receives permission from the private property owner in order to install a tree guy. Mr. Borek requested that it be stated on the petition that there are tree guys presently existing at the location and will be removing all temporary fixes and define. Mr. Bausk stated that if residents have questions regarding the petitions to have them call him at his office. The Board voted unanimously to approve this petition.

7:15 The Board held a public hearing for New England Telephone Co. for conduit on Fisher Street - westerly side, approximately 796 feet southerly of Medway/Holliston Town Line, at existing Pole 61, thence, crossing roadway to easterly side, a distance of about 40 feet to private driveway to service two new homes. This pole may be replaced. Mr. Borek stated that if the pole is replaced there should be a time limit for removing the first pole so there isn't a double pole left in that location. Mr. Bausk stated that each utility is responsible for changing over their wires. Cablevision is not "speedy" at changing over their wires. Mr. Borek requested the secretary to get the Cablevision Contract out for the next meeting. The Board voted unanimously to approve this petition.

7:30

The Board held a public hearing for New England Telephone Co. and Boston Edison for a guy wire and anchor at existing Pole 33 on Holliston Street - easterly side, opposite Kelley Street. There is presently a tree guy at this pole location also, it will be removed at the time that the guy wire anchor is installed. The Highway Superintendent will make sure that this anchor will be located on town property. The Board voted unanimously to approve this petition.

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The Board voted unanimously to send a correspondence advising the three utility company's that any poles that are replaced in the Town of Medway must end up as a single pole. Each utility is responsible for coordinating the changes within 30 days.

7:45

The Board met with Brian Bishop, MAPC Representative for the Town of Medway. He came before the Board to update them on MAPC matters. He stated that he attended the September 13th meeting in Holliston of the South-West sub-region. Some of the subjects to be discussed at future meetings are open spaces, lateral transportation, river protection and financial networking. He informed the Board that the next sub-regional meeting will be held on October 20th in Milford Town Hall at 3:30 p.m. and that there will be a meeting on November 17th at Sherborn Inn at 7:30 a.m. which is a breakfast meeting with area legislators.

8:00

The Board met with the Police Chief regarding an accident with the new Police cruiser September 29th. He questioned the Board as to how much money is in the self insurance account and what is the ceiling you can have in this account. The Board voted unanimously to replace the cruiser and request an emergency transfer from the Finance Committee to pay for it. Re-construction of this vehicle should be discussed with the Finance Committee at a later date.

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The Board voted unanimously to appoint Linda Reynolds to the Arts Lottery to fill the vacancy of Ernestine Hoban.

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The Board voted unanimously to approve the request of the Board of Assessors for the use of Town Counsel and Special Town Counsel for their Appellate Court cases on November 7th.

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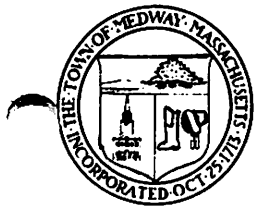
The Highway Superintendent updated the Board on his meeting with Ed Fox, Manager of the Medway Shopping Plaza for some changes that were agreed to prior to the reconstruction of 109 project.

Meeting Adjourned at 9:20 p.m.

RESPECTFULLY SUBMITTED,

*Ruth Allen*  
Ruth Allen, Secretary





## BOARD OF SELECTMEN

155 VILLAGE STREET  
MEDWAY, MASSACHUSETTS 02053

### AGENDA

SEPTEMBER 26, 1988

- |           |  |
|-----------|--|
| 7:00 p.m. | Open meeting, Sign Warrants<br>Approve minutes of 8-22-88,<br>9-12-88 and 9-19-88. |
| 7:15      | Public Hearing - Beer & Wine<br>License - Papa Gino's                              |
| 7:45      | Citizen's for a Healthy Environment<br>Wendy Burr, spokesperson                    |
| 8:15      | Decision on Beer & Wine License<br>for Meadows Creamery & Deli                     |
| 8:25      | James Gallagher - Drainage problem<br>Administrative Assistant Report              |

Present: Paul Mitchell, Harry Sabin, Edward Borek and Administrative Assistant Jeffrey Brown.

- 7:00 p.m.        The Board opened the meeting and voted unanimously to approve the minutes of 8-22-88; 9-12-88 and 9-19-88 meetings.
- The Chairman read a letter received from President Ronald Reagan to the Citizens of Medway congratulating the Town on there 275th Anniversary Celebration.
  - The Chairman read a Western Union Mailgram from former Governor Edward J. King congratulating the Town on there 275th Birthday Celebration.
  - The Chairman informed the Board he attended the dedication ceremony on Sunday of the Milford Town Hall and what a beautiful job they had done.
  - The Chairman stated he would write a letter to be placed in the Highway Superintendent's personnel record commending him for a great job on the Main Street Re-construction project and having it done in time for the 275th Anniversary Parade.
  - The Chairman read a letter received from Senator Edward Burke regarding communications he had received from Medway and Holliston constituents concerning the proposal from the Wheelabrator Energy Company for a power plant facility in Hopping Brook Park in Holliston. He stated he would be happy to convene a further meeting between the two boards to discuss this matter. Requested the Secretary send a copy of this letter to Carlo Molinari.
  - The Chairman read a letter received from the Milford Board of Selectmen congratulating the citizens of Medway as they approach the 275th Anniversary of the Town.
- 7:15            The Board held a Public Hearing on an application for a Beer and Wine License for Papa Gino's Restaurant, Main Street in Medway. Selectman Borek read the advertisement that was in the newspaper. At this time Chairman Mitchell informed those in attendance that Mr. Harry Sabin, Clerk of the Board has absented himself from this hearing and has made it clear to those present that he was absenting himself from this hearing. Apparently there was a questionnaire circulated at Papa Gino's

and customers at Papa Gino's were invited to answer an inquiry specifically the question was "Would you like to see Beer and Wine added to our menu here?" Mr. Sabin, in writing expressed his opinion, as a customer he did express his opinion. He checked off "yes" and said good idea. When the information was brought to us a week or so ago that he had done that, we had a discussion, as Chairman of the Board I had a discussion with him and requested of Town Counsel a ruling. He had done what he thought he was doing as a customer, but when you serve in public office your responsibilities and your potential for conflict goes much further than an actual act, the mere appearance of conflict of interest is a serious situation, most especially in the State of Massachusetts. When each of us is sworn in whenever we are elected or appointed we are advised of this by the Town Clerk and we are given a copy of Massachusetts Law on conflict of interest. It is much better rather than sit silent in the room to totally absent yourself. We are members of the Norfolk County Selectmen's Association and a few years back we were fortunate enough to have one of the authors of that Bill educate us on just how deep and how diversified the potential is relative to conflict. That is his reason for absenting himself. He stated he appreciated him doing this and the he appreciates the fact that this information was brought forward to us. The Town Counsel has made the recommendation to us that it is most advisable that he not sit in on this hearing. He further stated that his personal opinion along those lines, one of which is, that in our own State and in our own Federal Government long before the Bill hits the floor, in Congress and the Senate, he who has veto power publicly says what they will do with that Bill depending upon how it is voted upon. If there is anything like conflict, I would say that is. This however, for this local Board is the most prudent way to conduct ourselves this evening. So what we are dealing with with the Public Hearing tonight will be Mr. Borek and myself. Attorney Jeffrey Winik, Counsel for Papa Gino's, General Manager, Peter Gillespie; and Cathy Willacus, Real Estate Coordinator for Papa Gino's were in attendance at this hearing. Attorney Winik made a brief presentation and then Mr. Gillespie gave his presentation to describe the operation of the restaurant. Atty. Winik stated that this was a request to the Board for a license to serve Beer and Wine complimentary to the service of food at Papa Gino's. Papa Gino's opened as a restaurant in Medway in 1986. Mr. Gillespie has been the General Manager since that time, so there has been a continuity of Management and we hope there will continue to be continuity of management at the Medway Restaurant. In January of 1987 we appeared before the Board requesting a Beer and Wine License and at that time there was some concerns raised by the Board and the license was denied. Among them was there wasn't any evidence of community desire for it, there was no sense that the public was asking for this and just to have the restaurant come to the Board with nothing more was not sufficient and did not satisfy the Board. You

also said that you wanted to sit back and watch how the restaurant operated in the community and see what type of business it would run, how it would run it's business, what it's relationship with the community would be. That was back in the beginning of 1987 and we accepted the Board's recommendation and vote and went back to the running of a restaurant. We hope that over the past year and one-half to three quarters we have satisfied some of those concerns. He presented the Board with the originals of the petitions the customers had signed, he had submitted copies with the application. He believed that was in excess of 500 names. He pointed out about that questionnaire that it wasn't necessarily a petition where we were just seeking favorable votes, what we were seeking were opinions of the people who are our customers and are members of the Town of Medway. If you will notice on the petition there is a box to say NO they don't want the service and we solicited the opinion anybody who cared to make the comment. He believes the overwhelming numbers in the opinion survey show a request from residents of Medway for the service. What Papa Gino's as a business tries to do is to meet the needs of it's customers. We are a family run restaurant, we provide sit down meals. The vast majority of the food that is served at Papa Gino's is eaten at the establishment, at tables, it consists of everything from pizza dinners to pasta dinners and salad bars. The essence of the comments, not just at this Papa Gino's but throughout the Commonwealth we have an excess of 200 restaurants of those we have approximately 144 who serve beer and wine complimentary to the meal. What we have heard again and again, we hope is being presented to you tonight is the sense that our customers would like to have a glass of beer with their food with a pizza. They would like to have a glass of wine with their pasta dinner. We are not coming before you requesting that we operate a bar. Under no circumstance will beer or wine be served without the service of food. That is our procedure and a requirement throughout all of our stores and restaurants in the Commonwealth and outside of the Commonwealth. The service of beer and wine is a minor part of the business at Papa Gino's, the business at Papa Gino's is the service of food. In the stores and restaurants where we serve beer and wine it constitutes less than 5% of our gross revenues, 95% of our revenues are from the sale of food and the service of food. Our desire to serve the beer and wine is to meet what we have found to be a request from our customers, citizens of the Town of Medway and other citizens to better enjoy their meals, we are not in the business of being a bar and our service is restricted to only those who are in the process of eating a meal. He understands that just recently Route 109, near where the restaurant is located, has just been expanded and widened, what that has done has eased access to and from the Plaza in which Papa Gino's is located. It has also served to close one of the exits, on the west side of the Plaza. He believes that has enhanced the ability of cars to move across 109 and also to ease the exiting and entrancing to the location where Papa Gino's is presently located.

At this time he turned the meeting over to the General Manager Peter Gillespie who stated that he has been with Papa Gino's for nine years, and he has been in Medway for a little over two years. He worked with beer and wine for a little over seven years. We have 36 employees working at the store right now and we have 20 that are over the age of 18 which allows access for them to pour and serve, clear tables and to clean. As far as the restaurant itself, I am general manager and I have a manager under me, who is Ernie Montero who has also worked with beer and wine and has experience working in the Milford unit. As far as rowdiness is a concern with some people, as far as people hanging out or whatever, we really don't have a problem with that and we do control anyone that might just come in and grab a coke and sit down. So as far as that goes we have that pretty much covered. As far as community activities we are very involved in the community whether it be schools, the Lion's Club or the Police Association because I like getting involved with people, anywhere from fund raisers or for boosters or donations of pizzas to help a party or anyone who may have a need and I can be there to handle it. As far as customers requesting it, when I was told I could do a questionnaire, I wanted to get it going right away and it is something that the community really wants from what I found out on the questionnaire and it is something that I would like to have, because if we can offer the community activities and everything else that I can do and alot of them expressed how they would like to have beer and wine with their meal then it is up to me to see what I can do. As far as customers, I have customers here with me who I had asked if they would mind coming in to listen to the meeting and I have got a group here who said they would. As far as beer and wine, we serve Budweiser and Micalob Light, we have a 12oz mug, 20 oz. gobblet and a 48 oz. pitcher. Papa Gino's policies and procedures are very strict and it is not a bar. We have policies that someone can not come in and just order a pitcher of beer with just one mug there has to be at least two people with two ID's. As far as 18 year olds, that is to pour it, to serve it, to clear their table and to clean their glassware and load it into the dishwasher. I have never had any trouble with the store that I have run. I feel that I do have enough people who are experienced already in it and are over the age of 18 where I would have a training class myself with them to train them properly how you serve and pour and store and clean and clear. So we request your consideration for our opportunity.

Atty. Winik pointed out to the Board that we have never had a license suspended or revoked in all the years Papa Gino's has been in operation, over 20 years.

Mr. Christopher Russo, 12 Shaw Street, Medway stated that he has been a customer of Papa Gino's for 2 years and he sees no problem with a beer. He likes a beer with his pizza and he might have one beer a week with his pizza, he likes his beer. He sees no problem with it, he really doesn't.

Mr. Steve Bridges, member of the Medway Lion's Club. He stated that Peter has done a lot for his club, fund raisers like he said a Halloween Party. Papa Gino's has always come through for us. Every time that he has been in this store it is a very relaxed family atmosphere, the high school kids that are in there act as adults, his people make sure of that and I support his petition.

Pat Misiuk, representing Dunkin Donuts, we are totally against it. We have problems with 13, 14, 15 and 16 year olds coming in to the store especially on Thursday, Friday and Saturday night completely oblivious. She is an abutter also, 19 Meadow Road, near Papa Gino's and we have nine places in Medway and we certainly do not need anymore drinking facilities in Medway.

Jeffrey Nutting, 357 Village Street, Medway. I believe I sat on the Board when Papa Gino's came in for their original license which was denied, and I guess the argument was the same as last week that I think that it should be denied again because of the density and that we don't need any more establishments in Medway and to uphold the traditions of the Board over the last 20 years with one exception.

Mr. Edward Culhane, Meadow Road, Medway. I think there are a number of issues to be aware of, one being the question of density, number of establishments both package stores and beer and wine and full liquor licenses in the area. I think second the question of traffic as we were made aware of last week and at other meetings there are 25,000 cars that use that road in a day, 5,000 between the hours of 4 and 7 in the evening, which would be the predominate time that people would be going into Papa Gino's. And third is the issue of, does this establishment need the beer and wine to make it a very profitable organization? We heard this evening that only 5% of Papa Gino's gross revenue in all their establishments in Massachusetts is 5% of the total gross so this is not a hinderance to their operation it's an addition to, yet this is a very profitable organization and I do not see the need for adding the beer and wine license to Papa Gino's. And fourthly, I remember back when they were thinking about moving into this location and that was an issue that came up way back then and the Selectmen, working as the ABCC, saw fit then to deny it, again in 1986 and I believe that in 1988 things have not changed and the Board would so deny this petition.

Allan Katz, Meadow Road, Medway. They gave you a petition with 500 names and said this was a portion of the community, I believe we have 11,000 people roughly in the Town of Medway. How many people on the papers that they handed you are registered voters in Medway and how many are over the age of 21 and eligible to drink?

Chairman Mitchell, I don't think we have that information readily available. Is there a summary of it?

Atty. Winik, There is not a summary available, but I believe the ages are noted in the column.

Chairman Mitchell, we are not going to stop now.

Allan Katz, basically I am against it for all the previous reasons.

Steve Bridges, one other thing. There has been many a time that I have been in the store and gotten a pizza to go because I happen to like a beer with my pizza. Peter also serves ice cream there. If I could have a beer with my pizza I would buy an ice cream, but I don't buy the ice cream, I just take the pizza go home and have a beer with it. My wife is here also and she can verify that. Second thing the Lion's Club had a Lion's Club Night at Papa Gino's that Papa Gino's is kind enough to put on for us as a fund raiser and there were individuals from my club that went in there, got a pizza and said ges we would like a beer with it, but we are taking it home. One other thing too, again Peter treats these kids as if they were young adults and they act that way in the store. I happen to have been in another store that was just mentioned in here and I wouldn't go back there because the management has no control over the kids when they are in the store. Peter has this control and it comes over, and these kids act as young adults in the store.

Atty. Winik, I just wanted to respond to one point that Mr. Culhane, that the 5% figure. The reason I brought that up was to show the Board that our basic reason for requesting this license is to meet a need articulated by our customers and the idea wasn't there to show that it is only a small part, therefore it should be denied because it is not going to make us that much money, it is to show that it is not going to make us that much money but it's an amenity that our clients requested.

Christopher Russo, the awarding or non awarding of a liquor license or beer and wine license to Papa Gino's is not going to affect the traffic one way or another so it should not be a consideration. Also, within the surrounding area every Papa Gino's, Milford, Ashland, Walpole, Foxboro and Franklin all have beer and wine licenses and are having no problems with them.

Pat Misiuk, I find that people that are for this liquor license are not abutters and not having families close to these establishments that have liquor and we are totally against it. The kids, you don't live near there where the kids drag race after they sneak a beer or something and its bad, you people live on the other side of town, we all have to live with it.

Mr. Mitchell, Chairman, I have only been in one other Papa Gino's that I paid any attention to whether there was any liquor or not and that has been since the last time you people were in and that was in Westboro. I thought I saw the customer carrying a pitcher of beer himself back to the table. Did I see that? Atty. Winik, No, it would be served. Mr. Mitchell apologized for that, that what he thought he saw. I have a question and that is, how do you control the consumption at the table, by whom it is consumed once it is at the table because it is a family restaurant? Atty. Winik, if I could speak to take in terms of procedures. Part of the training of our employees is not to stop once they have served the beer or the wine they are specifically instructed to keep an eye out on the tables that they have served. And that is part of the reason that we make sure there is only the same number of glasses as there are ID's. If a minor is observed, even sipping, from the beer or wine glass they are instructed to ask that the beverage be removed from the table. The short answer is that we supervise the service and the ingestion of the commodity. Peter Gillespie stated that there is always someone assigned to the dining area and that person along with the person that does serve will be aware of it.

Mr. Mitchell, do you have any statistics how many stores you have in Massachusetts with the beer and wine license? Atty. Winik stated approximately 100 stores. And you have never had a license suspended or revoked? Atty. Winik stated: we have not.

Mr. Mitchell, the point was made only 5% Papa Gino's revenue and the other point was made that it doesn't make it does not contribute to make it a profitable operation and that is quite frankly not one of the reasons that the Board of Selectmen in the Town of Medway, at least those I have been associated with would grant the beer and wine license would be to make it a profitable business, so that has been responded to since the comment was made. What the mix of signatures are, where the people are located from and what the age groups and all are I'm not certain and I didn't mean to cut it off abruptly and rudely but there are a number of sheets here and I do find that there are people from every community surrounding us. Personal history on this, I sat on the Zoning Board of Appeals when the developer of that property sought to have a restaurant built there and for various reasons, not the least of which was that the developer would not identify the restaurant that was going in to the Plaza and we voted against it. I was a



driver to vote against it. It was appealed, we ended up in court and on the stand and in court the intent of who the company would be that would be in there did come out and it was Papa Gino's. The court found that they should nullify our decision. They did not void or overturn our decision, they nullified it and suggested we get it squared away, which left us a number of alternatives. One of which would be to go right back and grant it as Papa Gino's, knowing what it would be and stipulate which one it would be, go back and do the same thing right away, say that it was again denied. We chose to support, myself included, because it was Papa Gino's after some research, to issue the permit for a restaurant and for it to be Papa Gino's. The Zoning By-laws of the Town of Medway, for that Commercial District I, have some specified uses and no others except the following as by special permit of the Zoning Board of Appeals, one of which of the following is a restaurant where food and beverage is to be consumed on the premises. So that is how they are there in the first place, they went to the Zoning Board of Appeals some years back. I later found myself here in 1987, I guess it was, when they petitioned for a beer and wine license and at that time we did have serious problems traffic wise on Route 109, we had other restaurants in the area that were providing liquor, beer and wine and full alcoholic to their customers and we had not yet seen Papa Gino's put to the test as a neighbor. We set forth some proving points that we felt would be measuring sticks for us to use, measuring gauges for us to make determinations from, there conduct as a neighbor and as a resident in the community. It has been my personal opinion because I was the one that was honchoing it intentionally, for personal reasons, as well as the drive that comes from being on this Board, it has been my personal impression that they have been good neighbors, they are good residents and they have complied with every single thing that we have ever put to them. They have provided us with, and much of the detail now escapes me however we do have it written down because we played twenty questions here over and over and over and over and over again. We could tell you at what time of the day the dumpster would be picked up, we could tell you anytime of the day how many people would be in the building and which ones were assigned to which tasks, there was one person that was in, counted him as a half person in the morning and half person in the evening because he was the one that made sure that the dumpster, everything that was inside was out and put into the dumpster, the dumpster was closed up and everything was clean now for the evenings business, then apparently he went home at that time and came back at a later time and cleaned it up again. To that type of detail we understand how Papa Gino's works. I will speak to what Mr. Jeffers <sup>nothing</sup> has spoken to, having sat on this Board before. The tradition, I would like to correct the word, it is not a tradition it would be the decision

- Jeff  
Nothing

at the moment of the Board's sitting here, it is not a tradition to deny or to grant. If it appears that over a period of time there are more denials than there are grantings that does not mean a tradition exists in the community. Any person that sits on a Board that does not take into account all factors when they have the authority to grant or deny something and goes by tradition is not fulfilling the obligation of his public office. I do not go by tradition, when I don't think someone should have something I tell them straight out and I tell them the reason why I believe they should not and I did that before, and I noticed you took notes that time so you repeated them to me tonight. We go back and we revisit them and I have frequented Papa Gino's very, very much since they have been up there, it's quick, it's easy, it's clean, it's pleasant, it's courteous and it's everything that anybody wants to go and spend their dollar in and you get a "Thank You" everytime you spend your dollar. I'm also mindful of the fact that we have abutters, you can not live in the community except in the one acre area without having an abutter that is very, very close to you. Change comes. I desire very, very, very much the construction of a new Station I Fire Station and have looked for a number of places where it would go. The place that it may go, the one that it now tends to look like it may go, and I have no objection to it, is less than a quarter of a mile away from my front door. I will be an abutter to a siren noise producing station, a safety facility, that at any time of the day or night will go off and when a siren goes any place in this town, any place in this town, my half Lab half Great Dane monster howls, he howls for five minutes while the siren is going all over town. I will not petition against that Fire Station being there, because I live a quarter of a mile away from it, merely because I live close to it. We have had with the abutters, and other business owners directly abutting you residents long sections about setting up proper division between the commercial and residential properties, fences have been constructed, there has been cooperation on both sides to meld together into the community with commercial, residential and we also have another section, Industrial. We can not survive alone as residents without the assistance and the services of commercial and industrial. Merely because it is next door to me is not, as far as I am concerned, a reason to say no. As far as the children or the younger people drinking in Papa Gino's something has to be given to anybody at all that runs a business as credit for running a business and as many businesses and as many establishments in that business for as many year as they do without ever having a liquor license suspended or revoked. And if you have 100 such establishments in the Commonwealth of Massachusetts without having contest in Court and suspension and revocation because of under age drinking that is a sterling record. The Plaza up there may be a gathering place for the young people they are not drinking inside primarily because there is no drinking inside the establishments that are up there right now

we have all been young and with a vehicle it isn't necessary to drink inside. The Police are patrolling that place all of the time we have no complaints relative to Papa Gino's. I consider the request to be a reasonable one and if in fact it does not prove to be reasonable in its operation if it were here granted I would also consider it my responsibility without hesitation move to revoke it immediately regardless of what type of record exists some place else. We sent these people away to prove themselves a year ago, more than a year ago. One establishment that did exist, having the beer and wine license in the general proximity, Eric's at the corner of Holliston Street, is no longer in business. The other is a closed establishment, where the traffic in and out is considerably less frequent, and that is Hunan Gardens is generally a longer sit down meal and this is the only one in the very close proximity right there now that would have beer and wine. My personal position on it, and it is not granted by single vote, they are worthy of being granted a license for beer and wine in our community and I would entertain such a motion if my colleague is also so disposed.

Selectman Edward Borek, I didn't make a statement before because I wanted to hear what the comments were to be heard by everyone and I have been sitting on this Board for now for eleven years it will be my finishing twelve years and we have had numerous occasions in which alcoholic licenses come before me, I have anyway. This is another instance in which we have had, previous to this, we had a shopping center, J & B when they were down at the corner of Holliston and moved up to the shopping center, came in with the same incidence for a beer and wine license and the answers then and I think the answers today almost compare the same. This is a shopping center, we are talking about a shopping center, and I think that the intent when Papa Gino's came in and the quote that you made in regards to the Planning Board and all, the quote was that this was going to be a family restaurant, it was to be a family restaurant. I think everybody was disturbed over what kind of a restaurant was going to come in, once it was known after the court case that it was going to be Papa Gino's everything seemed to quiet down and it was as if the people excepted Papa Gino's because feeling that Papa Gino's was a family restaurant. I think these are fast food restaurants, Burger King, Papa Gino's, Wendy's, Bonanza, Howdy's and that were out on the line, these are fast food restaurants. To me it is a simple thing to go in and get food and run out. Now to gooble an alcoholic beverage at the same time I do not feel this is what these establishments are, I have been bringing my children to McDonald's, Papa Gino's and my grandchildren to McDonald's or Papa Gino's for years and have not seen alcohol in the one's that I have gone to. Now maybe there are more I have not gone of late I'm getting a little older and I don't need them, my weight calls for not that kind of food, but I just feel that the issuance of this license would only mean an issuance to numerous other licenses of the same characteristic businesses as this, not restaurants but as fast food chains.

I think in that area, I think that we could easily see five or six more beer and wine licenses being requested if a license is issued. I think I have been stated for years and years, I'm not an alcoholic anonymous, I'm not that but I think alcohol is one of the biggest diseases in the United States and I drink and I'm going to tell every one here publicly, I have a drink but I think that alcohol is one of the bad diseases, worse than drugs as far as I am concerned and I do not feel that a license should be granted to a business which is a fast food chain business and to an area which people go, primarily a shopping center, that's what it is primarily called, a shopping center and I do not think a license should be issued and I would not vote for one here tonight.

Chairman Mitchell, stated I would like to take issue with one point that you just made Eddie because I wouldn't want people to leave here and think that it were the opinion of the Board that because a person takes a drink with a meal there is a stigma on them, that because they have to admit that they are not in AA and they have to admit that they take a drink as if they have committed some sort of sin. When someone says they would like a glass of wine with a meal, like me, and I do it very frequently when I am out, I enjoy a glass of wine with a meal. I won't apologize for that, not at all. I don't apologize, I don't drink beer, I did, I lost the taste for it. But, I would not apologize for it, I don't drink a gallon, I don't drink three gallons, I don't run too much these days because I can't do it, it gets to me, so I know to do that in moderation. So I do not put an unnecessary burden on my body. But let me just say, that because someone takes a drink that is not a stigma, that is not a wrong thing in this country nor in any other that I know of except because of some religious beliefs. It is not a wrong thing to have liquor available. You do mention you are very familiar with going into shopping centers and I assume like all of us after you have done some shopping, if it is close to noon or close to dinner, you stop and you have something to eat. Whether you have the drink or not I think you find that in many, many of those places that you stop in, even though it be in a shopping center, there is at least beer and wine available and in many, many cases it is full alcoholic licenses. It is not unusual in 1988, and long before 1988, to see in most progressive plaza's and mall's that are servicing the public, all around serving the public, to see beer and wine licenses. And I would hope that this community, I will serve, and I have mentioned it many, many times before now, and I will mention it again, I've got seven more months to go and that will be the end for me. But I would hope I would not retire into an arm chair at home and find that my Town has set itself up and said "Hey" we may be allowed to drink in our Town but we have it locked up so nobody can get any. I will make a motion, full well expecting that I won't get a second, but I feel strongly enough about it, when someone proves that they are

worthy of doing something, including our own children when it comes time to trust, when someone goes out and proves that they are reliable and then comes back and says I want to do something that we listen and we listen objectively. I make a motion to grant the permit for the beer and wine license for Papa Gino's. Selectman Borek did not second. Mr. Mitchell stated, there is no second therefore there is no motion.

Mr. Borek asked a question of Mr. Mitchell. We have another petition that was last week, which I was not here due to previous commitments on my part, and also if other petitioners come before this Board is it your opinion that all, or are you going to make the statement, I will take each one individually?

Mr. Mitchell stated, I already did last week, sir and you were not here. I will take everything that comes before this Board on it's own merit. And I do not take as precedent something that was done formally before.

Mr. Borek stated, okay, that's all I wanted to hear.

Atty. Winik, Sir, I don't know the procedure for making a request is out of line, if so let me know. I request that the final vote on this matter be continued. What I would like to do is ask if the Board would entertain a motion to ask Mr. Sabin to reconsider his decision to withdraw from these hearings so that we might, at least, be able to present our petitions and our arguments to the full Board or at least have time to allow Mr. Sabin to reconsider the decision to withdraw and to do that I would just request that the hearing be continued for another hearing if Mr. Sabin would reconsider his position to withdraw.

Mr. Mitchell stated, you are an attorney? Atty. Winik stated "yes". One can make their own decision based on their interpretation of the law, or the conflict of interest law and so forth. But in public office if you seek advice of Town Counsel and it is given to you, it would be my advice to my colleague that you heed that advice and you do exactly what you got for advice. You have the right to appeal this decision but I would not place such a burden on this Board. It is felt that there would be conflict, we recognize it, we have publicly said it and wouldn't ask him to move off that position. That being the case, there is nothing further to be said, the motion has been made, no second, there is no vote and that is the same as being denied. This hearing is closed.

8:08

The Board met with Millis/Medway Citizen's for a Healthy Environment, Wendy Burr, Spokesperson. Mr. James Ladieu and Mr. Robert Hebler were also present to be updated on the problems of CRPCD. Mr. Mitchell read the eighteen action items(attached ) and the answer received from CRPCD (attached). Each resident, Burr, Ladieu and Hebler, were given a copy of these answers. Mr. Mitchell stated that



he had met with Mr. Borek, Mr. Brown and Town Counsel Dick Maciolek a week ago this past Friday. We went over a lot of the items, the eighteen items again, to indicate to him and bring him pretty much up to date. It has not been by accident, but we have some what kept him right out of everything until we got to a level at which we can move with legal direction and have him do some specific things for us as we move forward. We gave him a copy of both the Franklin and Medway Contract with the District to bring him up to speed on the whole climate and the tempo and the temperatures as well. Some of the things we asked him to look for, not only that which he has picked up in our conversations but what he may have picked up by back ground noise may be in conflict with contract either by us with the District or Franklin with the District or the District with either one of us or both of us and to look at those areas. And to also look at the Contract as an objective new person looking at it and see what areas would be subject to breach of contract. We have not gotten that response back from him. I did tell him that what is pending, his review of that contract with those thoughts in mind was a meeting I would be asking him to set up for us with the CRPCD Attorney, Franklin Town Councillor's Counsel and himself and representatives from this office to go over the whole contract and also areas that have already been pointed out to us wherein there may be some conflict. We asked him also to look into the possibility, although it is the District's responsibility to initiate any action that would be taken, look into the route that would be followed and the potential as we understand it for the District to take within there District land by eminent domain. We are looking for very legal footing. We also asked him to review in depth, and give us some sound advise on this area or District or what ever it is down there, what ever the entity is that you identify as the public health nuisance and to define nuisance and also from the point of view that abatelements and that sort of thing. We want to know that definition of nuisance in General Laws of the Commonwealth is a very serious term and so we want to know what it means because if it is declared a nuisance then are a lot of things already written for you that will happen and must be done. The other point that we asked him to explore, he is kind of reserved about it because it is a very strong term to use when you speak of the whole district when you only have authority in one town, but that is the word moritorium, to put a moritorium on all hook-ups to the Charles River Pollution District. We have spoken of that before and as we have discussion right here on this Board, in our community we can impose probably with some difficulty, but at least the authority within our community to impose certain restrictions and put moritoriums in our town. With those things he has to get back to us. Jeff, I don't know if you picked up at that meeting to contact, for in writing, fill in from those three towns that have the same thing as ours, I don't know if the letter has gone out yet. Fortunately one of our local newspapers has been doing a serial on that and

we steal some information from that, but it is in our best interests, as a community and as a board to have in writing from those facilities directed to us there experience with this same type of facility in their communities. That brings us up to about where we are with the attorney and what we have done and we are waiting now for him to get back to us.

Need a time plan to get our responses from Town Counsel.

Mr. Ladieu asked what is your initial reaction to some of the Plant's comments, especially when we ask them to go outside and get another opinion and they basically say well, we think we do well ourselves, that's what I hear.

Mr. Mitchell stated that is not a new answer to us, we heard it over here and you know what there suggestion was. If you want something like that done, it should be your objective, then you pay for it and you go do it. And what they are saying is, and they did say it in their responses, they don't consider it to be prudent to have a member from the District sitting on a committee that was looking over the District to make determination of what should be done. Even in that regard they don't want to serve on the committee and I can understand that because most of the unacceptable situations from there point of view appear to be believed by other people and generated by them.

Mr. Hebler stated he appreciated everything the Board has done so far and he hopes the Board will just keep pushing on.

Wendy Burr stated that she brought some information with her to the meeting from EPA, odor and emissions of sewer plants and how dangerous they are. In some states, Kentucky for example only allows 10 parts per billion of Hydrogen Sulfide which is what we breath everyday because they have come up to our street and monitored it. She has a lot of information on composting too and she will come into the office on Tuesday morning for the secretary to make copies for the Board members.

Mr. Borek stated that there is a composting facility in Westboro and information that he is getting is that they are not operating, that they are having problems and it is almost identical in design as the CDM is doing. The Administrative Assistant stated he spoke to Mr. Taylor in the Westboro facility and he blames the problem on DEQE.

The Administrative Assistant will send Wendy Burr a note when the information is received from Town Counsel.

8:55

The Board met with Mr. and Mrs. James Gallagher, Main Street. Mr. Gallagher stated that the Board knows what their problems is and he was wondering how far the Board has progressed. Mr. Mitchell informed them that the Administrative Assistant, Allan Brown from Stone & Webster and himself and the Highway Superintendent met regarding this location and Stone & Webster was to send a map of the drains in the area. One of the

things we found in some of the pipes was the debris and the filled in volume of the pipes was such that we would be very, very lucky if everything that was there was working to 10 or 15% of its available capacity. Another point going from Cottage Street up Evergreen along the drain line that is suppose to have the out fall now that gets over into town property and gets down in and away. When on a dry day we can not see anything visually moving down there but we can hear water coming and dropping and that is infiltration. There was one catch basin where water was moving, mid point between Cottage and the Awl Shop. Stone & Webster stated that when there is a problem with infiltration into your drainage system, not through the normal route, you can cause the developer to correct that problem before he can go in and touch the land. So it says to us that we should be in contact through DPS and wherever all else, with the Planning Board and other people to advise them. We went across the street to the retention area across Main Street from the Gallagher's property, to hold the water that would be coming off the other developed lands. The retention area is not an effective system because the main pipe is a 30"- 36", it is a very, very large pipe, but it is at the bottom of the retention area so as soon as the water gets in it starts filling up the pipe, so the pipe should be up above the retention area. The other point is that a lot of the retention area had filled in, they suggest the use of hydro-seed. The Highway Supt. was supposed to go around with as much manpower as possible and clean out what was very visible in the horizontal lines and also to take a look at what we had in the rest of the system. The Highway Supt. stated that they cleaned out the retention area, and lowered the area in front of the pipe, moved the soil to one side we have yet to seed it. We went down to Evergreen Street and cleaned out the acceptance area for the two pipes that run out of the road, we cleaned off the discharge in on the other side of Evergreen Street and hauled the stuff away. The next step would be to go into the system itself on Evergreen Street to see if we can find that infiltration.

Mr. Borek asked which one of Gallagher's properties is experiencing a problem with the water and he stated the one directly behind the store on Cottage Street. Mr. Gallagher stated that there was a berm there at one time that the town had put in but with the snow plowing most of that berm has been removed so when the street floods the water from the street pours down into that area and flood the cellar of the house. When it rains and the retention area backs up the water flows across Main St. goes over the berm, runs over the catch basin that is already being used and runs down along Cottage Street, the berm will be put in this week on the east side of Cottage Street. Mr. Borek stated that the problem has been there for years. Speed limit signs have been installed on Cottage Street, 25 mph.



There was much discussion regarding the pipe under the Main Street onto Gallagher's property on the east side of the building. The problem got so bad after the pipe was extended, with all the developments coming in that Mr. Gallagher felt the town was illegal in dumping there water onto his property. At the time that Mr. Borek, Mr. Wilson and Mr. DeSimone were on the Board Mr. Gallagher came in to a meeting at the Sanford Hall and he had his lawyer in the audience and if you people had not voted it in the town was going to court. In his opinion there was no easements for the town to be dumping water onto the property. Mr. Gallagher stated that at that time the town decided to close off that pipe and do away with the water coming through our property and bring it down Cottage Street.

- Regarding the Beer and Wine License for the Meadows Creamery and Deli, there was no one in attendance representing this business. Mr. Borek made a motion to deny the License and Mr. Mitchell seconded the motion for discussion. The Board voted unanimously to deny this applicatin for a License for Beer and Wine.

Administrative Assistant Report:

- Informed the Board of a letter received from the School Study Committee which will be holding a joint meeting with the School Committee, Board of Selectmen and the School Study Committee for Thursday, September 29, 1988 at 7:30 p.m. in Sanford Hall.
- The Chairman of the Board signed the letter to release the Audit for Fiscal Year 1987.
- The Board voted unanimously not to pay the insurance bill for the Driver Education Vehicle and requested that it be sent to the School Business Manager.

Meeting adjourned at 10:00 p.m.

RESPECTFULLY SUBMITTED,

Ruth Allen, Secretary  
Board of Selectmen

ra



## BOARD OF SELECTMEN

155 VILLAGE STREET  
MEDWAY, MASSACHUSETTS 02053

July 21, 1988 Public Meeting

Ref: CRPCD - Problems in Medway.

### CONCLUDING ACTION ITEMS:

- Item #1. Retain a consultant(s) for a second opinion, and possibly a third opinion to look at the plant operation and determine plant odor causing deficiencies and/or other odor causing deficiencies both inside the plant and outside the plant.
- Item #2. Identify all plant deficiencies and prepare a time-framed plan (milestones) to correct those deficiencies.
- Item #3. Estimate and review costs to correct the deficiencies.
- Item #4. Request Franklin Town Councillors who were present at this meeting to present all information gained in this meeting to the full body of Franklin Town Council. Also, request "feedback" of the result of that presentation to the Medway Selectmen.
- Item 5. Paul Mitchell contact Richard Mourey in Paul Shew's absence to set up a meeting to establish a joint committee. That meeting to be held at the CRPCD office in Medway. Also, invite DEQE to attend that meeting.
- Item #6 CRPCD continuously (periodically - with regularity) analyze the complaint log for frequency, time of day, day of week, type of complaint, etc. Use that analysis to influence the distribution of labor hours and plant coverage - ie. time of day, day of week, etc.
- Item #7 Obtain, and review, the study that was presented at the North School. This study listed  $\pm$  12 sites for the landfill use of the sludge. Re-visit this information for possible landfill site.
- Item #8 Check with the other three (3) plants referenced as "other full scale plants of this type either in operation or have been extensively pilot tested". They are located in:
  - Hatfield Township, Pennsylvania
  - Flint, Michigan
  - Conta Costra, California

CONCLUDING ACTION ITEMS:

Page 2.

Item #8 continued:

Contact by telephone and follow-up in writing to those plant authorities:

- °How did they perform?
- °Are they still operating as originally installed?
- °Did they modify their plants? How? Why? Cost?
- °Can we obtain copies (various years) of their complaint logs?
- °Did they experience any plant related long term health problems in their community?
- °Can they advise us of original, later, continuing or resolved problems?
- °What has been history of odor?
- °Are they receptive to visitors from our CRPCD and others?
- °Any information they can provide will be appreciated and thoroughly reviewed.

Item #9. Act quickly - petition courts (Maciolek - Town Counsel) to stop the court order for building the composting site in Medway.

Item #10. Re-visit the intent to enforce a moratorium on additional sewerage tie-ins to the present CRPCD system and also moratorium on accepting any more "trucked in" sewage.

Item #11 Add employee coverage on site during the weekly and also week-end evening hours.

Item #12 Obtain and review (act on) the Report of the CRPCD legal counsels research of authority for the CRPCD to meter and study the material content of the industrial users in each town. Also, review possibility of obtaining grant for this activity.

Item #13 CRPCD come up with a definitive plan for sludge handling. This is needed immediately because the present site at the Medway plant only has an eighteen (18) month life.

Item #14 Medway Selectmen time frame Medway landfill closing with DEQE final approval. Selectmen authorize CRPCD to move sludge to that landfill after DEQE approval. CRPCD act immediately after Selectmen approve moving the sludge to the landfill.

CONCLUDING ACTION ITEMS:

Page 3.

- Item #15      Selectmen direct Town Counsel to provide a formal opinion - Ref: G.L. Chapt. 111, sec. 31B etc. and others relating to "Public Health Nuisance". Also siting of the facility. Also request Counsel to expand on this probable approach.
- Item #16.      Obtain all information relating to the CRPCD Public Hearing scheduled for August 24, 1988 at the Medway Public Library. Make the information public Re: Composting Facility.
- Item #17.      Selectmen letter to DEQE - Refer to meeting of the Selectmen July 11, 1988. This letter requests Public Hearing by DEQE be conducted in Medway. Review the letter and determine the status.
- Item #18.      CRPCD review for possible benefit and implementation the three (3) documents which Marie Parente provided copies of to the CRPCD at this meeting. Documents are:
- ° Contract Management: An alternative to Treatment Facility operations.
  - ° Long Distance Sludge Transfer
  - ° Modifying a Small Plant.

*Paul J. [Signature]*

# Charles River Pollution Control District

Serving the Towns of Franklin and Medway

## FRANKLIN COMMISSIONERS

John J. McCahill, Chairman  
Norman C. Ristaino

66 Village Street  
Medway, Massachusetts 02053  
533-6762

## MEDWAY COMMISSIONERS

Paul J. DeSimone  
Paul R. Wilson

September 26, 1988

Mr. Paul F. Mitchell, Chairman  
Medway Board of Selectmen  
155 Village Street  
Medway, Massachusetts 02053

Re: Action Items - July 21, 1988 Public Meeting

Dear Mr. Mitchell,

As per the August 10, 1988 meeting (action item #5), the District agreed to submit its comments to the eighteen (18) action items established at the public meeting held on July 21, 1988.

Except for the action items completed or require action by others (items #4, 9, and 15), the District wishes to submit the following comments on the action items:

### Item #1

As stated at the August 10, 1988 meeting, the District Board of Commissioners is satisfied with the consultant engineering firm of Camp Dresser & McKee, Inc. and sees no reason to expend additional monies to retain a second and/or third consulting engineering firm to review their work for the District. The engineering services performed by Camp Dresser & McKee, Inc. (CDM) in the District's treatment facility has been reviewed and approved by both the U.S. Environmental Protection Agency and the Commonwealth of Massachusetts Department of Environmental Quality Engineering (DEQE).

### Item #2

During 1987, the District and its consulting engineering firm met with the Commonwealth of Massachusetts Attorney General's office and DEQE several times to resolve the problems at the treatment facility. As a result of these meetings, a document known as a "Plan of Action" was developed. This Plan of Action was prepared by CDM and identified the improvements needed in the District and its treatment facility to address DEQE's concern. The Plan of Action also established a time table for the implementation of these improvements. To insure implementation by the District, the Plan of Action was filed in a Consent Decree with the court on December 11, 1987.

Item #3

The cost to implement the Plan of Action improvements was included in the District's FY 1988 deficit and FY 1989 assessments to its member and customer towns. The cost of these improvements will approximate \$1,000,000.

Item #5

This meeting was held on August 10, 1988. The District Board of Commissioners advised that it would be inappropriate for the District to be represented on any committee formed to review the District. However, the District would furnish requested information, data, etc. which it had to this committee.

Item #6

The District has maintained a compiled log of received odor complaints since October, 1987. In May, 1988, the District started using a portable hydrogen sulfide analyzer to locate the sources of odor in the treatment facility after odor complaints were received. The District has determined the following with the use of this meter:

- 1). The highest source of odor found was from the air being vented from the wastewater pumping station wetwell.
- 2.) The sludge conditioning room and the septage receiving tank areas were determined to be potential significant odor sources.
- 3.) The existing odor control system which generates chlorine bleach to reduce the hydrogen sulfide in the air from the sludge holding tanks was not operating as efficiently as it should due to poor quality rock salt. A better quality rock salt is now being used.

The District has initiated the purchase of (1) activated carbon scrubbers and blowers for the wetwell area and the septage receiving tanks and (2) a blower to direct the air from the sludge conditioning room to the existing odor control system in the basement of the building. It is expected that these modifications will be operational in 3 months.

While waiting the completion of these modifications, the District is doing the following:

- 1). Operating the wetwell exhaust fans only as needed during working hours to allow District personnel to operate, inspect, and maintain the mechanical equipment in the wetwell. The wetwell has been secured as best as possible during other times of the day, but there will be some displacement of wetwell air due to the volume of incoming wastewater.

2.) Adding a natural citrus product to neutralize the odors in the sludge conditioning room exhaust.

The District's treatment facility is currently staffed from 7:00 A.M. to 5:00 P.M. on weekdays and 8:00 A.M. to 12:00 N. on weekends and holidays.

Staffing of the treatment facility beyond this period, when only the wastewater is being treated, would not reduce the current odors. The District's analysis of its odor problem has determined that structural solutions like the odor control systems being purchased, and not additional staffing, will reduce future odors.

Item #7

The study presented at the North School was the District's Sludge Management Facilities Planning Study dated November, 1986 and revised June, 1988. Two (2) copies of this study have been furnished to the Medway Board of Selectmen and should be on file at your office for public view.

Item #8

The three (3) treatment plants referenced as "other full scale plants of this type either in operation or have been extensively pilot tested" are only similar to the District's treatment facility in regard to one of its unit treatment processes - single stage activated sludge. This unit process impacts the quality of the final treated water which is discharged to the Charles River and has not been associated with causing odors. Review of treatment facilities built in New England with the two stage activated sludge process will find that the majority of these plants are operating this unit process in the single stage activated sludge mode. Therefore, the District feels that a detail review of these three (3) plants will not be meaningful in resolving the District's odor problems.

If others wish to review, evaluate, or compare these plants, the District recommends that this review be conducted by an individual or group knowledgeable of wastewater treatment.

Item #10

The enforcement of a moratorium is beyond the scope and the ability of the District's authority.

As point of information, the volume of the "trucked in" septage has decreased 20 to 30 % as of July, 1988 due to higher fees charged to the haulers.

Item #11

It is the District's opinion that additional employee coverage of the treatment facility would not reduce any odors for the reasons stated in Item #6.

Item #12

The District has applied for a Massachusetts Division of Water Pollution Control grant to conduct an industrial pretreatment study of the industries in the District's service area. This study will establish a pretreatment program and identify the industries which would require pretreatment. In addition, the study includes a legal review to determine what rules and regulations, by-laws, ordinances, etc. which would be required to implement and enforce any pretreatment program. The District expects a determination by the State next month on this grant application.

Item #13

Presently, the District's definitive plan for future sludge handling is the compost facility alternative in the District's Sludge Management Facilities Planning Study which is under going public and regulatory review. The District will soon initiate a search for an interim sludge disposal site, probably out of the state, to cover the time between the closing of the District's on-site sludge landfill and the startup of a compost facility.

Item #14

The District agrees to move its sludge to the Medway Sanitary Landfill upon DEQE's final approval and notification by the Town of Medway to do so.

Item #16

The District's public hearing scheduled for August 24, 1988 was postponed and is planned to be rescheduled to a mid-November, 1988 date. Except for an amendment which is currently being completed, all information relating to this public hearing is in the District's Sludge Management Facilities Planning Study. The amendment to this study will be furnished to the Medway Board of Selectmen and made available for public review at least 30 days prior to the public hearing date as required by DEQE regulations.

Item #17

The District has no knowlegde of this DEQE hearing.

*at mid November  
hearing we need to  
petition that the  
follow-up public  
hearing be held  
in Medway*

*prior to hearing  
we need to send  
a letter to DEQE  
& request their  
presence*



Item #18

The District's review of items are as follows:

- 1.) The District is aware of the concept of contract management, but feels that the public sector can operate and maintain a wastewater treatment facility as well as the private sector without the added overhead and profit.
- 2.) Long distance sludge pumping is not pertinent to the District.
- 3.) This was undertaken in the Plan of Action discussed in Item #2.

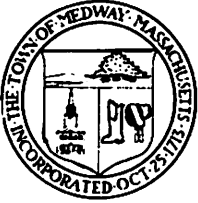
If your Board has questions concerning the District's comments on the action items, please do not hesitate to contact me.

Very truly yours,  
Charles River Pollution  
Control District

*Robert D. McRae*

Robert D. McRae  
Executive Director

RDM:rm



## BOARD OF SELECTMEN

155 VILLAGE STREET  
MEDWAY, MASSACHUSETTS 02053

### AGENDA

SEPTEMBER 19, 1988

- 7:00 p.m. Open Meeting, Sign Warrants.  
Approve minutes of 8-15-88 meeting.
- 7:15 Public Hearing - Beer & Wine License  
Meadows Creamery & Deli, 116 Main St.
- 7:50 Bruce Fuery - re: tree on Milford St.
- 8:00 ~~Barbara Phillips~~ *Fire Chief Hanlon*  
~~Re: Christmas Tree Permit~~
- 8:30 Lou Petrozzi - drain tie-in  
on Winthrop Street - *did not show up.*

Administrative Assistant Report

Present: Paul Mitchell, Harry Sabin and Administrative Assistant, Jeffrey Brown.  
Edward Borek was absent.

7:00 p.m. The Board opened the meeting and approved the minutes of the August 15, 1988 meeting. The Board signed the warrants.

- The Chairman read a letter from William Yanco, Chairman, Medway School Committee regarding the search for information on School Superintendent search.
- The Chairman read a letter from Robert Parrella, 275th Anniversary Committee requesting permission to sell souvenir's the day of the Parade. The Board voted unanimously to approve this request.
- The Board voted unanimously to appoint Maryann Kurjanowicz, 7 Crooks Street to the Conservation Commission.

7:15 The Board held a Public Hearing on a petition from Meadows Creamery and Deli for a beer and wine license, Bernice Tector is the owner of the business located at Drybridge Crossing, 116 Main Street.

Jeffrey Nutting, 357 Village Street, Medway stated that it has been a long time tradition of the previous Boards to turn down license requests in that location because of so many family services in that area. He requested the Board take into consideration past experiences of the previous Boards.

Donna Fortini, 9 Meadow Road (daughter of owner) Is it up to this Board to give these licenses out? Yes. The Board can not speak for the future of what the Boards would do.

Chairman Mitchell stated that the Board will make a decision on the best interest of the Town.

Debbie Watson, Holliston (daughter of owner) stated that they had changed the menu since they opened to accomadate the clientele.

Audrey Ferris, 23 Meadow Road. Stated she lives near Table Top Pizza who have tried before this be granted a beer and wine license and had been turned down. She felt if the Creamery were granted a license it would opened it up to others in that area to come before the Board for a license. She is against another place with alcholic beverages in this area.

Stanley Misiuk, 19 Meadow Road, Medway - This is a family restaurant and kids will be hanging around this restaurant if this license is issued. The Shopping Center should not have any alcoholic beverages at all.

Peter Fortini, 9 Meadow Road, Medway - Stated he had children that go to the Medway schools and they don't hang around the shopping center. He stated there would not be a bar it would just be a drink with a meal. He stated that they are not part of the Medway Shopping Center, they are a separate building.

Elaine Katz, 15 Meadow Road, Medway. She feels children will gather around the store.

Allan Katz, 15 Meadow Road, Medway. He stated that this would be an ideal location for the kids to gather due to the limited access from one center to another for the police. His major concern is teenagers.

Jeffrey Nutting - stated the Board should look at the long term concern.

Donna Fortini - stated there is no food served after 8:00 p.m. only ice cream.

Edward Culhane, 22 Meadow Road, Medway - he feels density is the key. There are clubs and package stores in this area and that this area can not assume any more alcohol.

Mr. Katz - How do you set a precedent?

Mr. Mitchell - The decision is made on it's own merits.

Mrs Tector - stated that she had just been told that there has to be access to the Medway Shopping Center parking lot as per the Safety Officer.

Mr. Mitchell - That information is incorrect.

Jeffrey Nutting - Informed those in attendance that there is an appeal process if you are not satisfied with the decision of the license.

Donna Fortini - we are being compared to Papa Gino's and she stated that the Creamery is a family restaurant.

Mr. Mitchell - concerned with the density, area for food and drink traffic in and out and the parking lot.

Mr. Misiuk - How many beer and wines licenses are available.

Mr. Mitchell - Four

The Board voted unanimously to take this request under advisement and give an answer at the end of next weeks meeting.

7:50

The Board met with Bruce Fuery owner of Fuery Real Estate, 28 Milford Street, Medway. He had spoken to the Tree Warden, John Slatkavitz regarding a living tree to the East side of his driveway which is obstructing the vision of anyone exiting from that driveway on to Milford Street and would like it removed. The Tree Warden directed him to the Board because the tree is still alive. The Board stated that they would like a report from Mr. Slatkavitz regarding this situation. The Board requested the Administrative Assistant and Tree Warden review the area and then they will make a decision from there.

8:00

The Board met with Fire Chief Hanlon regarding financial problems with the Fire Department. The compressor for Fire Station II is broken and is approximately 60 to 70 years old. Gamewell came up with spec's to replace the old one and it will cost:

\$4,195.00	compressor unit
395.00	installation
298.00	starter
<u>\$4,888.00</u>	

The Board informed him he will have to go out to bid for this replacement. The Board felt he should go out to bid on the replacement with and without the removal of the old system. The Chief stated he would like a copy of the letter of resignation from William Douglas. He stated he would be replacing George Caram and William Douglas at tomorrow nights Firemen's meeting.

#### Administrative Assistant Report:

Requested direction on the Solid Waste regarding a meeting with Mary Shea, Fred Lee and himself on the Solid Waste Billing. The Chairman stated he had met with Town Counsel Maciolek, Jeffrey, Adm. Asst. and Edward Borek on Friday, September 16, 1988 to go over this matter and it was decided to forge ahead and start billing. There is a need for an appeals committee, Harry Sabin will put a list of names together for committee members.

Met with Mark Begley, DEQE, Monday, September 19th in the afternoon regarding the Landfill Closure and he would like an updated Closure Plan and have it engineered and get together with the Conservation Commission to do test pits. We should get the ground work laid out this Fall so we can close the landfill in the Spring and Summer of '89. They requested the Highway Supt. to do these test pits, he stated he wants a plan of where and how deep etc.

Called Westboro regarding their composting facility and their odor problems. They have not returned the call. The Board requested he check with Mansfield also.

Preliminary Audit for FY'87 is in and copies should be sent to town departments.

- The Board discussed a memo received from the Town Clerk regarding permission to dispose of old, unrepairable, voting booths. The Board voted unanimously to get rid of these booths.
- The Board voted unanimously to replace the fence on town property located on the property at the corner of Lincoln and Wellington Streets.

Meeting adjourned at 8:40 p.m.

RESPECTFULLY SUBMITTED,

*Ruth Allen*

Ruth Allen,  
Secretary

ra



## BOARD OF SELECTMEN

155 VILLAGE STREET  
MEDWAY, MASSACHUSETTS 02053

### AGENDA

SEPTEMBER 12, 1988

- 7:00 p.m. Open Meeting, Sign Warrants.
- 7:01 State Representatives:  
Parente, Ranieri, and Gardner
- 7:15 Citizens for JFK Day
- ~~7:30 Public Hearing - J/O petition  
Guywire/Walker St.~~
- ~~7:40 Public Hearing - N.E. Telephone  
Conduit - Fisher Street~~
- ~~8:00 Bruce Fuery - re: tree in front  
of his Real Estate Office~~ *death in family*
- 8:15 Medway Shopping Plaza  
re: Site Plan
- 8:45 John Boczanowski - Re: Building Inspector
- 9:00 Joseph Malloy - Re: sub-division plan

Administrative Assistant Report

Note: Appoint Robert Parrella to the 275th  
Anniversary Executive Committee

Present: Paul Mitchell, Edward Borek, Harry Sabin and Adm. Asst. Jeffrey Brown.

7:00 p.m. The Board opened the meeting and signed the warrants.

- The Board voted unanimously to appoint Robert Parrella to the 275th Anniversary Executive Committee.

7:01 The Board met with Tri-County Regional Vocational Technical High School Representative who was in attendance at this meeting to present the Board with a rebate check in the amount of \$1,670.89 for the school year 1987/1988. He also informed the Board that he is on the review committee for Chapter 766 if the Board has any input. Selectman Borek inquired as to when the students would be getting back to work on Fire Station II? Mr. Hurley stated they should be starting on Tuesday or Wednesday, 9/13 or 9/14. The Board requested that Mr. Hurley send the Board a list of students by towns who attend the school, he stated it would be after October 15, 1988.

7:08 The Board met with Representative Parente, Representative Ranieri and Representative Gardner to introduce Mr. Ranieri and Mrs. Gardner to the Board. They also wanted to know if the Board had any questions. Subjects discussed were sludge, local aid, Regionalizing the School System (the Board requested hard copy information from Rep. Gardner on this subject), financial, and the Board stated that they are looking for an innovative approach to do from Lee Lane to Holliston Street during the 109 Corridor. It was suggested that we prove to Salvucci's office to do this section in Phase II of the Main Street Reconstruction of the PWED. We should have a hearing and invite the State to come regarding the 2nd Phase. The Administrative Assistant should call Marie Parente's secretary, Janice regarding this hearing.

Representative's Ranieri and Gardner stated they would like more information regarding the problems at the CRPCD Plant. Rep. Parente informed the Board she requested a meeting with Roberta Schnoor, A.G.'s office, regarding the site for the composting facility, she also informed the Board regarding the problems at the Westboro composting facility. The Board requested the Administrative Assistant seek some information on that site. The Board should review Mr. Hebel's letter and get copies of his letter and response to the Representatives.

8:05 The Board met with Mark Cerel who came before the Board to ask if permission was needed for a food concession on private property the day of the parade. The Board voted unanimously to grant permission for the Charles River Lodge to have a concession stand at Cerel's Realty office at 153 Main Street on September 24, 1988.



- The Board requested the Administrative Assistant look up the law regarding Pedlers Licenses for the next meeting. Also discuss what should be charged for a fee. The Board stated if there is no supervisor in the Town the day of the Parade then the pedlers are out too.
- 8:15 The Board met with Charles Giacchetto, Chief Operating Officer for Diversified Funding Inc., and Joseph Salemi, Property Manager Medway Shopping Center regarding the site plan for the expansion at the shopping center. Mr. Giacchetto presented the Board with a revised expansion plan (copy attached). The Board requested that a copy of this plan be given to the Police Chief. The residents in attendance stated that there is a drainage problem behind the Mars store. The Board stated that if there is a drainage problem at that location that D.F.I. should rectify this problem, because if there is an emergency in the rear of the shopping center and there is ice in that area then there is a very serious problem. The Board discussed the snow removal and Mr. Giacchetto informed them that there are three designated areas for storing the snow as shown on Exhibit A, attached. The Board informed him that the lane going behind the store must be open and clear of the accumulated snow at all times. Selectman Borek moved to approve the site plan, Selectman Sabin seconded that motion. The Board voted unanimously to approve this site plan expansion.
- 9:10 The Board met with John Boczanowski, the problem with the Building Inspector had been taken care prior to tonights meeting and he wanted to meet with the Board regarding the traffic going in and out of Gamewell Drive onto Alder Street since they had opened up the dead-ended area at Gamewell Drive for the water lines for Fox Run Road. Mr. Boczanowski stated that there is NO stop sign at the end of Fox Run Road and Alder Street and the cars just come driving out without stopping. The Board suggested that that maybe Gamewell Drive at Alder Street should be made one-way in from Alder Street only.
- 9:15 The Board met with Joseph Malloy, George Mason, Consultant and Michael Malloy regarding Orchard Heights sub-division definite plan before the Planning Board. They informed the Board that there are no catch basins or drains on Malloy Street. They will put 15" drain down Malloy Street and new drain pipes down Holliston Street to the Little Store as part of their project. The Board looks upon this plan with favor, and unanimously agree with the drainage plan for Malloy and Holliston Street.

## Administrative Assistant Report:

Informed the Board that Wesley Macleod-Ball informed him that the Town needs to have an audit done on the PWED Grant for the re-construction of Main Street. The State has given the Town a grace period for the final audit.

Had conversation with Computer Telephone Company and they will do a free analysis or the Town Hall telephone use.

Discussed memo from Paul Wilson regarding the 18 action items about the CRPCD plant.

Discussed memo from Mary Shea regarding the Solid Waste Billing and the Board stated figure out how much the fee will be and put it out to the people.

Informed the Board he would like to attend the Municipal Forum on October 6th and the MMA Conference in Amherst. The Board felt both of these would be very beneficial. If there is not enough money request an emergency transfer from the Finance Committee for the expense of the conferences.

The Board requested that the Administrative Assistant send a letter to the co-chairman of the Parada Committee to have cars for all VIP's with signs on the vehicles.

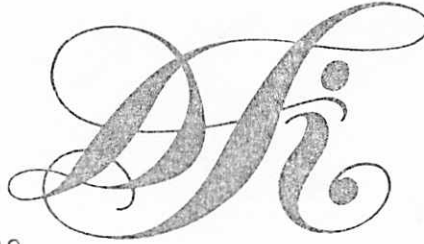
The Board signed approval for the Pole to be moved on Main Street in front of Replacement Auto.

Meeting adjourned at 10:30 p.m.

RESPECTFULLY SUBMITTED,

*Ruth Allen*  
Ruth Allen,  
Secretary

ra



September 12, 1988

Paul Mitchell, Chairman  
Board of Selectmen  
115 Village Court  
Medway, MA 02053

Dear Selectmen:

I am submitting for your approval a revised "expansion plan" for the Medway Shopping Center on Route 109. This expansion is for a maximum of 10,600 square feet and is limited to squaring off the inside portions of the center (i.e., no further encroachment on our boundaries).

There were several concerns raised at the Board of Selectmen's meeting on August 22, 1988. I would like to set forth how each of these concerns will be resolved.

1. Perpetually Maintain the Fence - Diversified, as the present owner of the center, will take on the responsibility for maintaining the fence.
2. Snow Plowing Process - Snow plowing will be performed to maintain approved customer parking areas and preserve designed traffic flow. See formal snow plowing process - Exhibit A.
3. Delivery Times - Delivery times will be restricted to the hours of 7AM to 11PM. Tenants will be encouraged not to deliver after 5PM and on Sundays.
  - A. Signs will be posted to allow town officials to enforce these times.
  - B. Superplace has indicated they will not deliver after 5PM and on Sundays (minor exceptions). *perishables or emergencies*
  - C. Rules and regulations will be issued.

DIVERSIFIED FUNDING INCORPORATED

63 Atlantic Avenue, Boston, Massachusetts 02110  
(617) 227-0893

4. Truck Access - Engineers will certify that truck access and maneuverability will not be restricted due to this expansion.
  - A. We have eliminated three spaces at the Mars entrance to provide easier turning ability.
  - B. Adequate fire access is maintained.
  - C. Signs will be posted behind Superplace to prevent perpendicular truck parking. *+ parking lines for trucks.*
5. Noise from Delivery Personnel - We will make every effort to control.
  - A. Superplace (the biggest impact) has committed to try to curb the noise. Each neighbor was given a direct contact at the home office. Neighbors should call when there is a problem.
  - B. Diversified will clamp down on Tenants that don't comply.
6. Parking in Back - We have eliminated all but a few employee spaces.
7. Noise from Superplace Refrigeration Units
  - A. Superplace has soundproofed four units already - spent over \$4,000.
  - B. They will do the remaining units.
  - C. Superplace has committed to solve the sound from the ventilation cover.

On Tuesday, September 6th, 1988, we held a meeting with our neighbors and four officials from Superplace including Robert Glazier, their President. This meeting opened up the communications for a working relationship to address future problems that may occur. I believe the neighbors saw first hand the sincerity of Diversified and Superplace to help make this a better community.

I would like to have this document recorded with the minutes of this meeting so there will be no question that the above commitments will be performed and/or enforced by my company.

Thank you for considering our expansion plan.

Sincerely,

A handwritten signature in dark ink, appearing to read "Charles Giacchetto", with a stylized flourish at the end.

Charles Giacchetto  
Chief Operating Officer

cc: Medway Shopping Center Neighbors  
Robert Glazier, Superplace

CG/rc  
a:selectmn



EXHIBIT A

MEDWAY SHOPPING CENTER  
SNOW PLOWING PROCESS

Objective

These procedures will accomplish the following objectives; maintaining the maximum customer parking by limiting excessive build up, maintaining designed traffic flow, preventing visibility problems and being cost effective.

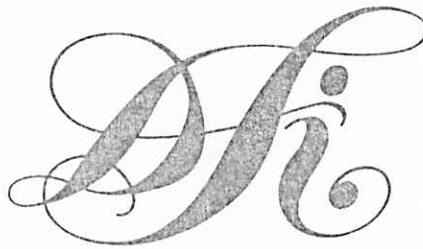
Procedures

1. Snow will be plowed to three points in the front of the center:
  - A. Mars lot - towards the westerly boundary.
  - B. Superplace lot - plowed to middle of lot.
  - C. Mehgans lot - plowed to middle of lot.
2. When these areas accumulate excessive snow that begins to impact additional parking spots or affects traffic flow, excess snow will be removed to the back of the center.
3. Snow piling in the back of the center will not impact traffic flow. A snow area has been allotted.
4. When excess snow builds in the rear of the center, it will be removed offsite.

CG/rc  
a:medway  
9-12-88 (P.2)

DIVERSIFIED FUNDING INCORPORATED

63 Atlantic Avenue, Boston, Massachusetts 02110  
(617) 227-0893



To: Tenants of the Medway Shopping Center  
From: Diversified Funding Inc.  
Re: Parking Rules & Regulations

1. REQUIRED PARKING for all tenants and their employees is in the following locations:

- A. Front row along Route 109.
- B. Side lot next to Beat N' Trax.
- C. Rear of the shopping center.

2. The main parking area in front of the center will be used exclusively for CUSTOMER PARKING.

3. Violators will be towed at owners expense, and the Medway police will take notice.

cc: Medway Fire Department  
Medway Police Department

8-18-88  
EF/rc  
a:regultns(pl)

DIVERSIFIED FUNDING INCORPORATED

63 Atlantic Avenue, Boston, Massachusetts 02110  
(617) 227-0893



To: Tenants of the Medway Shopping Center  
From: Diversified Funding Inc.  
Re: Dumpster Rules & Regulations

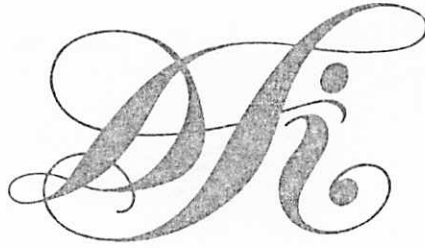
1. All dumpsters are to be placed BEHIND EACH STORE.
2. All tenants are required to have their own dumpster or share with another tenant.
3. All dumpsters are required to be EMPTIED AT LEAST ONCE A WEEK, and lids must be kept closed. Absolutely no overflowing of dumpster is permitted.
4. All dumpsters must be PADLOCKED at all times.
5. All tenants are required to keep area around their dumpster CLEAN OF ANY DEBRIS, etc. at all times.
6. All dumpsters must be PERPENDICULAR to building behind the center.
7. All dumpsters must be located at least 6 feet to the right or left from any ELECTRICAL SERVICE entering the building.
8. Dumpster pickups must be scheduled between 7AM and 11PM. NO PICKUPS BEFORE 7AM.
9. Failure to abide by these rules and regulations will result in:
  - a) Landlord will contract to clean, move or remove dumpster, and tenant will be charged for such.
  - b) Loss of right to have a dumpster on site, therefore in violation of lease.

cc: Medway Fire Department  
Medway Police Department

6-18-88  
EF/rc  
DIVERSIFIED FUNDING INCORPORATED

a:regultns(p203 Atlantic Avenue, Boston, Massachusetts 02110  
(617) 227-0893





To: Tenants of the Medway Shopping Center  
From: Diversified Funding Incorporated  
Re: Delivery Rules & Regulations

1. Delivery vehicles must USE THE REAR of the building for all deliveries.

Exceptions:

1. UPS deliveries
2. Medway restaurant (due to no rear entrance)

2. Delivery vehicles must deliver between the hours of 7AM and 11PM. No deliveries after 11PM. No exceptions.

- Further limitations to 5PM. It has been requested by your neighbors and customers who live behind the center to limit after-5PM deliveries. Management strongly recommends this action.

- Signs will be posted.

3. All tenants must instruct delivery personnel to keep EXCESSIVE NOISE to a minimum. Remind them that there are homes just behind the center.

4. AVOID SUNDAY DELIVERIES! This creates unreasonable noise to the abutting neighbors. Management cannot force this issue, but we and our neighbors will appreciate your cooperation. If you want to keep your neighbors as good customers, then you should consider eliminating Sunday deliveries.

cc: Medway Fire Dept.  
Medway Police Dept.

9-12-88  
CG/EF/rc  
a:regultns (p3)

DIVERSIFIED FUNDING INCORPORATED

63 Atlantic Avenue, Boston, Massachusetts 02110  
(617) 227-0893

# SuperPlace

SUPERMARKETS

August 30, 1988

Mr. Chuck Giachetto  
DIVERSIFIED FUNDING  
63 Atlantic Avenue  
Boston, MA 02110

Dear Chuck:

As per our conversation on our SuperPlace in Medway, I have listed below the problems communicated to you and my comments and resolutions with each:

1. Noise from Roof Refrigeration Equipment

We are meeting with general contractors and our refrigeration company today and tomorrow in order to design a "sound deadening" structure that should be acceptable to our neighbors. We will correct this situation as soon as possible. As I indicated to you at our meeting, I was not aware of the situation and apologize for any inconvenience caused to the neighbors. We will make this priority number one.

2. Late Night/Early Morning/Sunday Deliveries

Our policy is and will always be in Medway to avoid deliveries between the hours of 10:00 PM and 7:00 AM. We will notify our warehouse again of this policy. There are occasionally truck breakdowns or things of this nature that do occur, but we will do everything we can to control this. As for Sunday, we will take deliveries through the "front door" unless it is again a situation we cannot control and will enforce the 10:00 PM to 7:00 AM restrictions. My operations people tell me that sometimes Sunday deliveries occur on days during snowstorms such as milk and bread, but will try not to cause anyone any inconvenience.

3. Noise from Truck Drivers

We will write all our vendors and request that their drivers deliver in an orderly, professional manner. Of course you understand this is difficult to control, but we will do our best. If a neighbor knows of a particular driver problem, please have them call us.

Page Two  
MEDWAY SUPERPLACE  
August 30, 1988

4. Trucks Blocking Passage

The angle at which trucks back up to our store should not create a blockage. We will notify our Store Managers and Receivers to watch for this.

5. Cleanliness around Trash Recepticals and Old Shopping Carts

We will try our best to keep the areas as clean as possible and will remove old unusable carts. As you know, this is a constant battle, but, again, we will do our best.

Chuck, I look forward to meeting with you and the neighbors on Tuesday, September 6, 1988.

We at SuperPlace want to be good neighbors, and I assure you that we will do everything possible to do things right.

If in the future you know of any problems, call me directly.

Sincerely,



Robert W. Glazier  
President

RWG:lep

cc: Len Oliveira  
Paul Hickey  
John Wambolt



## BOARD OF SELECTMEN

155 VILLAGE STREET  
MEDWAY, MASSACHUSETTS 02053

### AGENDA

AUGUST 22, 1988

- |           |   |
|-----------|---|
| 7:00 p.m. | Open Meeting, approve minutes of 8-8-88 meeting. Sign warrants.                                 |
| 7:05      | Public Hearing on a petition from New England Telephone Co. Guy wire & Anchor on Barber Street. |
| 7:15      | Mr. Giachetto - Medway Shopping Plaza, Redesign parking lot and Site plan expansion.            |
| 7:45      | Permanent Police Building Committee   |
| 8:10      | <i>C. Molinari - present petition</i>   |
| 8:15      | Citizen's for a Healthy Environment<br>Update on July 21st Meeting, 18<br>Action Items.         |

NOTES: Decision on Administrative Assistant/  
Administrator DPS Position

Present: Paul Mitchell, Edward Borek and Harry Sabin.

7:00 p.m. The Board opened the meeting and voted unanimously to approve the minutes of the August 15, 1988 meeting. The Board signed the warrants.

7:05 The Board held a public hearing on the petition of N. E. Telephone Co. for (1) one Sidewalk Fixture off existing Pole 2/5 on Barber Street - westerly side approximately 245 feet southerly of North Street. This petition was postponed until later in the evening if prior to 9:00 p.m. if a representative of the phone company arrives otherwise it will be canceled for this evening.

- The Board voted unanimously to approve the Election Workers for the State Primary Election on September 15, 1988 as per attached list.

- The Board requested an answer to Mr. Koivu's (40 Holliston Street) letter be sent. He was requesting repairs to the road in front of his property.

7:15 Board met with Chuck Giachetto, Joe Salami and Ed Fox from the Medway Shopping Center to present a proposal to expand the Shopping Center, to square off the inside behind the Barber Shop and between Mars and 109 Discount. Thayer Pharmacy and Super Place are looking to expand there floor space. They have redesigned the parking lot and show employee parking spaces and implemented a snow removal program. Mr. Giachetto stated that Robert Glazer, President of Super Place will take care of the noise violation of the cooling units on top of the building. The Dumpster will abut the building and not touch the buffer zone. The Chairman stated that the original owners were to install and perpetually maintain a fence along the abutters property. This was one of the selling points for the original plaza. It was also discussed what the policing mechanism to enforce Rules and Regulations by the Management? the residents should not have to be concerned with this. The properties should be posted with these rules and regulations so it the Police are called they can act on these.

One of the residents had a concern with 48' trailer trucks making deliveries in the rear of the buildings because there will be no way to turn around. It was decided that all the traffic patterns for the trucking needs to be looked at. It was also decided that a longer public hearing is needed for the discussion of this expansion for valid reasons pro or con.

- 8:30           The Board met with the Permanent Police Building Committee who came before the Board to inform them that they have been working with a Manual for Designing and Constructing Municipal Buildings from the State which the Committee felt the Board should adopt these guidelines (attached) for picking architects etc. They requested that the Board have Town Counsel review these guidelines and that the Board adopt them (within one month).
- 8:43           The Board met with residents to present the Board a petition regarding Wheelabrator Energy Systems in Holliston. This petition was presented to formally protest the construction of this plant and to have the Board go to Holliston with the residents concerns. The Chairman stated that the Board would send a letter to the Board of Selectmen in Holliston to solicit for all information regarding this plant. Representative Parente was in attendance for this portion of the meeting and she stated that she will research and get what information that is needed. Faye Stevenson, aide to Rep. Gardner was also in attendance. It was stated that Carlo Molinari would be the representative for the group of residents and he will be sent copies of all correspondence sent or received regarding this matter.
- 9:08           The Board met with the Citizen's for a Healthy Environment. Rep. Parente was in attendance for this portion of the meeting also. The Chairman read a letter the Board received from Mr. Shew, Administrator for the Town of Franklin dated July 27, 1988 stating that the meeting to be held on August 10, 1988 at the C.R.P.C.D. plant to form a committee was not convenient. He also informed the group of Mr. Shew's phone call and his follow-up letter of August 9, 1988. The Chairman informed those present that CRPCD Commissioners would like a month to respond to the 18 Action Items of the August 10th meeting, they will give us their response piece-meal if they have to. It appears whatever the Town has to do will have to do it alone. Mr. Hebel stated that MGL Chapt. 21 Para 30a prohibits the Plant from taking on any new projects until they rectify any existing problems. Again the residents requested that Chapt. 111 of the General Laws, Public Nuisance, be enforced. This is in the Town's Zoning By-laws. The Board will check with Town Counsel regarding this law. It was also asked if the Board of Health couldn't put a moratorium on the haulers deliveries to the plant. Couldn't the town sue CRPCD for damages because the Town of Franklin was under charged and Medway was over charged. The Chairman would send a letter to Franklin Council Chairman to set up a date and join in the political process and help with these problems.

Wendy Burr asked the Board if they had another copy of the CDM report on the sludge for the residents to view and ask CDM why the composting facility should not be in Medway. She requested that the Board read page VIII-11 of this report where the town of Franklin requested that the former Franklin landfill be included as a site in the final alternatives.

- Selectman Borek made a motion to appoint Jeffrey L. Brown as Administrative Assistant/Administrator DPS and Selectman Sabin seconded the motion. The Board voted unanimously to appoint Mr. Brown to the above mentioned position. The Board requested the secretary send a letter to Mr. Brown and see if the Board could meet with him on August 29, 1988 at 6:30 p.m. to set up a three year contract.

Meeting adjourned at 11:20 p.m.

RESPECTFULLY SUBMITTED,



Ruth Allen  
Secretary

ra

## ELECTION OFFICERS

For STATE PRIMARY Election SEP 15<sup>th</sup> 1988

[illegible]





# The Commonwealth of Massachusetts

Executive Office for Administration and Finance

Designer Selection Board

One Ashburton Place

Boston, Massachusetts 02108

617-727-4046

MICHAEL S. DUKAKIS  
GOVERNOR

ARTHUR C. S. CHOO  
CHAIRMAN

GEORGE R. BEATON  
EXECUTIVE DIRECTOR

**NOTE:** FOR EASE OF COMPARISON, CHANGES IN THE  
GUIDELINES ISSUED ON 2/7/85 ARE OUTLINED

TO: Cities and Towns

FROM: George R. Beaton, Executive Director  
Designer Selection Board

DATE: November 19, 1985

RE: Designer Selection Guidelines - Cities and Towns

\*\*\*\*\*  
Several legislative acts recently passed revise the law concerning selection of designers on public building projects.

Section 5 of Chapter 189 of the Acts of 1984 made various technical corrections to the public designer selection procedures. More importantly, Section 5 re-numbered the sections of the designer selection law, as follows:

G.L. Chapter 7, section 30B	became	section 38A†
section 30C	"	section 38B
section 30D	"	section 38C
section 30E	"	section 38D
section 30F	"	section 38E
section 30G	"	section 38F
section 30H	"	section 38G
section 30I	"	section 38H
section 30J	"	section 38I
section 30K	"	section 38J
section 30L	"	section 38K
section 30M	"	section 38L
section 30N	"	section 38M
section 30O	"	section 38N
section 30P	"	section 38O

On January 7, 1985 the Governor signed Chapter 484 of the Acts of 1984 into law. The designer selection provisions of Chapter 484 are effective on April 7, 1985. The Division of Capital Planning and Operations has prepared a summary of Chapter 484 for public agencies. That summary appeared in Volume 5, Issue 5 of the Central Register and is available from DCPO upon request.

On August 1, 1985, the Governor signed Chapter 228 of the Acts of 1985 into law, retroactive to April 7, 1985. This act revised the maximum amount of professional liability insurance coverage required by designers and revised the indemnity obligations of subcontractors to third parties.

Chapter 484 made several significant revisions to the designer selection procedures applicable to cities and towns. The Designer Selection Board adopted the attached Guidelines for Cities and Towns on January 22, 1985, to be effective on April 7, 1985. The Guidelines are intended to bring local designer selection procedures into conformance with the new statutory revisions. They replace the guidelines originally approved by the Board on June 10, 1982.

The designer selection procedure that each city and town adopts must comply with the purposes and intent of the State Designer Selection Board law, Chapter 7, section 38A-38 O. It must be open to public scrutiny. It should encourage architects and engineers to compete for public work. At a minimum, it must contain the following four specific provisions:

- Newspaper and central register advertising;
- Uniform application form and evaluation procedure;
- Public written explanation of reasons for selection; and
- Lump sum fees.

It should also be noted that Section 38L requires public agencies to keep the following records:

- all information supplied by or obtained about each applicant;
- all actions taken by the board or agency relating to any project;
- any other records related to designer selection required by the division.

The Inspector General's Office has recently requested the Board to assist him in his endeavors to ascertain compliance with these statutory requirements and cities and towns should be aware that the Board and the Inspector General intend to verify that cities and towns are complying with the law.

On building projects, designers are required to carry professional liability insurance. Liability insurance is not required for the preparation of studies, surveys, soil testing, cost estimates, or programs. A copy of the DCPO Standard Design Contract is available at the Division of Capital Planning and Operations Headquarters, 15th Floor, One Ashburton Place, Boston, MA 02108. You may use it or modify it in any way you find helpful.

Our purpose is to help municipalities establish a professional and objective procedure which will carry out the purposes of the designer selection statute, and secure the highest quality design services for all public building projects. Municipalities may also wish to utilize the services of the Designer Selection Board as provided by the following statute.

Massachusetts General Law Chapter 7, section 38K(c) provides that:

"Any city, town or other public agency not otherwise subject to the jurisdiction of the board may request the board to exercise jurisdiction regarding the selection of applicants to perform design services for a specified period of time or for a specified project. In such cases, all provisions of sections thirty-eight A to thirty-eight O, inclusive, shall apply to the board, the applicants and the public agency so requesting."

Although this Board has a heavy workload of projects, we will process major design projects for cities and towns upon request.

There are several significant revisions made in Chapter 484, that will partially alleviate the obligations of cities and towns to follow detailed designer selection procedures.

First, for those projects without an associated estimated construction cost, including but not limited to feasibility studies, projects shall be exempt from these procedures if the cost of the design service is less than two thousand five hundred dollars.

Second public works projects which are bid under Chapter 30, section 39M are still exempt from the designer selection statute as are all projects involving the design of sewer, highway and water systems (see G.L. Chapter 7, section 39A(g)).

Third, on repair projects where the total design fee is \$25,000 or less, there is no longer a requirement to separate the study designer from the designer responsible for preparing the plans and specifications (see G.L. Chapter 7, section 38H(d)).

**FOURTH.**

Finally, cities and towns may continue a study/program designer into the design development stage of a project provided an independent study has been commissioned to verify that the original program is feasible and adequate (see G.L. Chapter 7, section 38H(i)).

I hope this information and the attached Guidelines will assist your city or town in complying with the new statutory procedures for designer selection.

In addition to revising the attached "Guidelines for Local Designer Selection Procedures" to include provisions recently enacted by the Legislature, we have included "Regulation 811 CMR 3.00 Expedited Procedure for Selection of Designers when an Emergency Situation Exists." This regulation was specifically adopted for emergency projects encountered by the Division of Capital Planning and Operations. However, local awarding authorities may find it desirable to adopt similar emergency designer selection procedures after proper substitution of respective local officials in lieu of state officials.

Also attached for your convenience is a suggested standard application form that cities and towns may utilize as the required uniform application form.

## DEFINITIONS

"Designer", an individual, corporation, partnership, sole proprietorship, joint stock company, joint venture, or other entity engaged in the practice of architecture, landscape architecture, or engineering, which satisfies the following:

- i. if an individual, the individual is a registered architect, landscape architect, or engineer;
- ii. if a partnership, a majority of all the partners are persons who are registered architects, landscape architects, or engineers;
- iii. if a corporation, sole proprietorship, joint stock company or other entity, the majority of the directors or a majority of the stock ownership and the chief executive officer are persons who are registered architects, landscape architects, or engineers, and the person to have the project in his or her charge is registered in the discipline for the project.
- iv. if a joint venture, each joint venturer satisfies the requirements of this section.

"Designer services" means any of the following services provided by any designer, programmer, or construction manager in connection with any public building project:

- i. preparation of master plans, studies, surveys, soil tests, cost estimates or programs;
- ii. preparation of drawings, plans or specifications including but not limited to schematic drawings, preliminary plans and specifications, working plans and specifications or other administration of construction contracts documents;
- iii. supervision or administration of a construction contract; and
- iv. construction management or scheduling.

"Building project", a capital facility project undertaken for the planning, acquisition, design, construction, demolition, installation, repair or maintenance of any building and appurtenant structures, facilities and utilities, including initial equipment and furnishings thereof; provided, however, that appurtenant buildings or structures which are required to be constructed as integral parts of the development of sewer, water, and highway systems shall not be subject to section 38C, (selection of designers in accordance with the attached guidelines).

"Committee", appointees of the Local Awarding Authority to act as a designer selection board for selection of finalists to provide design services for city or town building projects in accordance with the intent of Chapter 7, sections 38A½ to 38 O.

## GUIDELINES FOR LOCAL DESIGNER SELECTION PROCEDURES

\*See Definitions

The Designer Selection Board is authorized, under the provisions of G.L. Chapter 7, section 38K, to develop guidelines for the designer selection procedures to be adopted by cities and towns throughout the Commonwealth. The procedure is to apply to the selection of designers on building construction, renovation, alteration, remodeling and repair projects, the estimated cost of which exceeds ten thousand dollars. For those projects without an associated estimated construction cost, including but not limited to feasibility studies, projects are exempt from these procedures if the cost of the design service is less than two thousand five hundred dollars. These procedures do not apply to the selection of designers for public works projects bid under provisions of Chapter 30, section 39M and projects that are integral parts of the development of sewer, water and highway systems. See the definition of "building project" if there is a question whether a particular project is a building project subject to these guidelines.

The Designer Selection Board recommends the following procedures:

1. The awarding authority that will award and administer the design contract will determine the nature and extent of the design services\* required for the project and will develop the project criteria required under #3 below.
2. A request for proposals (RFP) for each contract for designer services for a project subject to the jurisdiction of the committee\* shall be publicly advertised by the committee in a newspaper of general circulation in the area in which the project is located or to be located, and in the central register established under Chapter 9, section 20A, and in such places as the committee requires at least two weeks before the deadline for filing applications. A contract for designer services for a project whose estimated cost of construction is between ten thousand and twenty-five thousand dollars need only to be advertised in the central register.
3. The RFP will provide the following detailed information:
  - a) a description of the project, the specific designer services sought, estimated construction cost, and the time allotted for completion;
  - b) when and where the program prepared for the project will be available for inspection by applicants, or a statement that there is no program beyond the information in (a) above;
  - c) the qualifications required of applicants for the project;
  - d) the categories of designers' consultants, if any, for which applicants must list consultants they intend to use;

- e) whether the fee has been set or will be negotiated. If the fee has been set, its amount must be stated in the RFP as a total dollar amount, not a percentage. If the fee is to be negotiated, the awarding authority shall establish a not-to-exceed amount prior to negotiations, but need not publish it in the RFP.
  - f) the deadline for submission of proposals;
  - g) the person and address to which proposals should be sent;
  - h) any other pertinent information.
4. A committee will be appointed by the awarding authority to evaluate proposals and select the finalists. The committee should include one or more public members; and professional members (architects and engineers) who may be in-house or outside people.
5. The selection of the finalists will be based on the following criteria:
- a) prior similar experience;
  - b) past performance on public and private projects;
  - c) financial stability;
  - d) identity and qualifications of the consultants who will work with the applicant on the project; and
  - e) any other criteria that the committee considers relevant for the project.
6. Applicants or finalists may be required to:
- a) appear for an interview before the committee;
  - b) present a written proposal to the committee; or
  - c) participate in a design competition held by the committee.
7. When the committee has required that applicants list consultants which they intend to use, any changes in, or addition to, consultants named in the application must be approved by the awarding authority and reported to the committee with a written statement by the designer or construction manager of the reasons for the change. No person or firm debarred pursuant to Chapter 149, section 44C or disqualified pursuant to Chapter 7, section 38D shall be so included as a finalist.
8. The committee will select at least three finalists from among all applicants and transmit the list to the awarding authority. The list will rank the finalists in order of qualification, provide a record of the final vote of the committee on the selection, and include a written statement explaining the committee's reasons for its choice and its ranking of the finalists. The list will be a public record.

The committee shall transmit to the awarding authority all material made or received relating to such recommendation.

9. If the fee for design services has been set by the awarding authority prior to the selection process, the awarding authority will select the designer to be awarded the contract from the list submitted by the committee. If a designer other than the one ranked first is selected, the awarding authority shall file a written justification with the committee.

If the fee is to be negotiated, the awarding authority shall review the list transmitted by the committee, and may exclude any designer from the list with a written explanation of the exclusion. The awarding authority shall then appoint a designer based on successful fee negotiation among the remaining finalists in order of rank.

10. The design contract shall state the fee as a total dollar amount. The contract may provide for equitable adjustments in the event of changes in scope of services.

11. A designer or programmer appointed to do a feasibility study, master plan or program for a project shall be ineligible for appointment to perform the design services for that project. This paragraph shall not apply to designers performing studies for repair work; provided, first, that such work is limited to identifying and correcting existing deficiencies in a portion of a building or its equipment; and second, that the designer's fee for the combined study and design of repairs is not greater than twenty-five thousand dollars.

Awarding authorities in cities and towns may allow a designer who conducted a feasibility study to continue with the design of a project, if the authority commission(s) an independent review, by a knowledgeable and competent individual or business doing such work, of the feasibility designer's work to insure its reasonableness and its adequacy prior to allowing the designer to continue on said project. The review of a state agency with oversight or approval of a project may be sufficient for the purposes of this paragraph.

12. Every contract awarded for design services shall include:

- a) certification that the designer or construction manager has not given, offered, or agreed to give any gift, contribution or offer of employment as an inducement for, or in connection with, the award of the contract for design services;
- b) certification that no consultant to, or subcontractor for the designer or construction manager has given, offered or agreed to give any gift, contribution or offer of employment to the designer or construction manager, or to any other person, corporation, or entity as an inducement for, or in connection with, the award to the consultant or subcontractor of a contract by the designer or construction manager;



c) certification that no person, corporation or other entity, other than a bona fide full-time employee of the designer or construction manager, has been retained or hired to solicit for or in any way assist the designer or construction manager in obtaining the contract for design services upon an agreement or understanding that such person, corporation or other entity be paid a fee or other consideration contingent upon the award of the contract to the designer; and

d) certification with respect to contracts which exceed ten thousand dollars or which are for the design of a building for which the budgeted or estimated construction costs exceed one hundred thousand dollars, that the designer has internal accounting controls as required by Chapter 30, section 39R, and that the designer will:

- (1) maintain accurate and detailed accounts for a six year period after the final payment;
- (2) file regular statements of management concerning internal auditing controls;
- (3) file an annual audited financial statement; and
- (4) submit a statement from an independent certified public accountant that such CPA (or public accountant) has examined management's internal auditing controls and expresses an opinion as to their consistency with management's statements in (2) above and whether such statements are reasonable with respect to transactions and assets that are substantial in relation to designer's financial statements, Chapter 7, section 38H(e).

e) a requirement that the designer at his/her own expense obtain and maintain a professional liability insurance policy covering negligent errors, omissions and acts of the designer or of any person or business entity for whose performance the designer is legally liable arising out of the performance of such contracts for design services. The awarding authority may require a consultant employed by a designer subject to this subparagraph to obtain and maintain a similar liability insurance policy. The designer shall

furnish a certificate or certificates of such insurance coverage to the public agency prior to the award of the contract, showing coverage in an adequate amount for the applicable period of limitations and including any added coverage in such amounts as the awarding authority requires. A professional liability insurance policy obtained and maintained pursuant to this paragraph shall provide for coverage of not less than ten percent of the project's estimated cost of construction for the applicable period of limitations and include any added coverage and in such amounts as the public agency shall require. The total amount of such insurance

shall at a minimum equal the lesser of one million dollars or ten percent of the project's estimated cost of construction, or such larger amounts as the public agency may require, and shall cover the applicable period of limitations. A designer required by the public agency to obtain all or a portion of such insurance coverage at his own expense shall furnish a certificate or certificates of insurance coverage to the public agency prior to the award of the contract. For the purpose of this paragraph only, "public agency" shall have the meaning set forth in section thirty-nine A. (Revised in accordance with C228 of the Acts of 1985)



The awarding authority may request a copy of the Division of Capital Planning and Operations' Standard Design Contract to use as is, or to modify. Contracts for design service may include a requirement that the designer be responsible for overseeing the construction phase of the project.

13. In the selection of applicants to perform design services the following records will be kept by the awarding authority:

- a) all information supplied by or obtained about each applicant;
- b) all actions taken by the committee relating to any project;
- c) all actions taken by the awarding authority relating to any project.

These records will be available for inspection by the State Designer Selection Board and other authorized public agencies.

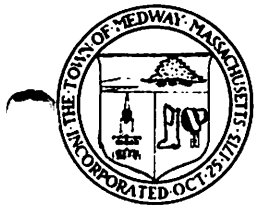
All meetings of a government body shall be open to the public and any person shall be permitted to attend any meeting except as otherwise provided by G.L. 30H, Section 11A.

14. No member of the Committee shall participate in the selection of a designer as a finalist for any project if the member or any member of his or her immediate family:

- a) has a direct or indirect financial interest in the award of the design contract to any applicant;
- b) is currently employed by, or is a consultant to or under contract to an applicant;
- c) is negotiating or has an arrangement concerning future employment or contracting with any applicant; or
- d) has an ownership interest in, or is an officer or director of, any applicant.

The recommended procedures above may be amended or modified so long as the procedures adopted satisfy the purpose and intent of Chapter 7, section 38A to 38 O, and requires newspaper and central register advertising, a uniform application form, uniform evaluation procedure, public written explanation of the reasons for designer selection, and lump sum fees.

15. When an emergency situation exists, Cities and Towns may utilize "Regulation 811 CMR 3.00 Expedited Procedure for Selection of Designers When an Emergency Situation Exists", as adapted to local requirements including the substitution of the terms "Designer Selection Board" and "Deputy Commissioner of DCPO" with "City or Town Selection Committee" and "Local Awarding Authority" respectively.



## BOARD OF SELECTMEN

155 VILLAGE STREET  
MEDWAY, MASSACHUSETTS 02053

### AGENDA

AUGUST 15, 1988

#### INTERVIEWS:

7:00 p.m.	Daniel J. Blanchette - A.A./A.DPS position
7:20	Jeffrey L. Brown - " "
7:40	Helene A. Walls - " "
8:00	Richard Robertson - " "
8:20	Patricia Carty-Larkin - " "
8:40	Robert Dubovsky - " "
9:00	Joseph Leone - Building Inspector

Present: Paul Mitchell, Edward Borek and Harry Sabin.

- 7:00 p.m.      The Board opened the meeting and signed the warrants.
- 7:00            The Board met with Daniel Blanchette who is a candidate for the position of Administrative Assistant/Administrator D.P.S.
- Chairman Mitchell explained the job description to each of the candidates prior to any discussion.
- 7:20            The Board met with Jeffrey L. Brown, Candidate.
- 8:00            The Board met with Helene A. Walls, Candidate.
- 8:35            The Board met with Patricia Carty-Larkin, Candidate. Mr. Robertson stated that she could be interviewed prior to him because he lived right here in town.
- 8:55            The Board met with Richard "Vern" Robertson, Candidate.
- 9:15            The Board met with Robert Dubovsky, Candidate.
- 10:00           The Board met with Joseph Leone, 32 Ohlson Circle, Medway for an interview for the part-time position of Building Inspector. Mr. Leone stated that he would be available to start that position on September 1, 1988. The Board voted unanimously to appoint Joseph Leone to the position of Building Inspector.

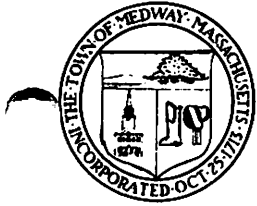
Meeting adjourned at 10:45 p.m.

RESPECTFULLY SUBMITTED,

*Ruth Allen*

Ruth Allen  
Secretary

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## BOARD OF SELECTMEN

155 VILLAGE STREET  
MEDWAY, MASSACHUSETTS 02053

### AGENDA

AUGUST 8, 1988

- 7:00 p.m. Open meeting, approve minutes of  
7-15-88 and 7-25-88 meetings.  
Sign warrants.
- 7:15 Public Hearing - Boston Edison  
and New England Telephone -  
Holliston Street
- 7:30 Mark Flaherty - regarding wiring  
in Town Hall
- 8:00 Mrs. Gallagher, Main Street  
re: Water problem at Main/Cottage Sts.
- 8:15 Paul Watson & Paul Rivard  
re: Sewer Easement in R.R. bed
- 8:30 John Peters - Medway Country Manor  
re: back land
- Select a list of semi-finalists -  
Admin. Asst./Admin. DPS  
Building Inspector

### NOTES:

William Fisher, American Legion  
Would like Outside Beer License for  
August 14, 1988.

Lion's Club - would like to sell  
Christmas trees, Colonial Plaza??,  
Thanksgiving - Christmas Eve.

Present: Paul Mitchell, Edward Borek and Harry Sabin.

7:00 p.m. The Board opened the meeting and signed the warrants. The Minutes of the July 15th meeting voted: Mitchell and Sabin in favor and Borek opposed. The Minutes of the July 25th meeting voted unanimously approved.

7:15 The Board held a Public Hearing on a petition from Boston Edison Company for conduit on Holliston Street southwest from a point approximately 1480 feet north from Virginia Road - a distance of about 53 feet, and from New England Telephone Company for conduit on Holliston Street easterly side, at existing Pole 84 and continuing westerly across roadway, a distance of about 50 feet. Both companies will be using the same road cut and will be for underground service from Pole 84 to the north side of Redgate Road. Mr. Ted Sloan of 36 Holliston Street was in attendance at this public hearing and stated that the trench that had been made in the road at that development needed repairs because he was being woken up at 4:00 a.m. with the trucks making an awful racket. Jonathan Bruce the developer was also in attendance and stated that that trench (from the gas company) had been permanently patched as of this date. Mr. Sloan also asked why these trenches couldn't be done like they are in other parts of the country with a 6 inch concrete base then the black top? The Board requested the Highway Superintendent to look into this matter. The Board requested that the Police Department be notified of the speeding trucks on Holliston Street at these early morning hours. The Board voted unanimously to approve these petitions. Mr. Edwin Kelley, Representative of the Boston Edison Company was in attendance at this meeting.

7:30 The Board met with Mark Flaherty and Scott Guyette (G&F Electric) to discuss the electrical problems in the Town Hall building. When G&F Electric metered the amperage being used the meter ran around 240 amps on a 200 amp service. The service should be changed to a 400 amp service, the service we have now is much too small. Each Selectman was given a copy of the work that needs to be done. The Board voted unanimously to go out to bid for the materials to do the job. Scott will give the Board a list of all the materials that will be needed. G & F Electric is willing to do the work.

- 8:00                   The Board met with Mr. & Mrs. James Gallagher, 135 Main Street. They were requesting a speed limit sign, 25mph, be placed between Evergreen Street and Main Street. They were informed by the Board that a traffic study will have to be done in that area by the Safety Officer. They also requested that during a storm, such as those of the previous weeks, that Cottage Street from Main to Evergreen Streets be automatically closed off due to the flooding. The Board requested that Allan Brown of Stone & Webster be called regarding the meeting he had with Paul DeSimone at the side of Reardon's property on Cottage Street and any information we can submit to the Conservation Commission regarding piping the water into the brook. The Board requested the Highway Superintendent check the retention area across Main Street from Gallagher's and check the berm on Cottage Street that has been washed away.
- 8:15                   The Board met with Paul Watson, Paul Rivard and Attorney Peter A. Kaghajian, Jr. from the office of Black, Buono, DelPrete & Flynn regarding the sewer easement crossing over the railroad bed and running along the railroad bed on the southerly side to the end of Cottage Street. The Board received letters from the Conservation Commission and the Water/Sewer Commissioners with their reasons for requesting the easement at this location. The Board voted unanimously to approve this easement shown on the plan #014 dated November 16, 1987 Paul Rivard, owner of the Plan of Land.
- 8:45                   The Board met with John Peters, Medway Country Manor, Holliston Street regarding the project they would like to development on the property in the rear of the Manor. Mr. Fred Uehlein, Massachusetts Development Corporation explained the concept of the Retirement Village he was proposing. Also in attendance was Ted Kelly, Architect who had done a drawing of the concept of the Village, Bob Chellis, Life Care Associates, who explained what the equity conversion plan was, and Joe Roche from Roche Associates, which is the marketing and research and what the benefits would be to the Town, social stability of the residents which is a unique housing for senior citizens. They informed the Board that they would be holding a public meeting at the VFW sometime within the next few weeks because they need community discussion and input on this project. They also stated they would have to go before the Zoning Board of Appeals.

- Mr. Mitchell informed the Board of the phone call received in the office from Paul Shew, Administrator, Town of Franklin stating that August 10th was not a good date for the meeting at the CRPCD plant.
- The Board discussed the resumes received for the position of Administrative Assistant/Administrator DPS. The Board voted to have the following applicants come to the meeting on August 15th for an interview:  
Richard Robertson; Robert Dubovsky; Patricia Carty-Larkin; Helene A. Walls; Jeffrey L. Brown; and Daniel J. Blanchette. The Contract will be for 3 years and the salary will be \$32,000 to 35,000 depending on their qualifications.
- The Board discussed the resumes received for the position of Building Inspector and voted unanimously to request Joseph Leone, Ohlson Circle to attend their meeting on August 15th for an interview.
- The Board voted unanimously to appoint the following:  
Heidi Schultz - Hazardous Waste Coordinator  
Robin Smith - Finance Committee  
Anthony Kalacki - Finance Committee  
Susan Phinney - Conservation Commission  
Brian Bishop - MAPC Representative

Meeting adjourned at 11:10 p.m.

RESPECTFULLY SUBMITTED,



Ruth Allen, Secretary

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## BOARD OF SELECTMEN

155 VILLAGE STREET  
MEDWAY, MASSACHUSETTS 02053

### AGENDA

JULY 25, 1988

- 7:00 p.m. Open meeting, approve minutes of  
7-11-88 meeting. Sign warrants.
- 7:05 Open bids for Traffic Controller  
Main/Franklin Streets
- 7:10 *Paul Watson - re: RR bed easement*
- 7:30 Public Hearing New England Telephone Co.  
Holliston Street/Woodland Road
- 8:05 James Cassidy  
re: unpaid expense bills
- 8:10 *Charles Glynn, Drybridge Crossing curb cut.*
- 8:15 Connie Sheehan, 96 Holliston Street  
re: Permit for Block Party on Meryl Street  
for August 13th with a raindate of August 20th
- 8:30 Paul Wilson - CRPCD  
re: Wrentham Sewer Connection

### NOTES:

Discuss Resumes for Administrative Assistant/  
Administrator of DPS position.



Present: Paul Mitchell, Edward Borek and Harry Sabin.

7:00 p.m. The Board opened the meeting and signed the warrants.  
The minutes of the previous meetings were not prepared.

7:05 The Board opened the bids for the Traffic Controller for Main and Franklin Streets. One (1) bid was received from:  
Tri-State Signal Inc. \$8,198.00  
The Board voted unanimously to have the Highway Superintendent review this bid and if it was according to the specifications that the bid be awarded to Tri-State Signal Inc.

7:15 The Board met with Paul Watson and Paul Rivard regarding the crossing and easement in the railroad bed at Village and Cottage Street for the sewer line for their developments. They were looking for a response from the Board regarding their previous meeting with the Board on July 11, 1988. The Board informed them they were still waiting for a reply from the Conservation Commission on their reasons for crossing the bed and having the easement on the southerly side of the bed rather than the northerly side of the bed. The Board suggested they speak to the Water/Sewer Chairman about the pie shaped easement on the North side of the bed nearest the AT&T lines. The Board would prefer to see the easement on the North side of the bed.

7:30 The Board held a public hearing for New England Telephone Company of a petition for conduit (to include all conduit and cables necessary for power supply) Woodland Street - Southerly side, approx. 25ft. westerly of Holliston Street, one (1) Pad & Service Terminal with associated conduit extending easterly about 18 ft. to Holliston Street - thence, crossing roadway a distance of about 40 ft. easterly and extending 123 ft. southerly to Pole 107 and 18 ft. northerly to Pole 108. Verbal approval had been given by the Board at their meeting on June 13, 1988. Mr. Mike Bergeron was in attendance at this meeting representing N.E. Telephone Co. The Board noted their concern that if in the future the water and sewer lines are extended that at time, the telephone company will not charge the town. The Board voted unanimous approval for this petition with the above stipulation.

- The Highway Superintendent, Diarmuid Higgins, informed the Board of the work that has been started on the Route 109 Re-construction Project, he will report to the Board on a weekly basis. The Board requested him to speak to Pat Brennan, Engineer for Stone & Webster and schedule bi-weekly meeting (times and dates) at the site.

- The Board discussed the need for Registrars. Letters had been written to the Democratic and Republican Town Committees requesting names of interested persons, to date the Board has not received an answer to these letters. The Board received a letter from the Town Clerk's office advising them that Mrs. Sandra Gronberg, 7 Longmeadow Lane had expressed an interest in serving as a Democratic Registrar. He called the Board's attention to this matter at this time as he is 10 days away from the first registration session for the September State Primary election. Mr. Sabin made a motion to appoint Mrs. Gronberg for a provisional appointment for this position on the Board of Registrars and Mr. Mitchell seconded this motion. Mr. Borek wanted to hold to the law where by the Committee's recommends the appointments for both parties. The vote was Sabin and Mitchell in favor and Borek abstained. The Chairman had made known to all present at this meeting the law and stated that this was just provisional until such time as the committees sent in their recommendations.
  - The Board discussed the letter received from the Town of Millis looking for notice of intents from areas towns regarding a Recycling Center in their town to join. The Board stated that this should be looked into.
  - The Highway Superintendent informed the Board that he would be meeting with William Mackey from Camp, Dresser & McKee on Thursday, July 28, 1988 regarding the test holes at the Landfill at the end of Broad Street. J. Cushing from DEQE was not sure if they could make it on Thursday. The Board requested a letter be sent to DEQE confirming Mr. Higgins conversation with Mr. Cushing on the telephone July 25, 1988 with regard to the scheduled meeting on Thursday to take the necessary action at the Landfill (test wells) with a carbon copy to CRPCD.
  - The Highway Superintendent also asked to Board if the Park benches in town could be painted red, white and blue for the 275th Anniversary? The Board stated that it was fine with them.
- 8:05 The Board met with Charles Glynn and Brian Moore, owners of Drybridge Crossing 116 Main Street. They were before the Board requesting that the exit onto Main Street be left on the East side of the property rather than the West side of the property where it had been proposed in the design of the Route 109 reconstruction. The Board stated that the engineer from Stone & Webster would be out on Tuesday, July 26th and could they meet with the Highway Superintendent, the Board and the Engineer at that time on the site to discuss this problem.

8:15

The Board met with Mary Ann Kurjanowicz of Crooks Street with regard to her letter about the gravel removal operations at the Oakland Cemetery. She inquired of the Board if the terms of the agreement could be changed? She was looking for another entrance or exit for the trucks. The Board stated that would not be feasible, that using Broad Street did less damaging to Town Roads. The Board requested the Highway Superintendent check with the company doing the removal as to the length of time (how many months) they would be hauling the gravel. The Board stated that there will be no more operations before 7:00 a.m. or the operation would be closed down. Mrs. Kurjanowicz stated that Officer Bates told her that the Police Chief had written a letter to the Board with his recommendations on the problems. To date the Board has not received this correspondence and asked that it be checked out with Sgt. Paulette. The residents in the area had requested only four (4) trucks an hour be allowed and the Police Chief had informed them that it was not part of the agreement.

8:30

The Board met with Paul Wilson, Chairman of the Charles River Pollution Control District regarding the upcoming Public Hearing to be held at the treatment plant on the Wrentham Sewer Connection. This public hearing was requested by DEQE on the proposed route in which this connection will take everything but this public hearing has been secured. The Board requested that all public hearing regarding the CRPCD plant be held at a time and place convenient to the people of the Town of Medway. The Board is concerned with any new tie-in's to the plant and is looking into a moritorium. Mr. Wilson stated he didn't believe that the town could do that. They could put a moritorium on any new Medway tie-in's and Franklin would have to do likewise in Franklin or the State could shut it down. The Board asked what the mechanics were to get a moritorium? Mr. Wilson stated if there was a health problem the plant would be shut down. Mr. Mitchell stated that long term the health problem has to be of concern. Mr. Wilson stated that the Public Hearing on the Composting Facility would be held on August 25, 1988 at 6:30 p.m. in the Medway Library on High Street. Mr. Wilson stated that Mr. Kimball from DEQE would be inspecting the Mansfield plant on Thursday, July 28, 1988 in the a.m. and the Medway plant on that afternoon.

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The Board requested the secretary to make them copies of the resumes received for the position of Administrative Assistant /Administrator DPS and the Building Inspector for their week-end packets.

- The Board voted unanimously to appoint Michael Rojee  
             as an Associate member of the Fire Station Building Committee.  
             This position has no voting power.

Meeting adjourned at 9:35 p.m.

RESPECTFULLY SUBMITTED,

*Ruth Allen*

Ruth Allen  
Secretary

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Present: Paul Mitchell, Harry Sabin and Edward Borek

1:30 p.m. The meeting was opened. Mr. James Lawrence, Vice President for B.F.I. The purpose of this meeting was to review the Contract with B.F.I. for the Solid Waste Pickup for the Town of Medway. The motion to award the contract was made by Harry Sabin and seconded by Edward Borek at their meeting of June 13, 1988. *Phillip J. Muller, Operations Manager was in attendance also. (amended Jan. 30, 1989) Sec. Mtg.*  
It was noted that in Article 3.02 the word "bulku" should be "bulky".

Dumpsters on anyone's property would be an extra fee.  
The Appeals process would be the Town's responsibility not B.F.I.'s since the Town is doing the billing to the residents.

Article 13.01 B - Wheelabrator Millbury contract was dated August 10, 1987. No limit quoted in the bid from B.F.I. as far as number of bags or barrells. Contract implies an unlimited number of units of refuse. One large item per week to be put out to the curb will be allowed.

Article 4.02 The question was asked if there happens to be a snow storm during the pick up and the trucks are called back to the company when will the waste be picked up? B.F.I. stated that the next day the route will be finished.

Article 19. - The question was asked if the number of dwelling units goes up in the next three years will the cost go up? Jim Lawrence stated that the bid specifications stated approximately 4,000 dwelling units, if less than 4,000 or more than 5,000 the bill to the town will still be for 4,000 units.

It was also stated that this contract was awarded on the Low Bid Law, and that there is NO renegotiable clause in this contract during the life term of 3 years.

Jim Lawrence stated that B.F.I. need to know the size of the containers needed for the Municipal Buildings.

Mr. Borek stated he would not sign the contract at this time because he did not have sufficient time to review the contract. Mr. Mitchell stated that the Board and B.F.I. have walked through each page of the contract and asked Mr. Borek if he had any other questions. Mr. Borek stated the question regarding empty houses had been answered but he felt that it is vague. Mr. Mitchell stated that everyone who was bidding on the Solid Waste Pickup had been given the same Bid Specifications to bid on.

Mr. Sabin moved to sign the contract with the low bidder, Brown-Ferris, Inc. and Mr. Mitchell seconded that motion. Mr. Mitchell and Mr. Sabin voted in favor and Mr. Borek abstained because he did not have sufficient time to read the contract.

An Appeals Committee should be set up for those owners with empty houses; dumpster from other companies; financial and physical infirmities and for the number of barrells or bags per week (some people only have one bag per month).

- Mr. Sabin inquired if the Board was still thinking of having a moritorium on sewer tie-ins with regard to CRPCD. He will be unable to attend the meeting on July 21, 1988 to discuss the problems at CRPCD. He read the letter he sent to Paul Mitchell with a carbon copy to Town Clerk and Town Counsel (copy attached). The Board voted unanimously in favor of accepting Mr. Sabin's letter regarding the July 21, 1988 meeting.

Meeting adjoured at 2:40 p.m.

RESPECTFULLY SUBMITTED,



Ruth Allen  
Secretary

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To: P. Mitchell  
Chairman, Medway Board of Selectman

From: H. Sabin

Subject: Charles River Pollution Control District  
(CRPCD) Moritorium

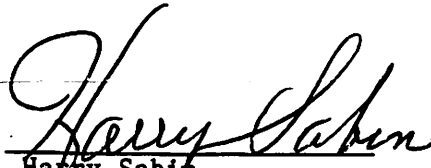
Date: July 14, 1988

An official meeting has been scheduled to address the issues surrounding the CRPCD health hazard that exists as a direct result of the storage of sludge on the site and, possibly, an improperly designed facility. I am unable to attend this meeting due to a prior commitment.

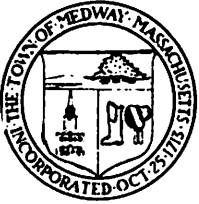
The residents in the area have been subjected (and potentially affected) by the terrible odor emitted from the CRPCD site for the past six (6) to eight (8) years.

I agree 100 percent with you, Mr. Chairman, that the Board of Selectmen step up and protect these people any way we can. Therefore, I direct you to cast my vote in favor of a total moritorium on additional hook-ups, and accepting of trucked in waste (septage) at the CRPCD facility until the Town of Medway is satisfied that all the issues are resolved and solutions approved, funded, and complete.

Thank you for your effort on my behalf.

  
Harry Sabin

cc: R. Maciolek  
F. Donovan



## BOARD OF SELECTMEN

155 VILLAGE STREET  
MEDWAY, MASSACHUSETTS 02053

### AGENDA

JULY 11, 1988

7:00 p.m.	Open meeting, approve minutes of 6-20-88 meeting. Sign warrants.
7:05	Nancy Smith re: Petition for a Special Town Meeting
7:15	Paul DeSimone re: Sewer Easement - railroad bed on Village Street for Paul Watson
7:45	Terra Ferma re: Special Town Meeting
8:00	Resident near CRPCD Re: Alternatives for composting facility

### NOTES:

Award Highway Bids  
Award Fuel Bids  
Discuss Solid Waste  
Discuss DPS Salaries



Present: Paul Mitchell, Harry Sabin and Edward Borek.

7:00 p.m. The Board opened the meeting and voted unanimously to approve the minutes of the June 20, 1988 meeting. The Board signed the warrants.

7:02 The Board voted unanimously to award the Fuel Bids as follows:

Holliston Oil Service, Inc., Holliston, MA  
#2 Heating Fuel @ \$.5050 per gallon  
Diesel Fuel @ \$.5150 per gallon  
Nydram Oil Co., Inc., Linwood, MA  
Regular Gasoline @ \$.8295 per gallon  
Unleaded Gasoline @ \$.8095 per gallon

7:05 Nancy Smith presented the Board with a petition for an Article to be placed on the next Special Town Meeting. This article reads as follows: "To see if the town will vote to repeal the action taken on Article 28 of the 1988 Annual Town Meeting Warrant and select a new site for the Fire Station." This petition had 124 signatures and will be given to the Town Clerk's office for certification of the signatures.

7:15 The Board met with Paul Rivard, Paul Watson and their attorney John DelPrete regarding the sewer easement they are requesting in the railroad bed at Village and Cottage Streets. They are here to report back to the Board after meeting with the Conservation Commission, Water/Sewer Commissioners and the other developers in the area on what they were able to come up with with regard to the sewer line down a portion of the railroad easement. The tie in will come across the Levy property and connect to Mr. Rivard's sub-division. After the engineers went through it all it must go in this direction otherwise Mr. Rivard can not get any sewerage down to the end of his sub-division. Original they were going down the north side of the bed but the Conservation Commission wanted them to avoid the wet areas in there and when they looked at it they stated that the minimal impact would be if they ran it across and preferred to see it on the south side of the railroad bed. The engineers went back and did all the engineering and inverts and it would flow fine going this way, Water/Sewer Commissioners were happy with it going in this particular direction and it also minimizes the amount of disturbance there would be to the railroad easement area. This meets the cover. Conservation Commission wants a manhole on either side of the wetlands area so there would be no future disturbance in that area. They ran into one problem, they knew the Board preferred them to go down the north side of the railroad bed if they could, but the problem is the AT&T cable is along the north side of the railroad bed and they can't go on that side of it, they have to go across the railroad bed and go down the south side of the bed to avoid the cable which is already buried there with another easement. Mr. Borek asked why they could not put this sewer line on the property?

Why does it have to go on the railroad bed? It is private property, Stingley's, and Mr. Rivard is not interested in this land. Atty. DelPrete stated that they had met with all the developers in that area who had plans submitted to the Planning Board. No one has any plans submitted to the Stingley area to his knowledge. We have been trying to engineer this and have had meetings basically since February and have met with all the Boards and gone back and forth and around to find the route that would satisfy as many people as we could possibly satisfy in the Town of Medway and still provide a looping sewer for both of these areas as well as Mr. Rivard's. Mr. Sabin questioned why they couldn't go out Brigham Street? Mr. Rivard stated that they were not able to get the elevations necessary to use Brigham Street. Mr. Mitchell had a question that goes back to the original days of all of this here. Will the location of this at this period and time be such that it is insured that anything at all that is built, or would or could be built, in this other undisclosed owner property could still be serviced by coming down here? Everything on the other side of this is higher than this point, is that a fact? Mr. Rivard stated, yes. To interject something here, we are looking at something that's, I think, in proximity of one acre of property if we look at this particular scale. We have one-half acre zoning here which in order for this to be occupied, this is basically one house lot as it stands now and occupied as a house lot. Now maybe, and I haven't even looked into it, it's potentially possible that somebody could acquire this rear portion and have street frontage here at a future date, but they've also got sewage accessible to them at that point. Mr. Mitchell stated, to get back to what Mr. Borek had to say, we are holding very very firm on the cross overs on the railroad bed and we are opposed to anything running lineally along the railroad bed. We did in our last conversations, in our last meetings primarily, because it was pointed out to us by the Water/Sewer Commissioners that it is far more feasible and more sensible to have any town service of sewage located on town property, so we can go on there and do what we have to do, and we have to do it without a lot of rig-a-marole asking permission, easements or whatever else you would. That was the reason that it was intended that it stay on this side of the railroad bed, and not necessarily on the used portion, but at least on the taking. Are you telling me now that you've got a power line underneath there, within the taking? Yes. Does it not still leave room between where that is laying and the outside edge of the bed and still stay on that side? Not for most of that easement. The AT&T cable is on that side and is right where we would like it to go and it doesn't start to get wide until closer to Cottage Street. Atty. DelPrete stated he is not sure that they would allow them to go that close to the cable.

Atty. DelPrete stated they realize the concerns about the lineal park that the Selectmen have and one of the benefits of letting the developers go this way is that this particular area can be graded, to be cleaned up, it could even have a walkway put in, if that is what the Selectmen desired at that point in time. It would be a perfect situation for it because it would be all cleaned up and leveled and graded at that point in time. Mr. Mitchell stated that this is a surprise to us, we thought we had it pretty well resolved by staying on the north side with the amount of obstruction to anything. Atty. DelPrete stated that part of the problem was going through Conservation they told them they would have to stay on the South side of the bed and the Board wanted them to stay on the North side of the bed. The other problem they ran into was the AT&T cable. Conservation Commission wanted them to stay completely out of the wetlands. They were specifically told by the Water/Sewer Board to avoid private easements, where it is possible to go on town property to go on town property. Mr. Mitchell stated that this Board attempting to work with the Water/Sewer Board was asking for the same thing, we can't understand and we did believe that it could go right down here. The only concern we had at the time was how you would flow the water and there was some concern that it had to travel west and we were showing everything going over to other previously allowed intrusions, Griffin I think was the one and it couldn't go that way because of the elevations. The only discussion we had relating to this were two. We didn't want to go over and get over in the other side, however we wanted to be on town property because that was the desire of the Water/Sewer Commission and we had meetings with them and we also had letters from them explaining that it is best to own all rights to what is laying in town property. Atty. DelPrete stated that is what we had proposed up until the time we met with the Conservation Commission and discovered the other problem with the AT&T cable. It is also why we ran it down a little more cross country. Because of the impact on the wetlands, Conservation said push it over to the other side of the easement and that is why we drew it on the other side, that plus the AT&T cable. Mr. Mitchell asked if in fact you were to acquire easements on property here, what was the position of the Conservation Commission at that time, they didn't want it in here at all? Atty. DelPrete stated if there was a route that it could take that would not go through wetlands, to take the dry route not to impact the wetlands, basically they told us the way that they wanted to see it go and this is it. Mr. Mitchell asked what other alternatives do you have in your back pocket? Atty. Del Prete answered, at the present time we don't have any after confering with the other boards. Mr. Mitchell, because this doesn't set good with us, it really doesn't. First for the shock effect, I didn't expect it and we have been fairly adamant and very out spoken relative to our attitude about the railroad bed and we were not interested in any lineal run along the railroad bed and we did in a sense have a quosay agreement that we would go along the north side of the bed and the brief run that it would be and that was to accomadate the water/sewer commission which I think is good judgement on their part and that was the only way we would accomadate what they had requested it really does surprise us.

We were pretty well resigned, not voted as a board yet, to accept it on the north side of the bed. Mr. Watson asked if they crossed the bed came down on the south side and crossed over the bed again and did the remainder on the north side of the bed where they can pick up the required 20 feet, would that meet with your approval? Mr. Mitchell stated that that is the very thing the board has tried to avoid. We had originally said there would be NO cuts on the railroad bed, we yielded to the one crossover below ground, there would be nothing going on top of the ground and that was quite a concession to even consider coming for a lineal stretch at all, but to go over and come up and go over again, I'd have to sleep on that quite a bit. Mr. Watson stated that you were asking for alternatives, the only way that can be sewerred is down that way, it can't go into Brigham Street, so it is one side or the other of the railroad bed. Mr. Mitchell stated and he didn't mean to be sarcastic he was just being candid, what is in it for the Town of Medway? I don't see anything that is in it for the Town of Medway and I, sitting here right now, I really don't see the need for it to be developed if you can't develop the land with the accommodations that are available now, without aborting much of the planning, this board and what the town is planning for that railroad bed, at this sitting I don't see the advantage to the Town to research ways to do it. Now, if there is an alternative, we would like to hear it. Mr. Borek asked they had looked into the idea of replacing the pipe on Williams Street? The comparative cost of putting this pipe all along the railroad bed as to taking and replacing, dropping the pipe on Williams Street to meet the Cottage Street depth? Atty. DelPrete stated that the excavation costs probably wouldn't be that much different but rebuilding the road is a major different expense even with providing a walkway or whatever the town wanted in this particular area. And if they ever had to go back and do the pipe the town would be digging up the streets again. In fact one of the reasons the water/sewer board would like to have it on town property that's not under the highway is that they don't have to break up any of the roads to fix it in the future. What we will probably end up doing is going back to our private easement plan which didn't do anything. We are out of alternatives and it was really to accomodate the water/sewer board that we tried to do that because we had an alternative plan but they preferred to have no private easements and it just doesn't seem that we can satisfy everybody at this point and I think all we can do is go back to our original plan. Mr. Watson stated he had done a cost analysis on going out Williams Street. Mr. Mitchell reiterated that it was necessary to travel westerly direction for the flow and there were many discussion relative to using Brigham Street in the past because you couldn't flow obviously you can't flow up hill. We had objection to running lineally along the railroad bed at any time, we initially had an objection to putting anymore crossovers but we did say we would yield to that during the previous conversations with the water/sewer commission, we had that in letter form from them, we did yield that we would be more receptive to running lineally along the railroad bed in a westerly direction staying on the northerly side of the railroad bed, now we find that you come in with

a need to go on the southerly side because Conservation Commission wants it on the southerly side, I don't personally at this sitting favor that much of a run lineally along the railroad bed. The other possibility suggested by Mr. Watson at first hearing it is kind of like a shock to go across the bed and then run west for a while and come back north to get on the other side at first was a shock and I was serious when I said I would have to sleep on that one, so you understand. It might not be as much of a shock when you think about it. The intent is to service where we can service and I'm not too sure we are interested in servicing too many sewers in town. So as far as I'm concerned we have to take this under advisement at this time. I'm not ready to bring this to a vote. Mr. Borek asked if we could get the answer from the Conservation as to why they told the petitioners to go across the bed on the southerly side? The Board will put together a letter to the Conservation Commission advising them of this meeting here this evening and ask them to give us a correspondence in writing of their position and their instructions and suggestions of the petitioner. Mr. Mitchell stated we will move on this as quickly as we can. Atty. DelPrete left a plan with the Board.

7:45

The Board met with Francis Xavier Finnegan from Terra Firma Development Corporation in Cambridge which is the designated developer for Quincy Ridge Limited Partnership which purchased the AEI Farm and what I am here this evening for is to discuss a proposed zoning addition to the by-law with the selectmen which I had discussed with them earlier. I would like to address specifically, Paul Mitchell you raised questions that were very important questions the last time we met and that was to ensure you and the Board that this addition to the by-law would be, I think as we put it, enforceable in our sleep, in perpetuity. What we did was we took it back and, as we went around we went from your Board to the planning board and we did make some very minor changes, not material changes, that really clarified the intent and took everyones criticism, every boards criticisms and we had two information meetings with a total attendance of over 60 people. The criticisms and discussion that ensued, we took all that in, we took what was bologna and threw it out, but we took what was valid and we worked with it and we made some minor changes that have really clarified it, cleaned it up and in that specific instance, treatment of open space we made it very clear that the petitioner has to choose either to deed it to the Park, if the Town will except it as Park or Open Space, they have to deed it to a non-profit organization whose principal purpose is the conservation of open space or they can deed it to a trust, which could be the owners or lots of the residential units within the sub-division whose principal purpose is the conservation of open space. If such a corporation or trust is utilized, the ownership thereof shall pass with the conveyance of the lots, but here is the language that you were looking for, in any case restrictions and covenants enforceable by the town shall be recorded with the deeds to the open space providing that such

land shall be kept in open or natural state in perpetuity, unfortunately my office made that two words, in perpetuity as we know is one word, can not be built upon for residential use or development for accessory use as parking or roadways. So that was a very important criticism that it was not quite clear enough, the intent was there but that spells it out, they have to do one of three things, they have to deed it one of three ways but in any case after it is deeded they have got to have covenants recorded with the deeds that pass right down through. So if the Town of Medway excepts it as Park land and in five hundred years they want to use that to build on, sorry they can't and if it is a trust, and in five hundred years somebody says well gee, it would be awful nice if we could build another ten units here because we have grandchildren and so forth, they are out of luck, its open space forever, in perpetuity. So that addressed that area. The Planning Board had some comments to make as well. They said we had a section that was dimensional requirements and we had three paragraphs on set backs, height and they said gee why don't you just say, its the same as what is in the zoning district it lies, the height and setback requirements. That made a lot of sense instead of being redundant in saying the same thing over and over again, what we said is setbacks and height requirements shall be consistent with those of the zoning district in which the parcel lies. So in other words

if in the zoning district, it's thirty-five feet back from the road and it's one-hundred and eighty feet of road frontage, and it's a thirty-five foot height limit, it's got to be the same. The minimum building lot, we changed the language ever so slightly in that so that the intent was of course the same, but it became very clear that what we are talking about was the minimum buildable lot size which is 10,000 feet, but then if it is a one acre zone you've got to put aside that other three quarters of an acre and that's called open space. Mr. Mitchell stated, let's stay with that for a couple of minutes, if you've got the ten thousand square feet. Mr. Finnegan stated that's the minimum, it can't be any less, you can never build on less than a quarter of an acre, that's the part for the house. Mr. Mitchell asked, but then in the open space that would be so divided in deed that you would have half acre or the full acre in fact you were in ARI, each of the lots even though some of it was. What do you get for 10,000 square feet, what kind of frontage do you get? Mr. Finnegan stated, the same frontage, you have got to have the same 180 ft of road frontage. Mr. Mitchell - which then says you would be setting aside land that would be on the side as well as front set back or rear setback. Mr. Finnegan - you could set aside, I think what ideally is going to happen, and we really got into this in depth with the Planning Board, you know the Planning Board sees all of these subdivisions before them and what we came up with because you still have the same road frontage requirements, that the road frontage can be

in the aggregate, in other words if you have a subdivision and you have got 10 lots and its 180 ft. per lot you've got to have 1,800 ft. of road frontage, it does not have to be right in front of your house. In other words each lot is calculated in the aggregate and what this is going to do. Mr. Mitchell - wait a minutes, you went too fast for me. Let's take House A and HOuse B in a one acre zoned area on a street and you've only got three hundred and sixty feet there and that is all you've got, it doesn't split right down the middle? Mr. Finnegan - No, you might have you've got 360 ft. total so you add it in the aggregate, you might only have 50 ft. in front of one house and 100 in front of the other, but in front of the whole two acre parcel you've got 360 ft., so some of your frontage is in front of the open space, you are not being penalized for having it in front of you, but the total number of road frontage in your subdivision has got to total the total number necessary for the number of houses and also we put a limit of 10 acres to do this so that somebody doesn't come along and the idea is to create open space. Mr. Mitchell - okay those are the things we had questions about, you had a public hearing with the Planning Board? Mr. Finnegan - NO. I'll tell you what our next step is, we have been, as you are probably well aware, we've been communicating with every department in this town and also some of the faction groups, we understand that there is a group that is very interested in us going out and getting the signatures for a special town meeting, something to do with the Fire Station? There was some discussion from someone in my office that they weren't going to go forward and get the 200 signatures for the Special Town meeting and that they would like to be on the warrant for the next special town meeting, so what we are going to do is go out and get 200 signatures and we hope the Board will schedule it whenever it seems appropriate to do so, but we'll go out and get the 200 signatures, we've done our homework, we submitted this to the Town Counsel for further revision and criticism if necessary, but we have worked alot on it and we are going to come back with the 200 signatures and ask the Board of Selectmen to give us a special town meeting when you deem it is appropriate. We hope we get your support on it, also I know you want to limit me tonight because you have a full house and you have alot of things to do and I also looked into your concerns about our specific site, this is to jump off it, because we're also as you know doing a subdivision up there and running a recreational horse farm. I went to see the sewer board, they see no problem what so ever in us utilizing the city sewer, one of their first questions was, what are you doing in the culvert? you're not going under the culvert are you? there is a culvert in Summer Street. No we were going above it, yes we were using duck tile pipe, they saw no problems in what we wanted to do. We did do some further looking at the water supply there seems to be something like 200 you know, a tremendous amount of water per minute, but there was not the million gallons a day that the town needed, for a town well, but to supply our 40 houses there's plenty of water. Your concern was that weren't - what

we'll probably do in our subdivision we will restrict the future use of anybody using septic even if they wanted to individually, even if they bought a lot and wanted to. To insure that the water table is not polluted. Mr. Borek - I have one other question to ask you and now that you say and personally I don't like special town meetings during the summer months, primarily people go away, the public goes away and to take an issue of zoning or something of such magnitude, to take and put it on to the town's people at this time during the summer months, I am definitely against and I would vote against you tonight if you say that and I would like you, and I would put it out to you that most of the time the town has a town meeting, we usually have a town meeting in September because we have the figure usually comes in later of Free Cash and what not that comes in that's certified and if you could see your way without getting the petition for the 200 forcing the town by law, which I know you have the right to do, but I think its a cost factor to the town to have a special town meeting for zoning and then primarily my reasoning like I said at the beginning is that the primarily most of the people are away and I think that the people such have a right to have judgment on what they would like to see their town look like in the future, so I feel I would like to ask you to, if you could hold off until September. Bill Pybas - Are you planning a special in the month of September? Mr. Mitchell yeah we usually have one in September when we know exactly what we have got for monies. As Mr. Borek indicates we have a much better idea what the monies are then. Mr. Pybas - so you will be calling one yourselves? Mr. Mitchell -you get a quosay yes because it usually works that way for the financial part of the year.

Mr. Pybas - The reason being that if we went out and got 100 signatures hoping that you were going to plan one then we didn't have enough. Mr. Finnegan - would it serve the Board and the town well if we submitted our - went out and got 200 signatures and submitted them August 1st? That would be 45 days, that would be September 15th, would that work for the Board? Mr. Borek - the month of September would be a better month for me. Mr. Mitchell - the reason being you would have the people home from vacation then. Mr. Mitchell - it is unfair to have a small group voting on something like this. This is a major change in our zoning by laws. Mr. Borek - my only feeling is that the subject of zoning in a major proportion as this that I want the most of the majority of people there which has to vote for it. Mr. Finnegan - Ed in your mind would August - if we submitted it August 1st that would be a pretty good time? Mr. Chairman do you think that would? Mr. Mitchell - I don't know what the time limit is? Mr. Finnegan - it is 45 days. Mr. Mitchell - certainly if you put it in at that time we could have it, September 15 that would be it. I am certain that if we were going to run late by a week or so, not knowing what the Duke is going to do with the Lottery money or Chapter 90 money you will sign a waiver to have it later. Mr. Finnegan - sure. Mr. Mitchell - the point that



he makes is a very valid one and its the reason that this is so significant. Mr. Finnegan - thank you very much and we certainly will hold off until that August 1st date to accomodate the Board. That's about it, I just wanted to bring you up to date and do it in a public forum. And thank you gentlemen for your time. Mr. Finnegan - Paul, I would like to respectfully submit a copy of this to the Board. And as I said the Town Counsel does have a copy too.

8:05

The Board met with Citizen's for a Healthy Environment. Chairman stated that for the last month or better I've been working personally very closely with Marie Parente and I'm sure your aware of this. I have got from her a tremendous amount of assistance and some new informations and some legal types of informations that lead to some other paths we haven't considered in the past because we were not aware of, I might apologize for not being aware of them but we are not lawyers we work every day, of course I'm retired now. So we come here with as much talent as we have to do the job. What I had attempted to set up last week or so after I had gathered so much from Marie was a business meeting that would include this Board of Selectmen, the District, our Board of Health, the Franklin Town Council and their Administrative Assistant and their people having authority and cognizant over this type of business, our present State Rep's, and State Senator and those who would like to be our State Rep's. I had hoped to have that this week and it didn't materialize quickly enough because I have a lot of material now. I have set it up tentatively for the 21st of July, I've already set up with the District to have a tour of the plant by the entire group at 6:15 and then retire back here to the Sanford Room at 7:15 and offer coffee and donuts for those that can handle it after visiting the plant, which may be a better indication. Some of the things that have come up with the resent information that we have, and I don't have a ruling yet from Town Counsel, and that's my fault for not having gotten to him soon enough on the Chapter 111 stuff. Some of the things that do come up are sufficient enough in my mind to possibly suggest that it is time if we have the authority to do that, if not, to find the authority to place a moritorium on any more entry into our sewer system or the disposal of any more septage, any additional to what we presently are having. I think common sense would tell all of us we can't shut it down, that would be more of a gross problem with public health then the serious situation that we presently have. The possibility of a moritorium is going to be suggested at the business meeting and it is strong in my mind that it would be that way. There are a number of things that did come up from the different documents that were made available to me, many of them you have probably come up with yourselves, some of you, and may have discussed already. Not the least of which is, at the outset we have an incorrect design in this plant, having a single phase system, it may not be adequate. Some expert advise that was gained for me by Mrs. Parente from an expert in the field who has looked at that site and has made available information that he had discussed many years before, that this type of

system may work very, very well in a community or in some place in the country where you have less violent and less drastic changes in climate and in the waste materials, the climate probably more than anything effecting the operation of the plant. We, as a result of the climate, the change in the climate, we have drastic changes in the different bacterial count that which is very active in the summertime, less active in the winter time all in all that does not lend itself in this individuals opinion to a single phase system. That is something we will have to pursue, if that is incorrect, what are the steps that should be taken? how do you take them? headed towards what the real goal is get rid of the problem. Probably you people, more than anybody, would have the right to say, let's get them and maybe that might be somebody's approach and at this stage of the game probably you have it very strong in your feelings that it's lets get them and if they designed it wrong, lets make them pay for it. I would hope that even if we had that type of an approach that someone should bear the cost of making the correction, if in fact it is a design problem. We will in an orderly, professional manner pursue that such that we would have the favor of courts if it were necessary. That us say from the outset this Board is with you, we should be with you, you put us here for that purpose and if at times it doesn't look like we are not doing anything, we would appoligize but we are off doing other things, some of which you have seen here this evening already. Some of this that you saw here this evening will go on for some months before they are resolved, if in fact they are ever resolved, the people may withdraw what they put before us. This is not going to go away. There are other alternatives possible relative to the storage or the moving of the sludge, one thing that has been uncovered, and I don't like to upstage the business meeting that I am planning for next Thursday, the District has certain authorities within itself under the General Laws of the Commonwealth much as we have here in town if we have a real serious public need by eminent domain we can take property. You go though a process to do that, you have to prove the true need for it, however, you can by eminent domain take what is necessary to properly run the community. There is a strong indication that the District is empowered the same way, under the general laws of the commonwealth. The hope is that we can have an understanding with our sister town who also lives with the same contract that we live with, with the District, that we can have a very, very cooperative effort in resolving this. The other thing that bothers a system such as this, single phase system, are very drastic changes in the bacterial material coming in, not because of weather change, but because of the type of user and the magnitude of introduction of that user puts into the system. That situation does exist in Franklin, that's our opinion, that is the opinion of experts in the field that that situation does exist. There has been some flack and quite frankly I don't care I'm on tape and I would state it publicly, there has been some flack about audit the books and check how there counting flow

and check how the money's going, my personal opinion is, and if you ever sit over here in this seat or sit in some other seat of government, you will find that some people choose the easiest way to defeat a purpose, just find something wrong with the individual, and I think that is the wrong way to approach it. Audit the books and if there is something wrong find out why it is wrong. I think probably what anybody auditing the books will find out, if anything the individuals that have been responsible down there for taking care of the distributions of funds and the monies to do maintenance and distribution of funds between the towns, were probably more liberal than they should have been by doing somebody else's job for them, jobs that belonged on the other half of the contract, not necessarily with people in the District. I set all of that aside in my thinking because that will right itself because it will show itself if there is something wrong there. But what has to be righted as far as I am concerned, and certainly I know as far as you're concerned, the three of us are of the same opinion, there is a situation, that if not there in full force, borders on injury and serious injury to the public health in that area. Now, some would say, well it's an obnoxious odor, you have those all through life you go here and you go there if you follow that to a ten conclusion an obnoxious odor plays hell with your diet, with your desire to eat, or your lack of desire to eat, and your lack of desire to do many things, and if the odor itself is not injurious just by itself, then its impact and its ultimate end result on your body can very well be it. It is my personal opinion, and if my colleagues disagree with me they should do it now, it is my personal opinion we have a serious situation effecting a public health in the Town of Medway and I will pursue, we will pursue, the steps necessary to place a moratorium on any further entries of tie-ups into our sewer systems in the Town of Franklin, Town of Medway and also the bringing of outside septage to the plant. I talked with Mrs. Parente this morning, she is still working to get more information on other things for me, there is a whole bunch of information here that I have to go through with a highlighter, red, green and blue, so that I can hopefully conduct a very orderly and an informative business meeting, I am not looking for a kangaroo court, I'm not looking for anything like that. We are all under contract as far as town's are concerned but I don't think we should expand the sewer system until we correct the sewer system. I don't have the answer for it and I don't know who has the answer for it just at this time. The sludge itself, you've all heard this story before when Medway stepped forward with a lot of caution and a lot of reservation but said okay we need a sewer system in the Town of Medway, we will then basing our judgement on everything that everybody has told us as so-called experts, we will take it in the Town of Medway because it is a system that can run without smells and all. DEQE did tell us that the sludge wouldn't be stored on the spot we could truck it away, after the plant was up and running they changed ground rules, at least if you change zoning around here people who have a house they live by the grandfather clause, there

was no grandfather clause, we changed our mind that's the system. So it stays there where it is at, Camp Dresser McKee, I had come across the correspondence that did say from the DEQE that were not satisfied with the fact that you did not have another place to dump it, and it couldn't stay in Medway, the counsel that they have, I think was Ficco, received a correspondence or distributed a correspondence from the State agency that says, that is too bad give us the system that you are going to use to store it where it is at and that's what CDM came up with that one, that it's going to stay right where it is at. When I read it in the newspaper I was out of town when they had the meeting in Franklin, but I read in the newspaper that CDM says it, that's the recommended place was right there, I did not understand what they were saying because they're the engineers for it, but it was the only place that they had to come in within the certain time limit. DEQE puts everybody else on a time frame and you must meet it or you're fined or you're shutdown and you're all this other business, but there time just seems to run as if there were no clock. I don't know what to tell you other than what I have just said, and I think Wendy you probably have as much if not more data than I have and you probably gone over it more than I have, but I think definately it is time to act like professionals with our sister towns and have a business meeting and the business at hand is, as far as I am concerned, do we take anymore sewerage, do we tie-in anymore lines, can we legally declare a moritorium, and it will be my drive to look for a moritorium and then that will give us at least a little bit of working time to find out what is here and we are out of time and I know that. Mr. Borek stated he would like to hear from someone who is going to speak for them and then I have a comment to make. Wendy Burr - Are you going to investigate the General Laws concerning the nuisance, citing the facility? are there others I didn't find that should be found? and what will become of that? Mr. Mitchell - let me just tell you that Town Counsel is in court in Boston for the next two weeks, and he's the man I have to sit with, I will go through them myself with a highlighter and see the significant points that I think should be brought out and obviously he will be reading them separately, and when I say he is in court in Boston every day for two weeks, it doesn't necessarily mean that he is there all day long, you know how it goes with the lawyers, so he is tied up that way. Wendy Burr - Would this be prior to the July 21st meeting? Mr. Mitchell - I will be with him prior to that time, but how far along we will get with that I am not sure. I have already mention 111 to him at the town meeting we had over here on the 27th and told him to give some thought to it because I am going to be coming to him about it, so he does know about that. Wendy Burr - Is he also the person you are going to confer with concerning the moritorium legality? Mr. Mitchell - Yes, he and I might make some personal calls myself into the State. I like to work through Town Counsel because that carries the strength of having taken the right route if you end up in court. But I have no problems with doing some of the errand work for him so that it has some preparation. Wendy Burr - Also before I forget, this is not concerning what you just said there is to be a public

hearing prior to the building of a composting building or siting? is that true? Mr. Mitchell - That would be the District, that was in your Chapter 39 was it that you got that? Wendy - Yes. Mr. Mitchell - obviously if it is there. Wendy - You have any idea when it is going to be? Mr. Mitchell - No. Mr. Hebel - they will respond to a request from the Town for enough interest shown in Town, and I think we have enough interest here to have that hearing in town. That was told to me by Mr. Robert Kimball of the DEQE who is responsible for administering the court order against that facility. So if the Town requests that hearing to be held here and the people show an interest, which I think they have, if the town requested it I think it would have more weight and they can and do hold hearings in the town for this type of construction specifically if it is requested. Mr. Mitchell - Ruth, we will write a letter in the morning to the District with a copy to DEQE advising them of any public hearing relative to that subject we want it in the Town of Medway. Wendy - Could it also be asked if it can be held in the evening so the people who work could come. Mr. Mitchell - we could ask for that but we don't dictate. Resident of the area - I really appreciate the comments you have made tonight, I'd like to know that six months from now we're going to feel good about how things are progressing towards that end can we construct a plan of action and a timetable at which we expect things to happen towards solving this problem? Mr. Mitchell - Yes, but it would be my preference to wait until the 21st, I'm not sure which path we are going to have to take and I certainly hope that you will all be there. Resident - Can I take that as a commitment that we will have a timetable? Mr. Mitchell - Yes, and if you're asking for a timetable that means you are familiar with them, you understand the flexibilities and so forth and this Board has no reservations what so ever laying out a timetable and sitting with the people who actually involved and negotiate a different timetable. Resident - I am not so much desperate for a timetable as I am desperate for a course of action in terms of solving the problem. Mr. Mitchell - I know, you have to have the check points, you have to have the milestone and I appreciate that, I understand that. Mr. Hebel - With respect to the timetable, we are up against the clock with respect to the court order for that composting facility to be resolved. The DEQE is in the process of evaluating the CRPCD's plants for that composting facility. Once that approval is made they have 30 days to start there grant action which will start setting the wheels of concrete to be setting up for what is going to happen. Does the Town know what that plan is that was resubmitted in March for the perling facility, is the town aware of it, has the Conservation Board looked at it before it was submitted, have they approved the Commission submission of that plan? Mr. Mitchell - I would have to say for this Board here, I can only speak for this Board, I would say No. I'm not aware of it and neither is he. Mr. Hebel - So the Commissioners of the District who you appointed Mr. Mitchell - don't, don't - please don't take that path, we don't have it, that is what I said don't do. Let me just clarify again so that you do understand. This Board is serving here because they want to serve here and we went out and got elected and people put us here to do a job. Our hands have very much been this way, but what we

have said now is, if need be, we will fight for a moratorium until we can get resolution down there. But if we are going to go out and start an adversarial position with people to get started. Mr. Hebel - I'm sorry if I presented that attitude that was not my intent. Mr. Mitchell - Well, when you say the people that you appointed down there, I knew what was coming next alright. Mr. Hebel - Well, my position is the town is responsible as well as Franklin. My question goes to the Franklin Selectmen are they aware of what the District is putting in to the DEQE for resolution against - Mr. Mitchell, let me say this to you sir, I appreciate your input and we will be aware of it tomorrow. Okay, I think that's what we need from the body is a fact, give us a fact to work on, that's a fact. Mr. Hebel - that was basically the root of my question, I'm sorry I came across as adversarial, that was not my intent. Mrs. DelGaudio - for the benefit of the people here and for your knowledge, though I assume you already are aware of this, the Zoning Bylaws of Medway state, concerning odors, no imission of odorous gases or odoriferous matter in such quantities as to be offensive shall be permitted. Any process which may involve the creation and/or emission of any odors shall be provided with a secondary safeguard system. Is that in effect? Mr. Mitchell - is it in effect? Mrs. DelGaudio - is there a secondary safeguard system in effect? Mr. Mitchell - I heard the question, just let me phrase the answer for you. You are dealing with that which the Town of Medway has, if you would, sovereign control over, we do not have that sovereign control over that District down there. That comes under District, that comes under State. Are you asking to we have a secondary control? Mrs. DelGaudio - No, it says here in the Zoning Bylaws these standards shall apply to all districts, and I assume all districts means where we live, our homes. It says no imission of odorous gases or odoriferous matter in such quantities as to be offensive shall be permitted. Mr. Mitchell - That's right. Do you know what that means? That means the building, the facility that is generating that odor or that problem should be stopped from doing it. We don't have that authority in this Town to stop them. That's the problem that we have. Mr. Hebel - So it's not enforceable is what you are saying? Mr. Mitchell - It's not enforceable. Let me just carry it just a little bit further. If you stay with the zoning bylaw, you could not set up a composting facility on Farm Street of human waste on your property, we can control that, our local board of health, but the DEQE, a higher authority is telling them that they are going to do it on that piece of property and we don't have the authority to stop them. Mrs. DelGaudio - The DEQE isn't telling them. Mr. Mitchell - The State Agencies, the State power is telling them that that is where it will go. Mrs. DelGaudio - You know they had 13 sites that they originally submitted, I understand. Mr. Mitchell - and none of them have been approved. We don't want any more smell in our backyards. Mr. Mitchell - I think that is what we are here for, we're discussing that. You know the part that I am saying to you - Mrs. DelGaudio - I guess what we want to do is - Mr. Mitchell - shut them down - we would love to walk down as the three members right now with the Chief of Police and shut them down, but we

can't do that. Mr. Hebeler - one thing that can be done right away and is in the power of this town, that was told to me by Mr. Kimball from the DEQE, is that the tipping of the trucks that come in is under the direct control of the Board of Health in both towns, the sending town has to sign for release for the truck to leave the town and the Board of Health in the Town of Medway has to sign an acceptance approval for that tipping fee. If we are serious about a moratorium could we start there with a relatively immediate action that until we go into further investigation we will place a hold on all new tipping of trucks. Mr. Sabin - He just suggest all of that. Mr. Hebeler - I know he suggest, but this is something that could happen almost immediately. Mr. Mitchell - if that's a fact, that is an approach to take. Mr. Hebeler - perhaps that's something that could be put into effect at the 21st meeting assuming that there was time to research it. Mr. Mitchell - Yes. Mr. Borek - Mr. Chairman I would like to speak now, maybe, I have been sitting back for a while and think it's maybe time to say something here that in regards to the meeting on the 21st, I mean you took it upon - to do it and I'm agreeable with you, but I went to the Council in Franklin, to the meeting in Franklin and spoke before the Council and I have a feeling that regardless of what we do, and most of the people in this room have the same feeling that I have. That the composting facility should not be built in the Town of Medway. The Council in Franklin took it upon themselves to take a vote and they voted 8 to 4 I think it was, or something like that figure I forget, I think 8 to 4 was the figure, not to allow a composting site in the Town of Franklin. Regardless of what was said or what was going to be said and how bad it was and what need it was and what other thing were done, and as far as I was concerned I came from that meeting, and I told some of the people that were at that meeting, that as far as I am concerned I want this Board to take the same stand that the Board of Franklin Council did to say that no composting facility will be erected in the Town of Medway. At the new business tonight, hopefully, that I would make such a motion that we do that, send a letter to CRPCD stating the fact that we do not wish, we do not send to erecting a composting facility in the Town of Medway. Period. And that some other resolutions to the problem of how the waste should be disposed of or to the alternatives I think the engineer, he came up with a solution that they hired and I see the Representative here tonight and I thank her for that very, very long 1977 Report which is very, very informative to my knowledge in which this same CDM at that time told the Town of Medway that there would be an odor down there from the sludge. Mr. Mitchell - stay with the first item please. Mr. Borek - I just want to bring out the fact that - Mr. Mitchell - the first item is going to call for a vote tonight you should speak of that, we should speak to that right now about that vote. You have to understand the repercussions, you know that don't you where you put yourself into a no win situation and you are placing upon them down there the responsibility to - they came up with an alternative, I would rather suggest to you that we suggest to them, or direct our representatives to vote to use the powers of eminent domain and take the land that is sitting over there waiting for them, not for us to vote against putting

a composting facility down here but place their efforts, not in violation or in conflict with the law that says they have to right now, but to instead, take the necessary actions which they are empowered by the State to take that land over there and put it where it was going to go, the State was willing to give the land, swap the land. So that's a positive action. Mr. Borek - the point I am getting at though, Paul, I don't think that that is the solution. The composting is the solution, I don't believe that is the solution to the problem and that is why I am asking that composting site not be erected either in Franklin or Medway. I don't feel it is the thing. I don't think it is going to solve the problem. I will be surprised if it solves the problem. Mr. Mitchell - Eddie let me just tell you what it will do. It will prolong the stock piling of the sludge at that facility down there. I don't want to take an action which is in violation and in conflict with something that take you have been told to do by the very agencies that you are looking for to get the relief and assistance that you need. If we're to make a suggestion to them down there, in my opinion it is the one that says take the land necessary, that was all agreed to before and if necessary take it by eminent domain and go in and do it. But you've got to go ahead with someplace in moving that sludge. We will be three years out and that's the end of it too. Three years out and still be piling it there, we've only got three more years at maximum. Mr. Hebel - a moratorium may extent that life, by cutting down the flow that three year projections probably based on an increased utilization and flow through the facility, so it may extent that life. The DEQE by the way, had not seen, Mr. Kimball who is the administrator, had not seen the plan that they submitted for the closing of that landfill and that was Wednesday of last week. So he doesn't know for sure that that three years is the extension upon what it is based. Mr. Mitchell - I guess you've got me missed up here. The closing of the landfill? Mr. Hebel - the closing of the land fill of the District, plant. They were to have submitted a plan on one March of this year that identified how they were going to close that landfill and under what - the DEQE that I talked to had not seen that plan. So the three years I don't know what it is based on, if you go with a moratorium, any future connections and you keep the flow at this rate that may go to four, five, six years because I am sure that was built in to expansions. The point that I wanted to get back earlier was that the recommended solution by the CDM report, I forget the date but I have it here somewhere, was to cart it off to facility and have it burned, but because of the high copper content and the classification of level III something happened and that was not going to be permitted. There were three other alternatives before they got to the composting facility here in Medway. Mr. Mitchell - none were exceptable by DEQE? Mr. Hebel - No, if I remember correctly, the solutions that DEQE had recommended to go - CDM had recommended to go with the burning of it, it think it was Uxbridge, if I remember correctly. Wendy Burr - Millbury. Mr. Mitchell - But we were denied that. Mr. Hebel - because of the copper. The other solutions were in Franklin and Millis and a few other ones and when the community



went around and were polled, the other communities turned them down cold. I don't believe the DEQE was the one that shut them down I believe it was the other facilities, the other communities that shut them down, including the Wrentham State School. Mr. Mitchell - Shut down what? Mr. Hebel - Shut down the article we're talking about, the composting facility or other technique they having for doing - alternatives. So there are other perferred solutions than composting. Mr. Borek - Mr. Chairman, I would like to bring out also, there are two members from Franklin and two members from Medway and also the two members from Franklin have not been re-appointed as of the present date as far as I know. Mr. Mitchell - Yes, that's right. Mr. Borek - and if there is a deadlock between two and two, the eminent domain which you are seeking will not proceed. It will not be able to be done. It will be a two and two deadlock and the procedures of getting eminent domain would not be done and I'm sure that then the court or whoever advocated it, the plan that the District has now presented them to have the thing on site, to have that composting on site will go into existance. We would not be able to proceed with eminent domain proceedings under the present situation that's down there. Mr. Mitchell - Now let's stay with the suppositions for a while as long as we're supposing, let us suppose then that there are only two District members down there right now. If the other's have not been reappointed, there are only two. The vote could be taken - Ed if you want to suppose you can suppose your life away, suppose positive - suppose that we can get something done if we don't achieve eminent domain then achieve recognition. Achieve recognition by people knowing how far you will go. You know these people along time ago reached the end of their rope. It's to the point at which we have, or should have, and we will use every mechanism that is available to us. Those people that are down there are also appointed by us and if need be we could have weekly meetings with them to find out what is going on with each of the agreed to plans that we had for this week, we check it next week. Then we'll make new plans for the next week and we'll check that. I don't have any reservations about putting my trust in the two gentlemen we have down there, nor the two sitting members or supposedly sitting members from Franklin which may happen to be the problem that Franklin has. Resident from area - Why would we limit ourselves to just one course of action, shouldn't we try and have a multi-level attack on this problem? Mr. Mitchell - Yes. which is why as we have said before we are thankful for all the information we have had from Marie on this one. Resident - quite frankly I think one of the reasons we find ourselves in this position, is because other towns are counting and have been counting on Medway following the rules to date. Possibily it is about time to cause a little creativity and maybe break a few rules. Mr. Mitchell - well see - yeah, I don't disagree with you, it does come to alot of us, probably more so to Ed, who was born and raised here, that there is a favor of animosity between the towns of Medway and Franklin that never ever, ever existed before. I have only been here

23 years and all I have ever seen is cooperation from every facet of business in each of our town's in sharing in mutual assistance. The latest attitudes are shocker's. It may well be that the people in town government over there have a reason to protect their constituency and they have to pay attention to what they say, to a degree but not to the degree that they close their eyes and ears to what facts are and that is what bothers us. I was not at the meeting and the feed back I had from the people from our community and our State Rep that were there it was not a real nice hosted attitude that they got. These are things we don't usually say. Resident - one other follow-up comment, and that regards placing a moratorium on additional flow into the system. Can we investigate whether or not it's possible to put a flow meter on the input side of station and tag it to a certain inflow and that's it and whatever happens to the stuff when it backs up in Franklin - Solve your own problem. Mr. Mitchell - can we investigate the possibility of doing that? Yes. Representative Parente - When Milford had a similar problem in 1973, the Water Pollution Board did place a limit on the amount of building permits that were to be issued. When we talk about moratorium and the fact that perhaps that might have been factored into the flow, what has not been factored in, is the future growth of Franklin. The night that we were there, they had us waiting for four hours, I think Wendy Burr was there, we waited from 7:00 I believe we got on the floor about 11:00. We saw two large sub-divisions go through there first reading, they have malls planned and I doubt when the plant was planned about 15 years ago, and opened about 10 years ago, that one could not foresee the kind of stunning growth, industrial, commercial and residential that has taken place in Franklin at a rate 10 times the expansion rate here in Medway. I do think that the Town Council would receive a strong message from the Town of Medway if they said you are not going continue to grow, we tried to impress on them that night, that 70 to 80 percent of the human waste processed ends up as sludge comes from the Town of Franklin. You know I found it completely irresponsible that they would not address that problem. Councilman Reed said that he would never had signed that agreement, and he quote used the word lousy, that it was a lousy agreement, and I don't think it is a lousy agreement when one town gets the plant and the smell and the other town gets the service. I don't see what was so lousy about that agreement. There are enough legal ways in that agreement, Mr. Chairman, that justifies everything that the District and the Town of Medway has done so far. Franklin has failed to live up to it's responsibilities, to measure the flow, to bill there users, the agreement spells it out very, very clearly and it spells out very clearly that if the meters broke down they were to use the percentage, everything that was done by the District so far and this town has been correct. I spoke to you earlier today about an article that appeared in the Milford Daily News, I believe October 31, 1984, and a town official said, its flowing into the gutters and down the storm drains, the smell is in the air, the health of the people in the area is far more important than the dollars involved.

Now one might think that somebody here in Medway said this last week, that was said in 1984 by a Franklin Councilman, I'm sorry 1974, at a public meeting when Franklin was begging for a resolution to there waste problem, their sewer plant and Medway responded and Medway became a partner, and now the situation is in reverse and we can make that statement the health of our people is involved and it should not be question of dollars which they keep bringing up, it is cheaper to put it in Medway, whatever they come up with it doesn't - euphemisms for reasons of why they shouldn't put it there. So I think that clearly the Town of Franklin, and I don't mean the townspeople, I have a tendency to generalize, certain members of the Town Council, some were gracious, the majority of them were not gracious and I let them know that the next day and I apologized but I had reached the end of my rope and I let them know the next day that I found it totally irresponsible that they would ask the Town of Medway to join another subregion to solve solid waste problems and at that point I felt that they were looking for some place to dump their solid waste, it certainly wasn't going to be Medway and I let them know that in strong terms and I apologize if I was too strong. I think that there is enough in that agreement and there is enough power and you have several options to pursue and I think the moritorium or asking the Water pollution board to take a look at the gallonage that would be generated by all those new subdivision that are on the drawing board, I would demand that the Franklin Planning Board let us know what is on the drawing board and you take a look at it, if they want to be a star in the galaxy that's fine, but they are not going to pour it all through that system, those laterals into Medway unless they share this problem. You know, just that suggestion, that you have an audit conducted by Peat Marwick & Mitchell at the tune of \$18,000 it never occurred to them that 70 to 80 percent of that \$18,000 is there responsibility, they have to raise it, I mean and they think somehow they have punished the Town of Medway and that's ridiculous 80 percent of anything that they come up with is their responsibility. Respectfully, Mr. Borek and I thank you for coming with us and bearing the brick bats and all the insults we had to take, including investigations by Attorney Generals and District Attorney's I felt like I had committed a crime for defending my community but, respectfully to suggest that we take the compost and put it in some other community, is to put us right back to day one again because those towns are going to claim it is Franklin's responsibility. There were several other options for instance, the Millbury incinerator but that was created by a special act of the legislator and that would require the undoing or the admittance of Medway as a member by another act of the legislator and certain officials in Millbury already told us don't bother and so that is another hurdle, but Wrentham State School, there was a consent degree and even though the requirements of the consent degree at Wrentham State School had been met, the parents, who form a very strong advocacy group at the school have already made it known that they don't want the sludge dumped on the school wherethe mentally retarded are residing. So that avenue is closed. What this town would have to do, and

take by eminent domain, is that piece of Franklin land that leads to the State land, the State has already agreed to give the land to the District, there is a little piece of land over which we must travel that Franklin has used as a technicality to stop the location of the compost facility and they are saying that they played no role in the selection and that's untrue, this Town, it's officials and the District would never have been so presumptuous to just march over and pick out a site, Franklin officials were involved, Al Lima stood on that site with us and he told us that Paul Shew was coming over that day that we stood on the site and then Mr. Shew never showed up, but they knew and they were in on it because there was another selection, the old landfill and then DEQE said that one wasn't appropriate and then we moved over to this site, they were always in it. But, it became politically expedient for them to be political I suppose and to oppose us on it, but to say that we were dishonest, to say that we did it without their knowledge, all untrue, and as far as the plant, there are some problems at the plant it is not the fault of the people who are trying to manage it. Maybe their bookkeeping could have been a little better, maybe some new management initiatives, but we don't fire people for that, we bring in new management initiatives and we tell them what we expect, but if it is the wrong design to begin with, and I want to point out that CDM is also consultant to the Town of Franklin I mean that just jumped out of the front page, I mean there is a man giving us advise and saying yeah, yeah it's okay let's put it over in Medway. But he also is a consultant and all that new expansion that's taking place over there I suppose is attractive to them, but believe me other than bookkeeping and a couple of new management initiatives I'd say that the fault lies in the design. That plant should never have been placed in this part of the region the land, the soil is very vulnerable to climatic changes and I do believe that, ah, now I forgot the expert opinion of an environmental engineer, and I think that that is something we can look to later, what we have to do immediately is somehow comply with the court order to come up with a long term solution. The short term is to bury for three more years but that is the end of it and they could not have seen in the court what is going on in Franklin right now, all this huge expansion program that they are operating under. Resident in the area - Can we investigate a possibility of resinding the Commission altogether? Mrs. Parente - You mean the District Commission? Well, I can't make that policy. In my nastiest of moments, I thought of filing legislation to ask them to leave and to build their own plant, you know I thought of that after I was bruised and battered by they I thought why don't they leave us alone, you know we are only using 20 percent of this facility and we have 100 percent of the problem. Mr. Hebeler - One thought that came to mind during this discussion is one story that I got from the DEQE was the untruckability of the sludge because of it's high copper content. If Franklin is supplying 80 percent of the sludge from the town, I have a very tough time with the quality of the water that is supplied in the Town of Medway that we are contributing 20 percent of the copper content, therefore Franklin is giving us unprocessable sludge. Mrs. Parente - Yeah, you are absolutely correct and you are right on point and part of meeting the consent decree we have

obtained funds which we are using for a grant to identify those industrial sources of - those kinds of problems and to have them pretreat it. Once the result of these studies are in then they would have to pretreat and what Franklin has refused to understand is that the District only assesses the Town of Medway and assesses the Town of Franklin before us the full responsibility of identifying whatever problems are in their laterals and billing their customers lies in their hands and they have repeatedly tried to give the impression in the paper that somehow the District or the Town of Medway hasn't billed properly, or measured properly, the agreement speaks to that very, very clearly that those kinds of things, the quality or the chemicals that are in the sludge, all of that is Franklin's responsibility, they haven't lived up to it. Mr. Hebler - Unfortunately my conversation with the DEQE boiled around that the District Commission has to come up with the regulations the quality whatever you have it of the waste material that is put in to the laterals and that has not been done yet, therefore there is nothing for anybody to measure against. The DEQE Administrator left me with the impression that all they had to do was come up with a plan but they had a problem with enforcing the rules and regulations that they were going to come up with so, the court order mandated that they come up with the plan and how they wanted this thing administered and what regulations they were going to set forth but they didn't really come up with the ware with all nor the funds nor the allocation nor the fines from not implementing this plan all they said they had to lay it out on the table is this is what you want but as far as getting it enforced, it was a whole different matter. You need to have the regulations but enforcing it is - Rep. Parente - One of the problems we have is that this plant is operating under a fifteen year old rules and regulations and DEQE is looking at present day regulations and we have a tough time with a plan that has been designed fifteen years ago rules from fifteen years ago trying to adapt to what they expect of us today with a design that we think, as lay people, we didn't know had some serious flaws, so we were handicapped from the beginning with old regulations and a design that appears to be, an incorrect design, you know I am not a civil engineer, or an environmental engineer but I am told but as far as the fine, I want to address myself to that. The fines that were levied were levied in one aspect of it because we did not have the proper number of personnel at the Plant, but all you have to do is take a walk through that plant and you know why unless somebody has absolute absence of smell, I mean you just, you know we have a tough time keeping people working at the plant. The fine that was levied, I believe it was something like \$30,000 and 70 or 80 percent of that fine was levied for Franklin the balance on Medway. We are sorry that it happened but how can you force people to work in a plant and then there were other things that were wrong with the equipment and if you don't have the money how can you fix the equipment if you can't get money because Proposition 2½ has precluded you from having enough money. In one case, when I mention management initiatives they took it upon themselves to use some of the money to fix the plant and they gave Franklin a credit and that is poor bookkeeping practices they say. Well, they were desperate at that point they are hearing from the residents and they tried to fix

it, maybe they were wrong in that aspect and we can tell them that we will have no more of that kind of bookkeeping. We have reasons for everything that was done by the District. We thought we were coming to a reasonable solution by placing a composting facility in the Town of Franklin, state-of-the-art composting is so advanced that for the life of me I can not understand why they are having a problem with a composting facility, they would have a far worse problem if we partitioned to separate because they refused to act, and then they have to build there own sewer plant and they can use that site. As far as I am concerned they can use site to build there sewer plant so, we have done a tremendous amount of research, we feel that the District and the Town, with the exception of a few mistakes, we've tried to join you in your effort and I have to tell you that these three Selectmen were with you all the way, because that amount of research would never have been done without this Board pushing and saying, we've got to come up with some sort of reasonable solution, they are worried about you, that is their allegiance, the District is the District. I think we have come up with some good information and I think we ought to all stick together at this point and to talk about bringing it to some other community, can you imagine how welcomed we would be? Mr. Hebel - No, I appreciate with not bringing it to another community, it has to be an equitable solution to all parties involved but, equitable was a very strong term at this point in time. Our main concern, and why most of the people are here, if Wendy will permit me, is we have a problem that we are faced with, a very severe deadline and that if the District - the Court Order is on schedule by May 3rd I think it is, they have to have there Step II grants well in process and into the final design for what they are going to be trying to do. And unless that can be, I don't want to say stopped, I want to say put on hold, evaluated as to the best approach for all parties concerned, Medway could be the recipient willing or unwilling, because that is the plan that is out in the open, I haven't seen the documents that they sent in for their final blessing. Rep. Parente - I would suggest then, that at this point that the Board of Selectmen in Medway instruct the Town Counsel to look into the feasibility of partitioning the court, in that it is not our fault, and plead mercy with the court that we have an unwilling partner, we married someone who doesn't recognize it's responsibilities in this contract and that we are willing and we have come to this point and we ask the court to intervene because we are willing. We are willing to move ahead and you weigh things and I mean like that Councillor said its a lousy agreement and I still say, what kind of a lousy agreement when we got the plant and the smell, they got the service and the composting facility state-of-the-art is nowhere near what Medway is experiencing right now. And I have told them we have buried your human waste for eight years and we will continue to bury it for three more years and when you bury things in the ground, you know it is all related there is a whole world underground and we have water wells in Medway that we have to be concerned about, a composting facility is above the ground and it is self contained in a building and they won't listen to reason, so maybe we have to petition the court, but the one thing that I

would caution, is that we all work together. I think this is marvelous and I think it is wonderful that Wendy has all these signatures. Let's make a loud statement together, the Board, the people all of us. Resident in the area - Please, have you lived in that area? Rep. Parente - I have been down there and I couldn't - Resident - Well, it's bad, I appreciate your sentiment and I know it is well intended, but quite frankly I am way beyond listening to that type of "let's everyone be happy together" because obviously that isn't going to work. Rep. Parente - I was anything but happy the day after, and when I spoke to the Franklin - I suppose he thinks I owe him an apology, please believe me I wasn't happy, I was very strong the next day and I told them that I would not recommend that Medway join any new subregion with Franklin until they recognize their responsibility to the Town of Medway. Resident - I agree with that, above and beyond that, in business everyday, contracts are broken because people don't live up to their agreements. Obviously, the Town of Franklin has not lived up to their agreement, why aren't we initiating action to cancel that contract? Why not attach the income for CRPCD since 80 percent of it is paid by Franklin and use that towards providing a solution and then let CRPCD assess Franklin another 80 percent to pay their share. Rep. Parente - I agree, and I think the Town Counsel has to review - you know if you have a suggestion, and you want to present it to the Board of Selectmen and anyone else here who has a professional opinion or unprofessional opinion whatever, if you've got a good solid option that is not based on emotion because we don't win in court with that, you know we'll included it. Help the Board, it's a good suggestion I have already said, instruct the Town Counsel to petition the court and we have to work together on those things. We need your support to do it. I'd like to be out there with 10,000 marines but, I have to remember that we are a system of laws and we have to do it - and there are ways and I think we should petition the court. Mr. Mitchell - before you came in I did advise them, everybody that on the 21st of July I've set that date for a business meeting including the Town of Franklin and the District and all. I think that is a necessity in any business if you are going to start demanding complete compliance with both sides of the contract then both parties, all parties must be properly advised, that is step one. We're going to do that, we are not going to insult anybody as some of our people were insulted when they visited their grounds and it is going to be a professional business meeting and these things that we have discussed this evening will also be discussed and the point will be made that we are not having it anymore and we have people who are equally as talented as anybody that they have in handling contract law and we will start playing the contract law. I will reiterate what I said earlier, that's not flack, I will press for and find the way to impose a moratorium, which will be on Medway as well, and on Franklin for anymore tying into our sewer system or any new septage truck to the plant. Mr. Glickman - That sludge place has been down there for five years or more, from the day they opened up they could start making sludge and it starts making smell and as time went on there was more sludge and more smell and this Board and the Board before it did absolutely nothing about it and we all know that whatever you are talking about here is going to amount to nothing. Now, I've come down here for another reason

I've come down here to find out about this garbage collection, that we are being taxed for. Mr. Mitchell - Well, if you will let us get through this part of the evening, then we will be glad to discuss that, but these people are on the agenda for that and we are going to cover this here as much as we can - Mr. Glickman - Fine - but they have been going over and over the same things, it's been a discussion between the gentleman over there the lady here and you. Mr. Mitchell - point of order here sir, this is on the floor right now and we will cover this subject. Resident of the area - Mr. Chairman, I may have missed it earlier but, you mentioned, at least in the opinion of one other expert there may be a design flaw at the plant, now does that mean that we are going to be instructing our Representatives to the District to bring on another consultant in addition to CDM, since number one, they haven't been able to solve the problem in eight years and number two there is an obvious conflict of interest with their ties with the Town of Franklin? Mr. Mitchell - to answer you honestly, right now I don't know what that means, except that it means that it has to be looked at and it has to be looked at by an objective viewer. I have made the assumption that the information I was given, being given that by Mrs. Parente, from an expert in environmental affairs familiar with plant operations has indicated that that there was incorrect design. So it has to be somebody else that looks at it from another side of the business circle. Resident - So that is one of the concrete steps we could start taking right now? Mr. Mitchell - Yes. Resident - Mr. Chairman, I just wanted to make the point this is just more than just a nuisance and it's more than not liking the smell, I had an episode a few weeks ago where it was so bad that I walked by the window and took a deep breath and I went into Lurrindo Spasm which is kind of serious and that kind of scared me a little bit, that I couldn't walk by my window without having that, so it is getting to be, as much as they say, it's not a health problem it just smells, it's getting to be a health problem. Mr. Mitchell - I did say earlier, this Board recognizes it as a health problem because an obnoxious smell that effects your appetite and effects your ability to consume food will certainly be a very serious health problem down the line. Rep. Parente - In addition, Mr. Chairman if I may, at the request of Mrs. Burr I have contacted the Department of Public Health to find out how we can measure obnoxious odors and they stated that their agency measures odors that are obnoxious within a building and that DEQE would be the agency required to measure it and so I have sent a letter to them so we would have it in writing and I know I can call them but, Wendy will be receiving a copy of that, we've been trying to do that too and just lastly I want to show you the productivity report that Franklin evidently has for its townspeople and they mention in there project what we have done and what we are going to do, they address sludge in the title and then do nothing about it, you will not find it mentioned again and I just wanted to point out that it is an MO, there MO to say they are going to do something and they don't do it, nowhere else in there do they mention how they are going to address the sludge issue except to say that it is one of there - it's on their agenda. Mr. Hebel - Didn't Franklin



just receive two State Grants for tie-ins for more laterals and they have another one that was raised to a higher level of consideration. Rep. Parente - I think that if together we petition the Town Council to ask the Board to maybe put a hold on those laterals, they knew that once this gets out that we intend to curb their building and we're willing to undergo that here in Medway, it will have much less effect on us here in Medway we're not expanding as - they have tremendous plans on the drawing board. They have to worry about that, we have to petition the court to stop all that until they address this plan. Mrs. Burr - There is in relation to what you just said, there is a final public hearing on Thursday, August 25th concerning the CRPCD and the Town of Franklin for an alternative alignment for the Wrentham sewer connection through Franklin. That would be four days after your meeting, maybe that could be considered. Mr. Sabin - August or July? Mrs. Burr - Excuse me, I sorry, thank you its a month after the meeting in July. But it would be something to consider right away. I don't know if Franklin is to be punished. Mrs. Parente - I think you should take this down, maybe if we all showed up. Mrs. Burr - I don't know if I want Wrentham to be punished for Franklin, but because Franklin is selling there portion it's sort of a combination of town's problems. Mr. Mitchell - did we sell a portion of ours? Mr. Borek - Bellingham - we did before. Mrs. Burr - could I also at this time just give you a copy of, a partial list of the petitions that we have asked people if they would like to sign, we have 400 signatures in the last two weeks we expect to get quite a bit more just to show you the town's interest and a little cover letter that you might be interested in that we have been sending around. Mr. Mitchell - this supports whatever we are doing. Rep. Parente - Mr. Chairman if I may again. Would it be appropriate to send a letter to the District telling them that the Town of Medway and the residents here have an interest in that hearing and that in view of what has happened that they consult with the Town of Medway. Somehow let them know that you know that hearing is taking place and that we have an interest. Mr. Mitchell - that will be letter two tomorrow. Mr. Hebler - are copies of those letter available by any chance? Mr. Mitchell - Once the letters are written and go out they are in public domain, you can come up here and get copies. Rep. Parente - we are very serious even though we find a little minute here and there to chuckle over something we might say its a horrible situation and believe me it is difficult - they say democracy is a terrible way to do business but all the rest are worse, so I don't know, we are trying. Resident from Millis - I'm a quarter of a mile from the plant and ten years ago when they said they were going to put that plant in that we were going to clean up the Charles River and most of us really weren't aware - like great we're cleaning up the Charles River and most of us really weren't aware great this is great for our community and I have horses and my horses don't even like to walk through field, I haven't gone through that field for years. That's an animals point of view. It stinks, sometimes at 10:30 in the morning or 5:00 at night, I feel bad for people at the top of Farm Street hill it is really disgraceful.

Resident - Marie can I ask you a question? Who designed the Milford Plant? Rep. Parente - The Milford Plant was designed by Haley and Ward. Resident - They should come down to Medway. Rep. Parente - You make a good point. Milford Plant uses a two step process and it is state-of-the-art, it's seventeen million, it's under the new regulations. Medway's plant uses the one step process, it tries to do in one vessel what according to other experts should be done in two vessels. At the time they considered that state-of-the-art, CDM thought that it was a good way to do it but, I'm told that anyone who understands the climate in this part of the region and the soil that appears as though it was not the kind of plant. But Milford's plant is quite different. We had lunch right outside the plant. On a day like today you might get a slight odor, I'm not going to minimize that. All plants have some odor but this is unusual, I mean I stepped into the plant the other day, I went over to speak to Bob McRae and I ran for my life, I ran through it holding my nose and then went over to see Wendy, where I tried to gulp some air over to Wendy's house and it was just as bad. Resident - It is also disheartening, there's been an earnest effort on the part of a lot of people and certainly the community over the last eight years and nothing has happened, it's gotten worse and so we can sit here and talk about it and I know it's earnest but, you know there's not a lot of hope here. Rep. Parente - Well, we shouldn't be burying it, we can't ignore the fact, yes there are problems with the design, but we are burying sludge that is not treated properly. In Milford we bury sludge but it's been treated with ultra-ray, we use ultra violet ray, it's a biological process and when you disturb that balance, for instance Garelick's. Now in that plan Wendy has, in that report it says that this plant is very vulnerable to sudden shocks. Now a shock could be a weather shock, but it also could be an industrial waste shock and if a company like Garelick's dumps it's waste, that's a shock and it disturbs biological balance, the PH balance or whatever else is in there, I'm not a scientist but, those kinds of things, chemicals coming in like you mentioned, it disturbs that balance and then the sludge that we're burying has not been treated properly. So, the composting facility will stop the burying and we should be treating it properly. Resident - When you consider that fact, when you consider the high copper content in the sludge, what sort of a situation are we setting ourselves up for in terms of the ground water in the Town of Medway? Rep. Parente - that is one of the issues we raised. I just said it earlier that what we put into the ground - its a whole world underneath there and Franklin has to understand what they are taking, will be encased in a building and it wouldn't effect their drinking water or their underground eeco system. Mrs Burr - I'm not sure if you can answer this, but after the July 21st meeting to be honest with you, a realist, Franklin people are very angry people and I can't see any complete turn around. What would be your next step, would you initiate the demands the very next day? Would you wait for another Selectmen's meeting, how would you go about - Mr. Mitchell - it's not a good question to answer, it depends upon the play - they can be very angry, they can be very professionally angry, so can we - but we can be very professional. We will take action immediately, immediately we will come out of

there with action items. We will be the host town, I intend to chair that, and I never, never ran a meeting that people left without action items, all parties. And if people fail to respond or perform against there action items that come out of a so called joint meeting, the fair evidence is there and I've said it earlier and I hold to it, I'm looking immediately for a moritorium. My mind is made up on that, I don't know the route to take, I don't know the path, I don't know what steps you take, but I have a fine rep who will lead me the right way to do that and she has a staff that's a full days work staff and they will help, that's my immediate intent. If there is a vote from this Board tonight, that would be the vote that I'd be looking for. Resident - It is still unclear to me Mr. Chairman, what exactly, or what action can be taken, there appears to be two separate issues to the position you are taking. What is the action that you would advocate with regards to the delay, if you will, or any action with regards to the delay in the building of this compost plant. I see two issues here and I think most of us are here frankly, we've all been through the first issue which you're advocating and it sounds welcome, but at the same time we still have this feeling of an axe over our head that we're going to have compounded odors because we don't seem to feel we have a voice in the building or non building of that compost plant and that is a real concern. I and most of us in this room are here not only for the odor problem, but the probably of compounded odor problems over something which we have absolutely know power or authority. I'm a little confused as to what we can do about the compost situation? Mr. Mitchell - I think the point was made earlier by our State Rep that it's time that we appeal to the court and appeal to the court that they intercede with and direct the DEQE to consider some alternatives that we may offer to them. The DEQE is a very, very strong body and they have very, very small ears because they don't receive much, at least when it comes from communities such as ourselves, they really don't and I will go back to the treatment that we had from the very beginning, they were the ones that laid out the ground rules that we would pile the sludge here and then move it away to selected sites and at that time there were a number of potential sites that they were aware of and we were aware of and when we went into operation and we were stockpiling that and it was time to move they said you can't use those sites anymore but which ones can we use, we're investigating and that went on many, many years I know, so I think the thrust of it is that we have to go to the courts. Now, when you go to the courts, I think everybody here is mature enough to understand, you are laying down the gauntlet and then you have to take both sides of it which ever way it goes. There will always be something that we over look in our trip to the court and somebody else is laying there and smart than us and catches it, so you have to take that bump and go on with something else. We will look it over very, very well before we do it, I think the first thing we have to do is stay off, stay off as long as we can, that ultimatum that we must have everything all done by such and such a date. That's when we

have to go to the higher levels of government, we have to go to our legislative representation, our senatorial representation, who will all be invited to the meeting on July the 21st. Mrs. Parente - Mr. Chairman, there's going to be a public hearing on the composting facility, Wendy, do you have the date? Wendy - It hasn't been established. Mrs. Parente - There is talk that the meeting will be held in Worcester. Mr. Mitchell - Well, we are sending a letter that we want it here. Mrs. Parente - I registered a letter, that it was inappropriate, that if they wanted a public hearing, public hearings are for public input and if you have a meeting at five o'clock when you are sure everybody is working that tells me you don't want public input. I have put that in writing and I sent it to the hearing's officer and a copy of which will be sent to Mrs. Burr. Mr. Mitchell - Okay, maybe we could get a copy of that and we will echo all the same inputs because it says it the way it is supposed to be said. We had earlier agreed that we would do such a thing. Mrs. DelGaudio - In going to the courts, you would be using the Town Counsel as your legal rep.? Mr. Mitchell - We will use Town Counsel for the initial review of what we will be doing, the path we would take, and if necessary to get associate counsel, we will do that. Mrs. DelGaudio - That's what I wanted to ask you, would you be willing to use an expert as an associate counsel that is an environmental lawyer? Because we have investigated someone out of Boston who feels that we have a good case. Mr. Mitchell - We will use the best that we can. It is not unusual that we have Town Counsel, who is the senior counsel, and use as an associate counsel who is a specialist in the field that we are pursuing. He would then be our Town Counsel's Associate. Mr. Ladieu - Mr. Chairman, if I could turn to the short term for a moment. Personally over the years I kind of think of the DEQE in the sense as more of an obstructionist than a facilitator, that is my personal opinion. We were in the process again last summer of resubmitting applications for hauling that stuff out of there, have we heard back from the DEQE since last summer? Mr. Mitchell - No. Mrs. Parente - yes we did, they said we could haul it out, do you remember? Mr. Mitchell - but, there was no place to haul it. Mrs. Parente - we could bring it to the landfill. Mr. Mitchell - No, I don't believe we had that, Marie. Mrs. Parente - Well I will look for it while you are talking. Mr. Ladieu - That is also something that would help in the short term. Mr. Hebel - Unfortunately my conversation with the DEQE, Mr. Kimball made a point of the fact that they are an observer, the organization down here is a facilitator, they are to revise and monitor and check, but they will make no decisions nor recommendations, it is the decision of the Commissioners as to how that plant is run. Mr. Mitchell - Marie this doesn't say on our landfill, they call that a landfill too. Mr. Borek, I'm going to tell you now, nothing is going to be done until we say the same thing as the Town Council in Franklin said. Unless the Board takes that action

you're not going to hear it because the Council with fifteen members, you're going to have a hard time to convince eight members over there that this is what should be done and that that contract, as Mr. Reed said he would never sign it and what not, any meetings we have with them is just going to be a waste of time. Mr. Mitchell - The only thing is Ed, if they choose to act unprofessional then let them do it publicly and what we do from then on will be something that they are aware of doing alright. They don't run the world, neither do we and everybody in this country has recourse to the courts. We've stayed away from there, but we're trying to have a reasonable, professional business meeting where both sides, all people, understand the situation and there has to be a compromise in some cases, and there has to be a complete yeilding in other cases, and if in fact it doesn't take care of the problem then we have to continue and there is only one other recourse. You can't think negative. Resident - You can when you are smelling the odor. Mr. Mitchell - Well, you can think negative about the situation but you can't think negative about getting it corrected. Resident - Look you're dealing with a plant that's obviously outmoded, why not shut the whole thing down, its a health hazard. Mrs. Parente - What are you going to tell the people about - Resident - What are you going to say if that lady dies while she walks by her window? What are we going to say with any kids that are growing up now and starting to smell this from a year old and we may wind up with kids with physical defects, that we are sorry? Mrs. Parente - You're right, it is just like the landfills throughout the State, they are in the ground everybody wants them out, but nobody tells us where to bring - you know there are bills to remove all the landfills. I'm saying we are doing the best we can, I know that you are frustrated and we're here and you see us and so you are telling us. We are with you, I mean I have been working on this, I think, Wendy will tell you every waking moment, and no matter what she asks me to do, we're there we've carried out every wish of this committee and all the research I spent hours on, they've asked me to do it and we've tried, we hear you and we're doing our best we have someone on the other side that has committed themselves to the Federal Government, the State Government, the Town of Medway. Mr. Borek - Marie, you're at the State House and the State Governor, and Bogler there, wanted to bring the refuse and junk out to Weston, he wanted to bring it to Walpole and he wanted to bring it to Stoughton and the people there said, No, the Selectmen said No those towns took a negative vote right away and it didn't go there, Marie. It didn't go where Bolger wanted it to go - it didn't go there. Mrs. Parente - Ed, those are all fine political statements to make, I've made them myself, the fact is Ed that we have laid out a program that we want to follow, we want to go to the courts, we want to instruct the Town Counsel, we want to bring Franklin over here and tell the Town Council, the Town Council over there is an equal, you talk about General Laws,

you talk about governments, Town Councillor's are equal to Selectmen. This will be the first time that the two of you got together, the Town Council over there has unilaterally made decisions for a plant that is not even in their town. So, for the first time this Board has taken the lead and has asked the Town Council to come here. They've told you there going to have there Town Counsel petition the court, we've told you that we'll do something at the public hearing in Worcester to try and get it here, Wendy has brought us this notice and we want to register there, I mean that's action. All the other things are things we can't do, they're great and I want to do them too, but we have to through the legal process, bring Franklin to the table, through strength, and I think we're all united now, we're bringing them here. Look at the three hearings that are coming up which we can really lay the law down to Franklin and say okay, we've come to you, we've asked you to join us tonight in solving this and 80% of this problem is your problem. Resident - I think that is very naive to think that they are going to play the game fairly. Mrs. Parente - No, they are not going to, but we have to go through that step. They constantly tell you at State level, have you exhausted everything at local level, the court will say that. Have you tried to talk to them. Resident - If they had any common sense they would know already that they are causing the problem, because Medway people don't smell like that. Mrs. Parente - I know, I'm with you sir. I told them that, I told them that 80 percent of the odor is yours. Everything you have said we've said. Resident - The point that I am making is that at some point and time you have to agree that you either have to bend or severally break the rules. Mrs. Parente - We're not going to break them. Resident - The frustration that you are hearing here tonight, believe me the most encouraging thing that I've heard is that the Board is ready to act and move. But, you've got an eight year track record here that you are trying to live down, eight years of inactivity, eight years of doing nothing and accomplishing nothing, it is better to start late in the game than not to start. Mrs. Parente - Remember the missing piece, never before have we thought that there was something wrong with the plant, we kept blaming people and we never once questioned the so-called experts. We now have another piece of information, it may or may not be true but we can get another opinion and see if it corroborates with this one. Someone in DEQE said yes there was a design problem I got them to admit that. Wendy Burr - I have two things to say quickly, I know that you are aware that the Town of Millis is in support of what you are doing and that they might be able to put some input in because the residents even though it is a different town they get the odor, they should be involved maybe as a dual counsel or dual effort, that's a possibility but they are very supportive. The other thing is, I don't know if this is out of line or not but, could the Attorney General be notified that we are taking action so that the Court Order won't be blatantly disregarded but maybe they can be aware, either by being invited to the July

21st meeting or to be given the minutes, something so they are aware of the procedure that you are, in good faith, working.

Mr. Mitchell - I think that is a very good thought. This is letter number three tomorrow. Resident - One other thing Mr. Chairman and that has to do with the press. It seems that, since this is viewed as positive action, this July 21st meeting, would it not make sense to make sure that there is complete publicity for the spirit over this meeting. Mr. Mitchell - Yes all papers will be notified. Mr. Osborne - That is a two way street, unfortunately, I've sat here on meetings and I've heard people say, well if the press wasn't here I would speak my peace. And they resent the fact that we are here. And then when we are not there they figure they are not getting the coverage that you think that they should be given. It is very easy then to blame the press. It's a two way street and I've got it both ways on this issue by people that are here tonight that have condemned me because I've been here and prevented them from saying something that they would like to say because they didn't want to see it in print.

Mr. Hebler - Is there, I am not familiar with the procedures of the Board, something positive that we can request the Board to vote on this evening that would precipitate some of the actions we have talked about? Mr. Mitchell - You can request it, I think there will be discussion between the Board members before we vote, I personally am going to entertain a motion, it is unusual but not without precedent that the chairman presents a motion, but I am going to intertain a motion of full support and positive action be taken immediately to pursue the moritorium route and that is a motion that I will be looking for tonight. I would hesitate to go through a series of motions, if some of them may be from present reasons, that's not what the game is, I'm very serious about that. The reason for calling the business meeting is to follow the steps, if it is asked, did everybody have a chance, they certainly did and we will disclose what our alternatives are and if I disclose to you what my alternatives are you have to expect I will use the one that is most expedient for me, if that fails I'll take the next one, if that fails - and as many as I list you have to respect I'm going to take those and I think that's what the business meeting is supposed to be about and it will be taped, it will be covered by the press and I'm sure that you people will be there. Wendy Burr - Could you ask Cable to cover it? Mr. Mitchell - Yes.

Mr. Mitchell - Does anyone have anything new or any parting questions to ask? We will do what we have done in the past and apologize for the situation down there, but we are speaking positive action and we are taking positive action.

9:38

The Board met with Mr. Norman Glickman who stated he had all kinds of stories about this rubbish collection, nothing official. Now, I understand that it is going to be mandatory. Mr. Mitchell - yes, that's true. Mr. Glickman - Now you take somebody like me who only lives here six months of the year, am I going to have to pay for six months because I'm not here? Mr. Mitchell - Well, one of the things that goes with the plan is an appeals process, we

will have to set up a group that will take appeals against the basic requirement for the rubbish collection, because you are not the first one that has a problem, some people who have their rubbish picked up right now, older people, who don't move the rubbish from their house out to the end of the road because they can't, they are not healthy enough to do it, and the rubbish collector does that. I don't know how that is going to be handled under the new system however, that is one of the appeals situations that we have to take care of. Mr. Glickman - Who's in charge of this rubbish collection - I know the Selectmen are in charge of everything - but I mean, is there any other - who set it up? Mr. Mitchell - Well the ah! Mr. Glickman - Who came to the conclusion that it's twelve dollars? I've lived in town more than anybody in the room here, and I'm still able to go down to the dump almost every week, sometimes I skip a week, and it costs me fifty cents. Now, I'm on a fixed income, you come along and you tax me, or somebody does anyway, twelve dollars a month, in reality it costs me at the most two dollars. Now when you have a fixed income, how do you get around that with the dump. Mr. Mitchell - There is no more dump, that also is a mandate and that is from the State agency, it says it will be closed. When we get a letter that is sent to us, and it says that you have failed to close and you better get it closed, and it also mentions in there criminal prosecution, I'm not interested in serving where I can't close the dump as I'm suppose to and I'm going to be held for criminal prosecution. It should have been done years ago, now they've run out of time and they say it is closed. So that dump and the transfer station as well will be closed by the eighteenth and the pick ups will start. I appreciate the problem where you haven't read in the newspaper what the whole system is about, but it has been in there and it was voted at town meeting. Mr. Glickman - What newspaper was it in? Mr. Mitchell - It was in the Milford News, it was in the Country Gazette, the Middlesex News - so it's been all of the newspapers. Mr. Glickman - If you don't buy these newspapers - Mr. Mitchell - How do you get your other news about what is going on in town. Mr. Glickman - Oh, I talk to somebody and they've read or heard about it, got an idea about it, now I've heard that it was going to be eleven dollars and change, then I heard it was going to be twelve dollars, then I heard it was mandatory, now mandatory is a tax, how can you tax? Mr. Mitchell - No it's not mandatory by tax. Mr. Glickman - It's mandatory that house in the town - Mr. Mitchell - it doesn't have to be by taxation. Mr. Glickman - Then what is it? Mr. Mitchell - It's by charge. Mr. Glickman - no matter what you call it, it is a tax. Mr. Mitchell - No there's a difference in a tax, because your tax, you declare your tax and it's recoverable. It's not sneaky it's just the way the thing is set up, that's the way it's suppose to go. Mr. Glickman - I would say it was sneaky. About a week ago we celebrated an event that happened over two hundred years ago, when they told George the third that we're not paying the taxes on the tea and that was mandatory, and it's the same thing here it's mandatory



now you tell me, I'm only here for six months of the year, you tell me I got to pay what, seventy-two dollars for nothing. Mr. Mitchell - I don't know that you do, sir. If you'll listen I'll answer it again, the way I answered it the first time. All things in that program can not fit all people that have to use the program, therefore there are appeals for the system so that those people who can't work totally to the system will not have to work totally to the system, alright? Mr. Glickman - But I never heard anything like that. Whoever is incharge why didn't they send us a letter in the mail. Mr. Mitchell - There is a letter that is suppose to have - Mr. Glickman - Where? I haven't seen it. Where is it? Mr. Mitchell - I said, when I finish the sentence - there is a letter that is suppose to have been generated by the Chairman of the Board of Health and the Finance Committee member that was assigned to the committee and that's supposed to have been out by now, and it isn't, alright? Mr. Glickman - Well if the letter isn't out how am I suppose to know what's happening? Mr. Mitchell - The letter will be out. The collection will go on the eighteenth and you will be notified. Mr. Glickman - What this committee, why did they feel they have to close these people up, there business up; Cassidy and Jones and some others? Mr. Mitchell - This committee didn't do that sir. Mr. Glickman - Somebody did. Mr. Mitchell - Yea, the State did. The State closed that up. Mr. Glickman - No, no this committee said that every house has to pay whether they use that or not and if they're going to pay this man that comes from Holliston, it's a country wide outfit anyway, cause I've seen them in Texas, Oregon, I've seen them everywhere. Would you pay Cassidy and pay him too. Of course not. So that puts Cassidy out of business, the same thing applies to Jones. Mr. Sabin - Cassidy and Jones and others had the right to bid on the contract for the Town of Medway. Mr. Cassidy was not the low bidder, we didn't do it to Mr. Cassidy, Mr. Cassidy was the high bidder, or the middle bidder - Mr. Glickman - Whoever awarded them this contract put them out of business, because they say you have to, every house has to go to this man. Mr. Sabin - sure, he was the low bidder, the State law requires you hire the low bidder. Mr. Mitchell - What is your point sir? Lack of information - Mr. Glickman - Lack of information for one thing - Mr. Mitchell - The system is in and it is going to be imposed. Mr. Glickman - And the cost of the system and if I'm not here for six months I don't see how I should be compelled to pay, and I don't think I'm the only one. Mr. Mitchell - Well, that's fine, the secretary has been taking a list of the people who have similar type complaints, similar type appeals. Mr. Glickman - Now this morning I tried from nine o'clock until almost noontime to try to call this place and the line was always busy, I don't know why but it was always busy. Mr. Mitchell - Let's stay with that for a moment sir, because I was here from about nine thirty until five or ten past eleven and she was on the phone and there were moments that the phone wasn't being used and she was here and it was for situations just such as this and it was situations

from people who just left here, she was here and the phone was not off the hook except when it was being used, because I was sitting right here working. Mr. Glickman - That may be so, but the fact is I couldn't get through to get an appointment or something to be down here tonight. So then I tried at twenty minutes past one and after it rang for quite awhile, some man answered and I didn't know who he was and he didn't know anything and he said the secretary was out to lunch. Now I know that these town people, whether they are on the highway or other places, they take off on lunches, I can remember turning them in one time, and I know about these Boards, twenty years ago or so I was on the Board of Health myself. Mr. Mitchell - I remember. Mr. Glickman - You remember? I didn't think you were in town then. Mr. Mitchell - Yeah. I was. Mr. Sabin - I was too, but I don't remember. Mr. Glickman - You were in town? Do you remember me? Mr. Mitchell - Yep. Mr. Glickman - Fine I don't know who you are. Mr. Sabin - Well I'm sorry. I've been here thirty-five years and I probably have never run across you more than one hundred and fifty times. Mr. Glickman - I don't see where. Mr. Sabin - It's immaterial. Mr. Glickman - What I want to know is what happens to me and the garbage collection. Mr. Mitchell - You will get personal information. Mr. Glickman - Before Monday? Mr. Mitchell - Yes, before Monday. Mr. Glickman - And then I go before an appeals board? Mr. Mitchell - No. That is not the way it works. I've already registered what your appeal situation is, Ruth has your name, and when we get with the group, and we have not assigned a group to take care of the appeals, however, we will get together with the appeals group and have them resolve have these things are going to be taken care of. You are not the only one with a similar type problem. Mr. Glickman - Is that going to be done before Monday? Mr. Mitchell - No sir, It can not be done before Monday. Mr. Glickman - Then starting Monday I am going to be charged, is that it? Mr. Mitchell - That's right. Mr. Glickman - Then what good is the appeal? Mr. Mitchell - Let me ask you something? What happens if you get over charged on your taxes you get an abatement don't you? Mr. Glickman - the only thing that I get over charged is the seventy-nine percent they take off for the schools, see, that's what I get overcharged. Mr. Sabin - You and I agree. Mr. Glickman - Alright. And another thing you know, I looked in the town report and I found that there's a hundred and fifty nine adults hooked up with the school system and there's seventeen hundred and seventy-two children that means one adult for every eight point four children. So you see you got too many chiefs for the indians, it's not your fault you're not on the school committee. Mr. Sabin - It's the State's fault. Mr. Glickman - The State says you have to have one adult for every eight point four children? Mr. Sabin - The State keeps the school separate from us, we have no say over the school, no board has any say over the school. Mr. Glickman - Well, there's a bunch in town here

who have something to say over it. Mr. Sabin - it's allowed. It's allowed by State law. Mr. Glickman - They certainly had something to say about it. As a matter of fact, they knocked off some of the School Committee and got themselves appointed. Mr. Borek - Mr. Chairman, in regards to this issue - Mr. Glickman - I don't feel that I have accomplished anything by coming down here and sitting here for two and three quarters hours waiting to get heard. And I don't see what I have accomplished. Mr. Mitchell - I'm sorry for that, I think you have. You could have done it with a phone call, if you could have got through. Mr. Glickman - I couldn't get through. Mr. Mitchell - In the future I might suggest to you to try some of the other lines and ask them to come over. Mr. Glickman - And tell her? Mr. Mitchell - Yes. Mr. Glickman - Oh, I didn't know they did that. Mr. Mitchell - Yep. Fran Donovan right across the hall would do that. Mr. Glickman - See I never knew that, and I've lived in town almost seventy-six years. And talk about dumps I can tell you about dumps in this town that were never covered. And if I were foolish enough to buy a house down on Farm Street, I'd get rid of it and get out of there, even if I have to get out of town. Like I said before, before you sat me down, you haven't accomplished anything since the place was run and you haven't accomplished anything tonight, and you know that. Mr. Sabin - Mr. Chairman can we get on with the agenda? It's ten minutes of ten. Mr. Borek - That was on the agenda here and maybe some of them are people that were here before, I told them that it was one of the items on the agenda. Mr. Sabin - What's on the agenda? Mr. Borek - We have it down here to discuss solid waste. Mr. Sabin - We haven't gotten to that yet. Mr. Borek - I understand that but I'm just saying that it was on the agenda to discuss and because I just want to bring it out that there was a lot of people here and that since it took longer that we had anticipated and people had called me and I told them it was on the agenda, that it was going to be discussed, because I had it in front of me, I had it printed that it was there as an item on the agenda for discussion. Mr. Sabin - with no time limit, and now we have done what we have got to do, and we are down at award the fuel bids, which we have done. Mr. Mitchell - We didn't do the Highway bids. Do you want to discuss Solid Waste now Ed. Mr. Borek - I don't care whichever one you want but I'd like to because I think Mr. Bruce and a few of the other people that were here before. My feeling is that we ought to take and the first decision is, who's going to run this program, which department is going to run this program? Mr. Sabin - I thought we made that decision two weeks ago, three weeks ago. Mr. Borek - Well, I've gotten enough calls at my house. Mr. Sabin - Did't we say the Board of Health, fifty-five, sixty times. I move the Board of Health run this Solid Waste program. Do you second that Eddie? We'll end that conversation right away. Mr. Borek - But I would like to - Mr. Sabin - will you second that or no? Mr. Borek - Can I discuss it? Mr. Sabin - Why don't you second it and then we can discuss it. Mr. Mitchell - I'll second it for the purpose of discussion. Mr. Borek - Okay. The purpose of the

discussion is that to just, we've done that, and I was at a meeting which Mr. Wilson was there and he's tied up with a lot of different things just like every other department is and he said a letter was going to go out and I heard a Finance guy, which Paul mentioned, a letter was going to go out to the citizens. I don't see anybody working on it and everybody calls on and who's going to give me - ask me the question of who's operating this department, who can I talk to about it, who can I discuss anything about it? And, I'm sure, I was here for awhile in the afternoon and Ruthie had I don't know how many called on who was running this program? Mr. Mitchell - Well very important Eddie, what was your answer? Mr. Borek - The answer was that we are going to discuss it tonight, that's the answer. Who was going to handle this. Mr. Sabin - We had talked about it for weeks about who was going run the program. Mr. Borek - if you call the Board of Health, they say they are not in charge. Mr. Sabin - Of course not because we haven't voted to put them in charge. Mr. Mitchell - Well, we can make it very simple, cut out the fooling around, it's got to be done - then we'll do it until the decision is made who should be doing it. But I'll tell you what we did say, and I'm not going to do this part of their job, if the mechanics of running the program are what are needed we will run it, but when it comes to a Board of Health, a situation of poor health conditions resulting from the rubbish pickup there is no cop out there, that is a Board of Health responsibility to pursue that, but if it needs running we'll take it and we'll run with it. Now, Wilson is out of town, he and his wife are out on vacation, I think he supposed to be back tomorrow, I have already talked to DeSimone, whose on the Solid Waste Committee, and he knew or understood that Wilson and Tucker Reynolds, I think, were supposed to write the letter, alright? He spoke to Hoban about it this past week and they were supposed to discuss that at their July 5th meeting which they cancelled, so it wasn't covered, so that the collection has got to go on and it's got to go the eighteenth. The routes that are going to be picked up and the days of the routes to be picked up, I was here with Ruthie today making phone calls and that's supposed to be in our hands tomorrow. Is that right? Ruth - By Wednesday. Mr. Mitchell - Alright, we're going to have it by Wednesday. There has to be a proper running of it, and we are not going to wait for somebody else to do it. Mr. Borek - No, but there are questions Paul, that have come up now - people who own apartments, they called BFI, they couldn't get answers around here so they called up BFI and I never heard it at all the meetings I went to with the Solid Waste Committee and I heard Mr. Parrella here, never stated to me, and people are telling me now, that BFI is charging fifty dollars to have a dumpster besides the twelve dollars. Some of the apartment owners called me up and said do you know we have to pay fifty dollars if we want to have a dumpster besides the twelve dollars. Mr. Mitchell - Hold it right there Eddie, you've got a copy of the contract haven't you? Mr. Borek - No. No one has. Mr. Mitchell - I thought we each had a copy of the contract. Secretary - Bid Specs. Mr. Mitchell - The Bid Specs. Mr. Borek - Yeah, nothing is in there about that.

Mr. Mitchell - What is in there is what the cause were with the contract. You kept a copy of what went back right? When we sent the contract back to BFI, in there it has what the rates are going to be and you had the bid. You had what they bid and they sat right here and talked about dumpsters. If somebody wanted a dumpster they can put a dumpster there for them and they would charge them for it. Mr. Borek - That isn't what the discussion - that's the point I am getting at. Mr. Sabin - Well, there were two guys here that said it. Mr. Borek - Who? Mr. Mitchell - The two people from BFI the last time they were in here. Eddie the last time they were in here they said if people want a dumpster we can provide a dumpster. Mr. Sabin - and no one would pay. Mr. Mitchell - The apartment owner then - what they do - Mr. Borek - Do you think that is right, that's what I am saying that I think the problem is that I'm saying that those people now are going to pay, if you have 10 apartments you are going to pay one hundred and twenty dollars, now if you need two or three dumpsters you're going to pay another hundred and fifty, so it's going to cost them two hundred and fifty dollars. Mr. Mitchell - No, I have a question there. If you are going to want a dumpster, why do you want the dumpster because you don't want to go out and - Mr. Borek - No, you don't want it all over, you don't want a problem of having thirty bags sitting out there from one week until the next. You ought to stand right across the street here there is like fourteen apartments between these things of Herbie's here alright and he has three dumpsters over there now, I see in the back there that there are three dumpsters. Now he is going to get rid of those three dumpsters because he thought and he was one of the ones that called me up and talked to me about it, in that he is not going to pay one hundred and fifty dollars because that ain't what - he is paying now just that he ain't going to pay another twelve on top of it. He's got three dumpster now so now he says that all them fourteen apartments or twelve whatever he got in there, okay, are going to say in an average of five bags, there's sixty bags that are going to be sitting out there, if they are on a Friday schedule, say this happens to be Broad Street is on a Friday schedule, sixty bags are going to sit out there now, instead of in the dumpster nicely compacted and everything, you are going to have sixty bags which are full all, most of the week, there'll to garbage and whatnot that's in there, in order for dogs, animals or anyone else to take and have time to accumulate to see sixty bags piled behind that place is as I think some of the situation is there. I personally don't think, and all the meetings I went to, there was no discussion to me that you have to pay for a dumpster. Mr. Mitchell -

What's your question about a dumpster when they can provide a dumpster but it was not presented in that context, that you're paying for bags and then you have the dumpster to keep it neat. See my understanding of the dumpster was you would call for a dumpster and you were going to do a special job and it's going to go away. Mr. Borek - Yea, but you take now we've got a lot of places in town that have a lot of apartments, and if you take each of the apartments as an average of five, which I think would be a minimum, that's what we were using when we talked about five bags and what Cassidy for his estimate when they did their bid was on an average of five bags, now you're taking that if you have like the Cottage Street thing of Mr. Reardon's up there - Mr. Mitchell - Okay Eddie I hear what you're telling me. You have so many units, so many dwellings and then you've got one big building that has all the dwellings and these are all going to be piled up there. I don't have the answer to that. That's one of the appeal situations. Mr. Borek - It's our appeal. That's where it comes a point on the Board who is going to operate this to take and look over these situations and these problems that are coming up and come with the contractor, BFI, and come to a negotiation of maybe this should happen or that should happen. Mr. Mitchell - Then I used the wrong term when I say I put it on the appeals list, but when I say put it on the appeals list, it's our appeal, the Town of Medway, not the Selectmen, who ever the body is that's taking care of it. It's got to work that it can't be a health menace. Bare in mind this won't be the last thing that comes up. Just like it won't be the last time the problem of Mr. Glickman comes up because it is a valid problem. He is here six months and six months in Florida and he is paying for a full year, its not fair. You have some older people that don't generate one shopping bag or a small bag, this is what the committee themselves had considered the possibility of some joint units, senior citizens or something like that. That has to go through that appeal group. Mr. Borek - Paul, the thing is that you're taking and asking the Board of Selectmen to do judgement on a program that they had nothing to do with. Mr. Mitchell - No, that's not true. That's not true that we didn't have anything to do with this. We read all the specs, we read everything we got all - that committee was appointed by us right? That committee reported to us, that committee gave us a report this thick. Mr. Borek - No they didn't give us a report. Mr. Mitchell - They did too. Mr. Borek - have we got a copy of their report? Mr. Sabin - Yep, bound report. Mr. Mitchell - When Dick Parrella sat right with Dave Harrington sitting right out there and ran us through the whole thing. Mr. Sabin - He past them out to us Eddie. Mr. Borek - Well, I'd like to see one, Mr. Chairman. I would like one to be produced to me, a report from the Solid Waste Committee. If there is, then I never saw one. Mr. Mitchell - If you are looking for a formal report that says, Board of Selectmen, you know this is a report from the - Mr. Borek - If you're going to bring out the figures of numbers and prices, I have that but that is not what I'm -

Mr. Mitchell - Eddie it has a preamble on it as well not just a bunch of numbers Eddie. Don't sit here now and say you don't know what's going on. Mr. Borek - Well I don't. Mr. Mitchell - Now come on, come on I know you better than that. Mr. Sabin - You signed the contract. Mr. Borek - I didn't sign the contract. Mr. Sabin - You didn't sign the contract? Mr. Borek - No. I think you must of did it last week and I didn't know you did, if you did do it. Mr. Sabin - This was at Town Meeting. Mr. Borek - Then you couldn't have signed the contract with BFI. You have not signed the contract with BFI yet. Okay, you awarded the bid, but you didn't sign a contract, we haven't seen it, we haven't given it to Town Counsel to look over. We have not signed the BFI contract. Mr. Mitchell - Town Counsel has it. Mr. Borek - I'm just saying we have not signed it. Mr. Mitchell - Kind of late Eddie 'cause it's running on the eighteenth. I don't know what the hell is going on but I'm going to tell you right now it's kind of late. This thing was set up and we had loads and loads of meetings in here on a regular basis with - Mr. Borek - I'm not against the program I am against - what I want to see is someone to operate it, someone to take and make the decisions - Mr. Sabin - You are the biggest voice in this whole office about the Board of Health running the program. Mr. Borek - right! - Mr. Sabin - Well, what the hell we're voting on it, we're going to give it to them and say here it's yours. Mr. Borek - Then let us tell every person that comes, and I'm going to start then if that's what you want to do-- Mr. Sabin - We're going to vote on it first Eddie. Mr. Mitchell - I won't vote favorable for that. I will not pass the buck because there is a lot of flack going on. Mr. Borek - There is not flack going on. Mr. Mitchell - The buck will stay right, Yes there is flack. Mr. Borek - I'm going on that nobody knows, to make the decision, that's what I want. Mr. Sabin - We made the decision weeks ago, weeks ago. The Board of Health came out of your mouth the very first thing. Mr. Borek - That is for sure, for sure. Mr. Sabin - Well, if it's for sure, for sure and you've talked to everybody in town how come you haven't talked to the Board of Health? Mr. Borek - You show me in the by-laws or in the law where another elected board can tell another board to do there duties? Mr. Mitchell - That's why we won't do it Harry, cause I knew this was coming. Let's get to the real sense of it Eddie. It has got to operate. There's a vote I will take, and that is that we will run it, until we know somebody else that is more capable of running it. That's our responsibility. We awarded the bid, then we should go right ahead and take the responsibility to make sure that it's run. But I don't say that we should hold on to it. There's no reason what so ever that we can't meet with the Board of Health in full body, both the Boards and make the determination, who should run it. But I'm not interested in delaying the thing. It's going to have to be, and that's the way it's going to happen. It's going to have to be picked up, we have a responsibility for public health whether we go to the Board of Health or somebody else. We have a responsibility if we knowingly have a problem, health problem we don't take care of it. We just

sat through a whole night of that already. That Ruth on the list and we have what we call the appeals list and that certainly I would consider to be an appeal because it is an appeal from the Town. Mr. Sabin - They should be at our next meeting and we should have a special meeting with them and end the damn thing. Mr. Bruce Gregory - You know you talk about the next meeting, but the next meeting isn't before Monday. Do I or do I not put a dumpster on my property at a cost of \$25.00 a month, before Monday? Tell me. Mr. Mitchell - I don't know the reason for why you're asking if you put it on. Mr. Gregory - I have eight apartments that I am servicing from a dumpster, you're telling me I have to remove that dumpster, because the person that now services it can't service it. Now, should I, or should I not pay BFI \$25.00 a month for another dumpster or should I just leave all those bags, 40 bags of trash out in the street? Which do you want me to do? Mr. Sabin - Didn't Mr. Parrella discuss all that at the Town Meeting, sir? Mr. Gregory - He said, dumpsters would be provided. He didn't say that we had to pay for them. Mr. Sabin - As a businessman I wouldn't expect to get them free. Mr. Gregory - As a businessman then I will not pay for a dumpster and I will line my trash up on the streets. Mr. Sabin - I think that's fine if that's what you choose to do. It's okay with me. Mr. Mitchell - Bare in mind sir, that you are responsible for your property, you know that don't you. Whether it's the trash or not. Mr. Gregory - Sir, do you know which property I am talking about? I have always been responsible for my property and I have never had people butt in and say that I can't do it the way I should be doing it. You're telling me now I have to use an outside contractor who I don't know, who I haven't been using and I have to pay them for there services on top of what you're charging me to remove that trash. Mr. Mitchell - Let me just say sir, we're not telling you what you have to do, the Townspeople at a town meeting told you what you have to do. Mr. Gregory - No one told me I had to pay for a dumpster on top of the pick up. Mr. Sabin - The town meeting body voted for this system. Mr. Borek - When was that Harry? When did they do that? Mr. Sabin - The body voted to join Wheelabrator. Wheelabrator implies that you have a contractor that picks up your trash, your waste and brings it to Wheelabrator. That's the town body Eddie. Mr. Borek - Wheelabrator says a contractor? Wheelabrator says that? Mr. Sabin - Wheelabrator does not want to deal with individual contractors. Mr. Borek - It doesn't say a contractor though Harry. Mr. Sabin - The State law says you pick the low bidder, it doesn't say you pick the top three or the low three, you pick a low bidder, because we are required to go out for bid for contractors to haul anything away. Or am I missing something there too Eddie? Mr. Borek - You did. Mr. Sabin - What did I miss Ed? Mr. Borek - You missed, that the people in Medway did not have a choice on who is to pick up the rubbish in the Town of Medway. Mr. Sabin - Oh they absolutely did Eddie. Mr. Borek - When? Mr. Sabin - we went out for bid as to who will pick up the trash Eddie. We represent the people Eddie. That's what we are here for Eddie. Or did you miss that meeting Eddie? Mr. Mitchell - It was June 27th Eddie. Mr. Borek - I missed it that's what it was.



Mr. Borek - How do you have that you don't give the people a right to say whether they want one contractor, two contractors whether they want this system or not? Mr. Sabin - You go hire the low bidder Eddie. It's not my job to tell the State that we want to have three contractors. The people want each to have there own contractor Eddie. How do you bill that way, Eddie? Who sets up the burocracy to handle five contractors? Mr. Mitchell - It's a mute point. On the 27th of June the people voted to fund the program that we are discussing right now as it was entirely discussed and presented on the town meeting floor by the chairman of the Solid Waste Disposal. Mr. Gregory - It was not. Mr. Mitchell - Yes Sir it was. Mr. Gregroy - There was no discussion on the charge of dumpsters. Mr. Mitchell - You can only discuss so much in every article that you have. Mr. Gregory - You never brought up the question. Mr. Mitchell - No he did ask the question whether they could have dumpsters and he was told the dumpsters would be provided. Mr. Sabin - If I wanted a dumpster I would assume I'd pay for it. Mr. Mitchell - But get it straight, the people in this town voted this program Eddie, they voted I forget how many hundreds of thousands of dollars it was to fund it, and based on anticipated returns from the use and that was a clear article in the town warrant and it was voted at the town meeting right across the street. Don't say the townspeople didn't. There may be some, that it doesn't run real smooth with and that's the reason that there has to be an appeals process. But if people ask questions give them straight answers, the townspeople voted for this program and that committee God knows how many meetings, he speaks of having over a hundred meetings since there conception and they worked hard, they've made a number of presentations before this Board, they made numbers of presentations before public hearings, before the Finance Committee, before all different boards and before the public and they went to town meeting and they were supported at the town meeting. Now it is not going to run smooth it is a drastic change. We have no dump, we are by law and we are also told that they will not stop short of criminal prosecution if we don't close that town dump. And I'll tell you who they are talking about when they are talking about criminal prosecution. And I'm not going to be one of them. We don't have a transfer station, we were cited I think in the same letter for having a transfer station without legal authority because that's supposed to be approved by the Board of Health and we don't have that. It is not going to run smooth, you heard a man sit in here that said I go down there every week or every second week and I pay fifty cents, he's right, but he doesn't have that any more it's taken away from him, not by us, that's a mandate, the things that the people don't like, mandates, it was mandated to us, years ago and we haven't complied yet. Mr. Borek - Wait a minute, you still can have a station down there the only thing you have to do is get DEQE's approval of the site location.

There is nothing that said in that letter. Mr. Sabin - Just like we are trying on the treatment plant, Eddie, DEQE for eight years, will you give me a break. Mr. Borek, Hey, that doesn't mean anything, regardless of how long it takes you, if you say that you'll never get nothing, okay. Let me put it this way, look in the newspaper, Millis is taking and running a transfer station on their dump and people can use that station or don't have to use it, there charging a hundred dollars, you either pay, you don't want to pay, if you don't want to go there, they got it in, it was just in the Milford News, a big article, and it was approved by DEQE. Mr. Mitchell - It's not the first time we've heard this Eddie, why didn't they select that before? I can't recall right now all the reasons why, It's not the first time you've had this discussion at this table either. Mr. Borek - What's that. Mr. Mitchell - The one about Millis and you had the discussion with the Solid Waste Disposal Committee too, and I don't recall all of the answers but I'll tell you the answers at the time were enough to say that that system that they have down there can very well be antiquated should in a few years itself. Mr. Borek - Oh, I wouldn't doubt that. I'm not saying that -- Mr. Mitchell - What are we going to do another stop gap measure. When are we going to grow up and go the way we are supposed to go? Think ahead for some numbers of years, there's one hell of a solid waste situation down there, that I don't know what is it, seventeen years now, it was the greatest thing in the world when it went then, but it was designed wrong. Mr. Borek - What's that? Mr. Mitchell - The sewer system down there. Mr. Sabin - The treatment plant. Mr. Mitchell - None of us could wait to get hooked into the sewer system, we're all for it, everybody was for it, and it's not working right. Now everybody that was for it is running up to the other end of town, these poor people are living with it, but it's not working right. Mr. Sabin - What's next? Mr. Mitchell - When you make a decision Eddie, expect you're going to have some flack. Mr. Borek - Yep. Mr. Mitchell - but, you've got to go with the decision you've got to do what--- Mr. Borek - But you also have to have, this is United States, Paul, Mr. Mitchell - You are right, thank you for reminding me, I was so glad I was born here. Mr. Borek - Right! And there is a place, there's always been an appeal board and there's always been a committee -- Mr. Mitchell - And that's what we have now, don't try to re-write what you've already agreed to over the months, Eddie. Don't play to the public, do what you're suppose to do, you had a responsibility to properly handle the solid waste, that was mandated to us. We damn sure better do it, we all jumped off and we did it, alright? You haven't closed the dump yet and that should have been closed years ago and you've been sitting here as long as anybody else and it never got closed and that's against the law and they used the dump longer than they should have and if some years later they start complaining about the outfall that's in the water system that we have in this town, coming from the dump, please stand up and say I did not close the dump when I

should have by authority. Don't back away from things when it gets tough. Mr. Borek - That ain't tough -- Mr. Mitchell - It'll always get tough. Mr. Borek - Ah Paul, don't use that language -- Mr. Mitchell - Baloney. Mr. Borek - I'm going to tell you that, I'm just asking you for something and you're misinterpreting everything. Mr. Mitchell - I told you and you won't except it. We have already, she already has names down there that we've been taking that we've been taking for the last two weeks and I told -- Mr. Borek - He's asked you a question, it's who is going to determine, do I have a dumpster or not, and do I have to pay for that dumpster or not? Mr. Mitchell - Okay, the question was first, the payment of it? There is a charge, that's been determined, right? There is a charge, as I understand there's a charge. Mr. Borek - Well, see now you're saying as I understand it and I'm saying to you that -- Mr. Sabin - Well what is your answer Eddie, you seem to know all the answers, what's the answer. Does he pay or doesn't he? Answer the man. Mr. Borek - As far as I'm concerned the information that was given out, he shouldn't be paying for it. The information that was given by Parrella, and at the meeting I went to with Paul Wilson and everybody else in this room, they said that your dumpsters were being provided. Mr. Mitchell - Are you saying that you don't have the answer? Mr. Borek - Yes. Mr. Mitchell - I don't have the answer, you don't have the answer. What the hell are we beating our gums for? Get the answer. There's tomorrow you get the answer. There's no pickup 'til Monday. Alright. Mr. Borek - But you're also saying to people now, after the article was passed and after the town meeting, you now are telling people or the determination will be made, it looks to me like, a determination has to be because these people have been calling BFI and they have already told them that they have to pay \$50.00, Rivkin told me it was \$50.00, he says \$25.00, but I don't know. Mr. Gregory - It depends on the size of the dumpster. Mr. Borek - Oh! Okay. Well, he told me, Rivkin told me the fifty, Reardon told me it was fifty, the people told me it was fifty dollars that they have to pay, alright. At the town meeting and everywhere else that I hear and people that call me say, nothing was told to me that I had to pay an extra on top of the twelve dollars. Mr. Mitchell - All right, so we better find out shouldn't we. Mr. Borek - Yeah. Mr. Mitchell - We better find out. Mr. Borek - Yeah. Mr. Sabin - Eddie, it makes good sense to assume that a dumpster costs more money. Mr. Borek - No, I would think that we want a program in which we don't have sixty bags sitting out on a side of a hill or on the side of a building. I wouldn't want to live next to there, I wouldn't want to be in Crowley's and the other people on Broad Street to be living right here and see sixty bags -- Mr. Sabin - That's wonderful. Why don't you move then. Make it a move. Are you making that a motion? Mr. Borek - Huh? Mr. Sabin - Are you making that motion? Mr. Borek - What's that? Mr. Sabin - That this gentleman must have a dumpster?

Mr. Borek - No I'm not making that motion. Mr. Sabin - Well, make a motion. Mr. Borek - No. Not to pay for it. No I would not do that. Not after it has been told to me that he didn't - he said dumpsters were being provided, he didn't tell me that I'd have to pay for it. That made a difference in my vote, if I was there, the difference would have been that I vote no if he said I had to pay fifty dollars on top of twelve dollars. What would my vote be. Mr. Sabin - He's only paying twenty-five. Mr. Gregory - It depends on the size of the dumpster. Mr. Borek - Okay - for him, he's talking about himself. Mr. Sabin - Yeah. That's what I'm saying, so don't say fifty, it could be twenty-five. It is in this case. Would you pay twenty-five dollars for a dumpster Eddie? Mr. Borek - No sir. Mr. Sabin - You don't need it. Mr. Borek - I wouldn't pay it. I don't need it now. Mr. Sabin - I remember about two meetings ago Eddie you started to have this, this, this problem - I've had it picked up. I know. Mr. Borek - I was at as many of these meetings as anyone in the Town of Medway. Mr. Sabin - I believe you have. Mr. Borek - I have been at as many of these meetings that had and every meeting there I discussed about the elderly, I discussed about people having to put rubbish, walk from like Mrs. Merwiser called etc. Mr. Sabin - Amazing the hindsight that you have this moment. I'm amazed at the hindsight Eddie. You can spare me the whole statement. You've been to all these meetings, and you're asking the same damn questions. Mr. Borek - Right, because nobody wants to take the responsibility of the program. Mr. Mitchell - Then why didn't you? Why didn't you sir? Mr. Borek - What do you mean why didn't I? Mr. Mitchell - Why didn't you put a motion before this Board not to go out to bid. Put a motion before this Board not to make an award. Why didn't you do that Eddie? Mr. Sabin - Yeah, why didn't you do that? Mr. Borek - I wanted to - I wanted the collection - Mr. Mitchell - When you really want something fella you don't hesitate at all to put a motion before this Board. Mr. Borek - I wanted that collection. I want the collection to be done but I also want rules and regulations in which the Senior Citizens - Mr. Sabin - You wanted the cart before the horse Eddie. Mr. Borek - What? Mr. Sabin - You wanted the contract, now you want the rules and regulations. Why didn't you insist on rules and regulations first? Why did we go through all this, hire somebody, get them on the road Monday and now you're sitting here saying, holy cow. Mr. Borek - This is what I wanted Parrella to do and Parrella said that wasn't my prerogative. Mr. Mitchell - Let me put it in perspective. I think it's clear that all the members of this Board wanted the collection system. All of the members of this Board recognized the need, the legal need, and certainly the responsible need to cap off the dump. We don't want anymore seeping through the ground into whatever may be underneath every -- there's, as said earlier by Marie Parente here, there's a whole world underneath the top of that ground. We wanted all the things that got us away from the archaic system of handling our rubbish and I think

Parrella said it very clearly, at town meeting and at all the meetings he was ever at, that there are three things to take care of, that there are three things that in fact exist. The definite creation of rubbish, the need to collect the rubbish and the need to dispose of the rubbish. He says it everytime, everytime he gets up and talks, that exists and it will never go away. I don't know where it all comes from, I don't believe it comes into my house but it goes out of my house, the rubbish that I create. We've got to take care of it. We did agree that we'd get a rubbish collection, we had a committee put into affect many years ago, who did an excellent job and made recommendations. Then the need became even more prevalent and more visable to us in recent years and we went out and asked the previous committee to come back and reconvene as a committee and help us solve the problem again. They went through many, many meetings, public meetings, public disclosures, newspaper articles, hearings, you name it, they did it and we went along with them all the way. They sat here individually and in groups on that committee more than once going over a voluminous packages of paper giving us all the details, not just the dollars, but all the details and we agreed, now if there was silent disagreement, that's not how you run a business. We agreed that we were going to have to go with this system. It would not work at the outset for everybody. The senior citizens don't create, unfortunately, twelve dollars worth of rubbish in a month's time, especially if they are living in one of the housing's. There are other people who aren't well enough to carry even one bag of rubbish from where they collect it in the house to the roadside, they have a problem. They have been here to speak to us this week, their name is on the list and it did say, in the recommendations, as a matter of fact it was report in the newspaper, that with all of this setup there will be an appeal program. There has to be an appeals program because it doesn't work for everybody, but it works for ninety-nine percent of the people, it works for ninety-nine percent of what we have in town, or some number close to ninety-nine percent. What this gentleman has is a reasonable question, is he going to be obligated to pay for a dumpster because he is going to have that many bags lined up and he's also paying for the bags. There's a real quick answer, but it would sound sarcastic and it's not very nice, it's still your rubbish and you're responsible for it, not the dumpster people. Not the people who do the pickup, and that's not a good answer, that's not a nice answer, that's not a fair answer, but it's a true answer. You're responsible to the Board of Health for the condition of your property, that's not the answer you want. Mr. Gregory - Question, then can I go buy my own dumpster, at a one time fee? A dumpster that meets the requirements of B.F.I. that they can tip. Mr. Mitchell - Alright as far as a dumpster

is concerned, the placement of a dumpster on a piece of property, it's still my understanding that that is still the responsibility of the Board of Health. Mr. Gregory - Wait a minute. You're saying that the property is my responsibility and the handling of the trash is my responsibility, why can't I go out and buy my own dumpster that meets .B.F.I.'s requirements? Mr. Mitchell - I just told you. That it's a Board of Health decision whether you have a dumpster on your property. It may very well be able to buy a dumpster, I can't answer the question. But it is a question that we have right now that we'll get an answer for. The system is in, there's no intention that anybody's to be hurt by it, that was not the intention and I would like, you know, like everybody to know to know what all the problems are going to be before I make my vote to do a certain thing. But it doesn't always work that way, but if you make the decision and you make it in good judgement and you make it what you consider to be the best interest of the town and you stick by it. I think this professionally, business wise is in the best interest of the town. We owe this gentleman an answer, we owe a few others too, we've got to have a meeting with the Board of Health. I'm sorry for the inconvenience. I will say one thing, you woke up the meeting. Thank you.

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The Highway Superintendent, Diarmuid Higgins and Douglas Downing from the Medway School Committee. Mr. Higgins - up at the Burke School they have a problem and they are looking for a little assistance from the Highway Department. In their play area on the Legion Avenue side of the school. It's going to probably take a day and a half to two days at the very most, it's going to involve some grading, lowering a catch basin head that's retaining water. We put that catch basin in a number of years ago for the school but now with time going on and the beating on with the little feet, corrosion from the wind and rain the basin is higher than what the ground is. I went up there with Mr. Downing and checked there a couple of weeks ago and looked over the situation, so I told him, they were looking for some kind of assistance from us. I guess they are going to buy any materials that may be needed. Mr. Downing - I sat through this whole evening, we were hoping, maybe we could just slide in, you know, when somebody didn't show up. I just came in case you people had any questions. What we did, we approached Diarmuid and Fred Sibley. We said look we've got a situation here, it's unsafe for the kids, we did give some of the footings in the swing set and the jungle gym, we put some sand around, the footings themselves had become exposed creating a safety hazard to the kids. If the kid were to fall off the swing, now you've got a footing that's sticking this much out of the ground. What we are looking for is, we went to Diarmuid and Fred and we just said, look your expertise, minimum cost, how can we make this functional, we don't want to make it pretty, we don't want to turn it into Disney World, what we want to do is 1. make it functional; 2. make it safe. In what order I don't really care, but those are what we are aiming for right now. What we did, is we said with your help, with our expenditures, as far as materials, with it be loam or maybe wood chips or whatever or another avenue we considered was approaching somebody like Paul Trufant or some

of these people that haul wood chips and maybe they could just dump it for us and we then we'll get some volunteers to spread them. So again I was just here to support the work that Fred and Diarmuid are already doing. Mr. Sabin - You've already done it? Mr. Downing - No, they have looked at it and reviewed but they haven't physically. Mr. Mitchell - Diarmuid, is this similar to DPS type function, that Park used --- Diarmuid - Freddy had done some of this work over to Legion Field. Mr. Mitchell - Where is it? Is it on the field or is it on --- Diarmuid - It the Burke School on the road that, the deadend road. Mr. Mitchell - Where you dump the shrubbery, and it's on that road? Diarmuid - It's on the left. Mr. Mitchell - It's along side the building, not in the back of the building, right on the side of it. Okay. Is that the sort of thing that Parks Department with DPS used to do in the summer time? Diarmuid - Fred has done it over to Legion Field. Mr. Sabin - I have no problem with it. Mr. Borek - It's just the manpower basically, if they are paying for the equipment and stuff, it's just the manpower for scheduling and time of other projects that's all. Diarmuid - I told Chuck that I would bring it up to you. Mr. Downing - The school's waiting for this also. Mrs. Bouchard - The Burke home and school playground committee has a lot of money raised and we would like to do something for the children for a nice play area but, basically we feel that what needs to be done immediately, is to make the area safe. We don't feel that the Burke Home and School funds should be spent for that, that should be town and school monies to bring the playground back up to grade where it should have been all along. The drain sticks out of the ground like this, the kids just smack right into it. Mr. Borek - You've looked at it, what would it be, that the drain has to be lowered or would it be that the dirt has to be brought up? Diarmuid - Six of one, half a dozen of another. I would say it is erosion, we put that drain in there I would say, twelve, fifteen years ago. Mr. Borek - The only reason I asked you that question is that I was trying to determine how long it would take you to do the project. Diarmuid - It should take like a day and one half, two days at the very, very most. Mr. Mitchell - How many people? Diarmuid - Two, three people at the most. Mr. Mitchell - You call it Parks, DPS and that's what we do. Mr. Borek - I have no objections to you doing it. Mr. Downing - Thank you. Mr. Mitchell - It took a whole night for that huh.

- Discussed D.P.S. salaries and the need for a Permanent Assistant Highway Superintendent. Mr. Borek - basically we have had any thing to do this. Under the procedures that we passed, that we were going to have a committee formed who would take and rule on what step he would be in, if we make the position and we haven't had that committee established yet. We were getting people who wanted to serve on it, I guess. We haven't found the people to serve on that committee yet, we haven't appointed anybody. I personally feel, because I'll tell you a situation. I talked to Mary last week and the Assessor's were trying to do it to John, step him up, make a position and she gave them, I happen to be down there, she gave them -- saying that you can't do it in that the committee that supposedly make decisions on where people are placed and what not, is not in place, so.

Mr. Mitchell - I don't think we've voted that you have to hold everything off until they were in place. I really don't. Mr. Borek - I'm just --- and I just heard it down stairs on that subject of John and so the point I'm getting at is that because I'm sure that the Water Board is waiting for Mark and they've held off him. Mr. Mitchell - Mark is the Superintendent. Mr. Borek - Well, I understand that but I mean the step he is in. They want to put him up in another step and they are waiting for this committee. Mr. Sabin - I don't know why they are waiting for this committee, there are steps in place. The MMA provided the steps. Mr. Borek - But, if there were circumstances which we made this committee, they voted, which the finance took and voted at a meeting there, they voted, that we would have an appeal board or whatever they call it, I forget, Personnel Board. Mr. Sabin - I remember arguing against that, I don't remember to do it. Mr. Borek - It was passed by the people, passed at Town Meeting. It was passed at Town Meeting, Harry. To appoint the committee. Mr. Sabin - I was against it. Mr. Borek - Well, it was done. So I'm just saying --- Mr. Sabin - The Finance Committee is the Finance Committee let them make the decisions on the finance. Mr. Borek - I'm not against making the position, don't get me wrong, I just feel that what we ought to do is, this is what we want to do and we present the case to the proper people and tell them why we want to make that job, and why we want to make him one step or put him in twelve, like if he is in ten now, I don't know what grade he is in now, but I mean whatever grade he is in, we want to make him Assistant Superintendent, and we want to put him in Step 12, maybe they think he should be only in eleven, I mean, I don't know what --- Mr. Mitchell - Did Mary send you up the sheets, she said she would send you up current ones. I spoke to her the other day. Secretary - She was going to send up what? Mr. Mitchell - Those graphs, charts -- Secretary - I've got nothing. Mr. Mitchell - What day did I speak to her, remember the day Peggy came after me, Tuesday? I don't know I've lost track of days. Secretary - I think the problem here is, we need a job description, we don't have the "Assistant Superintendent". So, maybe you can vote to continue the way it was. Mr. Mitchell - No, I think it's time to make the appointment and I think the need is there for the job description that's an easily generated thing and I think that you know,-- Mr. Borek - What do we have down there now, what have we got down the town barn, what's the steps we have, who we have and what we have down there? Mr. Mitchell - Mary was going to send that up, she had two sheets that had all the marked up 1988 or rather fiscal year 89 rates and everything in it and she was going make copies and get them up to me. Secretary - Oh, I know what you are talking about. What she had in her book, right? Mr. Mitchell - Yeah. Secretary - No, I didn't get them. Mr. Borek - I'd like to see what we have before we decide what level should he be put in, you know, where we can grade him. I don't know what Diarmuid is in, I'd like to see a chart. This is Diarmuid, Superintendent - he's in twelve, do we have a foreman down there? Mr. Mitchell - No they used to rotate and then that didn't work right. Look do this, get copies from her that she was going to give to me, and



get them to each of us will you please. Then we'll go over them. I really think we need a permanent Assistant Superintendent so that when he's in Taunton or wherever or when he's on vacation it's the same guy all the time. Mr. Borek - Just a chain of command, I understand what you're getting at. The only thing I looking for, is that this is twelve, this thirteen and this is ten, etc. Well, we had a problem downstairs today, everything crashed (the computer) and it's a problem that has to be addressed, the Secretary informed the Board. She stated she didn't know if you wanted to use the Town Hall Renovation Fund?, but there is now enough power coming into the building to take care of — The Board requested that the Wiring Inspector see what town hall needs for service during the worst season and get back to the Board.

- Mr. Mitchell - I want to make a motion because the one hundred and twenty days was accurate as far as that lot up on Lovering Street, alright or any lot for that matter coming out of the farm land thing, not the ninety days. I would entertain a motion to rescind our action which we took regarding Wilson's land on Lovering Street and also to send a letter, and I'll put the letter together, to counsel who is DelPrete and tell him that my signature is rescinded, the vote was rescinded because we acted on incorrect information and we did have a request from the Board in town that had interest in lot of land and they had made that information known to us prior to the one hundred and twenty legal days. So, I need that motion, then we will send a correspondence to the Housing Authority to advise us what there intent or desires are. Mr. Sabin - Is that the piece of property that the Housing for the Elderly want. Mr. Mitchell - Yeah. Mr. Sabin - I remember that. They were in time? Mr. Mitchell - Yes, they were in time and it is my understanding that they weren't interested anymore, but apparently they are — Mr. Sabin - So moved. Mr. Borek - Seconded. Mr. Mitchell - All those in favor. Voted unanimously.

- Mr. Sabin - Well, I have another question. You brought up property, Zaluba, is that the name. Mr. Borek - Yeah. Mr. Sabin - Did we not vote to allow whoever was going to take that property, to buy that property. Wasn't there a question on who owned it? It was determined that the Town did not own it. I don't know who owns it. Mr. Mitchell - We moved and then we researched it -- Mr. Sabin - We researched it and then we found out that there was no known ownership by the Town. Mr. Mitchell - We made the vote but we held up the notification to — Mr. Borek - There was no notification, nobody asked us anything about that, I just questioned that the guy that brought it in, did he own the land? I don't remember, I mean, there was no question I don't know of any such question. Mr. Mitchell - Well there was a question about him owning it and we had Town Counsel research it and he gave us a ruling — Mr. Borek - by what the law was and let me put it this way. The question was that the Town needed to find the check which no one has really spent the time to find. Mr. Sabin - Can we go just beyond that because subsequently to that I saw in one of the folders a bill and it

was addressed to, who was the past Assistant here, the lady? Secretary - Pat Kennedy. Mr. Sabin - Pat Kennedy, and it spoke to this same issue, Zaluba's property reviewing the review by Town Counsel and --- Mr. Mitchell - That's Associate Counsel. Mr. Sabin - Yeah, well I don't know. The bill was incurred by the Board of Selectmen, I remember that. Mr. Borek - No the bill was not incurred by the Board of Selectmen. That bill was never paid by the Board of Selectmen. Mr. Sabin - Well, I saw a bill and now the bill -- I've never seen the bill since. Mr. Borek - That's right, because I incurred the bill and I paid for the bill. Mr. Sabin - Oh -- Oh. Mr. Mitchell - But we had a ruling from Maciolek and then we had ruling from another - from an associate, because you and Gardner Rice insisted on it so we had that and he came back and essentially said the same thing that Maciolek had said. Mr. Sabin - You went out and did it a third time. Mr. Borek - Yes sir and I have a different opinion, I mean the third time I didn't want to bring it up. The letter that I spent the money for, because I told him to send it to me and he took and sent it to the Town when I called him up and asked him questions, the attorney had asked me to get someone in Town to supply the check and if that check showed that Mrs. Whalen and that money was deposited by Mr. Zaluba in an account which Mrs. Whalen has an interest in. It would be a show of proof that she had an interest and that she had knowledge of the town purchasing the land. Mr. Mitchell - Yes but nobody has been able to find the check. Mr. Borek - No, because no one ever looked for it. No one really looked for it, let me put it that way. Mr. Mitchell - Well, I'm going to call DeSimone tomorrow because he was chasing that for us. Mr. Borek - Well, I think if you went to the Home National Bank, if we had the time, what the problem is and I asked Freddy, he kind of doesn't want to go to the Home National Bank, I'm sure all those checks were taped in the Home National Bank up there. Someone has to asked them, I can't and I don't think this Board can, I think the Treasurer has to ask them if they would go through there tapes -- Mr. Sabin - My last question Eddie. Do we have anymore involvement in this or is this -- Mr. Borek - I don't think we ever had any involvement except that --- the guy says he bought it already, you know he said he bought it. Mr. Sabin - I don't care what the guy says, I just asking is this over with? Mr. Borek - As far as I'm concerned, No. Mr. Sabin - Is it going to come back before this Board again? Mr. Borek - I hope so. Mr. Sabin - You hope so. Mr. Borek - Yeah. I hope I can get the check. Mr. Sabin - You hope you get the check. Are you going to actively pursue the check? Mr. Borek - Yep. Mr. Sabin - On your own. Mr. Borek - Yep. Mr. Mitchell - Well I don't think it is advisable for us then to wipe it off the books. Mr. Borek - Well I believe this and I'm going to do it. Mr. Mitchell - Well, I think it's wrong. Let me just say this, I think it is very, very wrong for us to take an action that could embarass the Board of Selectmen of the Town of Medway. I don't care whether it's these three people by name but the Board of Selectmen of

the Town of Medway is supposed to be responsible people. If in fact we are not ready to let go of that then we should pursue it with some expediency. But, if we are going to wait for an action to be taken by somebody and say hey I got'ya, got'ya, got'ya, I don't think that's the way to publicly act as the Chief Executive Branch of the Town, I really don't Eddie. Mr. Borek - Well, I can't do it any other way. I feel I'm right and Gardner Rice feels it and other people in town feel that I'm right. Mr. Sabin - Gardy Rice isn't here. I move that this Board instruct Town Counsel that we are not satisfied with the research he's done on the Zaluba property and he contact Counsel for Home National Bank and have the counsel for the Home National Bank, who is certainly an uninterested party, research the availability of that check and if it exists send it to this Board. Mr. Mitchell - Well the record of the check having been deposited in the family --- Mr. Sabin - Whatever the legal means to end this. Mr. Mitchell - Did we ever find the check? Mr. Borek - No. Mr. Sabin - No, can find the check. You are going to find the check and there are going to be inuendo for the rest of your life. Mr. Mitchell - Do we know the quantity? Did we get that out of the Town Report? Mr. Borek - Three-thousand dollars, it's out of the Town Report, we have the day. Mr. Mitchell - Three-thousand even dollars. Mr. Borek - Let me put it this way, when I called the other Town Counsel to find some information on my personal own and I explained to him that I'm calling you as an individual and that I would, and for the information I would pay you, you send me the bill, just like if I hired another lawyer, and asked him the questions I asked him that is it true what Mr. Maciolek, the question I asked the special town counsel in the letter that he sent back to Paul, one of the questions I said, did you talk to Mr. Handverger personally? No. Did you talk to Mr. Fred Lee personally? Did you interview Mr. Lee personally? Okay, the special town counsel, okay. When that letter came into us from him saying, almost word for word from Dick Maciolek, the answer that I got from the special town counsel was, he called Paul DeSimone and Paul DeSimone said he talked to town counsel; he talked to Mr. Lee; he talked to this one and he talked to that one. I said to him then you did not personally talk to Mr. Maciolek; you did not personally talk to Mr. Handverger over the article in the town meeting, you know, did the article go through; does he remember the article; does he know the situation because he was Mr. Zaluba's attorney.

Meeting adjourned at 11:17 p.m.

RESPECTFULLY SUBMITTED,

*Ruth Allen*

Ruth Allen, Secretary

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R. "Open Space Allowance"

1. Purpose: To create, protect, and conserve open space in order that such land shall be kept in an open or natural state and not built upon for residential use or accessory uses such as parking or roadways. To encourage the most appropriate residential use of the land throughout the town.

2. Dimensional Requirements:

a. Total Parcel Requirement: "Open Space Allowance" may be applied to any parcel containing at least 10 contiguous acres. Such parcel can be located in a residential or commercial area subject to regulations and conditions set forth herein.

b. Set backs and Height: Set backs and height requirements shall be consistent with those of the zoning district in which the parcel lies.

c. Road Frontage: When an applicant or petitioner has requested "Open Space Allowance" road frontage will be calculated in the aggregate with the sum equal to the total amount necessary to comply with the requirements of the zoning district in which the parcel lies, for the number of single family residential lots to be created.

d. Minimum Buildable Lot: When a petitioner or applicant has requested "Open Space Allowance" the total number of lots on any such parcel shall not exceed the number of lots into which the parcel could otherwise have been subdivided, pursuant to the Planning Board Rules and Regulations and in accordance to the requirements contained in the Zoning By-Law for the zoning district in which the parcel lies. The "Minimum Buildable Lot" on such a parcel shall be in no case less than ten thousand square feet. The difference between the "Minimum Buildable Lot" and the minimum area in which a piece of land may be subdivided shall be "Open Space." Such "Open Space", when added to the area of the "Minimum Buildable lots" shall be at least equal in area to the land area required by the Zoning By-Law for the number of single family home lots requested to be subdivided.

e. Treatment of Open Space: When a petitioner or applicant applies for "Open Space Allowance" they shall choose to convey the "Open Space" in the following manner:

- a. To the Town to be used as park or open space,
- or,
- b. To a Non-Profit organization the principal purpose of which is the conservation of open space,
- or,
- c. To a corporation or trust consisting of owners of lots or residential units within the subdivision, whose principal purpose is the conservation of open space. If such a corporation or trust is utilized, ownership thereof shall pass with conveyances of the lots or residential units.

In any case, restrictions and covenants enforceable by the town shall be recorded with the deed(s) to the "Open Space" providing that such land shall be kept in an open or natural state in perpetuity, and not be built for residential use or developed for accessory uses as parking or roadway.

3. Approval:

The applicant shall submit to the Planning Board plans and proposal(s) established in the Planning Board Board Rules and Regulations governing subdivision of land. The Planning Board in cases when petitioned for "Open Space Allowance" may approve said subdivision pursuant to the Planning Board Rules and Regulations and in accordance with the requirements stated herein. Such approval may also impose conditions, safeguards, and limitations on time or use including limiting use to the specifications of the approved plan.

In any case, restrictions and covenants enforceable by the town shall be recorded with the deed(s) to the "Open Space" providing that such land shall be kept in an open or natural state in perpetuity, and not be built for residential use or developed for accessory uses as parking or roadway.

3. Approval:

The applicant shall submit to the Planning Board plans and proposal(s) established in the Planning Board Board Rules and Regulations governing subdivision of land. The Planning Board in cases when petitioned for "Open Space Allowance" may approve said subdivision pursuant to the Planning Board Rules and Regulations and in accordance with the requirements stated herein. Such approval may also impose conditions, safeguards, and limitations on time or use including limiting use to the specifications of the approved plan.



**TOWN OF MEDWAY  
CONSERVATION COMMISSION**

155 VILLAGE STREET  
MEDWAY, MASSACHUSETTS 02053

June 9, 1988

Medway Board of Selectmen  
155 Village Street  
Medway, Ma. 02053

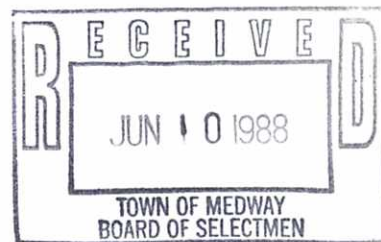
Dear Sirs:

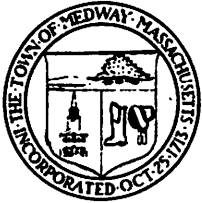
This letter is to inform you that Robin McGrath and Francis Finnegan, representatives of Terra Firma, presented their proposed zoning by-law and accompanying concept plans for their proposed development off Summer Street. It is the position of the Conservation Commission that the concept plans, if implemented, would result in valuable open space as well as undisturbed wetland areas.

Sincerely,

*Paul Yorkis /m.d.*  
Paul Yorkis

cc: Medway Planning Board  
Terra Firma





## BOARD OF SELECTMEN

155 VILLAGE STREET  
MEDWAY, MASSACHUSETTS 02053

### AGENDA

JUNE 20, 1988

7:00 p.m.	Open meeting, approve minutes of 6-13-88 meeting. Sign Warrants.
7:05	Public Hearing - Boston Edison (Pond Street JO Pole 30/3)
7:15	Open Fuel Bids
7:30	Open Highway Bids
7:40	Mr. Wheeler, 80 West Street re: drainage problem on his property
8:00	B.F.I. representative re: Contract

### Notes:

Vote on Appointments for FY'89



Present: Paul Mitchell, Edward Borek and Harry Sabin.

- 7:00 p.m.        The Board opened the meeting and voted unanimously to approve the minutes of the June 13, 1988 meeting. The Board signed the warrants.
- 7:05            The Board held a Public Hearing on the petition of Boston Edison for conduit on Pond Street southwesterly approximately 307 feet north of Main Street, a distance of about 25 feet at JO pole 30/3. The poles shown on the map as having to be moved were done with the Pond Street Reconstruction Project prior to this evening. This petition is to allow the developer at Dry Bridge Estates, Dry Bridge Road, to have service to his development, there will be no cut made in the pavement. The Board requested Mr. Ed Kelley, Boston Edison representative who was in attendance at this hearing, to send the Board a new map showing that the poles had been moved prior to tonight's meeting and that he check with the Wiring Inspector as to the code's rules as to the covering used, metal or PVC, on the cable going up the pole. The Board voted unanimously to grant this petition.
- 7:15            The Board opened the Fuel Bids for fiscal '89. They are as per list attached and the Board voted unanimously to take these bids under advisement.
- 7:30            The Board opened the Highway Bids for various highway materials for fiscal year 1989. Bids were received as per attached list. The Board voted unanimously to take these bids under advisement.
- 7:58            The Board met with Mr. Wheeler, 80 West Street regarding a drainage problem on his property. Mr. Wheeler stated he had met with the members of the DPS and felt it had been a waste of time. He feels that the recent sub-division beening built off of Granite Street, Glenmore Construction, has created the problem he now has of water draining onto his back property. James Brodeur, Chairman of the Planning Board, was in attendance at this meeting and referred the Board to the GLM Engineering Consultants run-off study which they had done for the developer of Windsor Village Estates Sub-division. It appears that the head wall on Granite Street has been built on town property which would require the Board of Selectmen's approval. The Board requested that a letter be sent to the Planning Board to have them rectify this problem immediately. Send a carbon copy to the Developer and Francis Noel Gaboriault, Engr. for GLM Engineering Consultants, 838 Washington St., Holliston also to Mr. Wheeler.

8:25

The Board met with representatives from Browning-Ferris who came before the Board to gather some information regarding the number of homes in the Town and apartments, they also requested that when a holiday falls during the week that the pick up day be delayed one day, which the Board agreed to. James Lawrence from B.F.I. stated they will have their counsel draw up a contract to be approved by Town Counsel before it is signed by the Board. The Board stated that the rubbish collection will be under the jurisdiction of the Board of Health. B.F.I. would like a list of the municipal buildings to be picked up in town.

- The Board discussed a letter received from the Board of Selectmen in the Town of Millis, enclosed was a copy of a letter from that Board to Commissioner S. Russell Sylva, D.E.Q.E. regarding the proposal of the composting facility being located at the Treatment Plant in Medway.
- The Board discussed a letter received from Helen E. Luccio, Executive Director of the Medway Housing Authority regarding the disposition of Lot A Lovering St., Plan #1120 of 1987 and their letter dated March 17, 1988 stating that they were interested in purchasing that property. The Chairman stated that we had exceeded the time (60 days) in which to make claim on this property and had informed the Housing Authority that the time frame had expired and Town Counsel was present at that meeting and agreed the time was up. He requested that the Housing Authority be put on an upcoming agenda to discuss this situation and that Town Counsel be informed that we are having a discussion on this matter.
- The Board informed the reporters that were attending this meeting that correspondence had been received from the State that the Chapter 90 monies were safe.
- The Board voted unanimously to make the appointments for fiscal year 1989 as per the attached list.
- The Board requested the secretary put on cable requests for resumes from residents interested in filling the vacancies that now exist on different boards and committees. And for a representative to the Metropolitan Area Planning Council and Building Inspector.
- The Board discussed a letter dated June 14, 1988 from O. Paul Shew, Town Administrator for the Town of Franklin inviting the Board to attend a rate presentation by Peat, Marwick on June 22, 1988, and stated that they also intend to conclude discussions on a composting location. The Board stated that all discussions regarding the composting facility will be with the Town Councillors and that this invitation did not invite them to discuss the composting facility it was just to hear the rate presentation.

SELECTMEN'S MEETING

JUNE 20, 1988

PAGE 3.

Meeting adjourned at 9:17 p.m.

RESPECTFULLY SUBMITTED,

*Ruth Allen*

Ruth Allen  
Secretary

ra

34  
APPOINTMENTS 1988

FINANCE COMMITTEE

Christine Lorenzen 1991  
David Button 1991 *+ 3 vacancies*  
Donna Cullen 1991

CAPITAL IMPROVEMENT PROGRAM

Robert Ferioli 1991  
Norbert Wheeler 1991

BOARD OF REGISTRARS

Arthur Paradis 1991

INDUSTRIAL DEVELOPMENT COMMITTEE

Leonard Scholl, Jr. 1991  
Paul A. Rivard 1991

*1 vacancy - 1990*

INDUSTRIAL DEVELOPMENT FINANCE AUTHORITY

Gerald J. Griffin 1993

FAIR HOUSING COMMITTEE

Carolyn Chodat 1991  
Richard DiGirolamo 1991

HISTORICAL COMMISSION

Grace Hoag 1991  
Eida Dowdell 1991

NORFOLK COUNTY ADVISORY BOARD

Harry Sabin 1989

ARTS LOTTERY

*2-yr term*

Lu Sutherland 1990  
Virginia Hochella 1990  
Norbert Wheeler 1990  
Joan Beaudry 1990  
2 vacancies

~~CITY COMMISSIONERS~~

CONSERVATION COMMISSION

June Houghton 1991  
Nina Casali 1991  
John Brough 1991

TOWN HALL & LIBRARY CUSTODIAN

Walter Mahoney

PARKING CLERK

Margaret Tighe

COUNCIL ON AGING

*Robert Clute*

~~Allen Osborne, Sr.~~ 1991  
Ruth E. Sanders 1991

SWORN PUBLIC WEIGHERS 1 year terms

Michael Mushnick  
Samuel W. Mushnick  
Peter Bates  
Jeffrey S. Mushnick  
Dorothy J. Roberts  
David Consigli

CONSTABLE

Michael Mushnick - *one yr.*

ZONING BOARD OF APPEALS

James F. Gallagher 1991  
Frank Boczanowski, Alt. 1991

TOWN COUNSEL

*one yr.*

Richard D. Maciolek

SPECIAL COUNSEL

*one yr.*

Marullo & Barnes

DIRECTOR OF VETERANS SERVICES

Anthony J. Mastroianni

INSPECTOR OF BUILDINGS

Vacancy  
Philip Parchesky, Asst.

WIRE INSPECTOR

Robert F. Biland  
Frederick Bodge, Assoc.

GAS INSPECTOR

Robert Coakley  
Robert J. Heavey, Assoc.

FENCE VIEWER

W. David Lambirth  
Vacancy

ANIMAL CONTROL OFFICER

James Cassidy

TREE WARDEN & MOTH AGENT

John R. Slatkavitz

REP. TO METROPOLITAN AREA PLANNING COUNCIL

Vacant

SEALER WEIGHTS & MEASURES

Philip Parchesky

74.  
APPOINTMENTS 1989

HAZARDOUS WASTE COORDINATOR  
Vacant

~~MEMORIAL COMMITTEE~~

STREET NAMING COMMITTEE  
Charlene Saunders  
Veronica Clark  
Richard Malo  
Margaret Hennessy  
Constance Sheehy

VETERANS GRAVES OFFICER  
Allan Osborne, Sr.

SPECIAL POLICE OFFICERS  
Richard Dunn  
Brian Smith  
John Dronzek  
Jeffrey Watson  
Jerry Copeland  
John Rojee  
David Duncan (Dept. Photographer)  
Gordon Crosby (VFW Only)  
John Ark (American Legion)

CROSSING GUARD (Matron)  
Dorothy Anthony  
Diane Piacentini  
Veronica Clark

DISPATCHERS  
John Tiernan  
Richard Simard  
James Ward  
Richard Dunn (Special Dispatcher)  
Brian Smith       "       "  
John Dronzek       "       "  
Jeffrey Watson     "       "  
Jerry Copeland     "       "  
John Rojee         "       "

COMPUTER COMMITTEE

Mary Shea  
Roger Smith  
Robert Oullette  
David Newton  
Robert Saleski  
Robert Savoia  
Mark Flaherty  
David Button

PERMANENT BUILDING COMMITTEE - Joe S.  
William Douglas  
Charles R. Stuart  
Jerome Hanlon       Elizabeth Henderson  
Richard Brown       Edward Borek  
Robert Ferioli  
Warren Falzone  
Wayne Vinton

CABLE ACCESS COMMITTEE

Richard Robertson  
Edward Groleau  
Sharon Cassidy  
John Kennedy

AFFORDABLE HOUSING COMMITTEE

Ronald Sylvester  
R. Tucker Reynolds  
Helen Luccio  
Denise Wolf  
Elsie Robinson  
Robert Stratton  
Teresa O'Brien  
William Reardon  
Robert Dubovsky

MEMORIAL COMMITTEE

Colonel MSchael F. Matondi  
Allan G. Osborne  
Francis D. Donovan  
Helen Wickstrom  
Patricia Misiuk  
Robert D. Goode  
Frederick Souza  
Robert Watson  
Donald Schwenderman  
William Duhaime



## BOARD OF SELECTMEN

155 VILLAGE STREET  
MEDWAY, MASSACHUSETTS 02053

### AGENDA

JUNE 13, 1988

- 7:00 p.m. Open meeting, approve minutes  
of 6-6-88 meeting. Sign warrants.
- 7:05 Ron Dolloff - Christmas Tree Permit
- 7:15 Mr. Finnegan  
re: 65 acre site at 145 Summer Street  
proposing a Zoning Change  
Terra Ferma Dev. Corp.
- 7:30 Mark Wright, N. E. Telephone Co.
- 7:45 Award Solid Waste Contract
- 8:10 Wendy Burr - re: CRPCD
- NOTES: Discuss: Vacancy for Hazardous Waste  
Co-ordinator  
Walker Street/Charles River Bridge
- Vote to re-approve Contract with Wheelabrator  
that was signed on August 10, 1987.

Present: Paul Mitchell, Edward Borek and Harry Sabin

- 7:00 p.m. The Board opened the meeting and voted unanimously to approve the minutes of the June 6, 1988 meeting with one correction, fifth line from the bottom of page 1 add the word neither to the beginning of the sentence. The Board signed the warrants.
- 7:05 The Board met with Mr. Ronald Dolloff who was requesting permission to sell Christmas trees from November 25, 1988 thru December 25, 1988. The Board voted unanimously to issue him a permanent license to sell Christmas trees every year from the day after Thanksgiving until Christmas Day at Backyard Garden's, 230 Village Street.
- 7:15 The Board met with Terra Firma Development Corporation, Cambridge, MA representative, Francis Finnegan, Robin McGrath, Gene DuBois, President; and Bill Pybas, Director Manager, regarding the 65 acre site at 145 Summer Street. Mr. Mitchell informed them that the Planning Board must hold a public hearing on the Zoning By-law Article that will be on the Special Town Meeting of June 27, 1988, if this public hearing is not held and the Planning Board does not make a recommendation on this article it cannot be acted upon at the town meeting. Mr. Finnegan informed the Board that he is on the Planning Board agenda for June 14, 1988 and that he would check with them at that time. Mr. Finnegan stated he had also put a call in to Town Counsel but had not heard from him to date. Mr. Finnegan made his presentation of the Quincy Ridge - a multi use planned community, which could have 47 lots and how they propose to use only 40 lots and renovate the equestrian center and set up large areas of open space. There proposal shows 23 single estate homes each on 1 acre+ lots with a community center, tennis court and swimming pool. There will be 17 single homes which meet set back requirements on 10,000 sq. ft. for each home. They will have town sewer which is 1,400 feet away and each home will have its own well for water.
- 8:05 The Board met with Mark Wright, representative for New England Telephone Company. He stated there are no facilities in the development area of Redgate Estates, Chestnut Hills and Skyview Estates, all off of Holliston Street. He came before the Board to look for verbal permission to install this underground service and to install a control box to be located on town property at the end of Woodland Road. The Board voted unanimously to approve this project as long a Mr. Wright informed the Company that the proper paper work for written permission to ensure that the project will be completed properly.

- 8:17 The Board voted unanimously to reapprove the Contract with Wheelabrator in Millbury, MA that was signed on August 10, 1987.
- 8:20 Selectman Sabin read from the letter received from Richard A. Parrella, Chairman of the Solid Waste Study Committee, that at their meeting on June 9, 1988 Mr. David Harrington moved and Paul DeSimone second the following motion. That the Town of Medway Solid Waste Study Committee recommend to the Board of Selectmen that the bid presented by Browning-Ferris Ind. of Boston, MA be accepted and a contract entered into for collection of solid waste within the Town of Medway for a period of 3 years. (copy of letter etc. attached) The Board voted unanimously to award the contract to Browning-Ferris. It was stated that a publication should come from the Chairman of the Solid Waste Committee.
- 8:30 The Board met with Wendy Burr, Farm St., Medway regarding the ongoing problems of the CRPCD plant on Village Street. She stated that the neighbor's are concerned about the composting facility being in the Town of Medway, they feel it is a public nuisance and she asks the Boards for their support in calling it a public nuisance. She referred to the M.G.L. Chapter 111 Sections 31C, 122, and 150A and Chapter 139 Section 83. The Chairman stated that the Board would review these laws and discuss them with Town Counsel and have some information for her in a couple of weeks, but assured her that the Board is working on these problems with the Commissioners of CRPCD.
- The Chairman noted that the Board had received a letter from the Hazardous Waste Co-ordinator, Jeff Emond submitting his resignation because he is moving out of state. He suggested that we advertise for an Industrial Chemist to fill this vacancy. The Board requested that we also advertise for a Building Inspector.
- Paul Mitchell and Harry Sabin signed the letter received on January 21, 1988 from the office of Black, Buono, DelPrete & Flynn, P.C. regarding Lot A Lovering Street., Plan #1120 of 1987 which was being taken of the rolls of 61A. Edward Borek opposed signing this letter due to the fact the Board has received correspondence from the Housing Authority stating that they were interested in purchasing this parcel of land.
- The Board would like to make a permit application for anyone cutting into the curbing or sidewalk in town for a driveway or roadway.



- The Board requested the secretary to notify the Police Chief to ticket or tow the vehicles (rubbish trucks etc.) parking in front of 314 Village Street on the sidewalk, berm and grass.
- The Board requested the secretary to have James Brodeur, Planning Board Chairman or representative at the June 20, 1988 meeting at 7:30 to meet with Mr. Wheeler of 80 West Street regarding a drainage problem on his property which was discussed at the last DPS meeting.
- The Board voted unanimously that their summer meeting schedule would be as follows:

July 11; July 25; August 8; August 22; and September 12.
- The Board requested the letter from Utility Contractors' Association of New England Inc. dated June 1, 1988 be posted regarding the Proposed Fiber Optic (F/O) Cable Regulations.

Meeting adjourned at 10:20 p.m.

RESPECTFULLY SUBMITTED,



Ruth Allen  
Secretary

ra

Richard A. Parrella  
Chairman, Solid Waste Study Committee  
84 West Street  
Medway, MA 02053

June 10, 1988

Paul Mitchell  
Chairman of the Board of Selectmen  
Town Hall  
Medway, MA 02053

Dear Mr. Mitchell,

As requested by your office the Town of Medway Solid Waste Study Committee held a meeting on Thursday, June 9, 1988. This meeting was needed to study the recent solid waste collection bids opened by your office on June 6, 1988. Also this meeting was posted at the Town Clerk's office on June 9 as an emergency meeting due to the urgency of this matter.

Members in attendance: Richard A. Parrella - Chairman, Paul Wilson, David Harrington, Paul DeSimone, Tucker Reynolds, Ed Culhane. Absent: Jeffrey Nutting. Also in attendance was Mr. Ed Borek - Selectman, and Dick Brown - Chairman of the Finance Committee.

Prior to discussing the actual bids several issues were discussed.

1. It is recommended that the Board of Selectmen ask our Town Accountant to establish an administration budget for solid waste collection and billing in the Town of Medway.
2. Have the Town Accountant approve this budget at the state house.
3. To have recommended that the Board of Selectmen place an article on the Town Warrant for the Special Town Meeting to be held of June 27, 1988 to approve the total solid waste budget.
4. It is recommended that our Town Accountant meet with the Town's Computer Committee to determine necessary software for billing solid waste fees to town's people.

Each bid was scrutinized carefully. Such things as compliance with bid specifications, deviation from specifications and cost set forth by each bidder were discussed. Then comparisons between bids presented were also made.

Mr. David Harrington moved and Mr. Paul DeSimone second the following motion. That the Town of Medway Solid Waste Study Committee recommend to the Board of Selectmen that the bid presented by Browning-Ferris Ind. of Boston, MA be accepted and a contract entered into for collection of solid waste within the Town of Medway for a period of 3 years. This motion passed 6 for, 0 against, 1 absent. A photo copy of bid comparisons is attached for your file. Also page 2 shows a cost analysis for the above mentioned system for the 88/89 year.

Sincerely,



Richard A. Parrella  
Chairman, Solid Waste Study Committee

RAP/csd

SOLID WASTE COLLECTION BIDS OPENED JUNE 6, 1988

	<u>Year ending 6/30/89</u>	<u>Year ending 6/30/90</u>	<u>Year ending 6/30/91</u>
C.B. Trucking, Medway, MA	\$6.74/mo. 5 bags 6.94/mo. 6 " 7.14/mo. 7 "	\$6.98/mo. 5 bags 7.19/mo. 6 " 7.36/mo. 7 "	\$7.22/mo. 5 bags 7.43/mo. 6 " 7.59/mo. 7 "
Special Pickups	\$792./day	\$824./day	\$865./day
Ken Perro & Sons, Worcester, MA	6.50/mo.	6.82/mo.	7.16/mo.
Special Pickups	\$1,200./day	\$1,260./day	\$1,323./day
Vining Disposal Service, Medford	7.03/mo.	7.23/mo.	7.33/mo.
Special Pickups	\$855./day	\$905./day	\$965./day
Browning-Ferris Ind., Boston	5.83/mo.	6.06/mo.	6.30/mo.
Special Pickups	\$680./day	\$714./day	\$750./day

Solid Waste Collection and Disposal

July 88 - June 30, 1989

4,000 Residences X 5.83 per month	\$279,840.00
4,700 Tons disposal at Millbury X 47.27	222,169.00
Estimated cost of administration	24,000.00
Abatelements and non-payments 2.5% est.	12,550.00
Special pick-up 6 truck days est. X 680/day	4,030.00
Contingency for error in estimates 2.5%	12,550.00
	<hr/>
	\$555,189.00

Bid presented by BFI - June 6, 1988

Cost per residence annually = \$138.80

Cost per residence monthly = \$11.57 (11.5667)



# UTILITY CONTRACTORS' ASSOCIATION OF NEW ENGLAND, INC.

150 WOOD ROAD  
BRAINTREE, MASSACHUSETTS 02184  
TEL. (617) 849-1886



ESTABLISHED IN 1954

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*Executive Director*

ERIC THOMSON  
*Director of  
Government Relations*

JANE SOLOV  
*Sales/Marketing Director*

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*Treasurer*

MICHAEL LENIHAN  
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## BOARD OF DIRECTORS

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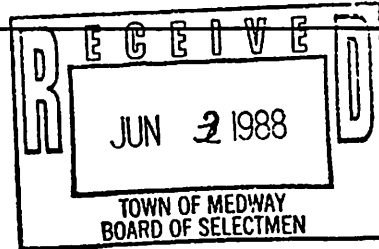
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WILLIAM WALSH

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DAVEY, DAVEY & QUINLAN  
*Legal Counsel*

JOHN E. MERCHANT, CPA  
CULLEN, MURPHY & CO.  
*Accountants*



June 1, 1988

Mr. Paul F. Mitchell  
Medway Town Hall  
155 Village Street  
Medway, MA 02053

Subject: Proposed Fiber Optic (F/O) Cable Regulations

Dear Mr. Mitchell,

I urge you to take the time to read this letter carefully because it identifies a potential problem and insurance liability to your municipality.

It is fortunate for all of us in Massachusetts that issues similar to one surrounding Fiber Optic cables have been thoroughly discussed previously and viable solutions implemented. A case in point - The "Dig Safe" rules and specific regulations to locate and install buried utility lines.

The present problem associated with F/O cable arises because this industry is on the threshold of expansion, and presently no standardizations exist, either under MGL or DPU, to specify safe and engineeringly sound methods for burying the cable underground.

Many private cable manufacturers and installers are lobbying against F/O cable installation standards for their own cost containment and competitiveness. Simply stated - Their position remains: NO CONTROL..NO REGULATIONS..NO RESPONSIBILITY.

All tele-communication companies in the Commonwealth are not members of "Dig Safe". This poses a potentially huge liability for contractors and municipalities alike.

In general, the majority of F/O companies involved are not willing to discuss our concerns. Their position on the issues remain obstinate: Any contractor or municipality that disturbs or breaks a F/O cable, which are thousands of glass tubes, will be liable for "ALL" costs, including interruption costs of companies using the F/O service.

## OUR POSITION

The Utility Contractors Association, representing companies who install underground water and sewer lines, strongly support House Bill 5197, filed by Rep. Emmet Hayes of Whitman. This bill proposes standards for installing F/O cables. At a recent State House public

hearing, the bill received a favorable report from the Joint Committee on Transportation, and was supported by the Construction Industry, State Representatives, Construction Union officials and the state DPW.

Certainly under present circumstances, contractors and municipalities MUST NOT BE HELD LIABLE for the inadvertent rupture of these cables when buried locations are unmarked; the depth of burial is unknown and the cables are not adequately protected or installed to certain specified standards. Can we be expected to hold down the cost of installing water and sewer lines with the potential liability of \$100,000 or higher for a minimal one hour interruption of service?

Eventually the higher insurance costs must be passed on to the municipality contracting for water, sewer, or road work. THIS PLACES AN EVEN HIGHER STRAIN ON CITY AND TOWN BUDGETS WHICH ARE ALREADY STRETCHED TO THE LIMITS.

THERE IS A SOLUTION

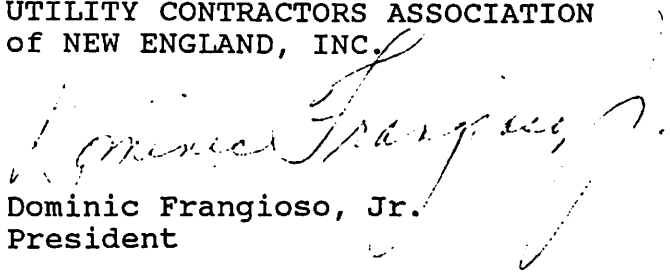
UNTIL LAWS CAN BE PASSED, EVERY CITY OR TOWN ELECTED AND APPOINTED OFFICIAL MUST BE MADE AWARE OF THE IMPENDING AND WIDESPREAD USE OF FIBER OPTIC CABLES...THE LIABILITY AND COST FACTORS, AND THE POTENTIAL IMPACT ON THEIR AVAILABLE RESOURCES.

Attached are proposed regulations for installing underground Fiber Optic cable. They are similar to regulations being used in many states. Please review them...and most important, when you are approached by a communications company to install these cables, we ask you to please specify these proposed regulations to the company for their own safety as well as the contractor's.

I would appreciate your comments on the proposed regulations and your personal position on this issue. Please forward copies of this letter and the attachment to concerned officials in your city or town.

Thank you for your time.

Sincerely,  
UTILITY CONTRACTORS ASSOCIATION  
of NEW ENGLAND, INC.

  
Dominic Frangioso, Jr.  
President

## Utility Contractors Association of New England

### Fiber Optic Cable Systems

#### Introduction

Technological breakthroughs in recent years have revolutionized the communications industry. Lightwave transmission of voice and signals, commonly referred to as "fiber optics", is clearly the key element in the future of telecommunications in the United States and throughout the world.

In fiber optic systems, communications are transmitted through tiny glass fibers, the size of a human hair. Messages are transmitted through the fibers by lasers, flashing millions of times per second. The capacity of fiber optics is enormous. One pair of these tiny "highways of light" is capable of transmitting 6,000 two-way telephone conversations. A single fiber can carry four network television shows simultaneously. A single cable comprised of a few of these glass fibers -- less than the size of a garden hose in diameter -- can handle hundreds of thousands of telephone conversations and other telecommunication messages.

From universities to hospitals, from local police departments to defense installations, every individual and organization with a need to communicate quickly and efficiently is becoming more and more dependent upon effective fiber optic systems. This increasing dependence means that each fiber optic cable installed underground throughout the nation is a critical link between users. The citizens of this nation and the world are depending on fiber optic systems for the protection of life, health and property.

It is clear that after it is installed, a fiber optic cable becomes an indispensable avenue of communication. Any interruption of this link could have the most serious consequences. Due to the fact that most fiber optic cables are being installed underground, they are being encountered during the course of other construction work, particularly on the types of projects performed by contractors involved in sewer, water supply and other underground utility work. Such occurrences are simply unavoidable and, given the fact that fiber optic cable installation is growing rapidly across the nation, they will increase in the months and years ahead.

The Utility Contractors Association of New England (UCANE) strongly feels that unintentional damage to these fragile cables is avoidable if due care is taken to protect the cable during its installation and if proper precautions are observed when digging near these installations. It is this issue that is addressed in this report.

### Defining the Problem

Research indicates there are tens of thousands of miles of fiber optic cables already installed underground and operational. From Florida to Oregon, a myriad of communications companies have been installing this type of cable across the nation. However, there are no adequate uniform standards of installation that are utilized by these companies. UCANE has learned that some companies have simply plowed fiber optic cables directly into the ground without any protection or locating device. Others that have recognized the importance of these facilities have utilized protective conduits and concrete encasements.

The communications industry is now largely deregulated and competitions among companies is keen. Officials of some of the firms with whom we have discussed this issue have shown a great interest in our industry's concern regarding the installations methods used. However, they have reminded us that they can afford to comply with stringent installation standards only if compliance is mandatory for all competing companies. Because of the number of companies already purchasing and utilizing fiber optic cables and the number of additional firms expected to enter the market, voluntary compliance is highly unlikely.

### Cost of Repair

Due to the particular susceptibility of the underground construction industry as a result of the nature of our work, UCANE conducted research regarding repair costs of fiber optic cables in the event of an accidental break in the line. A fiber optic break repair can vary in cost in an approximate range of \$5,000.00 to \$150,000.00 and more.

These figures cover only the cost of repair/replacement; they do not include any possible claims for "loss of service." Most of the company officials consulted emphasize that the critical nature of the telecommunication services using fiber optic systems would require them to hold liable those responsible for a break for the business losses suffered by individuals and companies affected by any loss of service. Estimates of this liability are staggering, ranging from \$5,000.00 to \$150,000.00 per minute.

It is obvious from the figures mentioned above and some basic arithmetic why the underground utility construction industry and UCANE are highly concerned that adequate safeguards be taken during the installation of fiber optic cables underground.

In addition to the business costs incurred from a cable break, however, UCANE is also concerned about the threat to the public health and safety that would be posed by any break in service from a fiber optic cable cut. Any interruption in these communication systems can have a life or death consequence, depending on who may be affected: Law enforcement agencies, Fire Departments, Military and Defense installations and others.

For example, "Medic Alert" buttons are becoming increasingly prevalent in our society as a critical safety device used by individuals with heart ailments and other health problems. The proper functioning of these devices -- and the health and/or life of its owner -- is dependent on adequate and uninterrupted telephone communications.



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This safety factor is magnified considering the capacity of fiber optic cables. A single fiber has the capacity equal to that of a 4,300 pair copper telephone cable approximately six inches in diameter. Thus, a fiber optic cable handles the communications needs of many more individuals and businesses than standard copper cables that have been in use for decades. A fiber optic cable is smaller and more difficult to locate underground, more easily broken or damaged (unprotected cables can easily be cut with a simple hand shovel), and more time consuming to repair than a copper telephone cable. As mentioned, the other major difference is that the health and well being of many more people are jeopardized when a fiber optic cable is cut,.

In short, both the financial and human damage resulting from any break in these cable systems is incalculable and, therefore, demands considerable thought, care and planning in determining the method of installation.

Another aspect of this "liability" matter deserves careful consideration. There likely is not a single underground construction contractor who has not felt the bite of the enormous increase in all types of business insurance. This sharp increase in liability insurance premiums is also of critical importance to many municipal governments across the nation. Businesses and other entities have encountered great difficulties with just having their coverage renewed at any price.

Municipal governments could also be affected. In November of 1985, telephone service to a city police headquarters was cut off for a 16-hour period when a municipal construction crew accidentally severed a fiber optic cable. Callers attempting to reach the police station heard either busy signals or unanswered rings during that period. An official of the utility company that owns the severed cable commented, "It's not the kind of line you can just splice back together. We have to replace it." Sixteen hours later service was restored.

It is also important to realize that the ultimate "pavor" is the consumer. Whether it be the cost of insurance, the cost of "down time" or the cost of repair, the contractor will, as he must, increase his price to include the risks of working near fiber optic systems.

One final, yet no less important, issue that must be addressed is the safety hazards that may be confronted by construction workers responsible for cutting a fiber optic cable currently in service. UCANE has received conflicting reports regarding the relative dangers of viewing a cut cable. Some sources indicate there is absolutely no danger while others tell us there could be possible damage to the retina of the eye if the end of a severed cable is viewed. Further research is clearly necessary before this safety question can be conclusively resolved.

### RECOMMENDATIONS

In light of the aforementioned and in an effort to reduce the possibility of cuts in fiber optic cable systems and their attendant losses UCANE makes the following proposals.

Initially, the Association encourages all public agencies, utilities, contractors, manufacturers and all other groups involved in temporary marking or construction marking of underground utilities to adopt the "Uniform Color Code" developed by the American Public Works Association (APWA). We also recommend that an additional "coding" be adopted specifically for the marking of fiber optic systems. UCANE recommends the use of vertical orange "hashmarks" on detectable marking tape used for this purpose (Condux, Lineguard or equal). The marking tape should also clearly read "Warning: Fiber Optic Cable" printed in orange.

Most importantly, UCANE strongly recommends that all owners of systems utilizing fiber optic cables adopt the following installation standards. The Association firmly believes that any additional installation costs resulting from the adoption of these standards would be more than offset by the benefits derived.

### FIBER OPTIC CABLES INSTALLATION REQUIREMENTS

- 1.) Burial depth: 48"
- 2.) Trench width: 12" on either side of conduit measured from conduit center.
- 3.) Conduit requirements:
  - a.) Under grade normal, pvc, sch. 40, per ASTM-D-1734, 1735, NEMA TC2, color grey, in 20' lengths, bell end minimum 4" in depth, conduit shall have clearly marked on its side, "CAUTION - FIBER OPTIC CABLE INSIDE", as manufactured by Condux International or equal.
  - b.) Under road bores, conduit shall be placed inside steel casing as per local requirements.
  - c.) The cable may also be installed in concrete-encased H.D.P.E. #1642 polyethylene duct that is extruded around the fiber optic cable prior to its shipment to the jobsite as manufactured by Tamaqua Cable Corporation or equal. The polyethylene duct shall be labeled, "CAUTION - FIBER OPTIC CABLE INSIDE."
  - d.) All conduits to be concrete-encased as shown on attachment.

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5.

4.) Detectable tape:

- a.) 3" to 6", .005 mil, metallic detectable color coded warning tape labeled continuously with "CAUTION - FIBER OPTIC CABLE BURIED BELOW." Also labeled should be owner of fiber optic cable and phone number to call for assistance, as supplied by Condux International or equal.

5.) Backfill:

- a.) Suitable backfill shall be placed and compacted per local standards and/or AASHTO specification #T-K30.
- b.) Base and surface restoration should be per local requirements.

6.) Splice enclosures:

- a.) Boxes, manholes, vaults, or splice enclosures shall be capable of withstanding AASHTO H-20 traffic loading when placed at grade (even though design specification may call for the splice enclosure to be placed 12" to 18" below grade).
- b.) They should be of sufficient size to accommodate 40' to 120' of coiled fiber optic cable.

7.) Above ground marking:

- a.) Above ground marking shall be with stakes manufactured of concrete or fiberglass or other U.V. resistant material. They must be tamper-proof and unable to be easily removed or vandalized. They must be resistant to vehicular damage, as manufactured by Carsonite Industries or equal.
- b.) They should be placed at a maximum of 100' intervals, not obscured by trees or foliage, directly above the fiber optic cable run. There should also be one stake at every splice enclosure, and one stake before and after every road crossing.
- c.) They should state, "CAUTION - FIBER OPTIC CABLE BURIED BELOW", and the name of the company that owns the fiber optic cable and the telephone number that may be called for assistance.

"DIG SAFE" REQUIREMENTS FOR FIBER OPTIC CABLES

- 1.) Upon notification of proposed excavation in the proximity of fiber optic cables, a representative of the owner of those cables shall be required to be present during that excavation.
- 2.) Current legislation regulating the marking out of existing utilities should be modified to narrow the locus of markouts to within 6" of fiber optic cables.
- 3.) For proposed excavating that may be adjacent to overhead fiber optic installations, the utility owning those utilities will be required to notify those making excavations.

MISCELLANEOUS REQUIREMENTS FOR FIBER OPTIC CABLES

- 1.) For all existing duct systems that shall contain fiber optic cables it shall be the utility company's responsibility to place all appropriate markings as though it were a new duct and cable installation.
- 2.) It shall be a requirement of those preparing plans for proposed construction to denote on those plans areas where fiber optic cable installations exist.
- 3.) Any installation of fiber optic cable shall be governed by these regulations and requirements and shall not be installed under permit more than 6 months old.

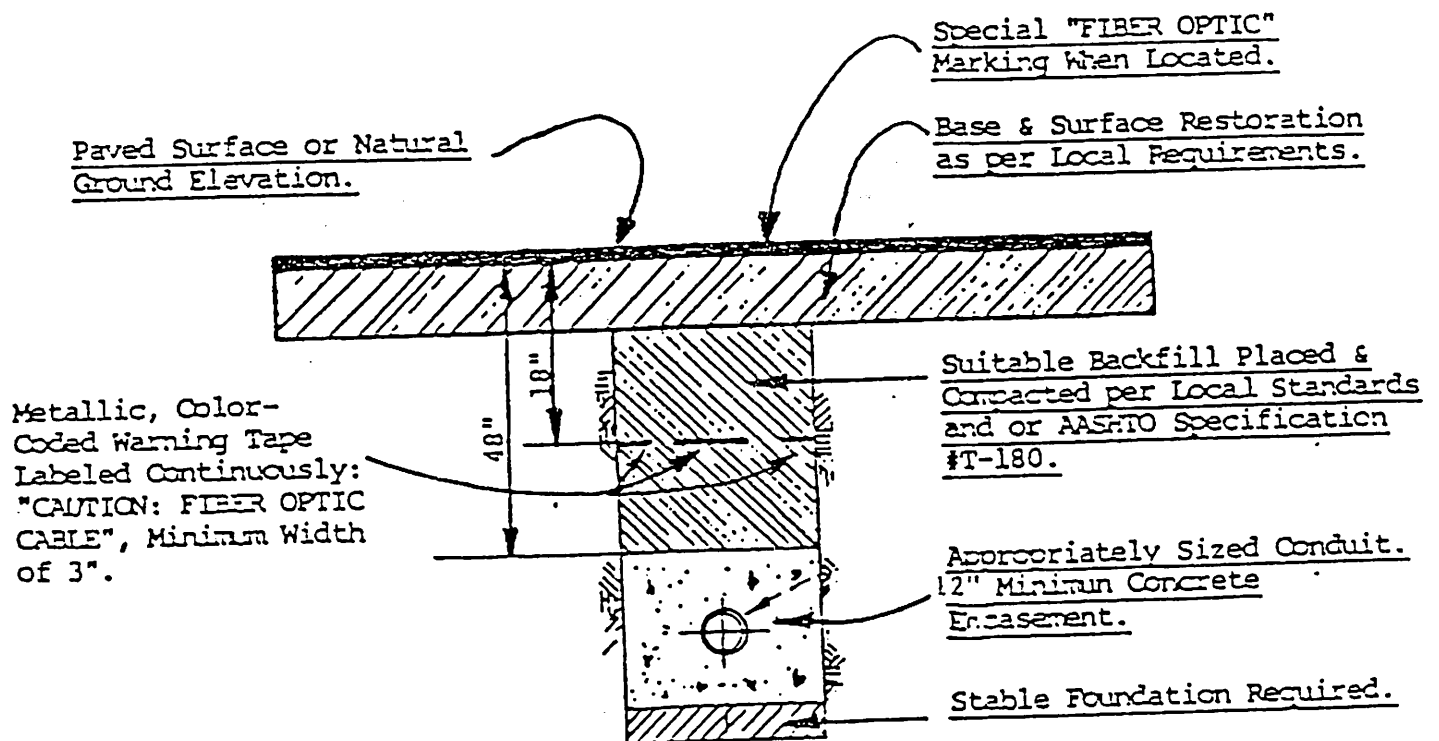
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FIBER OPTIC CABLE TRENCH INSTALLATION DETAIL (N.T.S.)







## A digging tool designed to save you thousands.

Watch for this sign.

It tells you where a fiber optic cable is buried.  
And cutting this kind of cable accidentally could  
break you financially.

So, please, call  
before you dig.

1-800-521-0579



*US Sprint*



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So, please, call  
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*US Sprint*

**ORD, MASSACHUSETTS**  
396-0948

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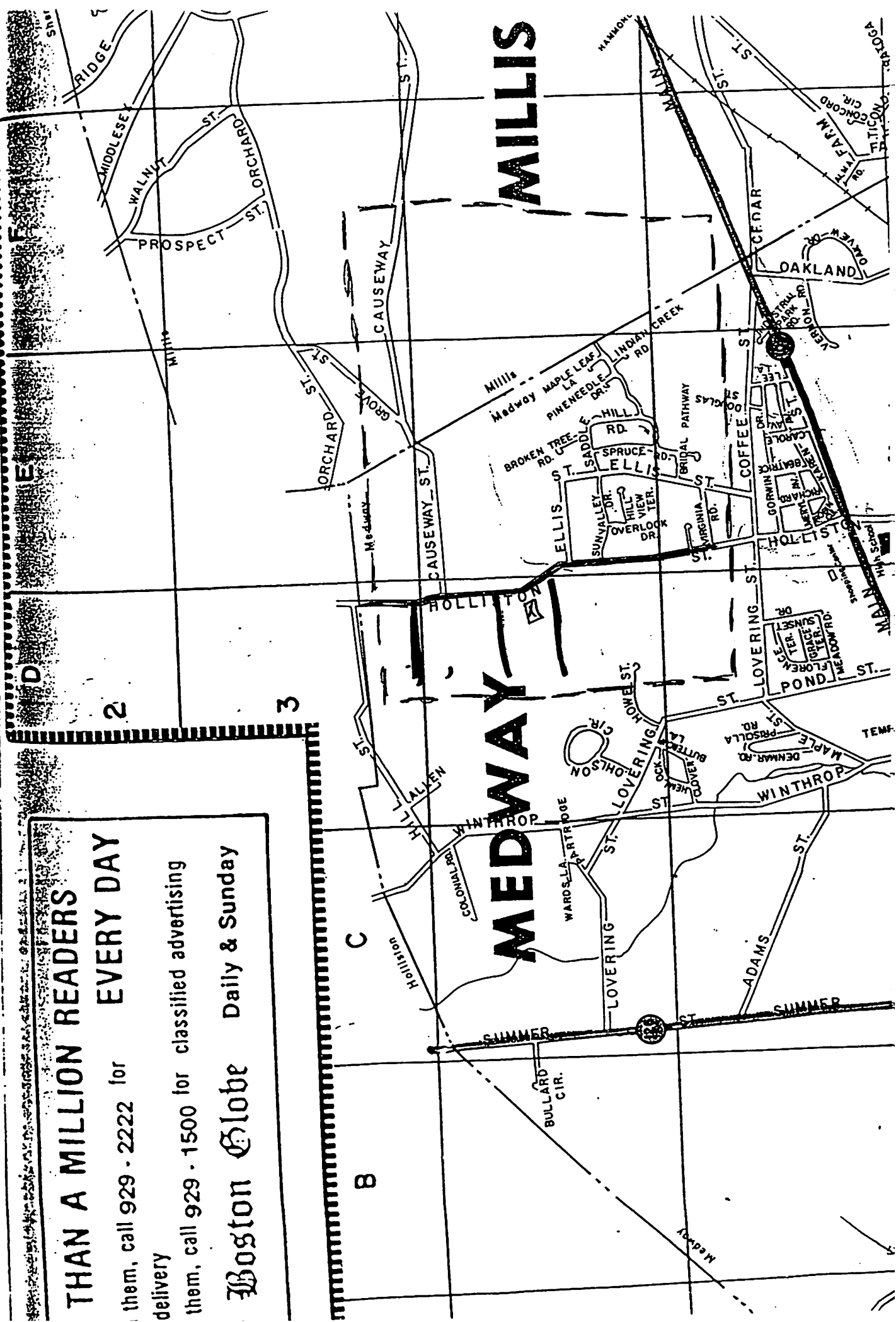
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**THAN A MILLION READERS**

**EVERY DAY**  
them, call 929 - 2222 for  
delivery

them, call 929 - 1500 for classified advertising

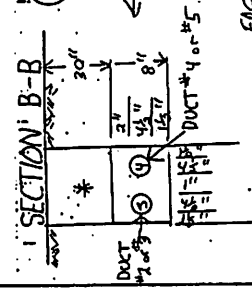
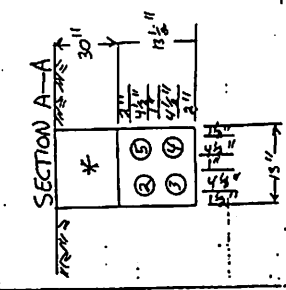
**Boston Globe Daily & Sunday**



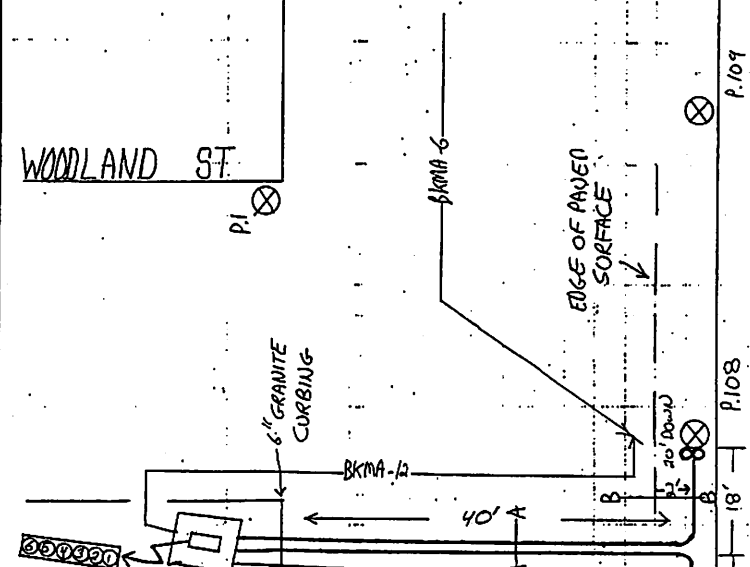
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C.O. DIST	MEDWAY	EXCH. CODE	5674
MUNICIPALITY	MEDWAY	(MASS. ONLY) NURIC. CODE	5674-2
		STATE	MA

PREPARED BY: M.W.		SURVEY FOR SAFETY BY: M. ALKHA SHER		EXCEPTIONS: HEAVY TRAFFIC	
CHECKED BY: P.I.	ELCO. INFO: BOSTON EDISON	ELCO. NOTICE NO.	ELCO. NOTICE NO.	ELCO. NOTICE NO.	ELCO. NOTICE NO.
CONDUIT PLAT.:	MAX. VOLTAGE: 13.8 KV	PHASE TO GND:	7.6KV	SYSTEM:	MEAL
PREPOST: <input type="checkbox"/> YES <input type="checkbox"/> NO	DISPOSED CABLE: <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	ADVANCE MEMO PROCESSED: <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	DESIGN: <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	DESIGN: <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	DESIGN: <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO
DATE:	REVISION REQUIRED: <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	PRIVATE PROPERTY: <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	MANIC: <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	MANIC: <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	MANIC: <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO



PL 1-5'x7'x5' TACK CONC PAD  
4-4" PVC 90° BENDS  
4-6" Type 4" DUCT FLOCS



NOTE: OTHER CABLES OMITTED FOR CLARITY.

### SITE PREPARATION

- 1) EXCAVATE PAD DIMENSIONS TO A MINIMUM OF 30" BELOW GRADE OR AS REQUIRED. TO REMOVE ALL UNSUITABLE MATERIAL.
- 2) EXCAVATE FOR AND PLACE DUCTS & BENDS.
- 3) BACKFILL TO WITHIN 3" OF GRADE WITH CRUSHED STONE OR WELL COMPACTED BANK GRAVEL AND MECHANICALLY COMPACT IN 10" TO 12" LAYERS.
- 4) PLACE AND LEVEL PRECAST CONCRETE PAD SURFACE TO BE 2" ABOVE EXISTING GRADE 4" BENDS TO BE CUT FLUSH WITH OR EXTEND 2" ABOVE PAD SURFACE.
- 5) PERMANENT RESURFACING - RESTORE AREA TO ORIGINAL CONDITION.
- 6) 5T FORMS REQUIRED.

NOTE: IN THE EVENT THAT MINIMUM COVER CANNOT BE ACHIEVED DUE TO OTHER UTILITIES, ETC., DUCT FORMATION TOP CONCRETE SHALL BE INCREASED FROM 3" TO 4".

\* WELL TAMPERED SUITABLE BACKFILL VARIES BUT IS A MINIMUM OF 30" BELOW STREET SURFACE MEASURED AT CURB OR GUTTER LINE.

Tangible Asset Plant On Private Property	Order No.
<input checked="" type="checkbox"/> None	Plan No. 10 of 10
<input type="checkbox"/> All	

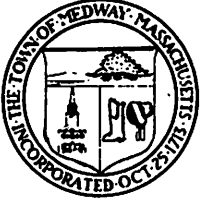
CALL DIG SAFE
Tel. # 1 (800) 322-4844
Tel. #
Date
Site

PL 90° BENDS ON THIS QUARTER

PL 90° BENDS ON THIS QUARTER

CO. DIST MEDWAY  
MUNICIPALITY MEDWAY

EXCH. CODE 5674  
MASS. ONLY) NAHIC. CODE 5674-3  
STATE MA



## BOARD OF SELECTMEN

155 VILLAGE STREET  
MEDWAY, MASSACHUSETTS 02053

### AGENDA

JUNE 6, 1988

7:00 p.m.	Open meeting, approve minutes of 5-23-88 meeting. Sign warrants.
7:05	Town Counsel
7:15	Police Study Committee
7:30	Open bids for Solid Waste Pickup
7:45	Town Clerk - Dog Licensing
8:00	Fire Chief Hanlon - Fee Schedule
8:15	Paul Wilson

NOTE: Pat Brennan will be in to sign  
contract for 109 Traffic Project  
with L.A.L.

Vote to re-approve the contract signed  
on August 10, 1987 with Wheelabrator.

Present: Paul Mitchell, Edward Borek and Harry Sabin.

- 7:00 p.m. The Board opened the meeting and voted unanimously to approve the minutes of the May 23, 1988 meeting. The Board signed the warrants.
- 7:05 The Board met with Richard Maciolek, Town Counsel regarding questions the Board had requested him to answer. He stated that the legislation the VFW had requested be on the Special Town Meeting Warrant means that the first \$700,000.00 of their Real and Personal Property valuation is exempt from taxes if this Act is adopted by the Town. He also stated the the Animal Control Officer should be appointed as a Special Police Officer for the purpose of issuing fines to enforce the Town by-laws. With regard to the 109 Corridor, Town Counsel will work with the State Counsel for the encroachment by Apollo.
- 7:30 The Board opened the bids for the Solid Waste Collection. Bids were received from the following (as per attached list): C. B. Trucking, Medway; Ken Per-o & Sons, Worcester; Vining Disposal Service, Medford; and Browning-Ferris Industries, Boston.
- 7:45 The Board met with Police Chief Lambirth and James Brodeur, Chairman of the Police Advisory & Building Committee to review the three Articles that were placed on the Special Town Meeting Warrant. The first Article would be to bote on a site for a new Police Facility. The second nrticle would be to redesignate the name of the Police Advisory and Building Committee to the Permanent Police Building Committee and the third Article would be to transfer from available funds \$135,000 for preliminary legal and municipal procedures, RFP's, architect selection, and design and bidding documents of a new Police Facility. The Board supports these articles.
- 8:15 The Board met with Fire Chief Hanlon with regard to setting up a fee schedule for the inspections that his department does throughout the town. The Chief stated that he would get a list of the inspections that is done by the Fire Dept. and have it to the Board by June 20, 1988.
- 8:30 The Board met with Paul Wilson, Chairman of the Charles River Pollution Control District. Mr. Wilson informed the Board of the call he received from Representative Marie Parente that morning asking if the District had any knowledge of the Franklin Town Councillors voting on June 8, 1988 with regard to the Sludge Compost Facility. Neither the Commissioners nor the Board of Selectmen had any knowledge of this. The Administrator of the Town of Franklin had invited the Board to meet with the Councillors at 9:00 p.m. on that night to hear the report they had received regarding rates. Mr. Wilson stated that the



Commissioners of CRPCD would not be attending that meeting. Mr. Wilson wanted to update the Board on the problems the Commissioners were having with the Franklin Administrator since last Fall.

- The Board read and accepted the resignation of Veronica Clark and Constance Sheehy as Registrars to be effective July 1, 1988. The Board requested the Secretary give a copy of their letter of resignation to the Town Clerk's Office.
- The Board discussed the complaints they had received from residents in the area of the Celtic Construction subdivision off of Fisher Street. The Board requested that a letter be sent to the Planning Board to see what action could be taken to provide a non-passable barrier at that roadway due to the lack of any construction activity at the present time. The Chairman will write the letter to the Planning Board.
- The Board discussed the complaints from residents in the Stanley Road area with Hillview Construction as they are removing the earth from their development and the trucks are allegedly uncovered and the equipment is driving over private property. The Board agreed that the Chairman would write a letter to Hillview Construction regarding these complaints.
- The Board voted unanimously to pay the Secretary to the Board of Selectmen a \$5.00 per hour stipend, for working out of her job classification during the absence of an Administrative Assistant to the Board of Selectmen.
- The Board reviewed the Articles for the Special Town Meeting to be held at the Village Church on June 27, 1988.
- The Board voted unanimously that Harry Sabin will serve on the DPS Sub-Committee for the Job Classification for D.P.S. Director.
- The Board requested the Secretary send a copy of the Zoning Article on the Special Town Meeting Warrant to the Planning Board.

Meeting adjourned at 10:15 p.m.

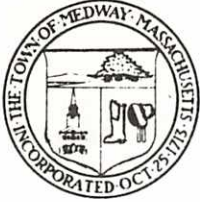
RESPECTFULLY SUBMITTED,

*Ruth Allen*

Ruth Allen, Secretary

ra





## BOARD OF SELECTMEN

155 VILLAGE STREET  
MEDWAY, MASSACHUSETTS 02053

### AGENDA

MAY 23, 1988

- 7:00 p.m. Open meeting, approve minutes  
of 5-16-88 meeting. Sign warrants
- 7:30 Open bids for Solid Waste
- 7:45 Dog Officer  
re: hours
- 8:00 Richard Blethan  
re: update on Village/Main/Summer Sts.
- 8:15 Chief Hanlon  
re: fee schedule

Note: Vote Smoking Ban  
Vote Open Warrant for Special  
Town Meeting - June 27th and  
to close warrant on June 3rd.

*Vote to accept PWD Grant for Rte. 109  
\$300,361.<sup>00</sup>*

Present: Paul Mitchell, Edward Borek and Administrative Assistant, Paul DeSimone. Harry Sabin was absent.

7:00 p.m. The Board opened the meeting and voted unanimously to approve the minutes of the May 16, 1988 meeting. The Board signed the warrants.

7:30 The Board opened the bid (only one bid received) for Solid Waste Disposal Services for a resource recovery generation facility.

Bid received from:

Wheelabrator Environmental Systems Inc.

55 Ferncroft Road

Danvers, MA 01923

effective 6/1/88 the adjusted and escalated Tipping Fee would be \$47.88. In addition the Town may be required to pay for a 3% set aside as provided in the recently enacted Massachusetts Solid Waste Act. If the 3% is enacted the Tipping fee as of 6/1/88 would be \$49.36.

The Board voted unanimously to accept this bid.

8:00 The Board met with Mr. and Mrs. Richard Blethan, 411 Village Street for an update on the intersection of Village/Main/Summer Streets and how much money is left from the Pond Street Project that will go back into this intersection. The Administrative Assistant stated there will be approximately \$100,000.00 Chapter 90 money left after Pond Street is completed. He also stated that construction on this intersection would not be started before the Spring of '89. Mr. Blethan asked why a guard rail could not be installed temporarily at this intersection, and the answer was because of liability. Mr. Blethan was informed that the final design has been done and as soon as we have the monies we can proceed with the project. The Board informed them that a final figure on the Pond Street Project should be available around the end of June, 1988.

8:22 The Board met with Animal Control Officer, James Cassidy regarding the institution of the fines that are already on the town by-laws. The Board requested the Administrative Assistant send a letter to Town Counsel requesting procedure and if the Animal Control Officer should be appointed as a Special Police Officer. Also the Board requested the Administrative Assistant send a letter to the Police Chief requesting him to log all complaints from residents during the night and on the weekends for the Animal Control Officer and that the Police Department take care of the disturbance calls during the night and weekends.

- The Board voted unanimously to reappoint Mary Shea as Town Accountant until June 30, 1991.

- The Board discussed at great length a certified letter received from Michael J. Maher, D.E.Q.E., Worcester regarding CRO, DSWM - Medway Sanitary Landfill Noncompliance with 310 CMR 19.00. The Board requested the Administrative Assistant send a letter to D.E.Q.E. addressing each numbered paragraph in their letter (letter attached).
- The Board read a letter from the State, Dept. of Public Health regarding the enactment of the Massachusetts Clean Indoor Air Law. The Board voted unanimously to follow the requirement of this act and that there would be NO SMOKING in Town Hall excepted in the designated areas which are the Water/Sewer Room and the Accountant's area.
- The Chairman read a letter of resignation received from Walter J. Johnson, Building Inspector to be effective June 30, 1988. The Board accepted his resignation with serious regret.
- The Board voted unanimously to open the Warrant for a Special Town Meeting to be held on June 27, 1988 at 7:30 p.m. at the Village Church. The Warrant will be closed on June 3, 1988.
- The Board voted unanimously to accept the PWED Grant for the Route 109 Construction Project in the amount of \$300,361.00.
- Selectman Borek brought up an article he had read in the Milford News with regard to the Franklin Town Council opposing the Sludge Composting Facility being in the Town of Franklin. Mr. Borek was visibly upset over this matter. Mr. Borek felt that this contradicted previous statements in which the Councilors said they would accept the facility. The Board felt that there is a need for a meeting with Franklin Town Councilors regarding this matter. The Administrative Assistant stated that CRPCD would be holding a special meeting this Thursday evening to discuss this matter and that they would be meeting with Franklin Councilors on June 1, 1988. The Board has never received any correspondence from the Town of Franklin with regard to this change of mind.
- The Board discussed a letter received from Karen Wasnewskey's Insurance Company regarding a claim for damages done to her vehicle on Village Street in Medway and also a bill received for damages done to a vehicle's tire on Village Street from Larry Clark, Seekonk Street, Norfolk. The Board requested the Administrative Assistant send them letters denying any responsibility with respect to these claims.

- The Board requested the Administrative Assistant send an advertisement to the local newspapers and to the Beacon requesting resumes for the position of Administrative Assistant stating they are looking for someone with a Degree or Comparable Experience.
- The Board voted unanimously to have the Board Secretary sign vouchers for ordinary bills and payroll until a new Administrative Assistant is hired.

Meeting adjourned at 9:30 p.m.

RESPECTFULLY SUBMITTED,

*Ruth Allen*

Ruth Allen,  
Secretary

ra



# *The Commonwealth of Massachusetts*

*Executive Office of Environmental Affairs  
Department of Environmental Quality Engineering  
Central Region  
75 Grove Street, Worcester, Massachusetts 01605*

Daniel S. Greenbaum

Commissioner

May 17, 1988

CERTIFIED

Town of Medway  
Board of Selectmen  
Town Hall  
Medway, Massachusetts

RE: CRO, DSWM - Medway  
Sanitary Landfill  
Noncompliance with  
310 CMR 19.00

Attention: Joseph Hoban, Chairman

NOTICE OF NONCOMPLIANCE

THIS IS AN IMPORTANT NOTICE. FAILURE TO TAKE ADEQUATE ACTION IN RESPONSE TO THIS NOTICE COULD RESULT IN SERIOUS LEGAL CONSEQUENCES.

Dear Mr. Hoban:

Department personnel have observed that on May 9, 1988, activity occurred at the Medway Sanitary Landfill, Medway, Massachusetts, in noncompliance with the Disposal of Solid Wastes by Sanitary Landfill Regulations, (310 CMR 19.00) and Chapter 111, Section 150A, Massachusetts General Laws, which are enforced by the Department.

Attached hereto is a written description of (1) each activity referred to above, (2) the requirements violated, (3) the action the Department now wants you to take, and (4) the deadline for taking such action.


Town of Medway  
NOTICE OF NONCOMPLIANCE

Page 2

If you fail to take any action the Department now wants you to take by the prescribed deadline, or if you otherwise fail to remain in compliance in the future with requirements applicable to you, you could be subject to legal action including, but not limited to, criminal prosecution, court-imposed civil penalties, or civil administrative penalties assessed by the Department. A civil administrative penalty may be assessed for every day from now on that you are in noncompliance with the requirements referred to above.

If you have any questions on this matter, please contact Mr. Mark Begley or Mr. Gerald Cushing at (617) 792-7653.

Very truly yours,



Michael J. Maher  
Deputy Regional  
Environmental Engineer

MJM/MJB/GTC/jc

cc: Robert Kimball, DWPC, CRO, DEQE  
L. James Miller, Boston DEQE  
Medway Board of Health  
Medway Conservation Commission

May 13, 1988

Medway Sanitary Landfill

NOTICE OF NONCOMPLIANCE  
NONCOMPLIANCE SUMMARY

NAME OF ENTITY IN NONCOMPLIANCE: Town of Medway

LOCATION WHERE NONCOMPLIANCE OCCURRED OR WAS OBSERVED:  
Medway Landfill  
Off Broad Street Extension  
Medway, MA

DATE WHEN NONCOMPLIANCE OCCURRED OR WAS OBSERVED: May 9, 1988

DESCRIPTION OF NONCOMPLIANCE AND OF THE REQUIREMENT(S) NOT COMPLIED WITH:

1. Areas of the top of the landfill did not have intermediate and/or impervious final cover over the disposed refuse. This is in noncompliance with a set of landfill closure plans approved by the Department on July 20, 1982. The plan approval states in part "that impervious cover material must be applied in accordance with the approved plans and Section 19.15(2) of the Regulations... within thirty (30) days after the closure of this disposal facility". Section 19.15(2), Depths of Cover; Intermediate, of the Solid Waste Disposal "Regulations" states in part that "The operator shall place an intermediate cover consisting of impervious material on the top and sides of the operation within one month after placing refuse on that portion of the fill...".

The condition observed during the inspection is also in noncompliance with Section 19.15(3), Depths of Cover; Final, of the Regulations which states in part that "The operator shall place a final layer of cover material on the entire surface of a completed section of the fill to provide support for cover vegetation. This layer shall have a total minimum depth of 2 feet. The final cover shall be graded so that surface water will not accumulate...this final layer shall be in place within one month following the completion of the section...".

Medway Sanitary Landfill  
NONCOMPLIANCE SUMMARY

Page 2

2. A portion of the landfill had several solid waste collection bins on site, either full or partially full, of solid waste. This solid waste is transferred off-site for eventual disposal. This activity constitutes the operation of a transfer station facility. This section of the closed uncapped landfill has not been assigned by the Medway Board of Health as a transfer station facility. This is in violation of M.G.L. Chapter 111, Section 150A and noncompliance with Section 18.02(2), Selection of Site, of the Regulations. M.G.L. Chapter 111, Section 150A states in part that "No place in any city or towns shall be established or maintained or operated by any person, including any political subdivision or agency of the Commonwealth, as a site for a facility (transfer station), unless such place has either been assigned by the Board of Health of such city or town as a site for a facility after a public hearing, subject to the provision of any ordinance or by-law adopted therein under Chapter Forty A or corresponding provisions of earlier laws, or, in the case of an agency of the Commonwealth, has been assigned by the Department of Environmental Quality Engineering...". Section 18.02(2) of the Regulations states that "A site selected for a refuse transfer station facility must conform to all applicable assignment provisions of Section 150A of Chapter 111 of the General Laws, and any other applicable laws and regulations".
3. The transfer station is being operated without plans approved by the Department. This is is noncompliance with Section 18.03(1), Plan Approval, of the Regulations. Section 18.03(1) states that "No transfer station facility shall be established, constructed, installed, operated or maintained unless the plans and design data therefore have been approved by the Department and the location of final disposal has been approved by the Department in accordance with Section 18.03(3)".



Medway Sanitary Landfill  
NONCOMPLIANCE SUMMARY

Page 3

ACTION TO BE TAKEN AND THE DEADLINE FOR TAKING SUCH ACTION:

1. Within fifteen (15) days of receipt of this Notice, the Town shall submit to this office a proposed schedule of activities which would ensure that the landfill is completely capped with an impervious final cover, loamed and seeded by October 1, 1988. This schedule shall include, but not be limited to, locating and excavating a series of test pits to determine which areas have been previously capped and which areas have not been used for refuse disposal.
2. Within thirty (30) days of receipt of this Notice, the Town shall have either submitted written documentation to this office that the transfer station has been assigned as a solid waste disposal facility by the Medway Board of Health or shall have provided two week notice of a public hearing to be conducted relative to the assignment of the site as a solid waste facility. A copy of the site assignment decision and public notice must be received by this office within one week after the site assignment hearing by the Board of Health.
3. Within sixty (60) days of receipt of this Notice, the Town shall submit to this office for review and approval, a complete set of engineered design plans for the capping of the landfill. The plans shall be designed by a professional engineer, registered in the Commonwealth of Massachusetts, and knowledgeable in the construction and operation of solid waste disposal facilities. The plans shall delineate the areas to be capped, all capping details and specifications, describe a post closure maintenance plan, and describe a post closure ground and surface water monitoring program.

Medway Sanitary Landfill  
NONCOMPLIANCE SUMMARY

Page 4

4. Within sixty (60) days of receipt of this notice, the Town shall submit to this office for review and approval, a complete set of engineered design plans for the construction and operation of a solid waste transfer station. The plans shall be designed by a professional engineer, registered in the Commonwealth of Massachusetts, and knowledgeable in the construction and operation of solid waste disposal facilities.

DATE

July 13, 1988

BY:

Michael J. Maher  
Michael J. Maher  
Deputy Regional  
Environmental Engineer

MJM/MJB/GTC/jc



## BOARD OF SELECTMEN

155 VILLAGE STREET  
MEDWAY, MASSACHUSETTS 02053

### AGENDA

MAY 16, 1988

- 7:00 p.m. Open meeting, approve minutes  
of 5-9-88 meeting. Sign warrants.
- 7:10 John Ryan - Council on Aging  
re: By-laws
- 7:15 Michael Matondi  
re: update on 9/24/88 Parade
- 7:30 Arthur Wheeler, 80 West Street  
re: water drainage problem
- 8:00 Traffic control on Pond Street  
Police Chief and Peter Bates
- 8:15 Pat Brennan, Stone & Webster  
re: Route 109 Bid Proposal
- ~~8:45~~ ~~Graham's, Granite Street Residents~~  
~~re: Algonquin Pipeline~~ *Cancelled*

NOTE: Discuss Fee Schedule for Fire  
Inspections, new and fire damage

Present: Paul Mitchell, Edward Borek and Harry Sabin. Administrative Assistant Paul DeSimone was absent.

- 7:00 p.m.           The Board opened the meeting and voted unanimously to approve the minutes of the May 2, 1988 meeting. The Board signed the warrants.
- 7:05                The Chairman of the Board read a letter dated May 10, 1988 from the Administrative Assistant informing the Board that he would be tending his resignation as Administrative Assistant to the Board of Selectmen effective May 27, 1988 for personal reasons due to the need to be home with his family.
- 7:10                The Board met with John Ryan to go over the Council on Aging by-laws. The Board requested that they be given time to critique these by-laws and get back to them prior to their June 1st meeting would if there are no further changes to these by-laws the Council on Aging will take a vote on them. Mr. Ryan stated that Town Counsel has reviewed these by-laws for any conflicts with Town by-laws and finds that there are no conflicts. These by-laws were discussed at an open meeting held on May 3, 1988 for public input. The Board will get back to Mr. Ryan prior to the June 1st meeting. Have the Administrative Assistant check with Town Counsel to see if these by-laws have to be approved by the Board or at a Town Meeting.
- 7:25                The Board met with Michael Matondi for an up-date on the 275th Anniversary Parade to be held on September 24, 1988. Mr. Matondi inquired as to what the liability will be of the Town for this parade and for the First Aid liability? The Board requested that the Administrative Assistant check with Town Counsel on this matter also. The Board is responsible for the permits for solicitation etc.
- 7:55                Met with Arthur Wheeler from 80 West Street regarding a problem of his back land flooding. He first noticed this problem in August, 1987, he feels it is from the sub-divison going in on Granite Street just beyond 3 Granite Street. Mr. Wheeler purchased this property in February, 1953 and has never had this problem before. After much discussion the Board requested that a letter be sent to the Planning Board with a copy to the Board of Assessors requesting them to please attend the D.P.S. meeting on May 26th to discuss this matter. Enclose a copy of the letter from the Board of Assessor with the letter to the Planning Board.
- 8:15                The Board met with Pat Brennan from Stone & Webster Engineering Co. to discuss the bid proposal from L.A.L. Construction Co. for the Route 109 construction project (PWED Grant). Mr. Brennan stated he has reviewed the bid proposal and did not find any mistakes and that their prices were not unreasonable and reflect the condition of the market now. He stated that the town would have to reduce the scope in the project

do to financial constraints. If the town took out the Granite curbing on the South side of Main Street and put in bituminous berm instead it would be a savings of approximately \$40,000.00 (these berm would be replaced in phase II if we receive another Grant) and if the length of the project was reduced from Station 101 to Station 97 (approximately 300 feet) it would be a savings of approximately \$49,200.00. This reduction would include Papa Gino's driveway but not the Health Stop driveway. After much discussion the Board voted to accept the bid on Phase I with the reductions as stated above and award the contract to L.A.L. Construction Co. Mr. Mitchell and Mr. Sabin voted in favor of awarding the bid with the reduction and Mr. Borek voted in opposition. The Board requested the Administrative Assistant send a letter to L.A.L. Construction Co. informing them of the award and the changes in the scope immediately.

- The Board discussed the setting up of Fee Schedules for the Dog Officer and the Fire Chief. The Board requested the Administrative Assistant check with Town Counsel regarding these fines and the enforcement of them for the Dog Officer as to how. The Board requested that the Administrative Assistant get reports from the Fire Chief and Dog Officer as to inspections and problems respectively and send letters to the both of them for this information and to meet with the Board on May 23, 1988, Dog Officer at 7:45 p.m. and Fire Chief at 8:15 p.m. The Board would like the log from the Dog Officer for 1987 and 1988.
- The Board discussed the letter received from the Police Chief regarding his suggestions for Pond Street. The Board voted unanimously to approve his suggestions (letter attached). The Highway Superintendent will inform the Police Chief of this vote and inform the street lining company. The Board requested the Administrative Assistant send a letter informing the Street Lining Company of these changes.
- The Board discussed the letter received from the Veteran's Building Committee dated December 14, 1987 requesting an Article be placed on the next town meeting Chapter 499 which raises the tax exemption on real estate property. The Board requested the Administrative Assistant send a letter to Town Counsel requesting an interpretation of this law with regard to the Medway Veteran's Building Assoc.
- The Board discussed a letter dated May 3, 1988 from the office of Attorney Stephen P. Weitz with regard to an accident at the Medway Jr-Sr High School Gymnasium while Mr. John W. Callanan was a spectator at a basketball game. The Board requested the Administrative Assistant turn this over to Town Counsel and the Town's Insurance Company.

- The Board signed the certified amount \$614,640.00 which is expected to be incurred during the fiscal year for construction, maintaining and policing of the town streets and roads in accordance with Chapter 81, Section 31 of the General Laws for fiscal year 1989.
- The Board received a letter dated May 11, 1988 from the Office of Transportation and Construction, Mr. Frederick P. Salvucci, Secretary informing the Board that the Town will be awarded \$300,361.00 through the Public Works Economic Development (PWED) Program for the Route 109 CBD Improvements, contingent upon the commitment of \$39,639 in local public funds.
- The Board requested the Administrative Assistant make the reservations for the Board for the Annual MMA Convention.
- The Board signed the Police Contract for the Fiscal Years 1989 and 1990.

Meeting adjourned at 9:55 p.m.

RESPECTFULLY SUBMITTED,



Ruth Allen  
Secretary

ra

Police Department  
533-8211



W. David Lambirth  
Chief of Police

**Town of Medway  
Massachusetts**

May 13, 1988

TO: Board of Selectmen

FROM: Police Chief

SUBJECT: Pond Street

Gentlemen:

After careful consideration, coupled with conversation and input from the Administrative Assistant, Paul DeSimone, Superintendent Diarmuid Higgins and Safety Officer Bates, I would like to offer suggestions, Ref: Pond Street final phases:

1. I recommend that your consideration be given to a double solid line (no passing) for the entire length of Pond Street.

Rationale: With many Senior Citizen motor vehicle operators travelling to and from both Mahan Circle and Lovering Heights, there will be a tendency for impatient travellers to be passing their slower moving vehicles.

Example: If you can visualize the scenerio of a vehicle pulling out of Meadow Road to North on Pond, thinking that his way is clear, then seconds later, a Southbound vehicle were to pass a slower moving Southbound vehicle, certain mishap. Additionally, with crosswalks being used by walkers, there is the potential of a person stepping off onto, what they feel, is a clear lane, only to have a vehicle in the opposite lane pass a slower vehicle and strike the pedestrian. Granted, the pedestrian should not commence to cross until the way is completely clear, but we all know human nature. Passing would increase the potential for high speed and erratic passing.

2. I would further recommend that any crosswalks painted on the road surface at designated areas, be painted either solid, or with diagonal hashmarks between the outer lines. This greatly increases visibility, drawing more attention to crosswalks; may be seen from a greater distance.

Crosswalks - locations, to be placed by Safety Officer and Highway Superintendent.

3. Although covered by Statute, under the Fundamental Speed Law, Ref: T.S.D., I recommend that speed actually be posted at 30 mph.

Mr. DeSimone has further input, Ref: passing, due to a conversation with DPW Officials, but I would appreciate your consideration on exercising local option.

Respectfully Submitted:

  
David Lambirth  
Chief of Police

DL:mv





## BOARD OF SELECTMEN

155 VILLAGE STREET  
MEDWAY, MASSACHUSETTS 02053

### AGENDA

MAY 9, 1988

6:00 p.m.

Open Bids for the  
109 Traffic Construction

Adjourn to Medway Jr.-Sr.  
High School for Special  
Town Meeting at 7:15 p.m.

*Board to re-organize.*

Present: Paul Mitchell and Harry Sabin. Edward Borek and Administrative Assistant, Paul DeSimone were absent.

6:00 p.m. The Board opened the bid (only one bid received) for the Route 109 Road Construction Project:

L.A.L. Construction Co., Inc.  
P. O. Box 1349  
Fall River, MA 02722

Unverified bid amount of \$427,402.00

The Board voted unanimously to take this bid under advisement and to have the engineering firm of Stone & Webster make a recommendation.

- The Board voted unanimously to accept the minutes of the May 2, 1988 meeting. The Board signed the warrants.

The meeting was recessed to the Medway Jr.-Sr. High School Auditorium at 6:25 p.m.

RESPECTFULLY SUBMITTED,



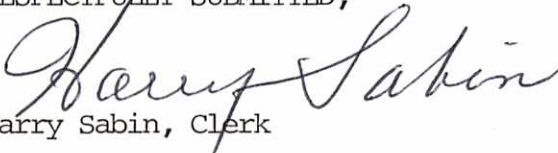
Ruth Allen  
Secretary

ra

The meeting was recalled to order at 6:43 p.m. with all three members present. The Board reorganized resulting in the following:

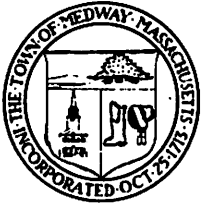
Mr. Paul F. Mitchell, elected unanimously as Chairman; Mr. Harry Sabin, elected unanimously as Clerk.

RESPECTFULLY SUBMITTED,



Harry Sabin, Clerk

ra



## BOARD OF SELECTMEN

133 VILLAGE STREET  
MEDWAY, MASSACHUSETTS 02053

### AGENDA

MAY 2, 1988

- |           |  |
|-----------|--|
| 7:00 p.m. | Open meeting, approve minutes<br>of 4-25-88 meeting. Sign warrants.  |
| 7:05      | Developer (Kelley Street, etc.)<br>with their plan along with the<br>Water/Sewer Commissioners. This<br>is a follow-up of the joint boards<br>meeting of 4/21/88 |

Present: Paul Mitchell, Harry Sabin. Administrative Assistant Paul DeSimone and Edward Borek were absent.

7:00 p.m.                   The Board opened the meeting and voted unanimously to approve the minutes of the April 25, 1988 meeting. The Board signed the warrants.

7:05                       The Board attended a joint meeting in Sanford Hall with those concerned with the development of the Kelley Street area. (minutes attached) Those present were: Gardner Rice (who chaired this meeting), Robert Heavey, Ron Wilson, Mark Flaherty, Jim Donoghue, Al Marsh, Bill Rombalski, John Brough, David Morrissey, June Houghton, Nina Casali, Paul Mitchell, Harry Sabin, Paul Yorkis, and developers Jim Chilson (Camelot) Paul and John Rivard, Atty. John DelPrete (representing Coras and Levy), Atty. John Fernandes (representing Camelot) and James Reger (East Coast Engineering). This meeting adjourned at 8:10 p.m.

-                       The Board voted unanimously to accept the amended Town hiring policy (copy attached).

-                       The Board voted unanimously to grant the Gravel Removal Permit to the Oakland Cemetery. (copy attached.)

Meeting adjourned at 8:22 p.m.

RESPECTFULLY SUBMITTED,



Ruth Allen  
Secretary

ra





# BOARD OF WATER/SEWER COMMISSIONERS

155 VILLAGE STREET  
MEDWAY, MASSACHUSETTS 02053

MINUTES OF MAY 2, 1988

The joint meeting of those concerned with the development of the Kelly St. area convened at 7:00 p.m. with the following present: Selectmen Mitchell and Sabin; Water/Sewer Commissioners Rice, Heavey and Wilson; Superintendent Flaherty; Planning Board Members Marsh, Rombalski, and Donoghue; Conservation Commission Members Brough, Casali, Houghton and Yorkis, Developers Chilson, Attorney J. Fernandes, Paul and John Rivard, J. Reger, and Attorney ~~Pratt~~ *DeL. Pratt* representing Levy.

With Mr. Reger as spokesman for the developers the sewer line was reviewed. On Camelot I and II the proposed line would run from Kelly street, under the railroad bed to Village and westerly on Village to service Lot Q, also being developed by Mr. Chilson. The sewer line on the Levy property would run to the railroad bed, parallel the railroad for approximately 1700', to the Rivard property, to Cottage Street. The route through the wetlands has not yet been finalized as the developers need guidance from the Conservation Commission as to which route would cause the least impact on the wetlands. Water/Sewer Chairman Rice reminded the developers that all water lines will have to be looped with the exception of the Rivard property. There was discussion concerning drainage as this is a serious problem in the area and the possibility of draining the lots to the town drainage system. Mr. Reger stated that drainage will have to be installed under and around the foundations of these homes as they are built to prevent wet basements. Discussion followed concerning traffic in the area. J. Donoghue of the Planning Board suggested the possibility of extending Kelley Street to Elm St. on an existing "paper street". Nina Casali of the Conservation Commission would like to see a definitive plan in order to ascertain the impact on wetlands. The meeting adjourned at 8:10 p.m.

The Board of Water/Sewer Commissioners convened at 8:20 p.m. with the following present: G. Rice, R. Heavey, R. Wilson, and Superintendent Flaherty.

Mr. Kaplan, Green Acres, attended to discuss the easement for the sewer line that will service his subdivision. He has not yet obtained an acceptable easement from Philip Boczanowski.

The minutes of April 18th were read. Motion to accept as written by R. Heavey, seconded by R. Wilson, passed unanimously.

Chairman Rice has not yet looked at the Reardon property at the end of Mohawk and Narragansett Streets.

The Board has received no correspondence from R. Symonds of 68 Lovering St. regarding the illegal by-pass.

A letter from R. MacSwain of 282 Village Street was reviewed and discussed. It was determined that the usage is consistent except for one six month period during which time the house was undergoing renovations and the usage was high. The sewer charges have been abated. The secretary was instructed to contact Mr. MacSwain and explain this and should he still like to dispute the bill he should attend the next meeting on the 16th.

There was discussion concerning the hiring of a new full-time employee. One application has been received thus far.

\*The estimate received from Mays Electric for repairs and replacement of equipment at the station was reviewed. After lengthy discussion there was a motion By R. Heavey to request that \$15,000. be transferred from Water Surplus to the Water Expense account at town meeting, seconded by R. Wilson, passed unanimously.

There was discussion on the Koras property and the sewer line running to Center Street.

J. Brough of the Conservation Commission was present for discussion on wetlands on the Rivard property. It was also noted that there is a possibility of Mr. Kaplan of Green Acres being granted an easement closer to the Edison easement to reach his subdivision with no more impact on wetlands than the plan that has been submitted.

Motion to adjourn at 10:00 p.m. by R. Heavey, seconded by R. Wilson, passed unanimously.

Respectfully submitted,

*Sandra Bennett*

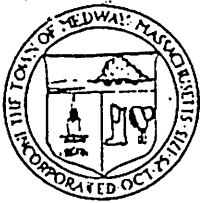
Sandra Bennett  
Secretary

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Board of Water/Sewer Commissioners



## BOARD OF SELECTMEN

155 VILLAGE STREET  
MEDWAY, MASSACHUSETTS 02053

January 24, 1985

TO: Town Employees and Department Heads

FROM: Board of Selectmen

EFFECTIVE JULY 1, 1985

The following is an update to the 1977 personnel policy statement for full time employees.

1. Sick Leave - under direction of Department Head.
2. Bereavement Leave - Four (4) days commencing with the date of death of any immediate member of the household or relative by marriage. The Department Head may grant additional leave.
3. Personal Days - Three (3).
4. Vacation -
  - a) After completion of six (6) months service = one (1) week.
  - b) After completion of one (1) years service to completion of five (5) years service = two (2) weeks.
  - c) Beginning sixth year to the completion of the tenth year = three (3) weeks.
  - d) Beginning eleventh year to completion of fifteenth year - four (4) weeks.
  - e) Beginning sixteenth year = 4 wks. and 1 day  
" 17th. year = 4 wks. and 2 days  
" 18th. year = 4 wks. and 3 days  
" 19th. year = 4 wks. and 4 days  
" 20th. year = 5 wks.

Employees may take one day at a time if approved by the Department Head.

The vacation period commences the first day of the fiscal year and ends the last day of the fiscal year. Vacation days may not accrue and carry forward to the next fiscal year.

5. Holidays - Eleven (11).

New Years Day	Memorial Day	Veterans Day
Martin L. King Day	Independence Day	Thanksgiving Day
Washington's Birthday	Labor Day	Christmas
Patriots Day	Columbus Day	

6. DPS Overtime - Time and one-half after eight (8) hours and Saturdays. Two hour minimum call back. Double time on Sundays and Holidays.

Full Time Employee is defined as one who regularly works a minimum of 30 hours per week for 52 weeks a year, less authorized vacation, sick days, holidays, and other authorized leave.

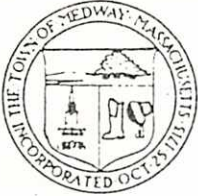
Only Full Time Employees will be eligible for the benefits of paid authorized: Vacation, Sick Days, Holidays, Bereavement Leave, and Group Health and Life Insurance.

Nothing in this Policy shall be construed to conflict with Civil Service General Law Chapter 31 or any labor contract.

As of this date, May 2, 1988 the Town of Medway by means of a unanimous vote of the Board of Selectmen established a hiring policy that the Town will not discriminate with regards to race, color, national origin, age, sex and religion.

The Administrative Assistant to the Board of Selectmen is the Town's designee to oversee general civil rights compliance as required by governmental units that employ 15 or more persons.





## BOARD OF SELECTMEN

155 VILLAGE STREET  
MEDWAY, MASSACHUSETTS 02053



### PERMIT TO REMOVE EARTH MATERIALS--GRAVEL

PURSUANT TO THE PROVISIONS OF THE TOWN OF MEDWAY GENERAL BY-LAWS, ARTICLE IX,  
THIS PERMIT IS GRANTED TO: Oakland Cemetery

DATE ISSUED: 5-2-88 DATE EXPIRES: \_\_\_\_\_  
(Maximum of three years)

For the removal of 100,000 yds. gravel  
(QUANTITY)

From the property of Oakland Cemetery

Method of removal By Truck

Type/location of temporary structures (if applicable) none

Hours of operation 7:00 to 4:00

Area/depth of operation Per Dwg 86-2323x SH. 1 of 2

Distance of excavation to street/lot lines Per Dwg. 86-2323x SH. 1 of 2

Steepness of slopes excavated 2 to 1

Re-establishment of ground levels/grades PER Dwg. 86-2323x SH. 2 of 2

Provisions for drainage Drains to Existing Wetland

Disposition of boulders/stumps To Be Buried in Finished Slope

Replacement of loam over removal area Existing Loam to be respread

Suitable re-planting of area Area to be planted in grass + Shrubs

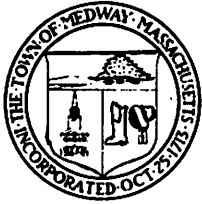
Clean/repair/resurface affected streets Same as existing operation

The Town Planning Board Field Agent is to inspect the area periodically and sign that the above conditions are complied with, by initialling the various lines that pertain to specific conditions.

Routing of trucks for traffic purposes Same as existing operation

Note: Reference Dwg's are by J.D. Morguedant &  
Associates Inc. Land Surveying & Engineering  
6 WELCOTT ST. HOPKINTON MA.

*[Handwritten signature]*  
Gary Sabu



## BOARD OF SELECTMEN

155 VILLAGE STREET  
MEDWAY, MASSACHUSETTS 02053

### AGENDA

APRIL 25, 1988

7:00 p.m. Open meeting, approve minutes  
of 4-11-88 meeting. Sign warrants.

7:15 Corey Finkelstein - Medway Auto  
re: lights

Discuss 5 Summer Street

Need letter from Selectmen asking  
for money for construction of 109

Present: Paul Mitchell, Edward Borek, Harry Sabin and Administrative Assistant, Paul DeSimone.

- 7:00 p.m.           The Board opened the meeting and voted unanimously to approve the minutes of the April 11, 1988 meeting. The Board signed the warrants.
- The Board discuss the situation at 5 Summer Street regarding the sale of plants and flowers. The Board voted unanimously to turn this over to Town Counsel for a ruling in this matter.
- 7:15               The Board met with Corey Finkelstein, Medway Auto Sales, 117 Main Street. He came before the Board for their approval on installing lights along the front of that property along the property line. The Board reviewed the Zoning By-laws on signs and gave him permission to erect the four (4) light poles and to bring in a revised site plan for the Selectmen's approval showing these light fixtures.
- The Board discussed the Gravel Removal permit received from Oakland Cemetery. The Board requested the Administrative Assistant get a copy of the contract between the Cemetery and the company removing the gravel and a copy of the company's liability insurance before they would sign the permit.
- The Chairman read the letter from the Chairman, Elizabeth Henderson, of the Permanent Building Committee requesting guidelines for committee members concerning the Open Meeting Laws etc. The Board requested the Administrative Assistant send a copy of this letter to the Town Clerk so copies could be given to individuals when they are appointed to Board's and committees. The Chairman suggested that the Selectmen's office should also give them copies of MGL 301 or 302 also.
- The Board voted unanimously to apply for the construction cost of \$340,000.00 for the Route 109 Traffic Project and further to authorize the Chairman to sign the contract.
- The Board discussed the letter received from Dee Moschos regarding the posting of a notice from the Commonwealth of Massachusetts Commission Against Discrimination - Maternity Leave Notice. The Board voted to post this notice in the schools and town hall.
- The Board requested the Administrative Assistant designate Smoking Areas for the Town Hall as per the letter from the State on NO Smoking in public buildings.

- The Board discussed the letters received from the State Housing Finance Agency regarding Medway Manor and Colonial Park regarding the affordable housing units they have applied for. The Board requested the Administrative Assistant give this information to the Medway Affordable Housing Committee.
- The Board discussed the letter received from the Veteran's Building Association requesting an article on the Special Town Meeting to accept Chapter 499 of the Acts of 1987. The Board would like to review this request with the Board of Assessors. The Board requested the Administrative Assistant to get copies of this information to the Board of Assessors and get there comments.
- The Board discussed the letter from the Massachusetts Arts Lottery requesting an official list of the Medway Arts Lottery Council members and their appointment dates. The Board requested the Administrative Assistant take care of this.
- The Board discussed the requests for damages from Julie Robinson and Karen Wasnewskey. The Board requested that the Administrative Assistant send them letter denying that the town was liable.

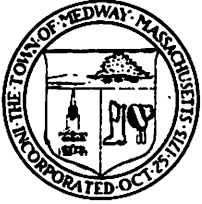
Meeting adjourned at 9:00 p.m.

RESPECTFULLY SUBMITTED,



Ruth Allen  
Secretary

ra



## BOARD OF SELECTMEN

155 VILLAGE STREET  
MEDWAY, MASSACHUSETTS 02053

### AGENDA

APRIL 11, 1988

- 7:00 p.m.      Open meeting, approve minutes  
                 of 4-4-88 meeting. Sign warrants.
- 7:30            Pat Brennan  
                 re: 109 Traffic Design

Present: Edward Borek, Harry Sabin and Administrative Assistant, Paul DeSimone. Paul Mitchell was on vacation.

7:00 p.m. The Board opened the meeting and voted unanimously to approve the minutes of the April 4, 1988 meeting.

- The Board voted unanimously to approve the attached list of Election workers for the May 2, 1988 Election
- The Board voted unanimously to grant a Common Victualler's License to the Meadows Creamery, 116 Main Street.
- The Chairman of the Water/Sewer Commission, Gardner Rice was in to see the Board regarding the sub-surface material under Pond Street, when he had previously questioned the Administrative Assistant about it he had stated that about a 500 foot section, from Main Street up Pond Street, was going to be replaced and he was wondering where they seem to be preparing for the final coat of asphalt if indeed this was going to happen? The Administrative Assistant stated that he and the Highway Superintendent had looked at the situation after the Water Superintendent had brought it to their attention and they didn't see any problems. The Board suggested that test borings be done along Pond Street and requested that the town get a letter from Bethel, Duncan & Associates that the road is built according to specifications before the final coat of asphalt.
- The Board voted unanimously to send letters to our Representative and Senator regarding the deletion of Section 95 from the House version of the bill and Section 44 from the Senate version of the bill with regard to the Comprehensive Health-Care bill which contains language that would be extremely detrimental to collective bargaining throughout the Commonwealth.

7:30 The Board met with Pat Brennan, Stone & Webster Engineering, regarding the 109 Traffic Design. Mr. Brennan informed the Board that he and Mr. DeSimone had met with Mr. Salvucci, at his office last Thursday, regarding the grant application. The amount Medway would be granted was \$300,000.00 with the town matching funds of \$40,000.00 and that any increase in the grant amount would require the town matching the funds dollar for dollar for anything over \$300,000.00. It was suggested at that meeting that the town do half the project now and re-apply for the other half. The Board voted unanimously to do half the project now and re-apply for the other half. The first half would be from Pond Street to

the crest of the hill at Papa Gino's. This project will hopefully be advertized for bids on April 22, 1988 and the bids will have to be in the Selectmen's Office by 4:00 p.m. on May 9, 1988 to be opened that night at 6:00 p.m. The documents for this project will be available for review from April 19, 1988 in the Selectmen's Office.

Meeting adjourned at 8:40 p.m.

RESPECTFULLY SUBMITTED,



Ruth Allen  
Secretary

ra

# ELECTION OFFICERS

For Town Election May 2 19 88

[illegible]





## BOARD OF SELECTMEN

155 VILLAGE STREET  
MEDWAY, MASSACHUSETTS 02053

### AGENDA

APRIL 4, 1988

7:00 p.m.

Open meeting, approve minutes  
of 3-28-88 meeting. Sign warrants

REMINDER: ALL BOARDS WORKSHOP - Saturday  
April 9, 1988 @ 9:00 a.m.

Present: Paul Mitchell, Edward Borek, Harry Sabin and Administrative Assistant, Paul DeSimone.

7:00 p.m. The Board opened the meeting and voted unanimously to approve the minutes of the March 28, 1988 meeting. The Board signed the warrants.

- The Board discussed a formal policy, for Federal compliance, regarding non-discrimination with regards to race, color, national origin, age, sex, and religion in any program funded in whole or in part by federal funds. The town does have a formal policy of non-discrimination in regards to the handicap. The town has not designated a person to oversee general civil rights compliance as required by governmental units that employ 15 or more persons. Compliance with federal rules and regulations is necessary to ensure the continued receipt of federal financial assistance. The Audit Report for FY'87 recommended that the town comply with federal regulations to insure continued receipt of federal funds. The Board requested the Administrative Assistant to update the Town Policy to include the above mentioned subjects and have the Board vote on the updated policy.
- The Administrative Assistant informed the Board he had received a request for a Solicitor's Permit for Greenpeace (Save the Whales) U.S.A. The Board requested that the Administrative Assistant call the home office of Greenpeace and check if they are sponsoring this solicitation? The Board would also like to know if Greenpeace has a local representative?
- The Administrative Assistant informed the Board about a problem at 5 Summer Street on Friday, April 1, 1988 with an individual selling flowers at that location without a permit. The Board requested the Administrative Assistant to get a legal opinion on someone having a State Common Victualler's License if they can work on any street corner etc. without the town's permission?
- The Administrative Assistant updated the Board on the problems that Mr. Tony Mele had brought before the Board at their meeting of March 28, 1988. Mr. DeSimone informed the Board that there is still a culvert pipe under Franklin Street, this pipe goes under Mrs. Erdman's driveway and under the street. The problem with the catch basin is that it is higher than the land around it. The town can not alleviate his water problem on his land. Mr. Mele has been made aware of this decision. With regard to his Village Street

property, the town does not have any money for paving until after July 1, 1988. The town does have intentions of doing the seal at the driveway and at that time the town will inform Mr. Mele so he can make arrangements to have his yard paved at the same time.

- The Administrative Assistant informed the Board that the case that was being appealed in court with regard to Lot A Kadin Lane has now been sent back to the Zoning Board of Appeals for the third time.
- The Board reviewed the Articles on the Town Meeting Warrant and the recommendations of the Finance Committee.

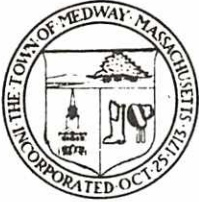
Meeting adjourned at 8:30 p.m.

RESPECTFULLY SUBMITTED,

*Ruth Allen*

Ruth Allen  
Secretary

ra



## BOARD OF SELECTMEN

155 VILLAGE STREET  
MEDWAY, MASSACHUSETTS 02053

### AGENDA

MARCH 28, 1988

- 7:00 p.m. Open meeting, approve minutes  
of 3-21-88 meeting. Sign warrants.
- 7:05 Vote on letter from Town Counsel  
re: Carol Vogel
- 7:15 Joint meeting with the School Committee
- 8:15 Tony Mele - garage on Village Street  
drainage problem on Franklin Street
- 8:30 James Ladieu - Update on CRPCD
- 8:45 Housing Authority  
re: Lot A Lovering Street
- 9:00 *Louis Lancer*  
*re: Street Opening Permit*  
*for 4 Canal St.*

Present: Paul Mitchell, Edward Borek, Harry Sabin and Administrative Assistant, Paul DeSimone.

7:00 p.m. The Board opened the meeting and voted unanimously to approve the minutes of the March 21, 1988 meeting. The Board signed the warrants.

- The Board voted unanimously to pay the claim in the case of Carol Vogel. The Board signed the voucher for payment of \$1,500.00 to Carol Vogel and Jeffrey W. Jacobsen, her attorney. This check will be sent to Town Counsel Maciolek.
- The Board voted unanimously to authorize the assignment of one Warden and one Deputy Warden for three precincts at the May 2, 1988 Town Election.

7:20 The Board held a joint meeting with the School Committee. School Committee members present were: Carl Olson, John Hurley, Bill Yanco and Linda Reynolds. Al Marsh was absent. Leonard Hill, Vice Principal was also present. Paul Mitchell informed the meeting that the Board of Selectmen had voted at their last meeting 2 to 1 in favor of making an appointment to fill the vacancy created by the resignation of Ralph Sutherland. He also stated that he had checked with Town Counsel and he interpreted the law the same way that Mr. Mitchell did, that the authority lies with the Selectmen to call the meeting and if in fact they do not call the meeting then the appointment wouldn't be made. Also he stated that the law states that the appointment shall be made after one week of posting, we have posted and it is after one week. It does not bracket the period after one week. So if we were not to appoint between now and the May election, Town Counsel's advise to us is that we are perfectly within the law. At this time Mr. Borek made a motion that the Chairman of the Board of Selectmen be named Chairman of this joint meeting and Mr. Yanco seconded this motion. The vote was unanimous. Mr. Borek made a motion that we do not fill the position on the School Committee at this time, Mr. Yanco seconded this motion. The School Committee members gave their reasons as to why they were opposed to making this appointment to fill the vacancy now with the annual election so close at hand. Mrs. Reynolds stated that the reason that they began the process was that reading the law, it looked like we had to do that, we needed to notify the Board and these decisions had to be made. She was sorry if it created any undo excitement or stir among people, that put extra effort for those people to have to write letters, etc. She appreciates their interest however, but we did not want to take any chances violating any law. The Board and the School Committee members (a total of 7) voted unanimously not to fill the vacancy that exists on the School Committee.

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Selectman Mitchell question the Administrative Assistant as to why there is a "No Thru Trucking" sign at the corner of Winthrop and Lovering Streets? The Administrative Assistant stated that sign is only a temporary sign until the work on Pond Street is completed. There was also a discussion about the Stop Sign at the corner of Highland Street at Milford Street.

8:03

The Board met with Louis Tanczer regarding a Street Opening Permit for 4 Canal Street. The Administrative Assistant informed the Board that he had received a call from a resident on Canal Street that was concerned over the condition of Canal Street after a certain amount of construction was done by Mr. Tanczer on a new home. When he checked to see if any permits had been secured to open the street, we couldn't find any Street Opening Permit. He stated that the office sent a letter to Mr. Tanczer explaining that we were going to hold back any future work with the house until such time as we received the proper permits, Mr. Tanczer called as soon as he received this letter and stated that he had the permits to do the work, but all he really had were the permits from the Water and Sewer Commission to construct sewer and water and he thought that was all the permits he needed. So, another letter was sent to Mr. Tanczer explaining that he needed the Street Opening Permit and Mr. Tanczer came into the office while the Administrative Assistant was on vacation and the secretary updated him upon his return that Mr. Tanczer wanted to meet with the Board regarding this matter. Mr. Tanczer stated that the street is now better than it was before. He also stated that he did not actually open the street the Water Dept. opened it. This work was done around November 27, 1987 and he knew that after December 1, 1987 you could not do any work in the street, so that is why he went ahead and did it. The curb box is about 100 feet away from the lot. He stated that he has put nine tons of gravel in the road. He stated that the person that did the work for him was not aware that you need a permit like this to do the work. He intends to put some more gravel on the road very shortly. He felt for him to give the Town \$750.00 seems like a crazy thing because probably by the end of the week he will have the other gravel on the road. Mr. Mitchell stated that if you are going to business in the town, you should know all the laws that involve your journeymen trade, and if you are going to open a street in the Town of Medway there's enough advertising in the newspaper etc., if you don't get it by reading the law you get it by reading the newspaper. Mr. Mitchell also stated that he does however, hold people responsible with what they do with town properties and to knowing what they should do most especially if they are involved in the business. Mr. Tanczer requested that the Board have someone look at the street now

and he will have the street, about 150 feet, covered with stone the same quality that he has started to repair the street with. Which, when he dug up the street it was not stone like you see now. Mr. Borek felt that Mr. Tanczer should follow the procedure that everyone else has to follow in filling out a street opening permit. Mr. Borek made a motion and Mr. Sabin seconded that Mr. Tanczer has to abide by the rules that we have on the books. The Board unanimously in favor of this motion. Mr. Tanczer questioned if this would effect his inspections at all, because he is getting into the finishing stages of the house. The Administrative Assistant informed him if he takes care of the Street Opening Permit with all the requirements, then the office will inform the inspector's to continue their inspections.

8:15

The Board met with Tony Mele, resident of Main Street. He was in the see the Board regarding property he owns at 12 Franklin Street and when the town sewer went along that street they closed the road, when they opened the road again he came down and someone had filled in part of that property and put a catch basin in on his property and ran an 8 inch pipe from the edge of the street under the sidewalk onto his property. There used to be a very small culvert that went on one edge of his property under the street onto the other side of Franklin Street. This new drainage system does not work, it just floods his property. Mr. Mele stated that he went after the people who put the sewer in and he finally pinned down the supervisor who stated they had nothing to do with that, that was done by the Town of Medway. So he then went after the Highway Supt. and he said that was to alleviate the water problem there and Mr. Mele said he never had a water problem there. The Supt. said he would take care of it and that summer came and went, the following summer came and went, he stated he spoke to the Supt. and spoke to the Supt. Last year he promised me it was going to be done because the Town had appropriated the necessary monies to have it done and Mr. Mele said he would wait and nothing yet. Mr. Mele said that years ago the stone swale went under Mrs. Ermand's driveway and took the water right under Franklin Street to the other side of the roadway in a pipe. Mr. Mele stated that he has already been to an attorney and was told that there was no way that they should have done that without consulting you and getting some kind of an easement. Mr. Mele is looking for this to be restored back to what it was before because now it is a swamp. The Board requested the Administrative Assistant research this area and problem out with the Highway Superintendent.

Mr. Mele stated that he has another concern that where they took the trestle out on Village Street and they did some work on the road in that location. Mr. Mele owns the old Brookside Garage on Village Street and when they tore up the street in that area they also tore up the garage's front yard, some belongs to the town, and he understands, and he was informed at that time everything was going to be taken care of when they did the paving on the street they were going to repave what they tore up at the same time he would get a private contractor and co-ordinate it so everything would be uniform. He has not been able to do it

because he does not exactly where the town is going to begin and end and when he is supposed to be in with his private contractor. He had been told to hold off because when the town hires a contractor that maybe Mr. Mele could hire the contractor also and have everything done at once and it would all be uniform. The Highway Supt. had told him it would be done around November 1st of last year. The Board requested the Administrative Assistant get together with the Highway Superintendent on this and have an answer for the Board by the next meeting.

8:30

The Board met with Jim and Carol Ladieu, Wendy Burr and a new resident of Farm Street. They were in to get an update on the stock piled sludge and getting it out of the CRPCD plant and into the Town Landfill and when and where will a site be for a compost facility. The Administrative Assistant stated that having just come back from vacation and finding this on the agenda he tried to pull as much information together as he could. The short term of getting the sludge onto the landfill is still nothing more than getting the second application approved by the State which was made out and submitted for the year 1987. We have not heard from the DEQE on this new application that was submitted in the fall of '87. The Administrative Assistant stated that it was a year ago March that we received permission to move the sludge onto the Landfill site as long as the new application was approved. Medway would be the first town to move sludge onto a Landfill. Mr. Borek stated he felt that the Board should put pressure on the DEQE on this new application to see why it has not been approved to date. Mr. Borek made a motion and Mr. Sabin seconded that motion to write letters to Senator Burke and Representative Parente to intercede for us to expedite the application process. The Board voted unanimously to write these letters. Mr. Ladieu asked they could be kept informed about the progress of this application? Mr. Mitchell answered, all as you have to do is contact the Administrative Assistant and if you are not happy with the information then you can contact the Board. As far as the odor problems etc. you would want to get in touch with CRPCD. Mr. Borek wanted to bring to Mr. Ladieu attention that he had read an article in the Country Gazette, that there was a meeting with the Council in Franklin and a presentation by someone that an application had been made to the State to secure the land off of 495 for the composting facility. The Administrative Assistant stated that we are under a judgment by the Attorney General and we have to do some action items in the agreement with our Attorney and the Attorney General. There is a schedule to meet, and one of the schedules that the Attorney General wanted to address is the long term solution composting facility and the CRPCD had to vote



on something they have control over because they can't vote on something they do not have control over. The only control the CRPCD has is the facility that they own down the street, so they had to vote, to satisfy the Attorney General's office that if no other plan was available then the composting facility would be at the existing treatment plant if we could not obtain or the State would not give us the land for the land swap. The Administrative Assistant gave Mr. Ladieu copies of letters from the Town of Franklin, Division of Management which controls that land to show that we are actively and aggressively persuing that land swap. Mr. Ladieu asked if there is still a possiblity that the composting facility will not be in Medway? The Administrative Assistant stated, absolutely. A new resident in Medway questioned if Paul DeSimone was both Administrative Assistant to the Board of Selectmen as well as sits on the Board of Directors of the CRPCD? Mr. Mitchell stated that she was right. She further questioned if the Board didn't see that as a conflict of interest? Mr. Mitchell stated absolutely not. He is our representative, we have representatives, Franklin has representatives. The residents will do everything not to have the composting facility in Medway.

9:07

The Board met with the Executive Director of the Medway Housing Authority, Helen Luccio regarding Lot A on Lovering Street that Paul Wilson is requesting to take off of Chapter 61A rolls. The Housing Authority is interested in acquiring this parcel of land for one 689 Project, a half-way house, or a 705 which would be an Authority owned family unit that they would rent to subsidized housing. She informed the Board that the State would be coming out on Thursday to view this site and the two parcels of Town owned land at the end of Center Street. The Administrative Assistant gave Helen an update regarding that parcel of land. He stated that the Conservation Commission were looking at this parcel too a couple of months ago and he does not know the status of it whether they have worked out anything with Mr. Wilson, but they had received a copy of this letter. Mrs. Luccio inquired if all town boards received a copy of this letter, who make a decision on who is going to find out about this land? Mr. Mitchell stated that it is sent to the Board of Selectmen through the Town Clerk's office and the Town Clerk has sent it around to a number of other boards and everything. He further advised her that it sat around in the Selectmen's Review folder and we did not act on it and you have 60 days in which to act or they can go out and sell it to the person who has made the bid to them. The last time we look, it was a week ago, it was 63 days so we have past the time, if however you have interest in it, we would just suggest that you go ahead and make the offer to the seller. The Administrative Assistant suggested that Mrs. Luccio call Linda Sherman and see if the Conservation Commission is still interested. The Administrative Assistant stated he had given Linda Sherman of the Conservation Commission a copy of the letter, and John Wilson from the Board of Assessors had a copy

and he does not who else had a copy. Mr. Mitchell stated that it appears that the Board of Selectmen is the authority that would have to send the notification to Mr. Wilson. He further suggested that if she is interested in it that we follow the rules of the law applying here if we have to support you in it and he guessed we would support it if you were interested in it, he suggested that she check with the other boards that were interested in this, the Conservation Commission. We have not, as a board, expressed an interest from our point of view, because we are not interested in acquiring it. Mr. Sabin asked why the Conservation Commission would be interested in this parcel of land? The Administrative Assistant answered by saying he had no idea, it is just that they are always looking for property and they have the money to buy, when John Wilson got a copy of the letter he came to the Administrative Assistant and the Administrative Assistant gave Linda Sherman, because she is here around during the day and the others work and she is a housewife, the information that he had and told her where the lot is and he does know that John Brough, the Chairman had conversation with Mr. Wilson. Mrs. Luccio asked if the Conservation Commission would have to go through the Board if they were interested? The Administrative Assistant stated yes they would have to and they have not come back to the Board to date. Mr. Mitchell told Mrs. Luccio that the Housing Authority is the only board that has come back to the Board expressing an interest. Mr. Mitchell stated that we have legally forfeited our right to buy this, but that does not say that you don't make an offer to the owner to see if in fact he will sell to us. He suggested that Mrs. Luccio do this before the State comes in on Thursday. We have not sent the letter back to the attorney to decline the offer, but the clock ran out on us.

- The Board discussed the wording of the Ballot questions that will be on the Annual Election Ballot.

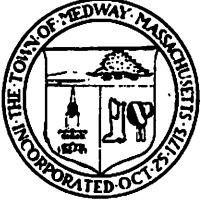
Meeting adjourned at 9:20 p.m.

RESPECTFULLY SUBMITTED,



Ruth Allen  
Secretary

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## BOARD OF SELECTMEN

155 VILLAGE STREET  
MEDWAY, MASSACHUSETTS 02053

### AGENDA

MARCH 21, 1988

7:00 p.m.	Open meeting, approve minutes of 3-14-88 meeting. Sign warrants.
7:05	Peter Young - regarding opening on School Committee
7:15	Residents of Crooks Street
7:30	Joint meeting with Water/Sewer Commission re: R.R. easement
8:00	George Way - regarding opening on School Committee
8:15	School Committee Candidate
8:30	School Committee Candidate
8:45	Paul Watson, Greg Coras, Paul Rivard re: R.R. Crossing

Present: Paul Mitchell, Edward Borek and Harry Sabin. Administrative Assistant Paul DeSimone was on vacation.

7:00 p.m. The Board opened the meeting and voted unanimously to approve the minutes of the March 14, 1988 meeting. The Board signed the warrants.

- Chairman Mitchell stated he felt that a formal notification of this joint meeting with the School Committee should be given to the Town Clerk and that this Board did not take a formal vote on whether it is or is not its intent to join with the School Committee and in fact make that appointment, the lead position lies in the Board of Selectmen.

- Richard Maciolek, Town Counsel was in attendance at the beginning of the meeting and Chairman Mitchell requested his opinion of whether the 60 days referred to in the letter from Attorney John DelPrete, representing Paul Wilson for the release of Lot A Lovering Street from Chapter 61A, was calendar days or working days. Attorney Maciolek stated it is calendar days and Chairman Mitchell stated that today is the 63rd day and Attorney Maciolek stated that the person who made the offer can buy it.

7:05 The Board met with Peter Young regarding his letter the Board received regarding his interest in being appointed to fill the vacancy on the School Committee with the resignation of Ralph Sutherland. Chairman Mitchell informed him of his previous statement on the joint meeting with the School Committee. Mr. Young stated this is his first try at any kind of political office and he has been very active with the Youth Soccer and Youth Basketball in the town. He has been a practicing attorney in Massachusetts for the past 11 years. He has been seriously considering running for School Committee for the past year. His goals for the school is to settle the problem that we now face with regard to the teachers, parents, members of WeCare and the Superintendent's office and get it settled very quickly; to get a strong Middle School; taking care of the space problems within the two elementary schools, to plan early whether it be an addition or portable classrooms, etc.; and finally with his background hopefully he would be helpful when it comes time for contract negotiations.

7:15 There were no residents of Crooks Street in attendance at this meeting. The Chairman requested the secretary to send a copy of the Police Chief's letter regarding his findings on Crooks Street to Timothy Wider, 2 Crooks Street.

7:20 p.m.

The Board met with Finance Committee Chairman, Richard Brown and Finance Committee Member, David Vertolino to inform the Board where the budget stands right now. The Finance Committee has taken another look at the revenues they expect for FY'89 and they have taken a look at what they can tax, Assessor's Overlay, Cherry Sheet results they received from the State and local receipts. It looks like the total receipts could be 11,084,000. Taking a look at the budgets that have been submitted and the ones that have not been reviewed yet, not all budgets have been voted on, this is just an estimate; it looks as though, including the normal (2) Police car purchases, Reserve Fund, Audit, Day Vocational Ed., Lease/Purchase for tractor, mower and loader, Main/Franklin Sts. Traffic Signal and all these items total up to \$11,060,000. This does not include anything for Free Cash or for the Stabilization Fund. When they met with the All Boards the Fin Com had hoped to put aside about \$125,000.00 and this does not have any of that in there. This also includes the budget request for a fulltime Animal Control Officer, the Fin Com does not have any figures for the Building Inspector if the Selectmen were going to do anything with that department so they used the same figures as last year. This assumes the Exclusion is passed on the Sewer Debt. This does not include the Fire Engine, the Closing of the Landfill, the Stone & Seal or the Paving of the Streets. Mr. Brown stated that to put things where they stand right now, there is \$56,800.00 left in the Reserve Fund for FY'88 and they believe they are going to get two major bills for the rest of FY'88, one is from the Charles River Pollution Control District, and the Group Health Insurance (\$65,000.00) and maybe miscellaneous other department bills.

7:30 p.m.

The Board met with the Water/Sewer Commissioners, Ronald Wilson and Robert Heavey and Water/Sewer Superintendent, Mark Flaherty regarding a developers request for a sewer easement along the railroad bed, as it runs west of Center Street headed towards Cottage Street. Chairman Mitchell stated that subsequent to the time that the Board made their decision with the developer that they should go back and take another look at things, the Board received a letter from the Chairman of the Water/Sewer Commission that he was upset by the fact that the Board had not considered his letter and the truth of the matter is that letter did not play a role in our meeting that evening because it didn't surface until pretty much the time every one was leaving and it was all over with. The points the Chairman made in the letter were well founded and we should be working together, had we had the letter we would have viewed the request with the letter in mind. This letter was not addressed to the Board but it was addressed to the petitioner's engineer. Mr. Wilson stated that the Commissioners have been recommending that the developers get together among themselves and try to work out systems that will work and will

coincide with what the Commissioners want to do with the sewer lines. This is essentially what the Board of Selectmen had said to the developer previously. Chairman Mitchell stated that Mr. Rice's letter said that the preferred alternate paralleling the town owned railroad right of way. The Board's suggestion to the developer when he was before the Board at a previous meeting was to get together with the other developer's abutting his property and come along and join together with them paralleling the railroad right of way on their own private property. The Board's intended use of the railroad right of way is to set it aside as perpetual piece of property that can be used and planted on and it will not become a part of the consumed land in the town for development. The decision established with the developer at the previous meeting was that all other alternatives exhausted, we will entertain requests to cut across the railroad right of way, underneath, no obstruction above, and no hinderances on our use of that land. Mr. Heavey stated that the Commissioners interests are in the best interest in the long term for the town of Medway also. Nothing takes precedence over that. Why the Commissioners made this selection was to eliminate a problem with the Conservation Commission to give maximum cover over the piping, a shorter route and a better sewer system. There was no intention of the Commissioners as far as his knowledge that there would be any manholes on the center way of the right of way, they would be off to the side on the very edge of the town owned right of way. The developers can not run along their property because their property does not extend, they have to go into town property to get by different abutters along the way. Mr. Wilson stated that a couple of the developers want to pump the sewage and the Commissioners want to stop that, they do not want to give them an excuse to have to do that. Mr. Mitchell asked the Commissioners how the town gains if the developers were allowed the easement? Mr. Wilson answered with it would be minimum maintenance on the sewer system, because the town owns the sewer system after the contractors are out, and you have nice straight sewer line and much less problems. At this time Chairman Mitchell asked the developers who were present (Paul Watson, Paul Rivard, James Reger, Jim Chilson, Joe Griffith, Jeff Germagian, Atty. John Fernandes) if any of them knew how far back this is from Cottage Street. Mr. Chilson displayed a plan he had with him. A discussion ensued regarding the elevation of the properties. Mr. Wilson informed the Board that the Commissioners had seen the elevations and their decision was based on that information. Mr. Heavey suggested that the developers (all of them) bring in a plan showing exactly what they will have to do and what they want to do with elevation on it so the Board can understand it and the Commissioners can understand it, so we won't be going back and forth.

- 8:05           The Board was to meet with George Way, candidate for the vacancy on the School Committee. He called the office to inform the Board he would be unable to attend the meeting because he had become violently ill on his way to the meeting and had to return home.
- 8:07           The Board met with Susanne Grady, candidate for the vacancy on the School Committee. She had written in her letter and stated again tonight that she felt that if this vacancy must be filled prior to the town election, she felt very strongly that it should not be filled by someone who is a candidate seeking a permanent seat on the School Committee. She has been a volunteer at the schools for a number of years and has been a Medway resident for over ten years. She felt she is aware the current situation and she is involved in the citizens group WeCare and she felt it would be a neutral appointment if you appointed someone who is not actively seeking a seat.
- 8:30           The Board discussed the School Committee vacancy and whether to make an appointment to fill the vacancy before the town election. Mr. Sabin made a motion to take a vote to meet with the School Committee to decide on an applicant for the replacement of Ralph Sutherland and jointly make the appointment on March 28, 1988. Mr. Mitchell seconded this motion. The following discussion is part of this motion. Mr. Mitchell stated that as far as he is concerned he sincerely believes that with less than a full committee or a full board at any time, there is a tremendous lack of assistance in helping carry the distribution of the load. For any commission or committee having the opportunity to, in any way whatsoever, fill that gap where there is a lack even for as what some might term as a one month period, that is 1/12 of the annual year. The level of activity that exists in the summer months does not equate to the level that exists right now and in the winter months, therefore that 1/12 that is missing this year is considerably more important than any 1/12 throughout the rest of the year. He is concerned with not so much with what the individual brings as special qualifications to the School Committee as a School Committee member, a contributing member, as through qualifications other than life experience and interest in the job itself which means they have done some research and some discussion and have attended some meetings and they will help to close some of that gap where the lack exists. He is not looking for people that aren't going to make fully qualified decisions, but are going to contribute to the work load and help to get some of this stuff done. He does not think it is proper for the board not to give that assistance. He has served on committees, and we all have served on committees, where people are missing from the meetings and it is a tough drive for those people who are at the meetings to continue the work in a professional manner. To be quite frank he has no idea who seriously is interested in this job for one month's time that a whole board

together with a committee could put together and make their determination. Mr. Sabin asked if we have a joint meeting we don't necessarily have to conclude that we will bill that vacancy? Mr. Mitchell answered that it could turn out that there could be a negative vote. Mr. Borek commented that this committee's missing a member he would like to say that that committee has five members, that there is sufficient numbers, it is a lot different than having three members on a board then it is to have five members. This is a six member committee, so basically there would still be five members who would, for one month, make decisions, and he feels that budget time and the prime purpose of committees, basically, one prime function is their budget period and he feels the individual wouldn't really have an input in that subject at all, because the budget has already been submitted to the Finance Committee. He stated that if it were December or January he would vote differently than he is tonight. Mr. Borek stated he had come to this meeting tonight with all intentions to vote for a joint meeting, but at the joint meeting he would make a motion not to make an appointment. The Board voted: Mitchell, in favor; Sabin, in favor and Borek, opposed.

8:45

The Board met with Developers: Paul Watson, Paul Rivard, James Reger, Jim Chilson, Joe Griffith, Jeff Germagian and Atty. John DelPrete. Mr. Watson had a plan showing the elevations of his parcel of land. The Board viewed the elevations shown on this plan and discussed these elevations and the two crossings that the Board had already approved. Paul Rivard does not know the elevations on his property. Joe Griffith stated that he had come before the Board to request an easement across the railroad bed which he received. At that time he presented to the Board certain information, one of the statements and representations he made to the Board, was that there is an adjacent developer who has proposed 23 homes to be built on the Cadorette piece that was going to be serviced by that run to Center Street. Until last week, when he filed a definitive plan, which his preliminary plan showed and Griffith gave him a road access to get him through the Planning Board etc. Griffith now finds on his definitive plan, he is going to come before this town board again instead of tieing in where he had originally proposed, he now is going to request another easement across town property to tie in at where Griffith is going along the lot line, which to Griffith makes no sense at all because you are dealing with 600 feet of sewer pipe that is not necessary from a maintenance point of view, because the access is there as was agreed to originally. The reason for that is because this subsequent to Griffith's agreement with the developer he has acquired the Whalen piece of property which has gained him a few lots which he could still take the other way, the rest is where the low income is proposed which is proposed to go the other way. His understanding was that the two crossings that had been previously approved were to take care of this area except for Rivard's.



Griffith further stated that Rivard's was never an issue because he was abutting sewerage on the street. Mr. Griffith stated that there are developers at odds here trying to box each other off and he did not feel that was in the best interest of the Town. Mr. Borek stated this was his understanding originally, and he was hoping there everybody would hook into the previous easements. Mr. Rivard's preliminary plan does not show sewerage tie-ins, and he does not have the definite into the planning board yet. Mr. Borek stated he felt that the developer were creating two lines, the Village Street line and the railroad bed line and the sewer commissioners would have to maintain both of these lines, and he didn't think two lines were needed. Mr. Chilson stated that he was trying to get everyone to work together to help the town, but he failed. Mr. Mitchell stated that there are a lot of major questions still existing in here and most of them are raised by the sewer commission relative to the length of the sewer lines and the cover and slope and he does not feel that the Board is qualified to make the decision on that. Mr. Mitchell stated that he was severely chastised in the letter from the Chairman of the Water/Sewer Commissioners on behalf of the Board because he suggested that people get together and figure out how they could best develop their land with the least amount of heartburn for both themselves, as a group of people whose career that is, and the town and he was appalled to hear people, professionals, looking to get something done and haven't spoken to their brothers in the trade and they come before the Board and we listen to the childish bickering that is going on as far as he is concerned when we are expecting to have a professional presentation upon which we can make a decision. You have given him nothing here since you last left that will help him make a decision for you. When he makes his decision it will be with a considerable lot of influence from the Water/Sewer Commission proving to him the necessity for these things they chastised the Board for. He still has a strong feeling for crossovers only not lateral runs down the railroad bed. He did yeild earlier, when the Board met with the Commission from the position if we keep it way off the useable section of the railroad bed, but he was not at all impressed with the lack of professionism here. The Board suggested that they talk to their neighbors. Mr. Watson asked the Board just what they need from him. Mr. Mitchell stated he would like to see a positive reason why that can not go in the direction that Mr. Borek has already mentioned. Mr. Borek stated that if it is a case of cover why fill could not be brought in to cover the pipe.

- The Board discussed miscellaneous correspondence in their Review Folder.
- The Board requested that the Administrative Assistant check on the two articles in the letter from Sgt. Robert Saleski dated March 16, 1988 and get back to Sgt. Saleski and the Board with the answers by next weeks meeting.
- Mr. Borek brought up the letter the Board of Selectmen received on March 17, 1988 from the Medway Housing Authority stating that they were interested in purchasing Lot A Lovering Street from Paul Wilson with regard to the letter the Board had received from Mr. Wilson's attorney, John DelPrete dated January 18, 1988. Mr. Mitchell said, why not have the Housing Authority come in next week and then we will send a letter off to the attorney based on what they are looking at, let's find out how they are going to use it.
- The Board voted unanimously the following Capital Exclusions:

Maintain & Repair Town Roads	
Stone & Seal	\$ 77,000
Paving	<u>120,000</u>
	\$197,000
 New Fire Truck	 \$150,000
- The Board voted unanimously for a fulltime Building Inspector Budget for FY89. The Secretary is to inform the Finance Committee and Town Accountant.

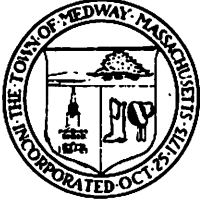
Meeting adjourned at 10:05 p.m.

RESPECTFULLY SUBMITTED,



Ruth Allen  
Secretary

ra



## BOARD OF SELECTMEN

155 VILLAGE STREET  
MEDWAY, MASSACHUSETTS 02053

### AGENDA

MARCH 14, 1988

- 7:00 p.m. Open meeting, approve minutes  
of 3-7-88 meeting. Sign warrants.
- 7:15 Linda Sherman - Conservation Commission  
re: Article 30
- 7:30 Housing Authority  
re: Article 26

Exclusions - Tax Cap

Extra Parking Town Hall

Finalize Articles of Annual Town Meeting

Open Warrant for Special Town Meeting  
prior to Annual

Present: Paul Mitchell, Edward Borek, Harry Sabin. Administrative Assistant Paul DeSimone was on vacation.

7:00 p.m. The Board opened the meeting and voted unanimously to approve the minutes of the March 7, 1988 meeting. The Board signed the warrants.

7:15 The Board met with Linda Sherman, Conservation Commission regarding their request for a transfer of town owned land off of Causeway Street, approximately 4 acres to the Conservation Commission. This parcel is land locked and the Board requested that she get a letter from the abutting owner, Mrs. Virginia Wood for perpetual use of her land in order to have access to town owned land. If the commission receives this easement, the Board will support the transfer at the Annual Town Meeting.

7:30 The Board met with the Housing Authority, Elsie Robinson, Chairman, Helen Luccio, Executive Director, Michael Conena, Richard Coakley and Robert Clorite regarding the transfer of two parcels of town owned land at the end of Center Street. The Authority is requesting this transfer in order to receive grant monies to build 689 housing (half-way housing). The Board requested that they research these parcels to make sure there are no strings attached and to get an easement in writing from the developer of abutting property for access into these parcels and the Board who support the transfer.

- The Board discussed the request for a easement along the railroad bed from the February 29th meeting when P. Watson came before the Board. The Board since that meeting has received a letter from the Chairman of the Water/Sewer Commissioners requested the Board reconsider their decision. The Board would still like to see all other alternatives exhausted before granting this easement.

- The Board discussed correspondence received on the work that is being done by the town on Village Street at the old trestle area and the Garnsey foundation. Correspondence was received from the Chairman of the Historical Commission, Virginia Hochella and Norman Schneider. A meeting has been scheduled for some time this week to discuss this project with the Historical Commission, Fred Sibley and Mark Flaherty.

- The Board discussed the need for additional parking at the Town Hall. It was decided that we might be able to extend the parking behind the Village Church Parsonage and leave it gravel for now. This is not a #1 priority.
- The Board discussed the Articles on the Warrant for the Annual Town Meeting, and made any changes for the final warrant.
- The Board voted unanimously not to Over ride Proposition 2½.
- The Board voted unanimously to put \$309,819 Debt Exculsion on the May, 1988 Ballot.
- The Board voted unanimously to Open and Close the Warrant for a Special Town Meeting prior to the Annual Town Meeting.
- The Board review miscellaneous correspondence in the Selectmen's Review folder.
- The Chairman requested the secretary get information from the Police Chief regarding the letter from the Crook Street residents.
- Edward Borek requested permission from the Board to use Town Counsel regarding a matter with the Permanent Building Committee. The Board voted unanimously to grant permission.

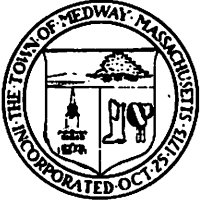
Meeting adjourned at 11:45 p.m.

RESPECTFULLY SUBMITTED,

*Ruth Allen*

Ruth Allen  
Secretary

ra



## BOARD OF SELECTMEN

155 VILLAGE STREET  
MEDWAY, MASSACHUSETTS 02053

### AGENDA

MARCH 7, 1988

- |           |  |
|-----------|--|
| 7:00 p.m. | Open meeting, approve minutes of 2-11-88 Public Hearing and meeting of 2-29-88. Sign warrants. |
| 7:00      | Open bids for Fire Station II Renovations.   |
| 7:15      | Decision on Pole Petition on West Street (continued from 2-29-88)                              |
| 8:00      | Jeff Emond - re: Residential Hazardous Waste   |
| 8:15      | Greg Coras - Affordable Homes  |
| 9:00      | John Fernandes - Affordable Homes  |
| 9:30      | Solid Waste Disposal   |

Present: Paul Mitchell, Edward Borek, Harry Sabin and Administrative Assistant, Paul DeSimone.

7:00 p.m. The Board opened the meeting and voted unanimously to approve the minutes of the February 11, 1988 Public Hearing and the February 29, 1988 meeting.

7:00 The Board opened the bids for the Fire Station II Renovations for the labor. The Board received only one bid for this project.

The Bid was from Tri-County Regional Vocational Technical School, 147 Pond Street, Franklin, MA 02038 which was for (nothing/zero) no dollar amount. In other words they will do the plumbing, masonry, electrical and carpentry work free of charge.

The Board voted unanimously to accept and award the bid to Tri-County Regional Vocational Technical School.

7:20 The Board discussed the pole petition from February 29, 1988 public hearing for Boston Edison and N. E. Telephone Co. for a guy wire and anchor off existing pole 43/52 on West Street-southerly side, approximately 1,378 feet west of Alder Street which had been tabled until it was reviewed at the site. The Administrative Assistant, Boston Edison, Telephone Co., and Robert Parrella met at the site on March 3, 1988 to review this petition. All questions were answered to Mr. Parrella's satisfaction and the Board voted unanimously to grant this petition.

8:00 The Board met with Jeff Emond, Hazardous Waste Coordinator to discuss the Household Hazardous Wastes Grant Agreement. The Board voted unanimously to authorize Jeff Emond to receive and expend funds for the purpose of this Grant and to execute this Grant on behalf of the Town of Medway.

8:15 The Board met with Attorney John DelPrete and Greg Coras regarding the proposed development of Medway Manor for 45 units, 15 units will be Affordable Housing (33 1/3%). Mr. Coras has come before the Board requesting a letter supporting the concept of his plan which is part of the application to EOC. Two of the 15 units will be for the Housing Authority (705/689). The average price for the Affordable units will be \$75,000.00. Mr. Coras was informed by the Board at 8:48 p.m. that the 6.82 acre site he is proposing is land formerly owner by a Mr. Zaluba and that Special Town Counsel is researching as to whether the Town of Medway owns that parcel of land and if the Board approved the concept tonight it is contingent on the ruling from Special Town Counsel as to ownership. Mr. Coras' plan seems to meet the General Residential District section of the Town's Zoning By-laws. The Board voted unanimously

to except and approve the concept of Medway Manor Estates, Greg Coras, Developer, as being compliant with the Medway Affordable Housing Partnership Committee and that the Administrative Assistant write a letter to go with the application over the Chairman's signature.

9:00 The Board met with Attorney John Fernandes, Paul Cutter and Jeff Germagian regarding the proposed development of Colonial Park Estates off Lovering Street for 20 units on 3.7 acres. Five units will be Affordable Housing of which one unit will be for the Housing Authority (705). The Board voted unanimously to approve the concept of this development.

9:30 The Board met with Richard Parrella, Chairman of the Solid Waste Committee. He met with the Board to update them on the work the committee has been doing regarding the removal of solid waste from the town. No formal vote has been made by the committee to date.

- The Board voted unanimously to appoint the following:

Paul Wilson and Paul DeSimone - CRPCD Commissioners  
Charlene Saunders - Street Naming Committee to fill the vacancy of Francis Saunders.

Meeting adjourned at 10:30 p.m.

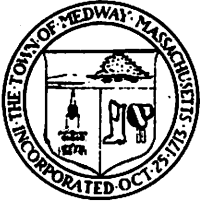
RESPECTFULLY SUBMITTED,



Ruth Allen, Secretary

ra





## BOARD OF SELECTMEN

155 VILLAGE STREET  
MEDWAY, MASSACHUSETTS 02053

### AGENDA

FEBRUARY 29, 1988

- |           |   |
|-----------|---|
| 7:00 p.m. | Open meeting, approve minutes of Public Hearing, 2-11-88 and meeting of 2-22-88. Sign warrants. |
| 7:05      | Public Hearing JO Pole 43/52 West St.   |
| 7:10      | Public Hearing JO Pole 20/124 Main St.  |
| 7:15      | Public Hearing Edison conduit Holliston St.   |
| 7:30      | P. Watson, R. R. Easement   |
| 8:00      | D. P. S. Budget   |
| 8:30      | Dog Officer Budget  |

Present: Paul Mitchell, Edward Borek, Harry Sabin and Administrative Assistant, Paul DeSimone.

- 7:04 p.m.           The Board opened the meeting and voted unanimously to approve the minutes of the February 22, 1988 meeting. The Board signed the warrants.
- 7:05                The Board held a Public Hearing for Boston Edison and N. E. Telephone Co. for a guy wire and anchor off existing pole 43/52 on West Street - southerly side, approximately 1,378 feet west of Alder Street. Mr. Edward Kelley, representative of Boston Edison; Mark Wright, representative of N.E. Telephone; Palmina Parrella and Michael Parrella, 84 West Street and Robert Parrella 88 West Street were in attendance for this public hearing. Mr. Kelley stated that this guy wire and anchor will not be located on private property, it will stay within the right of way. Mr. Robert Parrella questioned whether this crossing of the wire to the other side of the street was made one pole too soon? After discussing this petition, it was voted unanimously to table this hearing until March 7th meeting and to have the Administrative Assistant, Boston Edison representative, N.E. Telephone Co. representative, and Mr. Robert Parrella met at the site and review this petition.
- 7:20                The Board held a Public Hearing for Boston Edison and N.E. Telephone Co. for a guy wire and anchor off existing pole 20/124 on Main Street - southerly side, approximately 250 feet east of Lee Lane. After discussing the pros and cons on whether this connection should have been made under Route 109 for the Toth development or not. The Board requested the Administrative Assistant write a letter to the Boston Edison inquiring as to why this was not installed underground from the pole on the south side of Main Street? The Board also requested the Administrative Assistant send a letter to Fred Roth, Boston Edison and Joseph Bausk, N.E. Telephone to present the Board with the potential for a program for the pole to be all located on the same side of the street. The Board voted unanimously to approve this petition as presented.
- 7:45                The Board held a Public Hearing for Boston Edison for conduit on Holliston Street - northwesterly approximately 410 feet south of Causeway Street, a distance of about 50 feet. This conduit will be underground across Holliston Street and will be installed approximately 4 feet deep and joined at pole JO pole 3/115. The Board voted unanimously approval of this petition as long as a street opening permit is secured after April 1, 1988.

7:55

The Board met with Mr. Paul Watson who was requesting a sewer easement to run parallel with the railroad bed. The Board that this railroad bed was going to be a linear park and they would not approve anything going into the railroad bed except for a crossover. The Board voted unanimously to reject this plan and have Mr. Watson come in with elevations along the railroad bed along Williams Street and Brigham Street side. The Board requested that all other alternates be exhausted and come in with a new plan.

8:25

The Board met with James Cassidy, Animal Control Officer, to review his budget. After discussing making this a fulltime position and how these figures were derived? The Board voted unanimously the following budget:

Animal Control Officer Salary	- \$21,200.00
Assistant's Salary	- 5,300.00
Expenses	- 7,570.00

The Board requested the Administrative Assistant find out how other towns handle calls and fees with fulltime Animal Control Officers.

9:40

The Board discussed the D.P.S. Budget. The Board felt that if the Park Commissioners were going to take the Park Superintendent's Salary out of the D.P.S. Budget, then the Parks Department should be out of the D.P.S. altogether, including the two part-time summer positions. The Board voted unanimous approval on the following budget including the Park Superintendent's Salary.

Salaries	- \$216,149.80
Expenses	- 49,109.00

- The Board voted unanimously to approve the following budgets:

Moth Agent Expenses	- \$4,225.00
Tree Warden Expenses	- \$6,186.00
Insurance	- \$200,000.00

- The Board voted unanimously to approve the Election Officers for Precincts 1, 2 and 3 for the March 8, 1988 Presidential Primary (list attached).

- The Board received a letter from the State, Committee on Criminal Justice informing the Board that Medway was selected to receive a drug enforcement grant to help combat drug abuse and addiction. The Board requested the Administrative Assistant give a copy of this letter to Sgt. Paulette.

- The Board received a letter from the Department of Labor and Industries advising the Board that on January 6, 1987, Governor Dukakis signed into law an Act which regulates the removal, containment, or encapsulation of asbestos. These regulations

became effective October 30, 1987, and are available through the State Bookstore.

- The Board received a letter from Frederick Roth, Boston Edison District Manager, Community Relations with regard to the fire at their Summer Street station site, thanking the Fire Department for the efficient, professional way in which they conducted themselves during the emergency. Also, he stated that if the Fire Chief is interested, Boston Edison would welcome the opportunity to thoroughly brief him on the plant. Perhaps this could be included as part of a training session and requested the Fire Chief to contact him as to a schedule. The Board requested the Administrative Assistant check with Fire Chief Hanlon as to whether or not he has taken Edison up on this offer. This letter was a copy of the letter sent to Fire Chief Hanlon.
- The Board voted unanimously to appoint Paul F. Mitchell to the Police Study Committee.
- The Board requested that the Administrative Assistant draw up a letter to the Police Association stating that the Board would like to go with the current contract for 2 years.

Meeting adjourned at 11:40 p.m.

RESPECTFULLY SUBMITTED,



Ruth Allen  
Secretary

ra



# TOWN OF MEDWAY

MEDWAY, MASSACHUSETTS 02053

TEL. (617) 533-6059

FRANCIS D. DONOVAN  
Town Clerk and Registrar

TO: Board of Selectmen

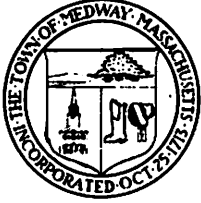
Under the provisions of Chapter 54, Section 12, G.L., I request the following appointments as Election Officers for the March 8, 1988 Presidential Primary be approved:

	<u>PCT 1</u>	<u>PCT 2</u>	<u>PCT 3</u>
Warden	Nancy Rojee	Allan G. Osborne Sr	Elsie Robinson
Dep. Warden	Joyce Kenny	Jayne Cummings	Harry T. Johnson
Clerk	Walter Sampson	Eunice Hanlon	Sandra Gronberg
Dep. Clerk	Barbara Teele	Leo Szymanski	Linda Brodeur
Ballot Clerk	Elizabeth Archer	Ronald Sylvester	Karen Dronzek
Ballot Clerk	Ruth Curtis	Nancy Lee Shepard	Doris Coakley
Inspector	Lawrence Leigh	Sharon Price	Barbara Clark
Inspector	Grace Rossetti	Teresa O'Brien	Joan Newton

Political party distribution required under Ch. 54 has been maintained in the above appointment list.

Feb. 12, 1988

Francis D. Donovan  
Town Clerk



## BOARD OF SELECTMEN

155 VILLAGE STREET  
MEDWAY, MASSACHUSETTS 02053

### AGENDA

FEBRUARY 22, 1988

- 7:00 p.m. Open meeting, approve minutes of  
2-8-88 meeting. Sign warrants.
- 7:00 Continuation of Public Hearing  
for Boston Edison of 2-1-88
- 7:15 Sealer & Weights Budget
- 7:30 Gas Inspector Budget
- 7:45 Animal Control Officer Budget
- 8:00 275th Anniversary Budget
- 8:15 Town Accountant & Computer Committee Budget
- 8:30 Crooks Street Residents  
re: trucking
- 9:00 Selectmen's Budget
- 9:30 Vote on 109 Traffic Design
- 9:35 Medway Auto Sales - Site Plan  
Addition to building

NOTES: Vote posting of signs on Walker Street  
  
Vote on Stop Sign and Signal change  
at 126/Main/Village Street intersection

Present: Paul Mitchell, Edward Borek, Harry Sabin and Administrative Assistant, Paul DeSimone.

- 7:00 p.m. The Board opened the meeting and voted unanimously to approve the minutes of the February 8, 1988 meeting. The Board signed the warrants.
- 7:01 The Board held a continuation of the Public Hearings held on February 1st for Boston Edison to install conduit on Kelley Street at and easterly from Dean Street, a distance of about 13 feet. Mr. Kelley, representative from Boston Edison, was in attendance. A question was raised as to whether this hook up had already been made and the answer was yes, a letter dated December 14, 1987 from the Selectmen's office under the Admin. Asst. signature had given Edison permission. The Board requested the Admin. Asst. send a letter to Boston Edison requesting written guidelines (Spec's) on what is used on the pole wires. When this information is received to have the Admin. Asst., Building Inspector and Wiring Inspector sit down and review it. Also the Board requested the Administrative Assistant to check into what the law is regarding the petitions. The Board voted unanimously to approve this petition. The other petition from Boston Edison was for conduit on Holliston Street southwesterly approx. 122 ft. northwest of Pine Street, a distance of about 15 ft. There was no discussion on this petition and the Board voted unanimously to approve this petition.
- 7:24 The Board voted unanimously to approve the following budgets with no changes from FY'88:
- Sealer of Weights & Measures Salary - \$215.  
Expenses 50.
- Gas Inspector Salary - \$100.  
Expenses - \$1,200.
- 7:28 The Board met with Town Counsel, Richard Maciolek regarding a letter he received with regard to the Carole Vogel case for a pre-trial conference date in March. This case was for 60% of her health insurance premium to be paid as she was a full-time employee. The amount of the case is \$1,575.00. The Board voted unanimously to have the Town Counsel settle this case.
- 7:43 The Board met with Robert Dubovsky regarding his request for appointment to the Affordable Housing Committee. The Board voted unanimously to appoint him to that committee.

- 7:47           The Board discussed the Animal Control Officer's Budget. This year he is requesting that this be made a full-time position. The Board requested that this budget be put on another agenda with sufficient time to discuss this issue, to get more facts and have the present Animal Control Officer, James Cassidy attend that meeting.
- The Board discussed a letter dated 2/8/88 from the State DPW, J. T. Cronin, P.E. with regard to the posting of signs on the Walker St./Charles River Bridge. The Board voted unanimously to post the signs so we are in compliance and to notify the State of this vote. Also notify the Police Chief so his department can monitor this bridge and the Shaw Street bridge. Chairman Mitchell requested the Administrative Assistant to have the Police Chief monitor the Shaw Street bridge for over weight trucks between the hours of 5:30 and 6:00 a.m.
- The Board discussed the posting of Stop signs and changing the flashing yellow light to a flashing red light at the intersection of 109/126/Village Street. This was previously discussed with the County Engineer, Gil Alegi and the stop sign at Summer and Main Streets is part of the final design of that intersection. Hopefully this will alleviate some of the problems at this intersection until the work can be done. The Board voted unanimously to make these two changes.
- The Board discussed a complaint that the signs have not been installed at the dangerous curve on Adams Street. The Board requested that the Administrative Assistant check this out with the Highway Supt. to see why they have not been installed to date.
- 8:15           The Board met with Town Accountant, Mary Shea and Chairman of the Board of Registrars, Veronica Clark to discuss the Registrars Budget. The Board voted unanimously to approve the following budget:
- Board of Registrars Salaries - \$1,974.00  
Expenses - 2,785.00
- 8:35           The Board met with the Computer Systems Manager, Mary Shea to discuss the Computer Budget. The Board voted unanimously to approve the budget as follows:
- Computer Expenses - \$34,700.00
- 8:47           The Board met with the Town Accountant, Mary Shea to review her budget. The Board voted unanimously to approve the Accountants budget for 53 weeks as follows:
- Accountants Budget Salaries - \$53,272.00  
Expenses - 3,241.00



- 9:00 The Board met with residents of Crooks Street who presented the Board with a letter of their concerns (attached), Timothy Wider was their spoke person, there were three other residents in attendance. Chairman Mitchell stated there are State rules that have to be followed in putting up "No Thru Trucking" signs. The Board requested the Administrative Assistant get a copy of their letter to the Police Chief and Safety Officer so they can do a study on the traffic in that area. Mr. Wider stated it was mostly Medway Oil Co. trucks. The Board requested that the Administrative Assistant get back to the Board with this information by March 21st.
- 9:12 The Board voted unanimous approval to the following budgets:
- Board of Selectmen Salaries - \$55,497.00  
Expenses - 6,500.00
- Town Hall Salaries - \$12,275.00  
Expenses - 16,468.00
- Moderator - \$50.00  
Consultant - \$1,500.00
- 9:28 The Board discussed the 109 Traffic Design. Mr. Charles A. Giacchetto, Owner of Medway Shopping Plaza; Mr. Peter A. Samways, Shell representative; Chester Reska, owner Gulf Station; Susan Bouchard, tenant Medway Shopping Plaza; Safety officer, Peter Bates; and S. Pat Brennan, Stone & Webster Engineering were in attendance at this meeting. Mr. Giacchetto and Mr. Samways stated that they had met with the Police Chief, Safety Officer, Administrative Assistant, Chairman of the Board, and Alan Brown, Stone & Webster on Friday, February 12th to discuss the curb cuts and the Medway Shopping Plaza and the Shell Station. Mr. Giacchetto presented the Board with a copy of the plan they had all agreed on. They propose moving the driveway at Mars easterly, and moving the main entrance to the shopping center easterly so it is more central to all the stores. and closing the east end driveway. The Shell Station will have a bituminous concrete sidewalk along the west driveway. The curb cuts on the south side of Main Street are as agreed at the February 11, 1988 public hearing. The only changes on the North side of Main Street will be as stated above. The Board voted unanimously to approve this final design plan.
- 9:50 The Board met with Corey Finkelstein, Medway Auto Sales at 117 Main Street for a site plan change. He would like to build a 30'X45' addition for preparing cars behind Haven's Garage. The Board voted unanimously to approve this addition.

- The Board voted unanimously to approve the following budgets:
  - Road Repair Expenses - \$52,000.00
  - Snow Removal Salaries - \$16,592.00
  - Expenses - \$41,000.00
  - Street Lighting - \$90,000.00
  - Traffic Signals - \$3,500.00
- The Board voted unanimously to approve the Class II License for Auto Exchange, Main Street.
- The Board voted unanimously to deny the payment for damages to vehicles from pot holes for Janet Doe and Cathy Marshall. The Board requested the Administrative Assistant send both these parties a letter deny any claim.

Meeting adjourned at 10:35 p.m.

RESPECTFULLY SUBMITTED,

*Ruth Allen*

Ruth Allen, Secretary

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February 22, 1988

To: Town of Medway Board of Selectman

Re: Request for "No Through Trucking" signs installed on  
Crooks Street.

Area: A residential, thickly settled area, with approximately seven(7) family dwellings with children. Road ranges in width from 17 ft. to 21 ft. at its apex. The street has no sidewalks and several children frequent the street, walking to school, general play, or bike riding. There is also on street parking during a portion of the year. The street is nearly impassable when two cars approach one another.

We request that the Town of Medway post Crooks Street with "No Through Trucking" signs to prevent the use by heavy commercial vehicles, and that this be enforced by the Medway Police Dept. Currently Crooks Street is used by tractor trailer trucks, including flat beds halling crushed cars, large oil tankers, and box trailers. They use this street to cut across from Broad St. to North St.

On several occasions we have had telephone wires knocked down and several trucks have had to back up Crooks Street because they could not pass.

We believe that Crooks Street was not designed for heavy vehicles use and that safety is definitely at risk. We ask that you review our concerns and proceed accordingly.

A large, stylized handwritten signature in blue ink, likely belonging to a resident of Crooks Street.

Residents of Crooks St.  
Medway, MA





## SELECTMEN'S PUBLIC HEARING - FINAL DESIGN PLAN ROUTE 109 TRAFFIC STUDY

Present: Paul Mitchell, Edward Borek, Harry Sabin and Administrative Assistant Paul DeSimone. Also S. Pat Brennan and Allan Brown from Stone & Webster Engineering Co., Boston, MA

Chairman, Paul Mitchell opened the Public Hearing at 7:06 p.m. and informed those in attendance (list attached) that this would be the final public hearing, the previous one was held on December 21, 1987, and a number of meetings have taken place before the Board of Selectmen where residents and property owners have had an opportunity to witness this and have some input to it. Hopefully when we get through here this evening we will have it all done and that everyone will be happy, which is rather a formidable task. Anyone making an opposition within the next Selectmen's meeting on what we feel we should go with, we have to file a vote and indicate to the State Dept. that we have voted and have made a final decision. The reason for a Public Hearing is to present all the information that we have, let everybody have an opportunity to absorb it and let everybody have an opportunity to speak if it's their desire to indicate what they like and do not like and to debate anything that we like if you don't like it. If we can all do it in a mature manner, let's get it all out and make sure that we have everything before us, so we are making our decision from the most amount of information possible. When you speak, please identify yourself so we have it for the record. Don't hesitate one second at any time if you do have a question, because we do want you to understand it, once we commit ourselves to it that's the way we are committed. It is not our intent to single out any areas, to hurt anybody and if necessary and possible, we will avoid areas that do that if we have an alternate and if you have any ideas that would be an alternative that makes it better for everybody, including yourself as an individual, that is feasible to go into here, that is what we are here for and we really do want that input. Mr. Mitchell then turned the hearing over to Mr. Brennan to run us through the plan again. Mr. Brennan made his presentation of the plan. The general overall concept in what we are trying to do here, the project is a State funded, Public Works Economic Development Grant. He explained the color code of the plan, and the road is totally contained within a 60' right-of-way. There is one 12' travel lane and one 10' speed change lane in either direction, the sidewalks are 8' wide with continuous granite curbing on both sides of the road. The sidewalks will be going from the curb line to the back of the property line, there will be no buffer or grass strip. There has been no provision for any landscaping because there is no room for it. There will be new traffic signals at the intersection of Holliston and Main Streets, with a difference in operation. There will now be approaching from the west and from the east at the signal at the stop line, a provision for a separate sheltered left turn lane. Traffic through on Main Street will be stopped and those vehicles going South or North onto Holliston Street will be able to turn first. You will still continue to have the free right turn with a stop onto Holliston Street South bound and North bound. Gulf Station will have and IN drive and an OUT drive. The islands at this intersection will stay.

The Police Department recommended that the sidewalk in the area of the Gulf Station go between the Hunan Garden and the Gulf Station and behind the gas station out to Holliston Street, to keep the pedestrian traffic away from the dangerous intersection in front of the gas station. There will be a pedestrian crossing signal at this intersection. There will be no landing taking on this corner. The undeveloped Commercial property on the northerly side of 109 from Holliston Street to Colonial Plaza shows no curb cut onto Main Street and hopefully when the time comes for development the curb cuts will be on Holliston Street. The drives along the southerly side of Main St. going West will stay the same until you get to Health Stop and Dunkin' Donuts. The drive to Dunkin' Donuts have been closed and combined all drives. There will be one driveway to service Dunkin' Donuts, Health Stop and any development in the back lot. The Engineering firm tried to organize the driveways so that traffic can be better regulated and driveways would not be across from other driveways. The on the north side at the Colonial Plaza, at Papa Gino's make it a major in and out driveway and close the driveway on the westerly side by the Home National Bank, which presently is an exit driveway only. This major driveway would be island divided, with an in lane and two out lanes. Medway Savings drives would stay the same. At Medway Shopping Plaza there are presently four driveways from one end of the property to the other. There is a narrow drive shared with the Shell Station then westerly a couple of hundred feet there is a major driveway and then another in front of Super Place and one at the far end of the property which services the bank and Mars. They propose to close off the easterly drive and close the next drive going westerly and take the major driveway and move it down easterly to line it up better with the main store and put an island in there hopefully to work something out with the owners of the Plaza, so they would extend the island up to the front of the stores. Then they propose to take the existing west driveway and move it easterly toward the Baybank so they could get a better aim at the front of the Mars store, this driveway would be the same as the one in front of Super Place. The property under construction next to Mars presently has a temporary opening, we are proposing moving that driveway to the far westerly end of the property. Hopefully something can be worked out for a drive connector between Mars property and the property being developed. At the Mobil Station, retaining in and out drive; at Burger King we are proposing narrowing the entrance and with proper signing and channeling, to discourage exiting out the entrance drive. The Charles Building and the Post Office we are proposing to move the Post Office drive westerly and close the one at the Charles Building and service both properties with one drive in and out. At the Car Wash it will stay as it is presently. At Medway Auto Sales we are proposing closing the front off with a sidewalk and curb and giving them one single major Plaza type driveway similar to what is proposed across the street which would service their whole frontage. The Sherman property on the corner is undeveloped and nothing is planned for this area at this time. There will be new drainage in the street, the street lighting will stay pretty much the way it is. This was the end of the presentation of the plan and the hearing was open to those in attendance for any questions they might have.

Q. Olga Guerrus, tenant at the Medway Shopping Plaza. She presented the Board of Selectmen with a letter (attached) from some of the stores in the Plaza.

She presented some of the feelings of the tenants at the Plaza regarding the closing and moving of the driveways. They are concerned over the proposed closing of the easterly drive because of the lack of access to the stores on the easterly end of the Plaza. They would like to see the main entrance and exit more centralized or one exit and entrance at each end of the Plaza. At this time Mr. Mitchell read the letter from the tenants in it's entirety and informed those in attendance that the Board of Selectmen will have to vote on their decision at a regular open meeting of the Board of Selectmen and they anticipate doing that at their next meeting (2/22/88). The Engineering firm (S&W) is taking all this information on proposed changes etc. this evening. If you have other thoughts regarding this plan get them to the Board before 2/22/88.

- A. Mr. Brennan stated he did not feel that the Engineers and the tenants are very far apart concerning the location of the major driveway into Medway Shopping Plaza. He felt this could be worked out with the owners of the Plaza. If the owners were to come in with a plan for their internal arrangements which is a better operation internally, we would try to match the driveways to fit it.

- Q. Gerald Hyma, tenant at the Medway Shopping Plaza. Is there going to be any kind of light signals?

- A. No traffic signals will be at the Plaza at all. At the moment there is not sufficient justification based on the driveway traffic and the Main Street traffic and based on our best predictions over five years there won't be enough traffic to warrant signals. Signals can be a mixed blessing, they can be a safety hazard and they do slow down traffic. The primary purpose of this investment by the State and the community is to enhance the viability of the area for business.

The tenants were concerned with the speed of traffic traveling in front of the stores at the plaza. Mr. Sabin suggested that the owners put speed bumps along the front of the stores, that would stop the speeding.

- Q. Peter Samways, Shell Oil Company representative. He asked what the width of the West side driveway is and why it has been narrowed?

- A. It was narrowed to cut off the driver's speed into the Plaza. Shell drive has not been cut down. Mr. Samway stated his driveway is the width it is presently and that Shell Oil has rights to 50 feet. Shell Oil has an easement (copy of this paper work was given to the Board at this time) which allows them to use the 50 foot lane on the westerly side of the gas station. He also stated this easement gives them direct access to the Plaza because this is the direct essence of their business. Mr. Brennan stated they felt it is an extremely unsafe situation. Stone & Webster proposes but a guard rail barrier along the westerly side of the gas station to restrict the traffic flow into the plaza. Mr. Samway expressed that all the businesses in the plaza along with the gas station have a commonality. He was not so sure that this proposal has the best interest of the economic viability of Medway and that is a real concern he has. He felt the restrictions were too great. The document he had with him stated that the traffic is supposed to be free flowing to the plaza and Shell and they have that right and he does not know where our right comes to put a barrier up. The Board stated they would research what Mr. Samway is stating here tonight.

Mr. Mitchell stated that Town Counsel will make the decision on this document presented to the Board not the Board themselves. The other portion that Mr. Sanway disagreed with, one thing we are trying to do is get the flow of traffic off the main street for safety purposes, when you take it off the Main Street you put it behind, which is what you are doing and trying to form two alternate streets. These all have frontage, the signs are fronted, the visibility is fronted, that is the purpose of a strip store is to have visibility from the street. If you start having people going into the back, Shell's for example, you are behind our building looking at the dumpster. They can't make a decision on buying a purchase behind their station. He thinks that could be a problem for our economic viability. He felt there were a number of points here that need to be discussed.

- Q. Sheldon M. Drucker, Esq., attorney for Medway Realty Trust, owners of the Medway Shopping Plaza. Based on the title research his office did with this property was purchased, that when Sunset Drive was abandoned by the Town as a street, the ownership in Sunset Drive was given one-half to the owners of the Shell property and one-half to the owners of the Shopping Center. However, there were cross rights-of-way to use that driveway if you will, so that each of the abutting property owners along that, what was then a paper street, could use it to travel. He agreed that there is an easement for passage back and forth along that lane. He recalled that in the previous plan a few weeks ago, that there was no internal barrier along that drive, and when he had discussion with Mr. Brennan in his office, it was going to be some kind of concrete island or other kind of facility to channel the traffic away from the street, so that if people were entering the Shell station to gas up they could go from the Shell station to the shopping center by making some kind of turn. He was wondering if that is what is intended?
- A. The intent now is to have no access between the Shell Station and the Plaza. Not even a limited or restricted access. Mr. Brennan also stated that that was the opinion of the Police Chief and Safety Officer, they felt it was an unsafe condition at that driveway. Mr. Brennan stated that on four separate occasion the traffic was counted going from the gas station to the plaza and visa versa and it was insignificant. Mr. Drucker reiterated that there is a document which states a right of passage. Mr. Brennan said as stated before that that legality would be checked out.
- Q. Mr. Drucker - with respect to the location of the so called main entrance to the shopping center to move that entrance back in an easterly direction, there was a comment made by one of the tenants about the need to signalize and perhaps control traffic flow. You indicated early on in your presentation that it was not desirable in your traffic scheme to cross driveways to create some type of thru way effect across Main Street. He thinks that would be appropriate for safety purposes. If the drive is moved back in an easterly direction at some point, it seems to him, you have a wide enough main drive they are going to be opposite one or another curb cuts. Right



now we are opposite the Burger King curb cut, there is not much way to escape it, if your not opposite one Burger King curb cut you will be opposite the other. Perhaps even with that kind of cross drive effect that still might be deemed to be the best solution for overall traffic flow, however if you do that, he thinks it behoves you and the town to make some provision in the future for a possible signal there to control peek traffic from coming in and out of the shopping center because hopefully the shopping center will flourish, and hopefully there will be enough vehicular traffic wanting to exit the shopping center in peek times during the day that you are going to need some kind of traffic control.

- A. Mr. Brennan stated he had no objection to traffic signals, the problem with traffic signals is that they are in fact a safety hazard. There are more accidents when we have traffic signals than when we don't. The other thing is, to build a signal on a State road you need a permit.

At this time Mr. Robert F. Dubovsky, resident of Medway who frequents the shopping center quite a bit and has lived in town for nine years and is well aware of the problem. He felt that curb cuts opposite one another would be a problem and that there should be a centralized entrance. He stated there is a problem with traffic in and out and maybe there could be exit's only and entrance's only. He did not feel there is a need for and 8 foot sidewalk, maybe a 4 foot sidewalk with a landscaped area similar to Burger King, so it does not look like a major highway. The major emphasis should be put on speed control as an overall factor and to work with the shopping center owners and tenants if they are will to install different islands etc., have an internal design of shopping center also.

- Q. Gerald Hyma - Has there been any kind of a study or anything like that as far as accidents happening from people going from the Shell gas station into the shopping plaza? Why is it that you want to block it off?
- A. Safety Officer Bates stated that the reason why it was a temporary close off before was because we were finding out that traffic travelling westbound on Route 109 was entering into the shopping Plaza at the exact same speed they were travelling on 109. One of the business residents at the plaza one morning came into the plaza at 45 m.p.h. and hit one of the light poles. We have had accidents up at the plaza from other people pulling in as well as the cross traffic. When we temporarily closed down that driveway we had less reported accidents, less near misses in that one general area and the Police Chief and Officer Bates felt that the recommendation they had made, because of what they had had and investigated up there as far as complaints and everything else. Mr. Hyma was not talking about this exit he was talking about the one at the Shell gas station. The reason for closing that off because the closure of that one driveway we felt it would condense the problem back up into the Shell driveway and we looked at the one up in Milford, where they most recently, within the last year and one half because of that cross traffic that they had guard railed off a portion of it, leaving one portion of it open for somebody to still get through,

What he and the Chief are looking for is the full safety of the travelling public to get into any of the shopping areas, to let them shop and control them coming back out. One way entrances and exits, they do not work, they are violated by the people that either own the business in their as well as the people who travel in and out.

- Q. With no pedestrian light at the Plaza, how is one supposed to get across Route 109?
- A. The right on red at Holliston Street will be totally eliminated and there will be some sort of breather of the traffic heading west on 109. On the new recommendation design it will call for two cross walks areas by the plaza and by Colonial Plaza. The entire speed on the 1600 ft. be reduced to 30 m.p.h., so by reducing the speed and by making the cross walks and enforcing a cross walk law per se, that if someone is in the cross walk that if you do not stop you will get a ticket. It will give you a breather to get out of those certain areas. Mr. Mitchell reiterated that the State will determine whether a signal light would be put in at certain places and there are guidelines to be followed. If some of the inputs that Mr. Brennan has received this evening will have some bearing if there is a loophole someplace that he can present it to the agency we are working with, then most certainly that will be done. Please accept that these are the rules. Mr. Brennan stated that this plan is a result of an evolution of a lot of studies, we did look at traffic signals very hard, we looked at median barriers, we looked at all turns to be right turns, and all of the kinds of safety features that are available to highway engineers building to a highway were looked at, tested and discarded because they did not work.

Administrative Assistant, Paul DeSimone, spoke on the effort that has gone into this project. This project basically started over a year ago, the engineers were contracted to do this work sometime around the first part of July, 1987. Traffic studies, both from the State level, local business council people and other studies were done very carefully on this program. Public safety was looked at, everything was looked at very carefully. You are looking at a design of a shopping plaza that was initiated in the late '50s early '60s, it is antiquated, everything you see today guides the people into a plaza thru one major entrance. There is no way we are going to proceed with the program unless it is done in a professional manner, it is going to be reviewed by the State, it we don't addressed the problems of where the proper entrances and exits are to go, they are going to turn it down, and the worse thing we can do is nothing, we have got to correct the problem. Professionals have looked at it, they have done this before, they no what will work. He questioned the Safety Officer how many times the light pole in the plaza has been hit by the Shell station? At least five times. The last time the man was travelling diagonally across the parking lot to get to the Shell station and didn't see the light pole because of the sun. You have to let the professional handle the way in to the plaza, they can work with the owners of the plaza, and I think everybody after it is set up will be satisfied.

Mr. Dubovsky responded to this statement. He stated that there are things that could be done right now with virtually no cost, to reduce the speed limit during the trial period to see how that would relate to the problem. He does not want to see the character of the small town change drastically but yet he wants to improve it and yes it is a 1950's vintage but that is one of the reasons he moved to Medway instead of Boston or Cambridge. It strongly recommends that we go after the 25 m.p.h traffic pattern right away, run your plan as soon as you can, but implement a trial pattern right away for the safety of the residents utilizing that shopping plaza.

Selectman Sabin stated he has used the Shell station and headed west bound from the pump nearest the larger building and when he pulls out, the nose of his vehicle is out past the little tenants booth, and he can't see what is coming and maneuvering, and he has great problems with that. He has almost been hit there. Mr. Brennan asked the Shell representative if that little booth was necessary? Mr. Samways said it was something they could look at.

Susan Bouchard, tenant Medway Shopping Plaza, wanted everyone to bear in mind we did mention the fact that this shopping center was built in the 1960's and we do need some of that consideration when we start talking in's and out's, because new shopping center's are built the new way, one main in and out. These are built either in an L shape or a U shape against the road and we are a strip mall and we run the whole line of this and we need the visibility and we need the in's and out's. There are five stores at the East end of the plaza behind the Shell station and you are virtually going to wipe them out by closing the entrance/exit nearest the Shell station.

Selectman Mitchell stated there will probably be some loss to the businesses but a true entrepreneur will see that and do some advertising to get more business.

Q. What is the width of the roadway of 109 right now?

A. Mr. Brennan stated that it varies from about 38 feet at its narrow point to about 44-45 feet. In some areas there is not much difference, it just organizing it and constant with the State standards. There will be four lanes, 2 travel lanes and 2 speed change lanes.

Mr. Dubovsky suggested maybe a stop light and Pond and Main Streets.

Mr. Mitchell told Mr. Brennan to look into this along with the other suggestions.

Mickey Wheeler stated he is a Medway resident and has worked in Retail for 25 years and is familiar with the critical assessing of traffic. He has been in two major retail regions that have had traffic problems one on Route 1 in Dedham and one on Route 9 in Natick, both of which have had the traffic patterns changed over the past 15 years. He noticed in both cases, initially the business did suffer, however within 3 years the impact was gone and people became accustom to the change in the traffic pattern. In Dedham they've made

a complete change in the traffic patterns within the parking areas as well as the access roads which everybody hated initially, but even that was overcome and business came back to normal within a very short period of time. The Natick situation was a major negative impact on that mall however, it corrected some very serious safety problems within the parking lot, because it was being used as a through traffic area at very high rates of speed. This has concerned him as far as Colonial Plaza and Medway Shopping Plaza. So barriers do help within the parking lot itself. This shopping center is a local shopping area, people know what is in this shopping area, 85%-90% of the traffic is local, so you are not dealing with a lot of people who are just stopping and we have a serious problem we have to address, there is now easy solution. He strongly feels that given the alternatives, limiting the entrances is not going to have a lasting impact.

Q. Chester Reska, Gulf Station owner, are they taking any land off the corner of Holliston/Main Street?

A. No. Mr. Reska stated he is against any sidewalk going between his property and the Hunan Garden and in the rear of his property. He would rather have the sidewalk in front of his property as long as there is no land taking. He stated he has been on this corner for 35 years and there is no pedestrian problem there, there has never been a pedestrian hurt there. Mr. Brennan stated there is room for some sidewalk as there is now for people to walk, not great.

Q. During the construction that is going to be going on here. At any time that you know of, will 109 in either direction, be closed off or detoured around any other way.

A. Mr. Brennan stated, no. It will be built in stages. There will be times when it will be restricted to one lane in each direction.

Q. What is the approximate date of the start of this project?

A. Mr. Brennan stated that we are aiming for maybe late Spring for advertising for construction.

Chairman Mitchell informed those in attendance that we would be voting of the final design plan on Monday, February 22, 1988. If you have any new ideas please come forward with them before that date. The Chairman asked that the Safety Officer, Peter Bates, set up a meeting with the Shopping Center owners, Shell Station owners, Police Chief, Administrative Assistant, Stone & Webster and himself to go over the Shopping Center and Shell Station situation.

Adjourned at 9:18 p.m.

RESPECTFULLY SUBMITTED,



Ruth Allen, Secretary to the Board of Selectmen

Selectmen

2/11/88

Paul Mitchell

Ed Borch

Harry Sabini

Pat Brennan Stone & Webster

Alan Brown " "

Ruth Allen Secretary

Paul McMahon

ROBERT F. DUBOWAY VILAGE ST. MEDWAY

Sheldon M. Drucker, Esq. Brown, Rudnick, Freed & Geimer

Charles A. Giacchetto Medway Plaza Shopping Ctr.

Christopher G. Reska - Reska Gulf Service

William J. Reska Reska Gulf Service

Ellice Roberts - Medway Plaza

Jerrell Nyman Deluxe Photo Med Plaza

Josée Bouchard Meghan's Fashionwear, Medway Shopping Center

David Cammunt Chief, Medway Police

Peter A. Samways SHELL OIL COMPANY

John M. Bates Safety Officer

Robin Rubke Medway Plaza

Olga Guerrero Medway Plaza (Tenant)

Donald R. Brismette Medway Plaza (Tenant)

February 9, 1988

Town of Medway, Board of Selectmen  
Town Hall  
Village Street  
Medway, MA 02053

RE: Route 109 Shopping Plaza  
Traffic Control

Dear Sirs:

Pertaining to the above location and specific situation:

We, the retailers of this property would first like to make it known that we are very much in favor of all types of safety programs that might be initiated to prevent harm to any of the customers and any other person in our town. However, we are also aware of the need to make the availability of our stores to each person that wishes to shop here.

In the past, approximately 1½ years ago, an entrance to the parking lot was closed off. This created havoc among those shoppers of this plaza. The people were forced to use alternate entrances, as well as exits. For those persons wishing to make a left turn onto Route 109 and head towards Millis, the involvement was worse. There are statistics to prove that during this time the actual volume of sales was down in many, if not all, of the plaza shops. Those persons wishing to shop just felt the problem with having to drive to opposite ends of the plaza was not worth the trip.

We certainly realize the need for some type of control, especially with the congestion in this specific area. We, however, do not feel the answer lies within the closing off of entrances and exits making it less approachable for shoppers.

We feel we should be able to sit down with you and come up with an alternate plan. As employers of many of the towns people we feel we should have a say in your planning for our plaza. By closing off side entrances and exits we certainly feel the length of travel will encourage faster traffice thus decreasing safety especially for young children. It is a well known fact, that when you have a straighter course of travel there is more tendency to speed. This, we certainly want to avoid.

Thank you in advance for your anticipated help in this matter. We feel certain that we can all work out a solution to this situation.



We look forward with great anticipation hearing your plans and getting this resolved.

Sincerely;

Route 109 Shopping Plaza Stores

BayBank Norfolk County

Trust Company

108 MAIN STREET

MEDWAY, MASS. 02053

*Eleanor R. Menant C.S.M.*

PAID BY CHECK TO THE ACCOUNT OF  
MARS AT MEDWAY INC.  
191-11105

*Robert Dwyer asst MGR*

*Arthur Dwyer Asst MGR*

DE'S FIGURE SALON

110 MAIN ST

MEDWAY MA 02053

553-1374

*Medway Laundromat*

*Barbara Van Rye*

*John Q Van Rye*

MEDWAY RESTAURANT, INC.

FINE FOOD & ICE CREAM

RTE. 109

MEDWAY SHOPPING CENTER

MEDWAY, MASS. 02053

*not a pizza place*

*Giorgio & Anita*

TABLE TOP PIZZA

94 MAIN STREET

MEDWAY, MASS. 02053

MEDWAY RESTAURANT, INC.  
FINE FOOD & ICE CREAM  
RTE 100  
MEDWAY SHOPPING CENTER  
MEDWAY, MASS. 02055

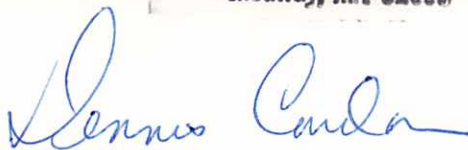


We look forward with great anticipation hearing your plans and getting this resolved.

Sincerely;

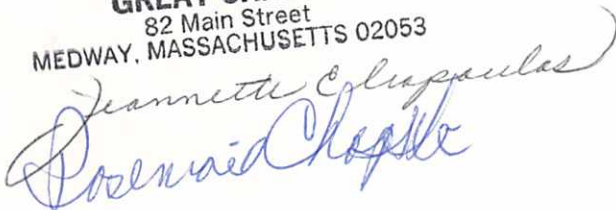
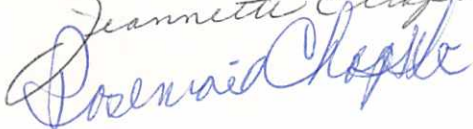
  
Route 109 Shopping Plaza Stores

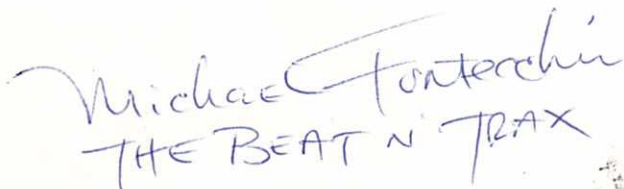
THAYER PHARMACY - MEDWAY  
112B Main Street  
Medway, MA 02053



2050  
CONDON HARDWARE CO.  
SERVING MR. 32 Main St.  
Medway, MA 02053

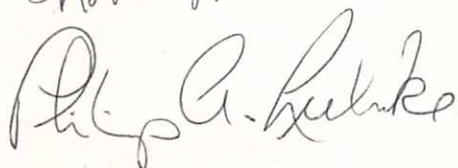
GREAT SHAPES  
82 Main Street  
MEDWAY, MASSACHUSETTS 02053

  
THE BEAT N' TRAX

J.K. Seafood Restaurant

Robin Lukke



We look forward with great anticipation hearing your plans and getting this resolved.

Sincerely;

*Kipton Liguors*  
*John McDonnell*

Route 109 Shopping Plaza Stores

*Victoria Guerrero.*

*Alfonso Guerrero*

**AT HOME FASHIONS**

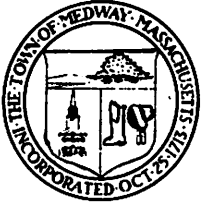
We look forward with great anticipation hearing your plans and getting this resolved.

Sincerely,

Donald R. Bingham  
(Don's Barber Shop)

Route 109 Shopping Plaza Stores

Susan M. Donaldson  
Meghan's Fashionwear



## BOARD OF SELECTMEN

155 VILLAGE STREET  
MEDWAY, MASSACHUSETTS 02053

### AGENDA

FEBRUARY 8, 1988

- |           |  |
|-----------|--|
| 7:00 p.m. | Open meeting, approve minutes of 2-1-88 meeting. Sign warrants.                            |
| 7:01      | S. Pat Brennan, Stone & Webster,<br>Police Chief, Safety Officer<br>RE: 109 Traffic Design |
| 7:15      | Conservation Commission Budget   |
| 7:30      | Fire & Civil Defense Budgets   |
| 8:00      | Police Budget  |
| 8:30      | E.M.S. Budget  |
| 9:00      | Police/Fire Communications Budget  |

Reminder - Public Hearing on 109 Traffic Design  
Thursday, February 11th at 7:00 p.m.

Present: Paul Mitchell, Edward Borek, Harry Sabin and Administrative Assistant, Paul DeSimone.

7:01 p.m. The Board opened the meeting and voted unanimously to approve the minutes of the February 1, 1988 meeting. The Board signed the warrants.

7:02 The Board met with S. Pat Brennan, Stone & Webster Engineering Co., Boston to review the Final Traffic Design work for the Commercial District along Route 109, Pond Street to Holliston Street. There was much discussion about the changes in the cuts into the different properties. This meeting was to update the Board prior to the public hearing on February 11, 1988 in Sanford Hall.

9:15 The Board met with Nina Casali, Conservation Commission to review their budget. The Board voted unanimously to approve the budget with no increase:

Conservation Commission Salary - \$1,268.

Expenses - \$675.

9:23 The Board met with Fire Chief Hanlon to review the Fire Department Budget which the Board voted unanimously to approve as follows:

Fire Department Salaries - \$53,571.

Expenses - \$23,085.

The Board also voted unanimously to approve the Civil Defense Budget as follows:

Civil Defense Expenses - \$200.

The Chief as discussed the Special Hazardous Waste Truck stationed out of Westwood for the use of Norfolk County towns. He will have a Special Article on the Annual Town Meeting Warrant.

9:40 The Board met with Police Chief Lambirth to review the Police Department Budget. The Salary figure reflects contracted step raises and using 53 week year. The Board voted unanimously to approve the budget as follows:

Police Department Salaries - \$565,315.

Expenses - \$57,628.

Out of State travel - \$600.

The Chief stated that he would be putting a Special Article on the Town Meeting Warrant to replace 2 cruisers.

On another matter, Mr. and Mrs. Richard Blethan, 411 Village St. were in attendance at this meeting. The Police Chief stated that he felt that properly marked barriers should be installed temporarily on the island in front of Blethan's house to prevent vehicles from coming out of Summer St. and coming onto or into Blethan's house. The Chief stated that he and the Highway Supt. would go out to this location and see what could be done.

Mr. Blethan requested that the snow plow plow the right angle at the end of Village Street at Main Street (across from Old Summer St.). The Board requested the Administrative Assistant give this information to the Highway Supt.

10:09

The Board met with Sgt. Robert Saleski to review the Police & Fire Communications Budget. The salary figure reflected an adjustment for 53 weeks this year. The Board voted unanimously the following budget:

Police & Fire Communications Salary - \$86,637.

Expenses - 2,755.

The Dispatchers were not included on the Personnel Study done by MMA. The Finance Committee is checking this situation out with MMA as to why dispatcher's were not included and if they would include them.

It was noted that all previously approved salary budgets should be adjusted to reflect a 53 week for this year instead of 52 weeks.

-

The Board discussed the letter received from the Police Association regarding negotiating for their new contract which expires on June 30, 1988.

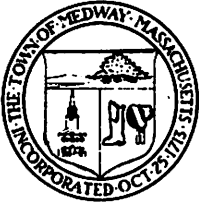
Meeting adjourned at 10:58 p.m.

RESPECTFULLY SUBMITTED,



Ruth Allen  
Secretary

ra



## BOARD OF SELECTMEN

155 VILLAGE STREET  
MEDWAY, MASSACHUSETTS 02053

### AGENDA

FEBRUARY 1, 1988

- |           |  |
|-----------|--|
| 7:00 p.m. | Open meeting, approve minutes of 1-25-88 meeting. Sign warrants. |
| 7:05      | Public Hearing - Boston Edison conduit - Holliston Street        |
| 7:10      | Public Hearing - Boston Edison conduit - Kelley/Dean Streets     |
| 7:15      | Law & Town Counsel - Budget                                      |
| 7:30      | Finance Committee - Budget                                       |
| 7:45      | C.I.P.C. - Budget  |
| 8:00      | Z.B.A. - Budget  |
| 8:15      | Historical Commission - Budget                                   |
| 8:30      | Veterans - Budget  |
| 8:45      | Cemetery Commission - Budget                                     |
| 9:00      | Memorial Committee - Budget                                      |
| 9:05      | Regarding Dispatchers Budget<br>Robert Saleski                   |

Present: Paul Mitchell, Edward Borek, Harry Sabin and Administrative Assistant, Paul DeSimone.


- 7:04 p.m. The Board opened the meeting and voted unanimously to approve the minutes of the January 25, 1988 meeting. The Board signed the warrants.
- 7:05 & 7:10 The Board held a public hearing on petitions from Boston Edison Company for conduit on Holliston St., -S.W. approx. 122 ft. N.W. of Pine St., a distance of about 15 ft. and for conduit on Kelley St. at and easterly from Dean St., -a distance of about 13 ft. There was no one in attendance at the meeting representing the Boston Edison and the Board had several questions to address to them and voted unanimously to table this hearing and notify Edison to attend a meeting to answer the Board's questions. Mr. Ted White of 12 Kelley Street was in attendance and had several questions. Notify Mr. White when the hearing will be held.
- 7:20 The Board voted unanimously to approve the following budgets with no increases.  
Moderator's Salary - \$50.00  
Law Salary - \$12,000 and Expenses \$7,000
- 7:30 The Board met with Richard Brown, Chairman of the Finance Committee to review their budget and voted unanimously to approve the budget with no increases.  
Finance Committee Salary - \$1,238. & Expenses - \$3,935.
- 7:36 The Board was polled to enter into Executive Session, Mitchell, yes; Borek, yes; and Sabin, yes, for the potential to discuss personal cases with the Veterans Agent, Anthony Mastroianni. The regular meeting would reconvene following a ten minute Executive Session. The Executive Session closed at 8:45 p.m.
- 8:45 The regular meeting reconvened and the Board reviewed the Veterans Agent's budget with Mr. Mastroianni. The Board voted: Mitchell - in favor; Borek - in favor; and Sabin - abstaining with regard to no increases in this budget.  
Veterans Agent Salary - \$4,450 & Expenses - \$20,400
- The Board voted unanimously to level fund all Salaries subject to any percentages that may be decided on at a later date.
- The Board voted unanimously to approve the Budget for C.I.P.C. with no increases.  
C.I.P.C. Salary - \$131 and Expenses \$165.



- 8:15 The Board met with Leslie Dixon, Chairman of the Historical Commission to review their budget. After much discussion the budget was increased by \$35 to purchase a National Register Sign for the Rabbitt Hill Historic Area. During the discussion the Board requested the Administrative Assistant find out the actual cost of the Assessor's maps. The Board voted unanimous approval to the following budget.  
Historical Commission Expenses - \$304.00
- 8:35 The Board met with Joseph Dziczek, Chairman of the Zoning Board of Appeals to review their budget. With the increase in applications for hearings the following budget was unanimously approved.  
Z.B.A. Salary - \$2,973 and Expenses - \$2,265
- 8:58 The Board voted unanimously to approve the following budgets with no increases:  
Memorial Committee Expenses - \$1,350  
Cemetery Commission Expenses - \$1,087
- 9:00 The Board met with Police Sgt. Robert Saleski regarding the Police/Fire Communications budget. Mr. Saleski was looking for a salary percentage increase, and the Board informed him of their previous vote on level funding the salary figure at this time. He questioned the Board as to why the Dispatcher's were not included on MMA's Personnel Study. The Board requested the Administrative Assistant to check with the Finance Committee on this question.
- The Board voted unanimously to Open the Annual Town Meeting Warrant on February 2, 1988 and Close the Warrant on February 22, 1988. The Administrative Assistant informed the Board he would notify all the Boards of this vote.
  - The Board discussed the two letter received from Catherine Murphy regarding increasing the insurance for retirees to \$5,000. The Board requested the Administrative Assistant put Mrs. Murphy on the agenda for a future meeting to discuss this request and to find out the information such as what does Chapter 705 of the Acts of 1986 say, who pays for this insurance etc.
  - The Board requested the Administrative Assistant advertise for volunteers for the Handicapped Affairs Committee according to the guidelines.

Meeting Adjourned at 9:35 p.m.

RESPECTFULLY SUBMITTED,

  
Ruth Allen  
Secretary



## BOARD OF SELECTMEN

155 VILLAGE STREET  
MEDWAY, MASSACHUSETTS 02053

### AGENDA

JANUARY 25, 1988

- 7:00 p.m. Open meeting, approve minutes of  
1-11-88 meeting. Sign warrants.
- 7:05 Joseph Griffith - revision on  
sewer easement, end of Center St.
- 7:15 James Brodeur  
re: Landfill
- 8:00 Council on Aging - Budget
- 8:15 Conservation Commission - Budget  
*8:25 Discuss 109/26/Village St. Intersection*  
8:30 Meet with Government Study Committee

Present: Paul Mitchell, Edward Borek, Harry Sabin and Administrative Assistant, Paul DeSimone.

- 7:00 p.m. The Board opened the meeting and voted unanimously to approve the minutes of the January 11, 1988 meeting. The Board signed the warrants.
- 7:05 The Board met with Joe Griffith regarding the revision to the easement through town property at the end of Center Street. This is for a sewer easement which will be 10 feet underground on the perimeter of the town land and thru the railroad bed into Center Street. The Board voted unanimously to grant a sewer easement for Dean Estates, sewer extension plan dated December 7, 1987 by East Coast Engineering. James Brodeur, Planning Board member was in attendance at this meeting and asked if this tie-in would allow the property under purchase and sales agreement with Greg Coras sub-division to be tied into this sewer line too? The Administrative Assistant thought it did.
- 7:15 The Board met with James Brodeur regarding the Landfill site on Broad Street extension. He showed the Board a plan done in 1975 which was not based on a field survey. He explained to the Board how the Landfill has encroached onto the west side of the landfill (Cassidy property) some 35 feet. The Administrative Assistant stated we would probably need DEQE approval for any land swap with Cassidy because we would be changing the original landfill closure site plan presented with our application to close the site. On November 19, 1987, James Brodeur did a field survey for Camp, Dresser and Magee on the landfill site and found this encroachment. The Board requested that the Administrative Assistant get in touch with DEQE regarding this problem. The Board voted unanimously that the Town of Medway contingent on prior approval of DEQE enter into negotiations with Mr. Cassidy for a swap of land located west of the present landfill site as identified on a topographical plan of the Town of Medway Existing Disposal Area dated September 29, 1975.
- 8:05 The Board met with Robert Clorite and Vera Loftus, Council on Aging to review their budget for FY'89. The Board voted unanimously to accept their budget as submitted:
- |          |             |
|----------|-------------|
| Salaries | \$ 8,600.00 |
| Expenses | 15,021.00   |

- 8:25           The Board met with Mr. and Mrs. Richard Blethan and Mr. and Mrs. John Gately to update them on the 126/109/Village Street Intersection. The Administrative Assistant showed them the final design plan from the County and that the Town would be ready to start this project when and if Pond Street monies become available and when the new Chapter 90 monies are known. He also informed that if the monies are needed on the 109 Traffic Design it might delay the work at this intersection. The cost to do the intersection will probably be in the neighborhood of \$100,000.00.
- 8:40           The Board met with the Government Study Committee regarding the study they are doing on Town Government changes and wanted the Board's input.
- The Board voted unanimously to appoint Bernard Cornelia to the Police Study Committee as the CIPC representative.
  - The Board discussed the letter received from Attorney Donald Koback regarding an injury to his client, Violet Piere at the Medway Jr.-Sr. High School upon leaving a bingo game on December 20, 1987. The Board asked the Administrative Assistant to check with Town Counsel concerning payment of this or if it would be the Boosters and have him make a ruling. If it is the Town's responsibility then maybe we shouldn't allow for this use.
  - The Board voted unanimously to authorize the Town Clerk to conduct the annual town election in 1988 under the new 3-precinct structure. The Board also approved the voting hours to be 8:00 a.m. to 8:00 p.m.
  - The Board discussed the letter received from Clifford Marshall, Sheriff of Norfolk County regarding the recent addition to its K-9 Unit which now consists of two (2) fully trained Deputy Sheriffs and K-9 dogs which can be made available to all cities and towns of Norfolk County at their request. The Board requested the Administrative Assistant send him a letter of thanks and give the Police Chief a copy of his letter.
  - The Board voted unanimously to authorize the funding to send Edward Borek to Washington to meet with Senator Kennedy if he so desires.
  - The Board will be meeting with Pat Brennan, Stone & Webster, Police Chief Lambirth and Safety Officer Bates regarding the final design of the 109 Traffic Study on February 8th at 7:00 p.m.

- The Board discussed the request for further action on Jon Curriivan, Auto Exchange who is presently doing business without a license. He never responded to the Board's letter of December 22, 1987 regarding the release of any licenses due to non-payment of taxes. The Board voted unanimously to have the Police Chief go down and put a cease and desist on his operations at Auto Exchange and Wood's Store.
- The Board requested the Administrative Assistant to send a letter to Cablevision that the Board was not happy with their increases in the basic rates. The Board felt they should have increased the premiums on the other services.
- The Board requested the Administrative Assistant get a ruling from Town Counsel regarding the town's liability on potholes.
- The Board discussed the need to remind the town employees, ie. Highway, Water/Sewer and Parks that they are to wear orange jackets or vests when they are out working in the streets. Persons seen without these items on are subject to dismissal.

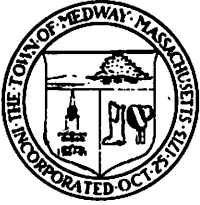
Meeting adjourned at 10:55 p.m.

RESPECTFULLY SUBMITTED,



Ruth Allen  
Secretary

ra



## BOARD OF SELECTMEN

155 VILLAGE STREET  
MEDWAY, MASSACHUSETTS 02053

### AGENDA

JANUARY 11, 1988

- 7:00 p.m. Open meeting, approve minutes of  
1-4-88 meeting. Sign Warrants.
- 7:30 Meet with Senator Edward Burke  
and Representative Barbara Gardner
- 8:15 Building Inspectors Budget
- 8:30 Wiring Inspectors Budget
- 8:45 Hillview Construction  
request for out-of-town  
Earth Removal Permit

### NOTES:

Discuss ALL BOARDS MEETING  
for February.

Administrative Assistant Report  
Summer Street

Present: Paul Mitchell, Edward Borek and Administrative Assistant, Paul DeSimone. Harry Sabin was absent.

- 7:00 p.m. The Board opened the meeting and voted unanimously to approve the minutes of the January 4, 1988 meeting. The Board signed the warrants.
- 7:20 The Board met with Building Inspector, Walter Johnson, to review his budget for fiscal 1989. He informed the Board that he would rather not set up some one else's budget. He stated he felt he would not be able to be the building inspector after June 30, 1988. He also stated that he felt that the multi-family dwellings in Medway should be inspected annually by the building inspector for any violations.
- 7:45 The Board met with Senator Edward Burke and Representative Barbara Gardner (she represents the 8th Middlesex District) who will be representing the Town of Medway as of January 1, 1989 with the new redistricting change. She informed the Board that she has been a Representative since January, 1987 and is on the Energy & Federal Finance Assistance Committee along with Senator Burke. She has sponsored approximately twenty-five bills while serving on the Natural Resource Committee and she is also on the Special Commission on Local Aid and the Energy Committee. She was appointed to the Growth and Change Commission by the Speaker of the House. The Board informed her of the needs of the Town. Representative Gardner stated that the re-districting may be challenged but she is still going forward and meeting with the new Towns she will have under the re-districting.
- 8:30 The Board met with the Wiring Inspector, Robert Belland, to review his budget for fiscal '89. He stated that there would be no increases that his budget would be the same as FY'88. The Board voted unanimously to approve his budget.
- 8:40 The Board met with a representative from Hillview Construction regarding an application for an Earth Removal Permit. He stated he would be taking approximately 6,000 yards of fill out of town to Milford. The rest would stay in town. This material will be taken off of Bayberry Road and Cranberry Road. The Building Inspector review this permit previously with the developer. The Board voted unanimously to grant this permit.
- The Administrative Assistant gave the Board an update on the 109/126/Village Street intersection. He met with the County Engineers and the engineering work is completed and he has

the final design plan. The cost estimate was done in 1986 which totaled \$82,000, this would need to be updated. The Board requested that a letter be sent in May to the County Engineers that we would like them to participate during the redesign work.

- The Board requested that a notice be sent to all Boards, Committees and Dept. heads to meet with the Finance Committee on February 3rd at 7:30 p.m. to discuss their budgeting problems and/or concerns.
- The Board reminded the Administrative Assistant to write a letter to Town Counsel regarding the encroachment of Apollo on the 109 Corridor.
- The Board requested the Safety Office and Police Chief look at the parking between the two driveways at St. Joseph's Church.
- Selectmen Borek suggested that the Police Chief be informed that if any of the Firemen would like to be dispatcher's that they should be allowed to.

Meeting adjourned at 10:10 p.m.

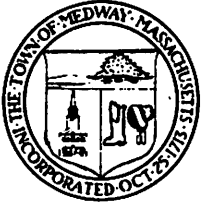
RESPECTFULLY SUBMITTED,



Ruth Allen  
Secretary

ra





## BOARD OF SELECTMEN

155 VILLAGE STREET  
MEDWAY, MASSACHUSETTS 02053

### AGENDA

JANUARY 4, 1988

- |           |   |
|-----------|---|
| 7:00 p.m. | Open meeting, approve minutes of<br>12-21-87 and 12-28-87 meetings.<br>Sign warrants. |
| 7:10      | Public Hearing for J/O Pole 3/17<br>Holliston Street for Guy Wire & Anchor            |
| 7:30      | Discussion on 109/126/Village Street<br>Intersection                                  |

NOTES: Discuss All Boards Meeting for February

Present: Paul Mitchell, Edward Borek, Harry Sabin and Administrative Assistant Paul DeSimone.

7:00 p.m. The Board opened the meeting and signed the warrants. The Board unanimously approved the minutes of the 12-21-87 and 12-28-87 meetings.

- The Board voted unanimously to approve the four (4) Taxi Licenses for Suburban Travel-Aid of Bellingham.

7:10 The Board held a Public Hearing with regard to a petition from the New England Telephone Co. and the Boston Edison Co. for one (1) guy wire and anchor (SWF) off existing pole 3/17 on the easterly side of Holliston St., approx. 1,629 feet southeast of Kelley Street. Mr. Joe Bausk was in attendance representing the telephone company and stated this guy wire and anchor was needed to keep the pole from falling over due to the new service cable for (James Road) Fuller Brook Road. Mr. Borek requested that the telephone company inform the new owners at 32 Holliston Street. The Board voted unanimously to issue permission for the guy wire and anchor.

- The Board voted unanimously to issue permission to New England Telephone Co. and Boston Edison Co. to remove existing pole and replace with one (1) Pole 85/1 on Alder Street - northerly side, approx. 44 feet northwesterly of West Street. This petition did not require a public hearing.

7:30 Mr. and Mrs. Richard Blethen, Mr. and Mrs. John Gately and Mr. and Mrs. John Codman met with the Board regarding the intersection at 109/126/Village Street. Mr. Mitchell brought these people up to date as the status of this intersection. There was a Special Article #26 at 12/11/86 Special Town Meeting transferring \$80,000 for this project. On 11/30/87 Special Town Meeting there was an article to transfer from Available Funds \$70,000 to the Pond Street Acct. The Finance Committee recommended and Town Meeting voted to transfer from this intersection account \$70,000 to the Pond Street Account, if this amount is not used, it will be transfer at a later Town Meeting to this intersection account. It was also stated that Chapter 90 monies would be used for this intersection, but they have been used for Pond St. After looking at the County's design of this intersection it was agreed that the Highway Supt., Administrative Assistant, Police Chief and Safety Officer make an on site study to see what could be done temporarily at this intersection for safety purposes. James Brodeur questioned the Board if this project

could be done the same way Lovering Street was done, under a Force Account rather than out to bid. Richard Blethan inquired when will we find out if the money is still available from Pond Street? The Administrative Assistant informed him, around the end of April. Mr. Borek made the following suggestions: 1) We should determine the cost factor on the intersection, maybe the County could give us the figure? 2) Have the Administrative Assistant ask the County Engineers if this could be done on a piece meal basis, in phases, for safety reasons, etc. Paul DeSimone stated that the County would do design and layout. 3) Proceed with amount of money and then determine if and Article would be needed at a Town Meeting. Mr. Brodeur stated that the Utility Company's should be notified now regarding any changes that would have to be made in order to schedule these changes. Mr. Blethan stated he would like his driveway and the property adjacent to his, to come out onto Village Street. Mr. DeSimone stated that the County would set up a Public Hearing at a later date and that would be the time for more input. Mr. Codman asked if the dirt portion at the end of Village Street could be plowed out to Main Street. The Highway Supt. stated he would see that it was plowed. Mr. Brodeur offered his services if needed at this intersection. A suggestion was made that the County should take into consideration the axle loading on this section of the roadway and the road surface should be accordingly. The Board hopes to have an answer for the residents by their January 25th meeting.

- The Board voted unanimously to appoint Nicholas Vourioutis to the Police Study Committee as the Finance Committee Representative.
- The Board voted to have the Administrative Assistant send a letter to the Police Chief regarding the number of residents in town with unregistered vehicles on their property.
- The Board requested the Administrative Assistant send a letter to the Police Association in answer to their letter dated December 28, 1987 requesting permission to have the Town of Medway seal put on new jackets they are purchasing through Paramount Bowling Supply who need written permission to do so. The Board voted unanimously to grant permission for the use of the Town seal for this purpose.
- The Board voted unanimously to appoint John Ryan to the Council on Aging.

-

The Board discussed the <sup>letter</sup> from the State regarding reconstruction of a portion of Route 109 Medway/Millis Urban Systems (copy attached). The Board voted unanimously to have the Administrative Assistant send a letter to the Town Counsel over the Chairman's signature, to take the necessary action to comply with the suggestions set forth in the attached letter immediately and to additionally direct Town Counsel to take all required legal action of taking easements along the 109 Corridor.

Meeting adjourned at 9:40 p.m.

RESPECTFULLY SUBMITTED,



Ruth Allen  
Secretary

ra

The Government of Massachusetts

*[Faint handwritten signature]*

2000-01-01

SECRET

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1. *Chlorophyll a* and *Chlorophyll b* were determined by the method of Lichtenthaler and Whistler (1973).

2000

2. 5216 53. 11. 50.

4745 12-20-67 10:00 AM

SECRET

THE ABOVE IS AN APPROXIMATE COPY OF THE ORIGINAL. IT IS NOT A COPY OF THE ORIGINAL.

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1. The first step in the process is to identify the problem or issue that needs to be addressed. This involves gathering information and understanding the context of the situation.

17-00000... The complainant's name appears in the complaint filed in 1971.  
The complainant is located at 1010 County Road.

[illegible]

(C-18-067) (CIA) - 4/29/2018

1. 77744 2012 11 2018-2019 2019 11 20 11:00 AM 11 20 11:00 AM

42792-1

*[Handwritten signature]*

MASTERS AND SONS

25 10 31



*The Commonwealth of Massachusetts*  
*Executive Office of Transportation and Construction*  
*Department of Public Works*  
*Ten Park Plaza, Boston 02116-3973*

December 18, 1987

Board of Selectmen  
Town of Medway  
155 Village Street  
Medway, Massachusetts 02053

Attention: P. DeSimoni, Town Administrator

Re: Reconstruction of a portion of Route 109  
Medway/Millis - Urban Systems

Dear Mr. DeSimoni:

As you are aware, the Towns of Medway and Millis are responsible for acquiring a clear and secure right of way on the above-referenced project.

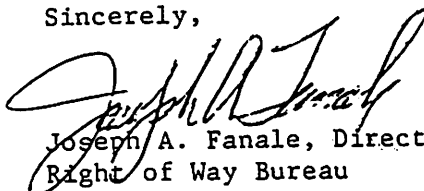
Your attention is directed to the Apollo Auto Parts structure (Station 117+97 to 118+80L). The consultant's plans indicate this commercial building is encroaching (trespassing) 13± in the 1922 County Layout.

It is strongly suggested that town/county officials initiate action to resolve this matter. It appears that considerable lead time will be required and we do not wish to have this problem delay the project.

Please contact Martin Condon, Community Compliance Officer, for additional information (Telephone No. (413)786-8283).

Please keep us informed as to the developments in this matter.

Sincerely,

  
Joseph A. Fanale, Director  
Right of Way Bureau

MTC/LCS/lag