

December 30, 1991

MINUTES OF THE SELECTMEN'S MEETING
EXECUTIVE SESSION

8:47 p.m.

Richard Brown, John Dronzek and Walter Johnson were present from the Board of Selectmen. Steve Reding, Philip Parchesky (Assistant Building Inspector), and Robert Speroni (Inspector of Buildings) were also present. The main complaints were between Steve Reding and Philip Parchesky.

Mr. Reding stated that Philip Parchesky had related different derogative remarks to a person from Milford. He also stated that these remarks were made while Philip was making an inspection. Steve Reding stated that it could affect his chances of getting work.

It was stated that derogatory remarks cannot be made while a person is working for the town.

It was decided that the Assistant Building Inspector should use discretion and be careful of what he is saying; also that Steve should not believe every rumor he hears.

Meeting adjourned at 9:25 p.m.

Respectfully submitted,

Walter J. Johnson, Clerk

WJJ/mj

December 23, 1991

MINUTES OF THE SELECTMEN'S MEETING
EXECUTIVE SESSION

9:30 p.m.

Present: John Dronzek, Richard Brown and Walter Johnson.
Comment that there was friction between Finance Committee and Board of Selectmen. Spoke about cooperation with Finance Committee in working on budget. Conversation was made about Assistant Building Inspector and Steve Reding. It was decided to have a meeting with Finance Committee in Executive Session.

The work that Highway Department is to do, and where money is coming from for 1992.

Adjourned 10:27 p.m.

Respectfully submitted,

Walter Johnson, Clerk

Present: John Dronzek, Richard Brown, Walter Johnson, Administrative Assistant Ruth Allen, Secretary Mary Jean Fredette, Historical Commission members Mary Ellen Lavenberg, Grace Hoag, Gwen Hendrys, Edward Reardon.

9:10 -The meeting was called to discuss the Old Fire Station I. Mr. Dronzek stated that the Board had approached the Community Church to see if they were interested in the building and/or the old Cole Library, and they were interested.

Mrs. Lavenberg, Chairman, said they would like to see the building remain as a historic site. One option was to consider leasing; and if it is OK to lease, then it would have to have a maintenance plan; and also apply for any grants available by December 13th. Mr. Dronzek stated that if they were successful with the grant, it could be sold.

Mrs. Lavenberg went along with that, but it could go for a reuse sale grant. If they wanted to sell, they would have to develop deed restriction clauses, as they would want to keep it as part of a historic site, and the new owners would have to keep it that way also. She said they might want to also look at the exterior - it could be one of three ways as she showed the Board. She stated they would have to prepare measured drawings and pass them on to Town Counsel and the Mass. Historic Commission and include whatever is recorded on deed. They would have to determine what is really for sale and estimate condition repair. Mr. Dronzek suggested contacting Philip Parchesky as he is a Historic Society member, as well as Local Building Inspector. Mrs. Lavenberg said she knew of someone in Mendon who was qualified to do the work and could get an estimate from him; somewhere in the area of \$300-\$500 is the average for a qualified estimate.

Mrs. Lavenberg said they have to see if lead paint is an issue depending on what use is intended. They would also have to determine the price and what is the profile of the potential buyer. It might be appropriate for an answering service, manufacturing representative, consultant, private ambulance service, taxi service, non-profit organization to store equipment, artist studio. They would have to develop a marketing plan. What about zoning - would it fit it; the parish house is on commercial block. If they decide to sell the property, they would expect to get the best price - it will attract interest. Mrs. Lavenberg mentioned the National Trust as being a good source of listing just historic properties.

Mr. Dronzek said both buildings are tied together, but the deed restriction is on one. If the family lifted the restriction, it could be utilized. Mrs. Lavenberg said maybe the Municipal Building Utilization Committee should make a recommendation. She then asked how should the Commission proceed - should they apply for the grant and study the two buildings together; she said the grant is a matching grant. She stated they need to show they have money

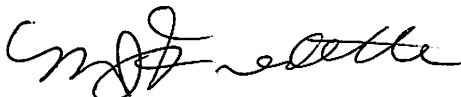
available. Mr. Dronzek said there is also the reserve fund. He suggested asking the building inspector on the soundness of the structure, and the local building inspector for what it would take to restore the outside of the building; talk to the FinCom; approach the library if they could heat the building minimally. Mr. Brown mentioned they have \$160,000 worth of transfers while only having \$100,000 to use, not including salaries.

Mr. Dronzek said to do the grant application. Mrs. Lavenberg said she needed to show town support. They discussed the parking situation in the area, and how there is not much. Mr. Reardon said school administration could possibly use both buildings, but again not much parking, maybe 5-7 spaces. Mr. Dronzek said they would have to talk to town counsel about offering it to the church and having them maintain it. Again, Mr. Dronzek said to do the grant application, and check with the building inspectors. Mrs. Lavenberg said possibly the Historic Society could give the Commission a loan for funds if the FinCom doesn't come through; however, they would do the grant work and come back to the Board. Mr. Dronzek suggested a tentative meeting with the Community Church executives. Mr. Reardon said this might have to go to town meeting to sell the building; Mrs. Allen said it would have to.

Decided - to do the grant application; talk to the Community Church and the Historical Commission on January 6; and talk to the building inspectors.

10:20 -Mr. Johnson made a motion to adjourn the executive session, and return to the regular public session; Mr. Brown seconded; all aye.

Respectfully submitted,



Mary Jean Fredette, Secretary

mj

Present: John Dronzek, Walter Johnson, Richard Brown, Administrative Assistant Ruth Allen, Secretary Mary Jean Fredette, Conservation Commission Chairman Jan Morris, Conservation Commission Vice-Chairman Raphaela Rozanski, and Town Counsel Richard Maciolek.

9:30 -The Conservation Commission had requested this meeting to bring up several issues for clarification. Mr. Dronzek explained that the Board was concerned about representatives of the ConCom going on a citizen's property for more than one reason other than what was originally initiated. Mr. Maciolek stated that it was the way a violation was brought up - the obligation is to bring a violation back to the Board, and then call an emergency meeting (if necessary) and prepare a cease and desist (if necessary). He further stated that even if it is an on-going problem, and he wanted to issue a verbal cease and desist, he still had to be invited onto the property - there are definite conflict of interest laws and open meeting laws - judgment has to be tempered.

Mr. Morris recounted a recent ruling he had to make concerning possible wetlands, but again he had been invited by the homeowner to check the area out, and could not understand why dissatisfaction with the ConCom was brought up again now months later in the form of a letter to the Selectmen.

Mrs. Rozanski explained the procedure that if a ConCom member sees that something is not quite right, they would ask that person to come to the next ConCom meeting to discuss the situation, and possibly suggest a Determination of Applicability be made.

Mr. Morris further stated that their Commission went into executive session recently to discuss the whole subject of conflict of interest, and as a practice, a member would excuse themselves from a meeting if there was a personal interest involved. Mr. Maciolek again said that a ConCom member with a possible conflict of interest with an individual should not say a word before, during, or after the meeting, and not be present at all. He was saying it is a requirement that "it is a conflict of interest if it is inherently incompatible with the responsibilities of public office".

Mr. Brown was concerned that if any member of the Commission represented a business in town where there may be wetlands,, it might influence that person because the ConCom member was aware of where the wetlands were. Mr. Brown felt any property owner in Medway could be steered to a different piece of property. Mr. Maciolek concurred. Mr. Brown felt Mr. Morris should not be on ConCom, but that a ruling should be made on this, and then he would get a written request from the Board of Selectmen for his resignation if it is so deemed necessary. He said the ruling may say there is a potential conflict of interest in being a realtor with any property in Medway. Mrs. Rozanski asked if it could be clarified "what

professions would not be allowed on the ConCom?" Again, Mr. Maciolek said there would be no problem if they did not deal with any properties in Medway. Mrs. Rozanski felt no one qualified would then be on the ConCom. Mr. Morris asked about two present members on the Commission - one a bank officer who gives out mortgages on properties in Medway, and one who is a landscaper on town properties - could they serve on the ConCom? Mr. Brown felt the question of bankers, landscapers and realtors could be asked of the State. Mr. Dronzek asked Mrs. Allen to inquire those questions from the State.

Mrs. Rozanski brought up a different matter in the permitting process, where temporary occupancy was given to a resident because the Planning Board said they could move in. She said it should not have been done, but they released some of the monies being held in the bond back to the homeowner. She felt that all the permitting agencies should agree. Mr. Johnson just asked that the different boards don't harass or hold up people who are trying to do some work in the Town.

10:40 -The Board voted to adjourn the executive session.

Respectfully submitted,

Mary Jean Fredette, Secretary

mj

MINUTES OF THE EXECUTIVE SESSION
SELECTMEN'S MEETING

SEPTEMBER 16, 1991 PAGE 1.

Present: John Dronzek, Richard Brown, Michael and Deborah Power of 287 Village Street, Paul Yorkis represented by his attorney Kevin Akre, Administrative Assistant Ruth Allen, Secretary Mary Jean Fredette.

8:07 -Mr. Dronzek called the meeting to order.

Mr. Akre said Mr. and Mrs. Power had made some serious allegations. Mr. Dronzek clarified the complaint letter from the Powers was only given to the Selectmen, and not discussed in open session. The Board felt a meeting between both parties was in order.

Mr. Akre said the key issues were alleged pretenses as a Conservation Commission member. Mr. Yorkis told Mr. Power he was there because he had spotted violations, and had to bring it to the individual's attention and did; and that he was also there on behalf of American Properties. He continued by saying the Powers had a rental unit listed with American Properties for a client.

Mr. Power questioned why the front door was not used? He said they were not renting the property yet, and why not call first? Mr. Akre said Mr. Yorkis had seen the violation from the street. Mr. Yorkis said he could see from the street a piece of equipment was being used at the back of the property. Mr. and Mrs. Power said nothing could be seen from the street.

Mr. Akre said that after discussing the alleged violations, Mr. Power asked Mr. Yorkis why he was there; and it was stated that it was for unrelated reasons and proceeded to view and discuss the rental unit. Mr. Yorkis said when he left, he made sure there was room on the Conservation Commission agenda that evening (8/26/91) for Mr. Power.

Mr. Dronzek asked if it was common that on the same day of a confrontation for an alleged violation, that they go to a meeting that same evening? Mr. Yorkis said usually they are asked to come to the next meeting. He stated that every Conservation Commission member is obligated when they see a violation to take appropriate action and then schedule a hearing with the full commission to discuss and then arrive at an order of conditions. He also stated if you look back, this was the second violation - there was a previous order of conditions and a certificate of compliance issued. Mr. Power clarified that it was all signed off.

Mr. Dronzek said just because there was a previous order of conditions issued, does not mean someone is familiar with the wetland protections act. Again, Mr. Dronzek asked is it common to confront someone around 5:30 p.m. and then have them come to a meeting 4-1/2 hours later? Mr. Yorkis said the agenda was revised at 7:30 to fit them in - this is standard practice.

Mr. Power said he called DEP, and after hurricane Bob, there

was a grace period for clean up. Mr. Yorkis said Mr. Power wanted to mow around the house. Mr. Power said Mr. Yorkis was going to get the police down - we have a problem. Mr. Yorkis said no, you have a problem. Mrs. Power said that was inappropriate.

Mr. Akre tried to find out if this was a rental issue? Mr. Power said he was hesitant to say if it was. Mr. Dronzek said he had great difficulty with someone wearing more than one hat, possibly three hats, in one visit. Mr. Yorkis is also a constable. He knows there are cease and desist orders that can be issued, and the police can enforce them. Mr. Yorkis said there was only 1 case where the Police had to enforce an order in the eight years he had been on the Commission. He had issued a verbal cease and desist. What he is saying is 100% false. Mr. Power said that is what he said to him. Mr. Yorkis said there was not a statement of truth in that.

Mr. Brown asked if Mr. Yorkis had removed himself from the Conservation meeting that night. He said, yes, he had a potential financial relationship with Mr. Power, and left the room. Mr. Power asked him how did the Commission know he was working on the banks of the river? Mr. Yorkis said it was in the minutes, and that two members should go and do a site visit. Mr. Power asked if Mr. Morris shouldn't have excused himself from the meeting too as he was with American Properties? Mr. Yorkis said Mr. Morris gets no remuneration, and neither does he.

Mr. Dronzek said he was unfamiliar with Conservation Commission laws, but someone had to communicate the observations and opinions to the rest of the commission.

Mr. Yorkis said he had to report the violation. Mr. Akre likened it to a police officer reporting a violation.

Mr. Dronzek said that if there was ever something discussed at a Selectmen's meeting involving his wife, who is an EMT, or his son, who is a dispatcher, he would automatically leave the room. He said he does not make any statements before any discussion or observations are made. Mr. Yorkis was the only one to see the violation - how could there have been a meeting that evening without someone else going out to the site? This is a very awkward situation here.

Mr. Power asked, therefore, how the Commission could have signed an enforcement order without having been to the site, giving the same DEP number as the last order of conditions? It was clarified by Mr. Yorkis that the number is there just for identifying the person, and that there is no lien on the property because he already has the certificate of compliance.

Mr. Power said that the enforcement order now states he is "filling in wetlands", and that is what the State is going to see, and he believes there is a serious problem here. Mrs.

Power said that Mr. Yorkis had indicated to her husband that this information was going to the State. Mr. Yorkis said that the enforcement order is a public document, and all public documents can be seen by anyone.

Discussion again ensued about the tractor not being able to be seen from the road, and that Mr. Yorkis had to be on the property to see the violation occurring.

Again, Mr. Dronzek said if someone is dealing with an individual where monetary gain is involved, that person should remove themselves from that situation. There are four other members on the commission. Mr. Akre said if the police were involved, they would not call another officer. Mr. Dronzek said there was no monetary involvement for the police. Mrs. Power said a police officer would need a search warrant if some irregularity was going on in her house. Again, it was asked why Mr. Yorkis went on the property - why not come to the front door? Mr. Yorkis stated that he saw Mr. Power on the equipment out back - why go to the door? He has been on the property three times before.

Mr. Brown asked if Mr. Yorkis heard the tractor out back, and went to see if there was a violation? Mr. Yorkis said yes, but the possibility existed that he could be working in the 100' zone or the 25' buffer zone. Mr. Dronzek inquired if when one of the members of the commission sees something going on, they have the right to go unasked and uninvited? Mr. Yorkis said, yes. Mr. Power said he spoke to an attorney who is familiar with conservation laws, and said that that is an unclear area. Mr. Brown thought it should have occurred to him to ask permission to go on the property since he was coming about the rental unit.

Mr. Dronzek felt this was an alleged abuse of authority, and he did not know if there was a violation, but he still had no right to go on the property without going to the front door. Again, Mr. Akre said if the police see something going on, they have to check it out.

Mr. Dronzek said that he and Mr. Brown and Mr. Yorkis are officials of the town, and they are acting on behalf of taxpayers in town. A little bit of common sense could have been used here - this was not a gestapo society, even if they were in violation before.

Mr. Power said if Mr. Yorkis' attitude had been different, and he had talked to them and worked with them, he would have been a different person - he just didn't like his being there unannounced. Mr. Akre asked why he didn't say that to Mr. Yorkis? Mr. Power said he felt like a criminal and a guilty person. Mrs. Power said she had been in the house and when she came out, she was told she was filling in the wetlands, all while they were waiting for Mr. Yorkis' client to look at the rental unit, and told to come to the hearing that night.

Mr. Dronzek asked if the tractor in question was still on the

property? Mr. Power said no, he got rid of it that day as requested.

Mr. Dronzek asked if anyone had anything further to say? Mr. Power said he did not know if he needed to follow up on this. Mr. Dronzek said he did not believe the Board had jurisdiction over the Conservation Commission - they were autonomous. Mr. Yorkis said that, in general, when a violation is issued, there is a public hearing. Mr. Akre said that the practice is that when a violation is seen, they are told to stop, and go to the next meeting. Mr. Yorkis said that a site visit was scheduled, but Mr. Power cancelled it. Mr. Power said that he was just unavailable that evening - Mrs. Power concurred saying there were personal reasons why they could not be available that night.

Mr. Brown asked how the Commission still issued an enforcement order without a site visit? Mr. Yorkis said that they issued the enforcement order because the site visit was cancelled. Mr. Brown asked how they could list the activities in violation without being present? Mr. Power also asked who observed the "filling in of the wetlands"? Mr. Brown asked again if Mr. Yorkis had excused himself from the meeting, who put that statement on the enforcement order? Mr. Yorkis said that Mr. Power is scheduled for the commission's meeting on September 23rd.

Mr. Brown had some advice for the Conservation Commission: 1) to alert a person before you go on their property and observe a violation; and 2) you shouldn't issue an enforcement order before someone else has seen the violation. Mr. Power said that a copy of the enforcement order has been sent to the State, Chief of Police, Selectmen, Building Inspector, etc.

Mr. Dronzek felt it was a high-handed way of doing business, and he didn't believe he had any authority. Mr. Power said he had a problem with his name appearing on the enforcement order going to the State. Mrs. Power asked if the wording "filling in of wetlands" could be rescinded from the enforcement order? Mr. Power commented he did not feel he was going to be fairly treated after this incident. Mr. Yorkis said that was a false assumption on his part. Mr. Power said that builders have to go along with what the commission says, or they don't get their sign-offs. He said he knew a lot of people who have been held up because of Conservation Commission requirements, but go along with it because they have to get the job done. Mr. Yorkis said if someone doesn't go along with one of their decisions, they could appeal it - he has only heard of two that did so.

Mr. Dronzek said everything has been said, and they will get in touch with those involved.

The Powers and Mr. Akre and Mr. Yorkis left the meeting.

Commission of our feelings. Mr. Dronzek asked that a copy of Attorney Maciolek's letter be sent to the Commission concerning realtors selling Medway properties being on the Commission.

Mr. Brown felt there was an abuse of authority by Mr. Yorkis on the property, and the issuance of an enforcement order by the Conservation Commission without seeing the violation, and in the future, they should announce themselves; then do the enforcement order if necessary. Mr. Dronzek asked Mrs. Allen to send a copy of Attorney Maciolek's letter to the Conservation Commission.

Mr. Brown said the commission should consider the comments made by Town Counsel and perhaps consider anyone who would be affected by this opinion to put the town in jeopardy should vacate the position.

Mr. Dronzek said he would strongly suggest removing themselves from the board. He asked Mrs. Allen to write a letter concerning the abuse of authority and the issuance of the enforcement orders to the Commission; and then a separate letter to the Commission on Attorney's Maciolek's opinion. He also asked that a copy of the first letter to the Commission be sent to Mr. and Mrs. Power.

8:45 -The Board voted to end the executive session and go back to the open meeting.

Respectfully submitted,



Mary Jean Fredette, Secretary

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EXECUTIVE SESSION

MINUTES OF THE SELECTMEN'S MEETING AUGUST 25, 1991 PAGE 1.

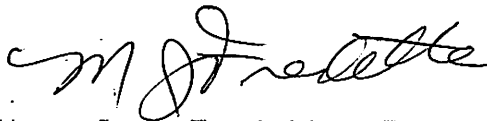
Present: John Dronzek, Walter Johnson, Richard Brown,
Secretary Mary Jean Fredette, Town Counsel Richard
Maciolek.

9:00 - Attorney Maciolek came before the Board to discuss
litigation concerning abutters of the railroad
bed.

Within the discussion, Mr. Dronzek asked the
Secretary to send notification to Mr. Flaherty for
the Water/Sewer Department, and Mr. Power for the
Highway Department, effective immediately to cease
and desist stockpiling any material on the railroad
bed. (This was later changed from a written
notification to a verbal notification.)

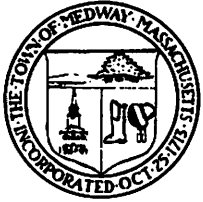
9:50 - The Board adjourned the executive session.

Respectfully submitted,



Mary Jean Fredette, Secretary

mj



BOARD OF SELECTMEN

155 VILLAGE STREET
MEDWAY, MASSACHUSETTS 02053
(508) 533-2013

AGENDA

DECEMBER 30, 1991

7:00 p.m.

Open meeting, sign warrants, approve minutes of 12/23/91 meeting.

7:05

Michael Ferrault, Commonwealth Engineers - re: drainage problem on Cottage/Main Streets.

Old business.

New business.

Present: John Dronzek, Walter Johnson, Richard Brown and
Administrative Assistant Ruth Allen.

7:00 p.m.--Mr. Dronzek called the meeting to order in the Selectmen's Meeting Room 2 of the Town Hall. The warrants were signed. Mr. Johnson made a motion to accept the minutes of December 23, 1991; Mr. Brown seconded; all aye.

7:01 --Mike Perrault of Commonwealth Engineers came before the Board to discuss the drainage situation around the Main/Cottage/Evergreen Street area. Mr. Perrault said he had spoken to Al Downes of the Norfolk County Engineers office about his study and his findings. When Mr. Perrault met with Mr. Higgins last year, it was determined that something had to be done to stop the water coming up from the manhole on Cottage Street. He mentioned the Planning Board's two upcoming subdivisions on Kelly Street and Temple Street, that could alleviate some of the water problems.

He felt the 15" pipe easement going west on Evergreen Street should be left alone. Mr. Perrault felt the size of the pipe in the easement shouldn't be increased, but replaced as it was flat. The majority of the plans are for Main Street to Evergreen Street, and that a joint effort could be seen between Commonwealth and the County, with the County providing computer sheets of the whole area.

Mr. Johnson also wondered if the pipe in the easement was left untouched, could it be bypassed, and pipe put alongside on Cottage Street? Mr. Perrault felt the parking lot at the apartments on Cottage Street drains to the detention ponds there, so pipe can't be put there.

Mr. Perrault and Mr. Higgins then discussed the two pipes under Evergreen Street. They felt there was a 24" and a 30" pipe under the road, according to 1977 plans of Metcalf & Eddy across Evergreen Street behind Gallaghers' to the apartments. Bill Reardon had given assurances of his cooperation. Mr. Perrault said pipes could be put under the driveways, but the old pipes have to be cleaned.

Mr. Perrault agreed with Jim Brodeur's earlier comments about getting rid of the ground water at Main and Cottage Street at the height of a storm. He said Chicken Brook takes a while to reach its peak, so it was possible to try to stop flooding in local areas first.

He mentioned how there were to be two headwalls near Drybridge, but plans must have changed, as there is nothing there to control flow.

Mr. Dronzek mentioned that the Town cannot take land by eminent domain without a specific reason.

Mr. Perrault then gave his recommendation:

- add a 24" stub to the existing pipe at the manhole to the ditch near the apartments on Cottage Street. He said if an easement was not possible, then to build up onto

the two pipes under Evergreen Street already there.

Mr. Perrault said the work can be done with no problem in the right-of-way, but the town can't go in the culverts without Conservation Commission. Mr. Higgins expressed concern about underground conduit and gas lines as 20-30' of road was involved.

Mr. Higgins agreed with Mr. Johnson that it would take 3-4 days to do the clean-out as well as rebuilding of the manhole. Mr. Higgins said the town's right-of-way (taking) on Evergreen Street was 33-1/3' - 40'.

Mr. Perrault felt that bringing in the 36" pipe as the Engineers had suggested was good, and then go to Elm Street if need be after that. He clarified a detention pond is dry until it rains, where a retention pond holds onto the water. He felt a detention pond on Main Street should be one of the last things to ponder.

Mr. Dronzek suggested meeting with the ConCom to discuss the cleaning out of the culverts. Mr. Perrault recommended asking them under what provisions would this be considered an emergency situation. He also said he could help prepare all the necessary filings right away to satisfy ConCom and the Corps of Engineers. Dusty Lardin, who was present, asked if the cleaning should be done prior to the pipe being put in? Mr. Perrault thought so, and Mr. Higgins added that possibly Norfolk County Mosquito Control could help out. Mr. Dronzek asked Mr. Higgins to pursue contacting Mosquito Control, and also remarked that all this was well and good as long as the town was not helping one person at the expense of another.

Mr. Perrault made mention of the length of time for filing of notices of intent, the 21 days for the hearing, the 10 days for someone to contest the petition; however, it was helpful if there was a lot of support when the public hearing is held. Again, Mr. Perrault said if this is considered an emergency, everything can be done right away.

Donald Hovey, who was present, and Dusty Lardin voiced no objection to the recommendations as suggested by Mr. Perrault thus far.

Mr. Dronzek asked again about the 36" pipe going down Cottage Street, and wanted to know if that was replacing the 15" pipe? Mr. Perrault said it did. Mr. Johnson suggested the possibility of running the 36" pipe parallel to the 15" pipe instead of removing it. Pursuing this, Mr. Dronzek asked if you left in the 15" pipe, could the pipe be a 24" or a 30" instead of a 36"? Mr. Perrault was concerned about pipe slope - it was a lot of pressure.

Mr. Hovey interjected his opinion that the 15" pipe cannot be removed - it was part of his easement. Mr. Perrault suggested the Board review the easement with town counsel. Mr. Hovey said his easement was from the intersection of Cottage and Main Street where the manhole is with a 15" pipe,

then down to Evergreen, where there is an 18" pipe to the outfall. Mr. Dronzek did not feel the extra 24" stub would bring all the extra water down Evergreen. Mr. Hovey disagreed saying that the pipe would be sending more water down than before. Regardless, Mr. Dronzek said that the next step before that would be the corner of Elm and Main.

Allan Osborne, who was present, mentioned the 50 pauper grave lots at Evergreen Cemetery, and how only three are buried there. Possibly the trustees would be willing to release some lots so that some of the land could be used. Mr. Ferrault then said the town might be able to go down the road in the cemetery. It was worth investigating for the future.

On the other matter of Main/Summer/Village intersection, Mr. Ferrault mentioned that the State had come back with more revisions, and they would be going to the Conservation Commission soon since Hopping Brook is nearby.

8:15

-Chief Lambirth, who was present, asked if the Board had read the letter he had given to them last week. Mr. Dronzek explained in the future it would be best if he wrote a letter to the Board and let the Administrative Assistant decide if it is in conflict of interest for him to get a copy. Chief Lambirth's letter was in reference to the appointment of two temporary sergeants on an emergency employee status for 90 days from 1/1/92 through 4/1/92 to fill in for retired Sgt. Paulette and Sgt. Saleski who is away at a FBI training school.

Chief Lambirth recommended Officers Allan Tingley and Robert Rojee for the positions of acting sergeants. Mr. Brown made a motion to appoint Officers Tingley and Rojee as acting temporary sergeants from 1/1/92 through 4/1/92; Mr. Johnson seconded; all aye.

Mr. Johnson commented on Sgt. Saleski going to the training school; and the Chief made note that now the officer has to stay in law enforcement for a minimum of three years beyond training.

-Mrs. Allen went over complaints registered with this office concerning the loud entertainment at Sabina Doyle's. Mr. Dronzek asked Mrs. Allen to write a letter to Sabina Doyle's saying further action will be taken if this continued - they should not have to be told to turn the music down.

-Mrs. Allen acknowledged the letter from Bob Brothers, Town Accountant concerning his upcoming computer committee workshop.

-Mrs. Allen acknowledged the letter from Constance Kennedy-Liscomb concerning water runoff problems at 2 Lilly Street. She was looking to the town for some help.

-Mrs. Allen acknowledged the report and sample questions and answers from CRINC for the Board of Health/Millis Consortium meeting to be held on January 7th.

- Mrs. Allen brought up the request from the China Lotus/R. A. Associates for an automatic amusement device license and Sunday entertainment license for a coin-operated video game. Mr. Brown made the motion to grant the licenses; Mr. Johnson seconded; all aye.
 - Mrs. Allen noted that Cablevision had written a letter indicating a price increase in their rates. Mr. Dronzek asked Mrs. Allen to write them a letter voicing the Board's objection to the increase. He also wanted them to know that the senior citizens who don't live in affordable housing should also be considered for discounts.
 - Mrs. Allen brought up the request from the Village Inn for live entertainment on Thursday, Friday, and Saturday from 9 p.m. to 1 a.m. Mr. Johnson made the motion that this be granted; Mr. Brown seconded; all aye.
 - Mrs. Allen brought up the request of a 2 a.m. closing on New Years Eve of the Elm Social Club, Sabina Doyle's and the VFW. Mr. Brown made the motion this be approved; Mr. Johnson seconded; all aye.
 - Mrs. Allen acknowledged the extra work order on Summer/Main/Village Street from Commonwealth Engineers. Mr. Higgins said he would hand-deliver the document to the Mass DPW.
 - Concerning the highway garage, Mr. Higgins was not sure when the pre-fabricated building would be delivered.
 - Mrs. Allen acknowledged the letter from the Uxbridge Department of Public Works thanking Mark Flaherty for his assistance with their well contamination problem.
 - The Board acknowledged the extra work order from Smith-Grove Construction for the gas trap for \$3,950.00. Mr. Dronzek asked where was the money going to come from? Mrs. Allen stated that so far \$4,774.88 had come in for unforeseen expenses, which included excavation, hay bales, rental of a water pump and gravel, plus now the \$3,950. Mrs. Allen indicated there was \$1,500 left in the account.
- Mr. Higgins thought possibly some of the money could come from the Hurricane Bob reimbursement from the State. Mrs. Allen will check with Chief Wayne Vinton on what is actually coming back to the department. If that money is not available, then where could the funds come from - approximately \$7,200 is still needed? Mrs. Allen said she could talk to Town Accountant, Bob Brothers - maybe the stabilization fund. Mr. Dronzek stated we may have to have a special town meeting. Mrs. Allen made note that the money can't come out of salaries, only expenses, but the special would be needed to transfer the funds.
- Mrs. Allen acknowledged the letter from the Department of Environmental Management's Mass. Emergency Management Agency referring to available grants. The Board was not aware of any need, but referred this to the Water/Sewer Department and

the Highway Department.

-Mrs. Allen told the Board about the heating problem that day in the building. Mr. Dronzek asked about the emergency persons to be contacted, and left it as Mrs. Allen and Chief Lambirth. Mrs. Allen will also check with Bob Coakley about an alarm or a sensor.

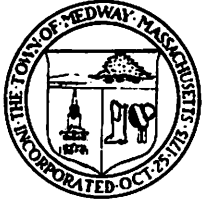
8:45 -Mr. Brown made the motion that the Board go into executive session to discuss the reputation, character, physical condition or mental health - rather than the professional competence - of an individual, and not to return to public session; Mr. Johnson seconded; all aye. The vote was: Mr. Brown - yes; Mr. Johnson - yes; Mr. Dronzek - yes. The Administrative Assistant and the Secretary did not have to stay.

Respectfully submitted,



Mary Jean Fredette, Secretary

mj



BOARD OF SELECTMEN

155 VILLAGE STREET
MEDWAY, MASSACHUSETTS 02053
(508) 533-2013

AGENDA

DECEMBER 23, 1991

7:00 p.m.	Open meeting, sign warrants, approve minutes of 11/25, 11/29, 12/2 and 12/16 meetings.
7:05	Postponed public hearing of 12/9 - New England Telephone & Boston Edison for Village Street.
7:15	Chief Lambirth - re: mutual aid/ambulance.
7:30	Mr. James Gallagher - re: drainage problem Main/Cottage Sts.
-----	old business
-----	new business

Present: John Dronzek, Walter Johnson, Richard Brown, Administrative Assistant Ruth Allen.

7:00 p.m.--Mr. Dronzek called the meeting to order in the Selectmen's Meeting Room 2 of Town Hall. The warrants were signed. Mr. Brown made a motion to accept the minutes of November 25, November 29, December 2 and December 16, 1991; Mr. Johnson seconded; all aye.

-Mrs. Allen brought up the Village Inn's application for a live entertainment license. As Chief Lambirth was on the agenda for later on in the evening, it was suggested to wait and get comments from him.

-Mrs. Allen stated that a letter had been sent to pertinent departments and boards looking for two reps to the MAPC's ad hoc Water Supply Protection Committee. Raphaela Rozanski of the Conservation Commission and Mark Flaherty of the Water/Sewer Department volunteered to be on the committee. Mr. Brown made a motion to appoint both as Medway's representatives to the committee; Mr. Johnson seconded; all aye.

7:05 -Ken Carlson representing New England Telephone was present for the public hearing. Mr. Johnson read the ad that appeared in the Milford Daily News. Mr. Dronzek explained the postponement from December 9th. The petition was for anchors and guys for support and a stub pole across from the existing pole on Village Street near Country Lane. Two residents did question the location of the pole; and after being assured it would not be on their property, had no objection. Mr. Brown made a motion that the petition be approved; Mr. Johnson seconded; all aye.

7:15 -Chief Lambirth accompanied by EMS Coordinator Donald Grimes came before the Board to discuss ambulance billing/mutual aid. The Chief felt that the Board should discuss a billing procedure with the Town Administrators of Franklin and Bellingham. The Board agreed that Medway should be able to bill for wages and expenses, if not directly to the patient, then to the town involved, and then get reimbursed by them. Again, the Chief felt protocol should dictate, and the request to discuss the issue should come from the Board.

Mr. Dronzek asked Mrs. Allen to write to the towns involved, and say that Medway wants to provide mutual aid, but that we want to bill either the patient or the town - it's their choice, and to attach our rates to the letter. Mr. Dronzek commented it would be very sad if neighboring towns couldn't work things out. Officer Grimes commented all the other towns operate in this manner.

When asked about the Village Inn, Chief Lambirth said he was not aware of any problems. Mr. Dronzek expressed the desire to be told if there were any complaints, of course.

7:30 -Jim Gallagher came to the Board to get an update on any progress being made on the flooding situation in the Cottage

Street/Main Street intersection. Mr. Dronzek stated that Commonwealth Engineers were on the agenda for the next Selectmen's meeting on December 30th, and that they were to give comments, suggestions and an estimate of the cost for the work to be done. In reference to Chapter 90 state monies, that has been referred to District 6 in Taunton. He stated that the Board cannot approach the townspeople without a definite plan. At this time, the Board has to wait to hear from the engineers and to find out about funding.

Mr. Gallagher was concerned that the town would not vote funds for this project; but Mr. Dronzek felt that the town knows this is an obvious serious problem, and would respond.

Mr. Johnson stated that he had spoken to Al Downes of the Norfolk County Engineers concerning the area of Cottage Street and Evergreen Street, and he had stated that all the information was in the computer - they just could not do specs. He stated that drawings can be done on the computer, and that Wayne Simpson can put the figures into the computer and get a layout.

Mr. Dronzek asked Mrs. Allen to call the County Engineers and Mike Perrault of Commonwealth Engineers, and suggest that Mike talk to Al Downes. Possibly Commonwealth would not have to be concerned with drawings, just specs.

Donald Hovey, owner of the former US Machinery building, stated he had gotten a copy of the Engineers' report, and was submitting a prepared letter to submit to the Board to go on record, which Mr. Dronzek read, copy attached. Basically, he was denying permission to increase the pipe size of the easement to the outlet on his property; and if the Town disregarded the limits, he would take legal action to terminate the easement. Dusty Lardin of Norfolk Avenue also wanted to get on record in support of Mr. Hovey's proposal to bring legal action against the Town.

Mr. Dronzek stated that the Engineers' report was submitted to Commonwealth Engineers specifically for their comments in this regard. Mr. Dronzek again stated that there are no other funds available except for Chapter 90 money for specs. The Board had requested help from the Corp of Engineers, but had been denied.

Mr. Lardin wondered about a 54" pipe all the way from Main Street to the Charles River. Diarmuid Higgins, who was in attendance, said that was discussed maybe 15-20 years ago. Mr. Dronzek stated that back then the cost for doing such a project could have been around \$600,000-\$700,000; now the cost could be \$1,500,000.

Mr. Hovey stated his easement runs all the way back to Main Street, and that he would not accept a larger pipe on his property. Mr. Johnson said he had thought Mr. Hovey would. Mr. Hovey said that was before all the new subdivisions were put in, including Drybridge Crossing, Colonial Plaza, and the houses on Pond and Main Streets. He said the detention ponds

at the shopping center do not work, and the Planning Board is allowing these projects and subdivisions to be built without looking ahead at possible water problems.

Joe Dziczek, who was present, felt that the Temple Street sub-division would cut down on the amount of water flow toward Main and Cottage Streets. It was stated that every new development, however, is going to add water not take it away. Mr. Dronzek felt that both the Norfolk County Engineers and Commonwealth Engineers especially were familiar with the Town, and could evaluate the situation. Mr. Dziczek asked about tying in to CRPCD, but Mr. Dronzek said that no surface water could go into the system. Mr. Hovey voiced concern of the new sub-division on Clark Street and Route 109 to Hopping Brook. Mrs. Allen stated that the Temple Street residents were also concerned about water problems with their homes as well.

Conversation went back to the Corp. of Engineers, and Mr. Lardin thought with the slower economy, maybe they would not deny the town now. Again Mr. Dronzek reminded those present that Commonwealth Engineers were coming in on December 30th at 7:05, and to come back then to see what their comments were.

Mr. Gallagher said he was concerned about Mr. Hovey's arguments because they were valid, and in light of the new development off of Temple Street that has been approved - what role would that play in the water situation that is not on the books yet? Mr. Dronzek commented that they were all laymen, and efforts were being made hopefully in a positive direction.

Mr. Dziczek suggested that a reminder be given at the All Boards Meeting that the actions individuals are taking in developments may have future water problems, and to keep that in mind. Mr. Dronzek hoped that the All Boards Meeting would bring discussions of fiscal problems, as well as general problems the boards, departments, and commissions were having.

8:25

-It was decided to hold off granting a live entertainment license to the Village Inn until next week, at which time we would find out what the hours of operation were.

-It was decided to take a formal vote on the granting of licenses that were signed the previous week. The licenses were granted contingent upon all taxes being paid and all building certifications done. Mr. Dronzek voiced objection, for the record, of the closing time of the China Lotus on Friday/Saturday being 2 a.m. Mr. Brown made a motion that licenses be approved as per the listing provided the previous week; Mr. Johnson seconded; Mr. Dronzek made a motion to amend the motion of changing the hours of the China Lotus from 2 a.m. to 1 a.m.; Mr. Johnson seconded. Mr. Brown stated that the China Lotus is not even aware that the Board might be changing their hours this evening. Mr. Dronzek felt that an extra hour would not be adding that much more

financially for them. When asked if anyone has ever come to the Board to also ask for a 2 a.m. closing, Mr. Dronzek said that the Golden Tiger had informally asked about it, but that was all. Mr. Brown again said he would be against changing the hours for no specific reason, as there had not been any complaints against them lately. On this, Mr. Johnson withdrew his second.

Mr. Dronzek said that since the second had been withdrawn, the motion on the floor was the original motion with the full list of licenses; Mr. Dronzek said "no" on the China Lotus for the extra hour; all aye - motion passed.

8:30

-Mrs. Allen acknowledged the letter from the Norfolk County Engineers on the Park Commissioners' request for assistance in developing town-owned land near Choate Pond, which they will help with; however, the controlling of algae and weeds is something they cannot assist with.

-Mrs. Allen acknowledged the letter from Chief Lambirth to the Elm Club on parking restrictions in St. Joseph's parking lot and on Village Street near the Club.

-Mrs. Allen said that the Computer Systems Manager is working on putting the mapping program on the main server, and asked where the access terminal should be? She said this would be for any outside group, such as the ConCom, Highway, etc. to input information. Mr. Brown suggested in the computer room on the second floor.

-Mrs. Allen said she wrote to Sam White concerning the parcel of land that was to be swapped, and since then, the Board of Selectmen has received a letter just stating that since June of 1988, the property is his. Mr. Dronzek asked Mrs. Allen to talk to Fred Lee and Town Counsel jointly on this.

-Mrs. Allen reminded the Board about the CRINC meeting to be held on January 7th with the Board of Health and the Recycling Committee in Sanford Hall, and that they have each received a copy of the Millis Consortium contract. It is noted that the contract has to be executed by January 31st so that they can get the grant.

-Mrs. Allen acknowledged receipt of a phone call from Congressman Early's office stating the town should be receiving a reimbursement check from FEMA for Hurricane Bob for \$14,701.

-Mrs. Allen said there had been a joint meeting between Ann McGovern of the DEP, Diarmuid Higgins, Dick Parrella, Philip Parchesky and Wayne Vinton at the old landfill. Mr. Johnson said he got to the meeting a little late. Mrs. Allen said that the DEP had advised the Chief not to burn the brush from Hurricane Bob until the burning season. Mr. Dronzek said he was against any committee inviting DEP to town. Mr. Johnson said that in talking to Dick Parrella, Mr. Parrella had asked Ms. McGovern if someone had indeed called her, and she had said yes.

Mrs. Allen said the brush burning is under the direction of the Highway and Fire Departments. Mr. Brown said he had seen a petition circulating against the town getting a permit to burn at the old landfill. Mr. Dronzek again said he was adamantly against one committee undermining others. Mr. Higgins reiterated that the DEP said they could burn the brush off to the side, and the leaves were going to be given to a local farmer.

-Mrs. Allen went over the budget hearing schedule - for now, it seems to be OK.

-Mrs. Allen asked about the appointment for the computer committee. Mr. Brown made a motion that Brett Allen be appointed to the Computer Committee; Mr. Johnson seconded; all aye.

-Mrs. Allen brought up a letter that a resident of Medway had sent to Chief Lambirth commending Officer MacDougall. Mr. Dronzek asked Mrs. Allen to send a letter to Officer MacDougall also commending him, with a copy to the Chief for his personal file.

-Mrs. Allen brought up a solicitor's permit for MASSPIRG. She said a permit is not needed according to Town Counsel because it is a non-profit organization, but the Board could restrict the hours should they so choose. Mr. Brown made the motion to approve the solicitor's permit for MASSPIRG for daylight hours only during December and January; Mr. Johnson seconded; all aye.

-Mrs. Allen acknowledged receipt of:

- The Fire Chief's monthly report.
- A revenue sharing letter from MMA on the cherry sheet.
- A letter from Wheelabrator concerning leaves and white goods disposal ban.
- A letter from FEMA on updating comprehensive emergency management plans yearly.
- Enhanced 911 information.
- A letter from the State on the Massachusetts Committee on funds for criminal justice and the juvenile justice advisory committee.
- A letter from the Cassidys on a notice of intent on a parcel of land at 87 Holliston Street.
- The resignation of John Ryan from the Council on Aging was noted.
- The Building Inspector's monthly report.
- The Division of Local Services' letter on teachers' summer pay deferrals.
- The Department of Public Utilities letter on their opening the investigation of utilities to Hurricane Bob.

-At this point, Mr. Johnson said he had understood that building permits were now required for replacement windows. He did not feel this was necessary if the size of the window was not being changed.

-Mrs. Allen said that Town Counsel went to court recently on

the ZBA's Rosoff screenhouse case. The zoning by-laws state a building can't be closer than so many feet to a lot line, but that it does not include open decks or pools, only a building, which by definition has a roof. An open deck or a pool would then be a structure. Mr. Dronzek asked that Mr. Speroni check to see if there is a permit for a shed at 8 Lovers Lane - he had just received a complaint on it.

-Allan Osborne, who was present, said that the Zoning Board recently met with Special Counsel, Greg Barnes, on the Pilkington issue. It seems that the Building Inspector issuing a permit, and the assistant doing inspections doesn't negate a person from following rules and regulations. Mr. Osborne said that it doesn't absolve the builder, or going from a one-story to a two-story, but they decided they would like him to move the building back to line up with the other houses.

-Mrs. Allen said that the Board has received copies of the Norfolk newsletter and City and Town, and Mr. Brown has received the Selectmen's handbook.

-Mr. Dronzek said that Sgt. Saleski has been selected for the 168th session of the FBI's national academy program from January to March. There would be no fees, and the cost is minimal.

-Mr. Dronzek asked if the Board members had any comments on his draft of the annual report - they had none, so it was submitted.

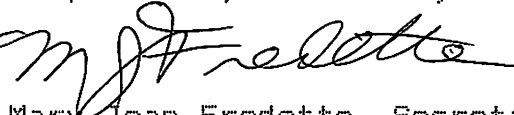
-Mr. Dronzek brought up the Medway Business Council's meeting on March 2nd, and wondered if there was a format for the meeting. He hoped he would be receiving the questions ahead of time, and would then pass them on to the other Board members for their comments.

-Mr. Dronzek brought up an invitation to an Eagle Scout ceremony for Michael Lane on January 4th. Mr. Brown said he would go.

9:23

-The Board moved to go into executive session for the purpose of discussing the reputation, character, physical condition or mental health of an individual, and not to return to public session. Mrs. Allen and Mrs. Fredette were excused from attending the meeting.

Respectfully submitted,



Mary Jean Fredette, Secretary



Footwear Associated Products, Incorporated

Serving the Needs of the Footwear Industry Since 1869

P.O. Box 137
163 Main Street
Medway, MA 02053
(508) 533-6611

December 23, 1991

Board of Selectmen
Town of Medway

Subject: November 1991 Drainage Study by Norfolk County Engineering
Department

Gentlemen:

I have reviewed the subject study and express deep concern of the possible effects on my property if the existing easement is altered.

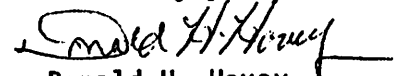
In a February 15, 1980 letter to the Board of Selectmen, USM Corporation denied permission to increase the pipe size of the easement. Since that time the tunnel-vision actions of the Planning Board and their total disregard of property owners downstream from proposed construction has created a more severe drainage problem in the area than existed in 1980.

Therefore, I must deny permission for the following recommendations as stated in section V of the subject study:

- a. Replacement of the present 15 inch pipe on Cottage and Evergreen Streets with a 54 inch pipe.
- b. Phase 1. Replacement of the present 15 inch pipe on Cottage Street with a 36 inch pipe.
- c. Phase 3. Replacement of the present 15 inch pipe on Evergreen Street with a 24 inch pipe.

Pursuant to the easement granted to the Town of Medway by USM Corporation on June 9, 1970, articles 1 and 2 limit the pipe size from Main Street to the outlet on my property. Should the Town of Medway disregard these limits and alter the terms of the easement, I hereby give notice I will take legal action to terminate the easement.

Sincerely yours,



Donald H. Hovey
President

Copy of Easement Attached

Copies made 12/27/91(6)

4672

The Commonwealth of Massachusetts

Middlesex

ss.

July 1, 1970

713

Then personally appeared the above named Martin Cerel, President as aforesaid
and acknowledged the foregoing instrument to be the free act and deed of the MCRB REALTY, INC.

before me,


Murray G. Shocket Notary Public in and for the State of Massachusetts

My commission expires Jan. 14, 1977

Recorded July 1, 1970 at 10h.59m.A.M.

KNOW ALL MEN BY THESE PRESENTS

That USM Corporation (formerly United Shoe Machinery Corporation), a New Jersey corporation having a usual place of business in Boston, Suffolk County, Massachusetts, does hereby release and grant unto the Town of Medway, a municipal corporation in the County of Norfolk and Commonwealth of Massachusetts, without covenants, and subject to and upon the agreement and conditions hereinafter set forth, an easement for the purpose of discharging upon and flowing over storm water over that certain parcel of land situated on the southeasterly side of Main Street in that part of said Medway called West Medway and bounded and described as follows:

NORTHWESTERLY by said Main Street two hundred eighty-six and 79/100 feet;
NORTHEASTERLY one hundred forty-six and 04/100 feet and
NORTHERLY, EASTERLY, SOUTHEASTERLY AND EASTERLY again 1436 feet more or less said last two bounds being by land now or formerly of C. E. Lawrence, by land now or formerly of Willis Clark and by the Old Cemetery.
SOUTHEASTERLY one hundred sixty and 38/100 feet;
SOUTHWESTERLY two hundred sixty-one and 36/100 feet;
WESTERLY two hundred forty and 90/100 feet;
SOUTHERLY one hundred ten and 22/100 feet;
SOUTHWESTERLY two hundred seventy and 60/100 feet;
SOUTHERLY one hundred fourteen and 84/100 feet;
SOUTHWESTERLY fifty-three and 46/100 feet; and
SOUTHEASTERLY sixty-two feet, said last eight bounds being by land formerly of Hunt and now or late of Collins, now or late of Ollendorff and now or late of Bullard; and
SOUTHWESTERLY by land now or late of Patterson ninety-one and 88/100 feet.

The above described land is the second parcel described in a deed from Medway Mills, Inc. to the grantor, dated August 13, 1951, and recorded with Norfolk Deeds, Book 3024, Page 23. Said land is shown as Parcel 2 on the plan recorded with said deed and contains according to said plan 8.09 acres, more or less.

This easement is hereby expressly limited by the following:

1. The storm water flowing onto the grantor's premises shall originate only from one existing manhole located on the southerly side of said Main Street.
2. The storm water shall flow to the premises within a 15-inch pipe installed in said manhole with its invert at an elevation equal to, or higher than, the highest of the top of the existing inlet or outlet pipes entering the said manhole.
3. The pipe shall enter the above described premises at a point in the North boundary line which is more than 500 feet easterly along said line from a granite block iron pin located in at a point in said boundary which is 146.04 feet along said boundary, from the intersection of Northeasterly boundary with the south line of said Main Street.
4. The flow use of the easement shall not interfere with the grantor's use or enjoyment of the premises affected.
5. Should the volume of water, its composition, direction of flow, or any other factor relating to the water

or the existence of the easement cause an interference or a potential interference with the use or enjoyment of the Premises the Grantor shall give written notice to the Grantee of said situation and the Grantee shall have 60 days in which to remedy the same.

6. Should the Grantor desire to actively utilize for any purpose whatsoever, including aesthetic or sanitary purposes, that portion of the Premises over which the storm water often or occasionally flows, the Grantor shall give written notice of his intentions and the Grantee shall have 90 days in which to relocate the easement in an underground storm water pipe along a line designated by the Grantor, and the Grantor agrees to grant a new easement to Grantee along said line.

7. Should the Grantee fail to remedy the defect arising under paragraph 5, or to relocate the easement pursuant to paragraph 6, within the times specified, the Grantor may upon written notice, terminate this easement forthwith by written notice, at which time any interest or estate of the Grantee in the Premises will end, and the Grantee shall remove any pipes or other equipment or materials upon the Premises and take all necessary steps to prevent the further discharge of the storm water upon the Premises.

By acceptance of this deed, the Grantee agrees to the

4672

716

- 4 -

conditions set forth herein.

There is no monetary consideration for the conveyance of this easement.

Witness the execution hereof under seal this 9th day of June, 1970.



USM Corporation

By Richard L. Hobbs
Vice President

TAL

Commonwealth of Massachusetts

Suffolk, ss.

June 9, 1970

Then personally appeared said Richard L. Hobbs and acknowledged the foregoing instrument to be the free act and deed of the said USM Corporation, before me,

William C. Munroe, Jr.
William C. Munroe, Jr., Notary Public

My commission expires December 3, 1971

Recorded July 1, 1970 at 11h.04m.A.M.

MINUTES OF THE SELECTMEN'S MEETING DECEMBER 16, 1991

Present: John Dronzek, Walter Johnson, Richard Brown and
Administrative Assistant Ruth Allen.

7:00 p.m.-Mr. Dronzek opened the meeting in the high school
cafeteria.

-The warrants were signed.

-The licenses for 1992 were approved and signed,
with building violations on several noted.

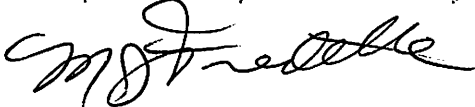
-Mrs. Allen asked if the Board of Health could
approach Town Counsel regarding proposed regulation
changes and recycling questions. The Board was in
favor of this.

-Mr. Dronzek gave a rough draft of the Selectmen's
report for the annual town report for the other
members to review.

-Jeff Nutting gave the Board members another draft
copy of proposed personnel by-laws.

7:30 -The meeting was adjourned for the Special Town
Meeting which was to be held at 7:30 p.m. in the
cafeteria.

Respectfully submitted,



Mary Jean Fredette, Secretary

mj

COMMON VICTUALLER LICENSES:

Form #348 (\$25 each)

- | | |
|---|-------------------|
| 1. The Little Store | 76 Holliston St. |
| 2. Galante Deli & Restaurant | 320 Village St. |
| 3. The Village Variety | 141 Village St. |
| 4. D.J.'s Donuts | 122 Main St. |
| 5. Medway House of Pizza | 135 Village St. |
| 6. Table Top Pizza | 94 Main St. |
| 7. Medway Restaurant & Ice Cream | Rt. 109-Main St. |
| 8. Burger King | Rt. 109-Main St. |
| 9. Dunkin Donuts | 81A Main St. |
| 10. Papa Gino's Restaurant | 82 Main St. |
| 11. Village Deli & Coffee Shop | 154 Village St. |
| 12. The Village Inn | 194 Village St. |
| 13. Speroni's Restaurant | 45 Milford St. |
| 14. American Legion Post #367 | 6 Cutler St. |
| 15. China Lotus Restaurant | 128 Milford St. |
| 16. Elm Social Club Inc. | 2-4 Sanford St. |
| 17. Golden Tiger, Inc. | 75 Main St. |
| 18. VFW Post #1526 | 123 Holliston St. |
| 19. Cumberland Farms | 126 Main St. |
| 20. Medway Package Inc. | 116 Village St. |
| 21. Medway Youth Soccer
(concession stand) | P. O. Box 257 |
| 22. Medway Youth Baseball
(concession stand) | P. O. Box 267 |
| 23. Sabina Doyle's | 116 Main St. |

AUCTIONEER LICENSES:

Form #343 (\$15 each)

- | | |
|----------------------|------------------|
| 1. Allan Osborne | 21 Holliston St. |
| 2. Betty Ann Balboni | 17 Lincoln St. |

CLASS I LICENSE:

(\$50 each)

- | | |
|----------------------|---|
| 1. Medway Auto Sales | 117 Main St./39 Village
St./10 Lincoln St. |
|----------------------|---|

CLASS II AND III LICENSES:

(\$50 each)

- | | |
|---------------------|--------------|
| 1. Apollo, Inc. (2) | 2-4 Main St. |
|---------------------|--------------|

CLASS II LICENSES:

(\$50 each)

- | | |
|---|---|
| 1. Robert B. Elliott-Elliott
Motors | 42 Summer St. |
| 2. McGowan's Carburetor &
Ignition | 241 Village St. |
| 3. Nelson & Son Garage | 53 Milford St. |
| 4. Norman W. Greene Auto Repair | 71 Main St. |
| 5. R. B. Havens Assoc. Inc. | 117 Main St. |
| 6. C & R Auto Wholesales, Inc. | 16 Main St. |
| 7. Ike's Auto Reconditioning
Service | 117 Main St. <i>Not renewing</i> |
| 8. Auto Exchange | 57 Main St. |
| 9. Richard S. Bruce-R&R Auto Inc. | 12 Barber St. |
| 10. Aoude Gulf | 73 Main St. |
| 11. H. J. O'Brien Inc. | 119 Milford St. |
| 12. Bartolini Motor Sales Inc. | 148A Holliston St. |

TAXI LICENSES:

(\$5 each)

1. ~~Transystems, Inc.~~ (3) ~~Jeffrey S. Trust, Pres.~~
Airport Taxi (2) 6 Massapoag St.
2. ~~Norton Taxi Inc.~~ (2) ~~Thomas J. Voget~~
~~P. O. Box 2141~~ *No response*
3. Acoude Taxi Corp. (1)
Nabl P. Acoude 107 Main St.
4. Millis-Medway Taxi (1)
Marilyn R. Nolan 324 Union St. #1
5. Preferred Limousine (1)
Paul Newton 40 Ellis St.

ALCOHOLIC BEVERAGES LICENSES:

(Varied \$)

1. Golden Tiger, Inc.
(Form #976A - \$1250) 75 Main St.
2. Medway Package Inc.
(Form #979A - \$1100) 116 Village St.
3. The Little Store
(Form #979W - \$600) 76 Holliston St.
4. Elm Social Club of Medway Inc.
(Form #978A - \$1200) 2-4 Sanford St.
5. China Lotus Restaurant Inc.
(Form #976A - \$1250) 128 Milford St.
6. Keystone Liquors
(Form #979A - \$1100) 88 Main St.
7. Trustees Medway Legion Bldg.
Comm. (Form #978A - \$800) 6 Cutler St.
8. Papa Gino's of America Inc.
(Form #976W - \$600) 82 Main St.
9. The Medway Veterans Bldg.
Assoc., Inc. (Form #976A - \$1250) 123 Holliston St.
10. Sabina Doyle's
(Form #976A - \$1250) 116 Main St.
11. Speroni's Inc.
(Form #976A - \$1250) 45 Milford St.
12. Village Inn
(Form #977A - \$850) 194 Village St.
13. West Medway Liquors, Inc.
(Form #979A - \$1100) 175 Main St.

SUNDAY ENTERTAINMENT LICENSES:

Form #90 (\$85/\$20 each)

1. Elm Social Club, Inc. (2) 2-4 Sanford St.
2. Medway Veterans Bldg. Assoc. 123 Holliston St.
3. Trustees Medway Legion Bldg.
Assoc. (2) 6 Cutler St.
4. Papa Gino's Restaurant 82 Main St.
5. West Street Hobbies Main St.
6. ~~Burger King~~ ~~Main St.~~ *Never installed*

AUTOMATIC AMUSEMENT LICENSES:

Form #635 (\$50 each)

1. Papa Gino's Restaurant (2) Main St.
2. Elm Social Club, Inc. (2) 2-4 Sanford St.
3. Table Top Pizza (1) 94 Main St.
4. The Village Inn (3) 194 Village St.
5. Medway American Legion (3) 6 Cutler St.
6. Medway Veterans Bldg. Assoc. 123 Holliston St.

(1)

~~7. Burger King (4)~~

~~Main St.~~

never installed

ENTERTAINMENT LICENSES:

Form #433

(\$50 each)

1. West Street Hobbies

Main St.

LIVE ENTERTAINMENT LICENSES:

Form #342

(\$5 each)

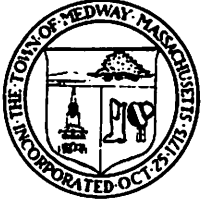
1. Sabina Doyle's

Main St.

BUILDING CERTIFICATES OF INSPECTION ISSUED TO:

(\$40 each)

1. Table Top (*violation*)
2. Sabina Doyle's
3. Dunkin Donuts
4. Papa Gino
5. Burger King
6. China Lotus (*violation*)
7. Village Inn
8. Medway House of Pizza (*violation*)
9. Galante's Deli
10. Elm Social Club
11. D.J.'s Donuts (*violation*)
12. Golden Jade (*violation*)
13. American Legion
14. Speroni's (*violation*)
15. Village Deli (*violation*)
16. VFW
17. Medway Restaurant



BOARD OF SELECTMEN

155 VILLAGE STREET
MEDWAY, MASSACHUSETTS 02053
(508) 533-2013

AGENDA

DECEMBER 9, 1991

7:00 p.m.

Open meeting, sign warrants.

7:05

Public Hearing - New England Telephone
and Boston Edison Company -
re: Village Street anchors and guys.

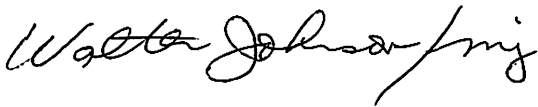
7:15

Steve Harvey - 46 Main Street
Sale of Christmas trees.

*Cancelled due
to lack of
quorum*

November 29, 1991

A special Selectmen's meeting was held at 7 p.m. in Room 2 of the Town Hall. John Dronzek, Richard Brown and Walter Johnson were present. A motion was made by Walter Johnson to change the Special Town Meeting on December 12th from the auditorium to the cafeteria at the High School at 7:30 p.m. John Dronzek and Walter Johnson voted in favor; Richard Brown voted against. There were four other people present. Walter Johnson made a motion to adjourn the meeting, and was seconded by Richard Brown; all in favor. The meeting was adjourned at 7:36 p.m.

A handwritten signature in cursive script, appearing to read "Walter Johnson".

Walter Johnson, Clerk
Board of Selectmen

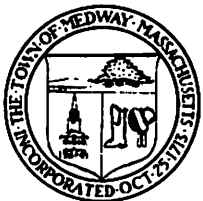
DEC 13, 1991

I request the minutes of
the Selectman's meeting of
Nov. 25 and Dec. 2, 1991.

Thank You,

Raymond L. Kelley
294 Village Pl.
Norbury

One - mj



BOARD OF SELECTMEN

155 VILLAGE STREET
MEDWAY, MASSACHUSETTS 02053
(508) 533-2013

AGENDA

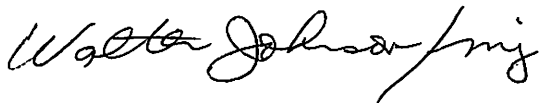
DECEMBER 9, 1991

7:00 p.m.	Open meeting, sign warrants.
7:05	Public Hearing - New England Telephone and Boston Edison Company - re: Village Street anchors and guys.
7:15	Steve Harvey - 46 Main Street Sale of Christmas trees.

*Cancelled due
to lack of
quorum*

November 29, 1991

A special Selectmen's meeting was held at 7 p.m. in Room 2 of the Town Hall. John Dronzek, Richard Brown and Walter Johnson were present. A motion was made by Walter Johnson to change the Special Town Meeting on December 12th from the auditorium to the cafeteria at the High School at 7:30 p.m. John Dronzek and Walter Johnson voted in favor; Richard Brown voted against. There were four other people present. Walter Johnson made a motion to adjourn the meeting, and was seconded by Richard Brown; all in favor. The meeting was adjourned at 7:36 p.m.

A handwritten signature in cursive script that reads "Walter Johnson".

Walter Johnson, Clerk
Board of Selectmen

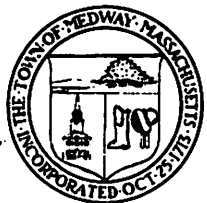
DEC 13, 1991

I request the minutes of
the Selectman's meeting of
Nov. 25 and Dec. 2, 1991.

Thank You,

Raymond L. Kelley
294 Village Pl.
Norbury

Done - mj



BOARD OF SELECTMEN

155 VILLAGE STREET
MEDWAY, MASSACHUSETTS 02053
(508) 533-2013

AGENDA

DECEMBER 2, 1991

7:00 p.m.	Open meeting, sign warrants.
7:05	Public hearing - New England Telephone and Boston Edison Company - Holliston Street and, Maple Street.
7:15	Cable Access - Annual update.
-----	Old business.
-----	New business.

Present: John Dronzek, Walter Johnson, Administrative Assistant Ruth Allen; Richard Brown was absent.

7:00 p.m.-Mr. Dronzek called the meeting to order in the Selectmen's Meeting Room 2 of the Town Hall. The warrants were signed.

-Mrs. Allen mentioned that the Police Chief had sent authorization to the Town Accountant allowing Officer Grimes to sign vouchers.

-Mr. Johnson made a motion to award the contract for protective clothing to Lyons Fire Equipment; Mr. Dronzek seconded; all aye.

-Mr. Johnson made a motion to award the bid for MAC Tools to Salvatore DiNatale for \$8,536.30; Mr. Dronzek seconded; all aye.

7:05 -Ed Kelley of Boston Edison and Pat Lovett of New England Telephone were present for a joint petition for conduit on Holliston Street at pole 3/126. As there were no objections, Mr. Johnson made a motion that the petition be granted; Mr. Dronzek seconded; all aye.

Mr. Johnson read the public hearing notice for anchors and guys at Maple Street at pole 22/24. As there were no objections, Mr. Johnson made a motion that the petition be granted; Mr. Dronzek seconded; all aye.

7:15 -Vern Robertson and Leslie LaChance of Medway Cable Access came before the Board for an annual update. Ms. LaChance, the new program coordinator, was introduced to the Board. She expressed her desire to see more adults and students working together as a team. She also expressed interest in the development of programs dealing with health, women, children and the elderly. Mr. Robertson stated he received a check from Mass. Cablevision for \$52,894.94 which represented 5% of the operating revenues in town. He expressed the desire to cover more town functions in the future when possible.

Ms. LaChance discussed an "adopt-a-pet" segment, and mentioned to the Board the difficulty she had been having with having Mr. Cassidy call her back on this project. Mr. Dronzek said the Selectmen can ask Mr. Cassidy to cooperate with her. Mr. Robertson stated that the annual report had been sent to the Town, and Mrs. Allen acknowledged its receipt.

7:40 -Paul Rivard, his son John, and Planning Board member Jim Brodeur came before the Board to discuss the release of mortgage that needed to be signed by the Board. He submitted a copy of the Planning Board minutes which gave Mr. Rivard a direction to go on his construction. He also said that he has an agreement with the Planning Board, but not in writing. Mr. Brodeur stated that the lots (12 & B1, 13, 5, 7) have been released for building, and only one (Peterson's) had been released for occupancy. He said approximately \$16,000

comes from a cash passbook when each lot is sold. Mr. Dronzek said the Board still needed assurances from the Planning Board. Mr. Brodeur said the passbook approach had been approved by the Planning Board back in September. Mrs. Allen reiterated that Town Counsel had said he needed to see a signed copy of an agreement between the Planning Board and Mr. Rivard.

Mr. Johnson made a motion to sign the discharge of mortgage #602-685, Hidden Pines sub-division, to be held by Town Counsel until the proper document has been received by him at which time it could be released; Mr. Dronzek seconded; all aye. Maryjane White, Town Clerk, notarized the document.

7:55 -Mr. Higgins said they are working on the redesign of Red Bridge - consulting fee of which would be around \$93,000-\$95,000.

Mr. Dronzek confirmed that the Board had submitted the County Engineer's summary to Commonwealth Engineers for the drainage project at Cottage/Main Streets, and would be anticipating the design fees from them. Mrs. Allen noted that she had written to Joe Cronin of the State's DPW to see if Chapter 90 funds could be used for this project.

Mr. Higgins said they would be going out to bid hopefully next month for the Main/Summer/Village Street intersection.

On the sidewalks, Mr. Higgins stated that the specs have already been written, and would be put out for bid in February. The Highway Department would be assisting in the project. Mr. Dronzek reminded Mr. Higgins about the inclusion of warranties in the specs.

Mr. Higgins also said they would be excavating for the highway garage the next day.

8:05 -Mr. Dronzek suggested the All Boards Meeting be set up for January 9th, as there did not appear to be any conflict with other town functions for that evening. Also, this would set up the financial forums that would be anticipated after that. Mr. Dronzek asked that Town Accountant, Bob Brothers, be asked for estimates and any pertinent financial information for the all boards.

Mr. Dronzek also said that he would like to recommend a setting of policy, at the all boards, for when town departments and boards are approached by a citizen's group. He said permits may be involved; they should have a tax exemption number - they can't work on the town's tax number. The board or group would have to adopt that policy and for any sub-committee/citizen's group that is appointed. These groups should also not purchase anything until they have all the funds necessary.

-Mr. Dronzek explained an incident that he had been advised of involving parking at the corner of Village and Sanford Streets. A person had been ticketed for parking there, but

was advised by the officer on duty that when Elm Club patrons park at that same location, the Police call the Elm Club and advise them to move the vehicle, rather than cite them with a parking ticket. Mr. Dronzek asked Mrs. Allen to send a letter to Chief Lambirth indicating that it is the Board's understanding that illegally parked cars at the yellow lines at Village Street get parking tickets, but if they are Elm Club patrons, the Club gets a phone call. Mr. Dronzek wanted Mrs. Allen to tell Chief Lambirth that if this is the common procedure, it is the Board's request that this policy be desisted from and the issuance of parking tickets be instituted immediately in its place. He further stated that action has been requested in the past, but not carried out. Also, he stated that the intersection of Village and Sanford Street is a dangerous intersection, and asked that this be followed up faithfully as soon as possible.

-It was noted that the Village Inn has been reported as having live entertainment. Mr. Dronzek asked that Mrs. Allen send a letter to the Village Inn, with a copy to the Police Chief, stating that they are in violation as they do not have a live entertainment license, and to make application.

-Mr. Dronzek was concerned again about the hours of the China Lotus and that no other alcoholic restaurant went beyond 1 a.m. on Friday nights. Mr. Dronzek asked Mrs. Allen to check with Dick Brown for his opinion, and give Walter Johnson a little time to see how he feels, so a vote could be taken on the matter when license renewal is brought up.

-Mrs. Allen brought up Chief Vinton's letter of the fire alarm truck that was damaged beyond repair. The Board wondered if the cost of a replacement could come out of the stabilization fund. Mr. Dronzek suggested the Chief put a used truck on the next special or annual town meeting warrant.

-Mrs. Allen mentioned that the outside light fixture would be installed the next day.

-Mrs. Allen reminded the Board about the regionalization meeting with Bellingham the following Wednesday.

-Mrs. Allen acknowledged receipt of a letter from the Office of Campaign and Political Finance concerning the sign over Main Street prior to the Annual Town Election, stating that they had concluded no violation had occurred.

-The Board discussed the parking near the Elm Club, and wondered about a sign being placed on the pole saying "no parking". Mrs. Allen said she would contact Fred Roth on this.

-Mrs. Allen brought up Attorney Akre's letter, and asked the Board about their response to "did they still feel there was an abuse of authority?" Mr. Dronzek said he still felt there was an abuse of authority, but the situation with the people involved seems to have improved. He asked that Mrs. Allen supply Attorney Akre with a copy of the minutes, and tell Mr.

Akre that it was still the Board's opinion that there was no firing involved, no fines imposed, and it was recommended that individuals avoid conflict of interest.

-Mrs. Allen brought up the subject of the land swap with Sam White that was recently discussed at a Selectmen's meeting. Mrs. Allen stated that she had researched the records with the Treasurer/Collector's office, with the Assessors' office, and with Ron Wilson, an Oakland Cemetery Trustee, and the town does not own the land in question so a swap cannot be made. When the railroad bed was surveyed in 1969, the survey says that it's the town's land, but it is not. The land is tax title land, and it was determined to belong to Mr. Casey; however, Sam White has gone in on the land and taken out gravel.

Mr. Dronzek asked Mrs. Allen to check with Fred Lee and see if the taxes are paid up, or is the land ready for tax taking; and if it is not for tax taking, how long have the taxes been paid, and how quickly can it be taken out of tax title.

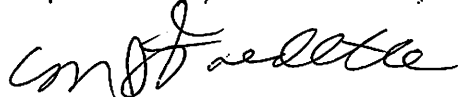
-Mrs. Allen brought up the request to sell Christmas trees at 46 Main Street. Mr. Dronzek felt that the corner of Richard Road and Main Street for the selling of trees with limited parking was a serious safety hazard. Both Board members said they would look over the area being discussed anyway.

-Mrs. Allen mentioned how the street light had been fixed at the pole at the corner of Elm and Main Street.

-The Board said they would check on the posted hours of the Shell Station on Main Street.

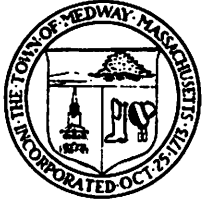
9:10 -The meeting was adjourned.

Respectfully submitted,



Mary Jean Fredette, Secretary

mj



BOARD OF SELECTMEN

155 VILLAGE STREET
MEDWAY, MASSACHUSETTS 02053
(508) 533-2013

AGENDA

NOVEMBER 25, 1991

7:00 p.m.	Open meeting, sign warrants, approve minutes of 11-18-91 meeting.
7:05	Public Hearings: Boston Edison & New England Telephone - Village Street Boston Edison & New England Telephone - Summer Street.
7:15	Aoude Mobil - re: hours of operation.
7:30	Open bids for mechanics' tools.
8:00	Open bids for firemen's protective equipment.
8:15	Paul Rivard - re: railroad bed.
8:30	Edward Reardon.
-----	old business.
-----	new business.

Present: John Dronzek, Walter Johnson, Richard Brown and
Administrative Assistant Ruth Allen.

7:00 p.m.--Mr. Dronzek called the meeting to order in the Selectmen's Meeting Room 2 of the Town Hall. The warrants were signed.

Pat Lovett representing New England Telephone and Ed Kelley representing Boston Edison came before the Board with two petitions.

There seemed to be no problem with either petition, and there were no comments from the public. Mr. Johnson made the motion that the petition be granted to Boston Edison and New England Telephone for conduit on Summer Street at pole 45/17; Mr. Brown seconded; all aye. Mr. Brown made the motion that the petition be granted to Boston Edison for conduit on Village Street near Legion Avenue; Mr. Johnson seconded; all aye.

7:12 --Mr. Aoude of Aoude Mobil came before the Board as requested to discuss his hours of operation. Mr. Dronzek stated that the normal hours for most gas stations are 7 a.m. to 11 p.m. Mr. Aoude claimed that for 22 years no one has complained about his hours until now. Mr. Dronzek said the Board was only responding to a complaint. In the past, others in town had petitioned the Board to be open 24 hours, as Mr. Aoude seemed to be doing, and he felt the Board could not be discriminatory and allow him to continue. Mr. Aoude stated he was never open 24 hours, but his Mobil lease allows him to open and close whenever he chose.

Mr. Aoude also asked about a self-service pump, and Mr. Dronzek explained that there is a town by-law that prohibits it, unless the self-service pump was installed prior to the law being passed, such as the Shell station was. Mr. Dronzek stated submitting a petition to town meeting was the only way it could be changed.

Mr. Aoude went back to the discussion of hours, and said everyone opens at 6 a.m. and closes at midnight. Mr. Dronzek said that would be checked. Mr. Johnson felt a change in hours might be considered in these times, and suggested Mr. Aoude send a letter to the Board on this. Mr. Aoude felt the only one complaining was Shell. Mr. Dronzek again suggested he send a letter to the Board, and they would act on it - all gas stations have to have the same ruling.

7:30 --Mr. Johnson read the ad that appeared in the Milford Daily News concerning bids for the mechanic's tools. Only one bid was submitted by Salvatore DiNatale (MAC Tools Distributor) for \$8,536.30, which did not include the tool cabinets which cost \$1,995.95. However, Mr. DiNatale said he would donate the cabinets at no cost to the town. Mr. Brown made a motion to turn over the bid to the Highway Department for their review and recommendation; Mr. Johnson seconded; all aye.

7:35 --Mrs. Allen acknowledged receipt of a letter from the MAPC asking for two representatives from the Town to be on an ad

hoc Water Supply Protection Committee. They specifically asked for one member of the Planning Board, and one member from either the Water/Sewer Board, Board of Health, Board of Selectmen, or Conservation Commission. Mr. Dronzek asked Mrs. Allen to send a letter to those Boards requesting representatives.

- Mrs. Allen acknowledged a letter from Dee Moschos on a deferred compensation plan through FEBSCO on a recent Internal Revenue Code amendment which advised that employees not participating in the retirement system, and not paying social security tax, will be required to pay the social security tax effective January 1, 1991. Mr. Dronzek asked Mrs. Allen to send a notice to all town employees through Fred Lee's office on this matter.
- Mrs. Allen gave the Board a solicitor's permit from the Lions Club to sell trees at the Medway Shopping Center from November 29 through December 24 from 4 p.m. to 10 p.m. Monday through Friday; 9 a.m. to 9 p.m. on Saturdays; and 12 Noon to 6 p.m. on Sundays. Mr. Brown made the motion that the permit be granted; Mr. Johnson seconded; all aye.
- The EMS abatements for the first half of FY'1991 were signed by the Board.
- Mrs. Allen brought up the question on insurance for the town's hired plows. She stated that MIIA had suggested one million dollars coverage and workmen's comp which most of the people did not carry, and would cost them \$4,200. Most other towns surveyed were \$100,000/\$300,000, and they could not get workmen's comp if they were self-employed. Mr. Brown made the motion to require the hired plows who plow snow in the town to carry \$100,000/\$300,000 coverage for general and auto liability; Mr. Johnson seconded; all aye.
- Mrs. Allen acknowledged receipt of a letter from Stone & Webster on the computer for the mapping program. They had suggested \$4,370 for hardware, and \$3,450 for software, \$500 for the database III, and \$1,499 for the oracle for future use. Mrs. Allen wondered where the plotter was figured into the plan. Mr. Brown said there were two packages of software in the original thoughts - one for Water/Sewer and one for the Assessors. He suggested getting just the software, and put a computer in the Assessors office. Mrs. Allen suggested the computer committee look over the recommendations of Stone and Webster - the Board agreed. Mr. Brown felt the town only needed the first two items, but may have to go out to bid on the plotter and other pieces. Mr. Dronzek asked that the specs be drawn up so the town can go out to bid and advertise on this, as the mapping project is nowhere without the computer.
- Mrs. Allen brought up a recent solicitor's permit that the Board had denied from the League of Conservation Voters. She stated she had talked to Town Counsel and he said by law the Board cannot stop them; therefore, a motion was needed to

reconsider the vote previously taken on November 18th. Mr. Brown so moved; Mr. Johnson seconded; all aye. Mr. Brown made the motion that the League of Conservation Voters be allowed to solicit the town during daylight hours only during the months of November and December; Mr. Johnson seconded; all aye.

-Mrs. Allen gave the Board an extra work order from Commonwealth Engineers totalling \$5,762.28 for the Main/Summer/Village Street intersection. Mr. Johnson made a motion to approve the work order; Mr. Brown seconded; all aye.

8:00 -The ad for the firemen's protective clothing bids was read by Mr. Johnson. Only one bid was received from Lyons Fire Equipment Company with individual prices for items such as: \$214.90-coats; \$139.90-pants; \$64.50-boots; \$6.95-suspenders; \$.90 ea.-lettering. Mr. Brown made a motion to refer the bid to the Fire Chief for his recommendation and review; Mr. Johnson seconded; all aye.

8:05 -Paul Rivard stopped in to see the Board with his son, John. He first wanted to speak with the Board about the railroad bed. He stated that Paul DeSimone had done more field work and noted the low area at Brigham Street, otherwise there was no problem and an arrangement was worked out with Mr. Kelly so he could observe and be shown how to read the instruments. Mr. Rivard predicted more settlement over the winter, and would look at the area again in May when he seeded and loamed.

Mr. Rivard also brought up the discharge of the mortgage, as was agreed to at town meeting, which is being used in lieu of a bond. The houses being built on the lots cannot be sold (3 at the present time) until the release has been signed by the Board. Approximately \$12,000 per lot is security when a house is sold and given back to the town. Mr. Rivard said Town Counsel had already previewed the document with Mr. Rivard's attorney.

Mrs. Allen suggested waiting until the following week when the Town Clerk could be present to notarize the document.

Mr. Rivard brought up the summary as presented by the Norfolk County Engineers for Cottage Street. He mentioned how he had thoughts of making a private 10' pond on one and one-half acres of his land near there, which might be beneficial to the town. Mr. Dronzek stated the Conservation Commission should be consulted, and Mr. Rivard said he was aware of that, and that he would also be pursuing any possible funding. Mr. Dronzek said there was at least 6-8 months of engineering still to do, and specs still have to be drawn up.

8:40 -Ed Reardon came before the Board to speak about insurance, and stated 7 members of the insurance committee don't have any expertise in insurance. He also felt the town had to go out to bid on insurance, and Mrs. Allen stated the town did not.

Mr. Reardon asked about the Park Department's certificates of insurance and Mrs. Allen stated she had asked for them but received none. Mr. Dronzek made mention of the upcoming alumni game, and hoped there was insurance covering them. Mr. Brown said the principal had given them permission to use the field, and were signing a waiver.

Mr. Dronzek stated to Mr. Reardon that the insurance committee was instituted by the town, and asked Mrs. Allen to check the minutes to see who instituted it, and why it was known only one member of the committee had to have insurance expertise. Mr. Reardon thought one was not enough. Mr. Dronzek stated that when it got close to renewal time, specs would be put out listing coverage and limitations. Mr. Reardon felt there were many people in town with insurance expertise that might be willing to serve on the committee. Mr. Dronzek also took his presentation folder and said it would be passed on to the insurance committee for their comments, and that alternatives to MIIA may be considered.

9:00

- Diarmuid Higgins and Bob Power were present to discuss a few items for the Highway Department.
 - They stated they would not accept delivery on tools until they got good security.
 - Mr. Higgins stated DEP #262 was assigned for the highway garage, and they should be excavating soon in 1 to 2 weeks. Mr. Dronzek was concerned about a guarantee for at least a year on the concrete. Mr. Higgins said there would be one, maybe 3 years guarantee.
 - Mr. Higgins stated Safety Markings had started putting in yellow lines, but had to stop because of the rain.
 - They commented about bags of leaves being thrown on the sides of streets.
 - Mr. Higgins said sidewalks will go out to bid in February.
 - They discussed the coverage of hired plows. Mr. Reardon commented the hired cars coverage is in the policy, and to check MIIA's policy.
 - Mr. Power mentioned that he and Ben Generazio of the Conservation Commission had looked at the swail in front of the apartment building on Cottage Street, and Mr. Generazio said the ConCom will look at it. Mr. Dronzek said that since there is a pre-existing brook, ConCom has to be involved with its contents. Mrs. Allen mentioned that Mosquito Control can go in there, but not the town.
 - Mr. Higgins said that we should be ready to go out to bid after the holidays on Main/Summer/Village Street intersection, and advertise around mid-January. Bids could then be opened the beginning of March, and work started the second week of April. Mrs. Allen mentioned it had to go into the central registry.
- Mrs. Allen went over various correspondence that had been received from Attorney Maciolek on the settlement of a case, and a letter from the MMA on the final vote for overlay. She also brought up the Veterans Agent, and wondered if the FinCom had restored his expenses. She stated he had \$10,000 for benefits, he had \$1,700 reduced from salary, and his expenses were wiped out.

Mr. Brown said the Town Accountant can move it around, and to check with him on how it's handled.

-As Mrs. Allen was through with her report, Mr. Dronzek said he wanted to talk about the controversy going on in town about the lights. Mr. Brown said it had been resolved. Mr. Dronzek stated, no, it had not been. There is the Park Department, School, FinCom, and non-town group involved, Town Counsel and the Board of Selectmen. He stated we should do something by means of a joint meeting. Mr. Brown said it had been done. Mr. Dronzek said the Board of Selectmen should set a STM and put this to bed, and correct all the errors done to date - the earliest would be December 16.

Mr. Brown said that the FinCom had two meetings; town counsel gave the verbal ruling saying the transfer was proper; and what was needed was to go out to bid. The School Committee had a meeting, discussed the subject; the motion was to ask for a STM; but this was voted down, and just go out to bid. The volunteer group did a great job. Some have said it was not handled properly, but the transfer was well within their authorization to do so. It was stated that it was a \$50,000-\$60,000 project, but they were only asking for \$9,800. The poles were given by Boston Edison at no cost, as well as a 100' crane and the excavation. In the long run, it is a permanent source of funding. It is now anticipated to get \$15,000-\$20,000 in gate receipts to offset the maintenance on the field, the fencing and stands.

Mr. Dronzek asked if this was out of the revolving fund? Mr. Brown said some of it. The School Department is looked at and is audited. Town Counsel is not looking for the Park Department to be involved and they do most of the maintenance in town. Some opinions were short-sighted; but again, it is an investment and like other emergency transfers done over the past years.

Mr. Brown said the Superintendent said the lights would be good, and urged the School Committee not to vote to go to STM because it would cost more money and would bring the same arguments. Jeff Nutting said the lights were a good thing. Mr. Brown thought it would be unprecedented to bring a small item like this to a STM.

Mr. Dronzek stated he had received many phone calls and all were saying it is wrong. He said it is an apparent circumvention of procedure and it is wrong. The integrity of town government was at stake. He said if the date is set, he feels the STM will be stacked, and it will be passed, but it should be put back to the School Department where it belongs. 100% of the use should be for school functions. The only cost involved in the STM was the building lights, and any fees for the Board of Registrars.

Mr. Brown said the FinCom can spend the reserve fund, and through emergency transfers. Mr. Dronzek said we have people thinking we're being sneaky - let's put it to bed.

Mr. Brown said everyone's talked it over. Mr. Johnson asked what about the effect of the glare of the lights on the neighbors of the field?

Mrs. Allen spoke as a citizen - why was no article put on the STM on October 28th? It was stated that no money was needed from the town. Also the people did not know there was going to be a meeting.

Mr. Dronzek made a motion to open the warrant to hold a special town meeting on December 16, 1991 at 7:30 in the high school auditorium for the specific purpose of one article which will be to see if the town would raise and appropriate or transfer from available funds \$9,875 for the express purpose of payment of lights on the Edmund Charland Field, or to act in any manner thereto; Mr. Johnson seconded.

Mr. Brown said why a duplicate amount. Mr. Dronzek said he disagreed that what was done was legal. Mr. Brown asked if he disagreed with town counsel - and Mr. Dronzek said he did. Mr. Brown said this was going to subject the people to an unnecessary STM, just because he did not believe it was legal. Mr. Dronzek said again he had received many phone calls, and as chairman of the Board, he would be derelict in his duty if he didn't listen. Mr. Brown did not understand how town meeting could decide anything.

Mr. Dronzek voted in favor of the motion as expressed above; Mr. Johnson seconded; Mr. Brown strongly opposed; motion carried. Mr. Dronzek also moved that the warrant be closed except for this one article; Mr. Johnson seconded; so moved.

Mr. Dronzek said the bills can't be paid without going out to bid. Mr. Brown mentioned that maybe the town has to go out to bid for the fax machine. Mr. Williams said what about town hall salaries.

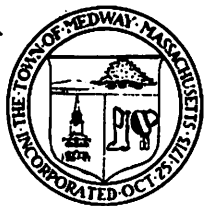
10:00 Mr. Brown moved that the meeting be adjourned; Mr. Johnson seconded; all aye.

Respectfully submitted,



Mary Jean Fredette, Secretary

mj



BOARD OF SELECTMEN

155 VILLAGE STREET
MEDWAY, MASSACHUSETTS 02053
(508) 533-2013

AGENDA

NOVEMBER 18, 1991

7:00 p.m.	Open meeting, sign warrants, approve minutes of 11-4-91 meeting.
7:05	Norfolk County Engineer, Alvah Downs re: drainage problem, Cottage & Main Streets
8:00	E.M.S. Coordinator Donald Grimes re: ambulance abatements and mutual aid
8:30	Executive Session
-----	old business
-----	new business

Present: John Dronzek, Walter Johnson, Richard Brown and
Administrative Assistant Ruth Allen.

7:00 p.m.--Mr. Dronzek called the meeting to order in the Selectmen's Meeting Room 2 of the Town Hall. The warrants were signed. Mr. Brown made a motion that the minutes of the November 4th meeting be accepted; Mr. Johnson seconded; all aye.

7:02 -Alvah Downs and Wayne Simpson of the Norfolk County Engineers Office came before the Board to speak about the drainage problem at Cottage/Main/Evergreen Streets.

Mr. Downs presented copies of a summary he had prepared after spending considerable time in the research and doing on-site investigation work of the area. He stated his research had gone back to 1938 and the conditions that existed at that time, where the drainage basins were located then, and explaining their location. He explained how in 1977, a different series of systems were put in, getting rid of one of the basins, and putting a 24" outlet pipe near Gallagher's Furniture Store and a 15" outlet pipe on Cottage Street. He indicated how when the installation of sewer was put in on Main Street, that the 24" pipe was removed, and an 18" drain pipe was put in. Reconstruction of Pond Street eliminated three cross culverts. He explained that the soil in the area was mostly clay, so there was more run-off. He stated their task was to only look at the Cottage and Main Street situation, so they looked at 10-year drainage run-off conditions.

Mr. Downs said their ultimate suggestion or recommendation and best answer would be the construction of a 54" pipe outlet to Chicken Brook down Evergreen Street, but that cost would be around \$320,000. He basically agreed with Metcalf & Eddy's findings of 1978. He stated Mr. Hovey of USM would still be receptive to some increase in size of the pipe on his property, as long as it did not pose an increase in problems for him.

Mr. Downs said his recommendations were: 1. 54" pipe was best, but the cost was greater and an easement by the owner was involved. 2. the next best solution is a 3-phase alternative that would not increase the outflow on Mr. Hovey's property, and the cost would be spread over 3-4 years. The recommendation would give a 10 year drainage system on Cottage Street, and work could be done later on to upgrade the area. Phase 1 would be to install a 36" pipe on Cottage Street to replace the 15" pipe from Main Street down Cottage to Evergreen Streets, and at the corner, put a 24" pipe past the apartments on Cottage Street. Phase 2 would be to purchase property on Main Street across from #135 Main Street and put a 2 acre detention basin there. Phase 3 would be to replace the 15" pipe down Evergreen Street with a 24" pipe, but not interfering with the outflow. There were many underground telephone, gas and other utility lines and wires under Cottage Street, however. He stated the cost figures given were not final, but were good for appropriations. The cost breakdown was:

Phase 1 - \$86,000 (for Cottage from Main); Phase 2 - \$85,000 (for retention area - not including the cost of the property); Phase 3 - \$50,000 (Evergreen); total \$221,000. He thought the lot of land on Main Street might cost around \$40,000.

Bob Power, Assistant Highway Supt., suggested putting in a 54" pipe under Wellington/Guernsey/Evergreen, but Mr. Downs said that was too expensive, and did not feel that big size was necessary there. Mr. Power felt that the larger pipe under Wellington and Guernsey would hold the overflow near the railroad trestle.

Mr. Downs also stated that any of the three phases could be first, or the order reversed as he had stated them. Mr. Downs was asked about cleaning out of the pipes that were filled with silt, and he stated it would serve no good purpose to clean it out as it would fill up all over again.

Harold Bemis was also present stating he might be willing to have the town take an easement on property he owns off Elm Street and Main Street so that the drainage situation could be helped along. Mr. Dronzek welcomed this information into the discussion of Elm Street, but his first consideration was Cottage and Main Streets.

Mr. Dronzek stated at this time that the Board felt the whole drainage situation was above the Board's head, and that was the reason Norfolk County Engineers were called in for their expertise in this matter and to come up with specific suggestions.

Representative Gardner publicly thanked Mr. Downs for his research, and was happy everyone was sitting down talking this out, with plans now to go forward from this day. She asked for a copy of the report and received one. She said she would publicly pursue what was available, but she was not sure what was there. She asked Mr. Downs if he had encountered any agencies that had funding sources, but felt that most drainage problems were dealt with locally. Mr. Downs agreed with her. Mr. Dronzek suggested priority grants or the Army Corps of Engineers, and possibly Chapter 90 monies. Representative Gardner stated the criteria had been "loosened up" on Chapter 90 monies. Mr. Dronzek stated at least now the Board can start in a definite direction - again, no promises. He sincerely thanked Mr. Downs and Mr. Simpson for their contribution.

8:20

-EMS Coordinator Donald Grimes and Assistant John Misiuk came before the Board to speak about abatements. He stated he had done the abatements with Mrs. Allen and Peggy Tighe. Mr. Brown suggested a form outline be made up for the future. A six-month turnover to the Board was agreed upon. Officer Grimes brought up past bills of FY'88 and FY'89, where many elderly are still making payments of even \$5.00 a week to pay the bills, and some even foregoing food to pay the ambulance bill. He said he has been working with Richard Saunders of Comstar for the past month in getting accounts squared away.

Mr. Brown asked about how they are distinguishing which ones to abate, and Officer Grimes said he, Mrs. Allen and Mrs. Tighe went over the list and made the determinations. Mr. Dronzek stated that the purpose of the ambulance is to use it, whether they can afford to or not, and said we have to trust the EMS Coordinator we appoint. Officer Grimes said he was receptive to a committee, if the Board wanted one.

He went on to say he was asking for a blanket abatement for calendar years 1988 and 1989 for a total of \$148,045.78, and he would come back with the proper form for signatures. For 1/2 of FY'1991, Mr. Brown made the motion that \$3,015.61 be abated; Mr. Johnson seconded; all aye.

Officer Grimes then brought up mutual aid and how it is a real problem. He mentioned having gone to meetings with area departments, and if an ambulance goes to Bellingham and Franklin, the town where the service is performed, bills and collects on that run, and Medway gets nothing. He stated that between the two towns, there is 50-100 calls per year; no problem, however, with Millis and Holliston.

Officer Grimes asked the Board if they could send a letter to Franklin and Bellingham giving their stand. He stated he could find no copy of any written agreement on this.

Mr. Dronzek asked Mrs. Allen to write to the Board of Selectmen in Bellingham and Norfolk and to the Administrator in Franklin, with a copy to the Fire Chief in their respective towns, saying that Medway is willing to provide the service, but our preference is to direct-bill the patient for ambulance services. He also stated he would like an acknowledgement letter to our policy, or at least a response.

Officer Grimes brought up payroll vouchers, saying that at the present time, the Chief is signing them, and that he is preparing the budget for EMS as well. Officer Grimes asked if he could be the designated person for signatures instead, as he is more knowledgeable on the subject. Mr. Brown asked that the Police Chief send a letter to the Town Accountant stating that Officer Grimes is authorized to sign EMS payroll vouchers, with a copy of the letter to the Selectmen.

8:35

-Jeff Nutting asked for a moment of the Board's time to seek the Board's help. He felt that the transferring of funds that was recently done by the FinCom was a mistake and illegal, and hoped the Board could straighten it out. He stated that the Lighting Committee went to the school committee originally to inquire about the raising of funds for lights for the football field through donations. He stated they did not raise enough money, and instead went to the FinCom for an emergency transfer. Mr. Nutting said the committee has no legal stand in town, and the FinCom transferred the funds, just under \$10,000, into the Park Department for school property - and this was not proper. He said there was no line item at Town Meeting; the School Committee did not have knowledge of this transfer, and did not expect the town to pay for this; the Park Department does

not have permission to purchase and put items on school property ; there was nothing extraordinary and unforeseen about this in order to be an emergency transfer; a letter was recently sent by the FinCom about emergency transfers saying no more; they did not go to the Capital Improvement Program Committee and it was over \$5,000 which is a capital expenditure; they did not go to Town Meeting on this; it was over \$4,000 and did not go out to bid, and since it is not a legal committee, they cannot go out for bids. Mr. Nutting said the town did not vote for a debt exclusion for this luxury. He felt the transfer was an illegal and inappropriate act. He mentioned the FinCom is supposed to reconsider their vote on Wednesday at another FinCom meeting. Mr. Nutting asked that the Board send one of the Selectmen to the meeting and ask the FinCom to rescind their vote - he asked for the Board's support on this.

Mr. Dronzek said he first read about this in the paper. Mr. Brown said that the amount discussed in the paper was incorrect; that Town Counsel is reviewing the situation; no monies have been expended; and the Town Accountant has not received any paperwork. Mr. Nutting said they cannot go to Town Counsel-they have to come to the Board of Selectmen. He also said that the chairman of the FinCom has stated he is reviewing this, but that they are well-meaning people. Mr. Dronzek said that huge cuts have been made, and that any special articles received would have gone on the Town Meeting warrant on October 28th, but none was received for this. He said Town Counsel reviews the articles prior to Town Meeting anyway. Mr. Nutting said if Town Meeting had voted for this, fine; but, the goods and services have been delivered already. He hoped that the committee would continue to raise monies for this project, but the tax payers money should not be used.

Mr. Johnson expressed concern for the poles proper support and installation. Mr. Dronzek noted that they came on town property and installed equipment without permission from the town. Mr. Nutting said the School Committee knew about the proposed project, but did not know that no wiring or building permits had not been pulled for the work.

9:00

-Jim Gallagher stopped in to ask the Board what action they were going to take on the Cottage Street drainage situation, now that the Engineers have given their report; what time frame did the Board feel comfortable with? He had suffered losses with a problem manufactured by the town; what was the town's course of action?

Mr. Dronzek said the Board had not had time to digest the information given by the Engineers yet, as the Board had no preconceived idea of what the Engineers were going to propose. Mr. Dronzek said the Engineers are not going to the Conservation Commission on this. The Board may have to talk to the FinCom, or maybe have a special town meeting to get the money. He said the Board is definitely going after getting the project done; at least now they had a proposal to look over, and try to find the funding. He stated firm

engineering plans have to be drawn up; they have to get an estimate for the design work to be done; inquire about the taking of land - they can't just decide to go ahead and do the work.

Mr. Gallagher said he does not want the Board to sit on this for a year. Mr. Dronzek reiterated it may take at least a year to finalize a plan - maybe it would be covered under chapter 90 monies as an accepted way; the Board will be pursuing this matter asap; tonite was the beginning.

9:10 -Mr. Brown made a motion to enter into executive session to discuss town real estate; Mr. Johnson seconded; all aye.

10:20 -The Board reconvened their meeting.

-Mr. Brown made a motion to award the linemarkings bid to Safety Traffic Markings for \$9,817.88; Mr. Johnson seconded; all aye.

-Mrs. Allen reminded the Board about the annual MMA meeting at the end of January, beginning of February. Mr. Brown said he would attend; Mr. Johnson would let Mrs. Allen know; Mr. Dronzek said he could not go.

-Mrs. Allen said when she had talked to the Water/Sewer Board about their closing the day after Thanksgiving, Gardner Rice had asked that it be made a town policy. Mr. Dronzek said that it already is.

-The Board signed the Sunday opening package store liquor licenses for December 22 and 29.

-Mrs. Allen was wondering what was the Board's stand to Attorney Akree's letter and Attorney Maciolek's letter. Mr. Dronzek thought Mr. Akree was aware the Board thought there was an abuse of authority on the part of ConCom, and that ConCom was aware of it also.

-Mrs. Allen brought up a letter received from Mass. DPW regarding PWED Grant programs #G-8361 and #G-8812 for improvements and design of Route 109. There are no funding of PWED grants presently - they will let us know when monies become available.

-Mrs. Allen mentioned that former temporary Town Accountant, Tony Kennedy, was not to get any benefits since he was temporary, but he is on the unemployment roll, so Peggy Tighe is appealing it. Mrs. Allen stated we are paying the full benefits; it is not being shared by his previous employer.

-Mrs. Allen brought up a concern of Jack Ryan's for the pick up of surplus food by the Highway Department. He stated that it took 3 hours, 2 men and 1 truck for a total of \$192 to get the food. She stated Mr. Ryan found out the site in Rhode Island would deliver for \$30, and the nutritional program in Quincy would reimburse the town for the delivery. The FinCom had said to take these funds out of their COA

budget.

-Mrs. Allen said the Board was in receipt of three letters asking the town to pick up the tab for expenses incurred when their vehicles hit a pothole on Summer Street. Mr. Dronzek said the Highway Department responded, and Mrs. Allen said that the town is covered as long as the situation was taken care of in a reasonable length of time. Mr. Dronzek felt taking care of the pothole within a half hour was quite reasonable, and the town should take no liability. Mrs. Allen was requested to send them letters of denial of reimbursement.

-Mrs. Allen had a request from Mr. Duernberger asking to sell flowers at C&R Auto on Main Street for the hours of 2-6 p.m. on November 27 through December 1 and December 24 through January 1. Mr. Brown made a motion to approve his solicitor's permit; Mr. Johnson seconded; all aye.

-Mrs. Allen acknowledged receipt of a letter from MAPC on MetroPlan 2000, and stated that the Route 109 corridor project was the only Medway item on it.

-Mrs. Allen acknowledged the letter from the FinCom on the emergency reserve fund transfers.

-Mrs. Allen brought up the FinCom's letter on the status of special articles. It looked as if the EMS' account is the only inactive one left that could be used.

-Mr. Dronzek asked when are we spending money on the sidewalks? Mr. Brown said to set some time aside this winter to set up a schedule, go out to bid, and be ready in the spring to begin. Mr. Dronzek said we should be ready to go out to bid for Summer/Main/Village intersection, and to get some specific dates from Mr. Higgins on the sidewalks.

-Mrs. Allen mentioned the Veterans Agent's emergency transfers to be signed for veterans benefits for \$20,000 and veterans part time salary for \$1,717.

-Mrs. Allen mentioned the Norfolk Moquito Control meeting on November 19 - no one will be attending.

-Mrs. Allen acknowledged communications from:

- John Jones from Tri-County rejecting teachers' deferral.
- Dee Moschos' letter on sexual harassment guidelines.
- DPW letter on Algonquin's taking of land.
- MMA's letter on the lack of funds for recycling.

-Mrs. Allen brought up the name of Monica Frechette to be on the Historical Commission. Mr. Brown made a motion that she be appointed to the Historical Commission; Mr. Johnson seconded; all aye.

-Mrs. Allen acknowledged Chief Lambirth's letter on extra funds required for the maintenance of the new police building, approximately \$18,000 being added to expenses.

Mr. Dronzek mentioned how the cost of \$5.00 per day for maintenance of the new police building is a bargain.

Chief Lambirth also is requesting the temporary no parking sign on Campbell Street to be permanent. Mr. Brown made a motion to designate the westerly side of Campbell Street as a no parking area; Mr. Johnson seconded; all aye.

Mrs. Allen noted that the Chief incorrectly did not have to have parking restrictions lifted on Lincoln Street.

-Mrs. Allen brought up an emergency transfer request for Greg Barnes, Special Counsel for \$6,587.75. The Board signed the transfer.

-Mrs. Allen brought up three street opening permits that need the Board's attention. Two had already been approved, but just were not done prior to the November 15th deadline - 395 Village Street and 11 Virginia Road. Lot 13 Lovering Street and lot 1 Stanley Road needed to be done regardless of the time frame. The Board agreed to these four, and that the work be done immediately.

-Mrs. Allen acknowledged Fire Chief Vinton's monthly report.

-Mrs. Allen received a solicitor's permit request from the League of Conservation Voters out of Providence, R. I. requesting to solicit the town door-to-door as part of their membership drive. The Board voted unanimously to decline the permit.

-Harold Bemis had asked Walter Johnson earlier in the evening to see what the Board thought about a day care center for the elderly. The Board will need more information on this.

-Mr. Brown mentioned that he was at the FinCom meeting the previous Wednesday, Nov. 13th, and recommended that one of the Selectmen should go to the next meeting, the following Wednesday, the 20th. He stated that the Lighting Committee gave a 2-3 page report, and that it was an emergency because they had been able to get so many volunteers to do the work now. He also stated that if the material was stored near the Superintendent's office, how could they not know about it. Mr. Brown said the supplier in Medway gave them \$10-15,000 worth of supplies; they had raised about \$7,000, and the materials cost \$19,000. Gate receipts would go from \$3,000 to over \$10,000 and would be a continued source of funding.

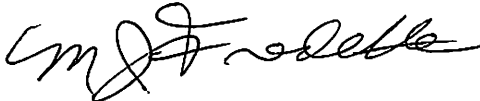
Mr. Dronzek stated there was no article submitted for the special town meeting. Mr. Brown stated that the lighting committee had thought there was to be a FinCom meeting on October 9th, and missed meeting with them. Mr. Dronzek said that you cannot have the FinCom bailing out a citizens group. Mr. Brown said the emergency transfer was requested by the Park Commissioners and it was normal for the park department to go there. Fred Sibley was reseeding. It's the School Committee's fault. Doug Downing said to leave the School Committee out of it and not bother them, so the lighting

committee was left alone. Mr. Brown said the town could be sued because the lighting committee was acting as the town's agent. The School Department gave permission. Mrs. Allen said the lighting committee is not authorized to spend the town's money. Mr. Brown said 12 people on the FinCom made the decision. A lot more discussion took place, so Mr. Brown urged the Selectmen to attend the meeting on Wednesday. He stated that one or two people in town should not be stuck with the costs incurred. Mr. Dronzek said the FinCom is dead wrong, and this is not the first illegal thing they have done.

-The subject of 24-hour towing was brought up, and it was mentioned that only one has agreed to do it in the area. It seems as if John's Auto Body can do it, and Elliott and Greene want to do it. Mrs. Allen mentioned Chief Lambirth saying he could not find anyone who wanted to be on call 24 hours. Mr. Dronzek said it was up to the Chief.

11:10 -The meeting was adjourned.

Respectfully submitted,



Mary Jean Fredette, Secretary



BOARD OF SELECTMEN

155 VILLAGE STREET
MEDWAY, MASSACHUSETTS 02053

AGENDA

NOVEMBER 4, 1991

7:00 p.m.	Open meeting, sign warrants, approve minutes of 10-21-91 and 10-28-91 meetings.
7:05	Public hearing: Sunday package store openings for 12/22 and 12/29.
7:20	Bid opening - street line markings.
7:30	E.M.S. Coordinator Grimes re: mutual aid & abatements
7:45	Affordable Housing Committee and Abraham Rosenfeld.
8:00	Fire Dept. officers re: appointment to Insurance Committee
-----	old business
-----	new business

Present: John Dronzek, Walter Johnson, Richard Brown and
Administrative Assistant Ruth Allen.

7:00 p.m.--Mr. Dronzek called the meeting to order in the Selectmen's Meeting Room 2 of the Town Hall. The warrants were signed. Mr. Johnson made a motion that the minutes of the October 21st and October 28th meetings be accepted; Mr. Brown seconded; all aye.

7:05 -Mr. Johnson read the ad that appeared in the Milford Daily News for the public hearing on the Sunday opening of package stores for December 22nd and 29th. Representatives from Medway Package Store and Keystone Liquors were present. Both asked that the stores be allowed to stay open-until 6 and 5 p.m. respectively. Mr. Johnson made a motion that the 4 stores, if they so wished, could open on Sunday, December 22nd and 29th from 12 Noon until 9 p.m.; Mr. Brown seconded; all aye.

Mr. DeGaetano from Medway Package did mention after the hearing that two stores stayed open on Memorial Day this past year, and that the State has mandated it is one of the few days that liquor stores cannot be open. The Board appreciated this information, and will forward same to the Police Dept.

-Mrs. Allen told the Board that mechanic, George Cole, was able to return a total of \$580.17 back to the town for scrap metal removed from town property at the highway garage.

7:20 -Mr. Johnson read the ad that appeared in the Milford Daily News for street line markings bids. Three bids were received:

Traffic Control - yellow lines-2.9 cents lin. ft.
white lines-3.9 cents lin. ft.
(bid bond received)

Safety Traffic - yellow lines-1.98 cents lin. ft.
white lines-2.0 cents lin. ft.
(check received)

Traffic Markings - yellow lines-2.54 cents lin. ft.
white lines-2.54 cents lin. ft.
(bid bond received)

Mr. Brown made a motion to refer the bids to the Highway Supt. for his review and recommendation; Mr. Johnson seconded; all aye.

-Mrs. Allen informed the Board that Officer Donald Grimes was unable to attend tonight's meeting as scheduled.

-Mrs. Allen mentioned the MMA annual trade show in January, and asked the Selectmen to let her know if anyone was interested in going.

-Mrs. Allen mentioned the pothole on Summer Street that seemed

to have caused some flat tires; however, our Highway Dept. was there at the scene within a half hour of being notified patching the hole. Four phone calls were received on Friday in this regard already.

- Mrs. Allen mentioned notification from Eckerlee Communications that they were going for their billboard sign permit - this is a yearly official notice that is sent out.
 - Mrs. Allen mentioned the regional meeting being set up by Blackstone with area towns has been set for Dec. 4th.
 - Mrs. Allen mentioned that Mr. Aoude had come to the Town Hall saying he was not open 24 hours a day, and that his Mobil lease said he could be open whenever he wanted. Mr. Dronzek said the usual hours are 7 a.m. until 11 p.m., and asked Mrs. Allen to let him be aware of that. Also, that it does not matter what his lease says as the town can have jurisdiction on his hours.
 - Mrs. Allen acknowledged receipt of a letter from the Dept. of Revenue with cherry sheet manual enclosed.
 - Mrs. Allen went over the letter from Police Chief Lambirth on parking at High and Village Streets. It was also stated that Zoning Board Chairman, Joe Dziczek, had told the prospective tenant at Wood's Store that no variance was required; Mr. Speroni differed and said one was required. The ZBA secretary contacted Town Counsel and he ruled with Mr. Speroni on this.
- Mr. Johnson made a motion to lift the restriction of 100' on the westerly side of High Street of the traffic rules and orders of October 23, 1944 for 3 parking spaces on High Street and 4 on Village Street and leaving 20' at the corner; Mr. Brown seconded; all aye.
- Mr. Dronzek asked Mrs. Allen to send a letter to Chief Lambirth informing him the Board needed a formal letter asking for restricted parking on Campbell Street.
- Mr. Johnson made a motion to eliminate the restriction placed on Lincoln Street for parking; Mr. Brown seconded; all aye.

7:45

- The Affordable Housing Committee came before the Board with Abraham Rosenfeld, with a proposed affordable housing development of 26 acres off of James Street in Milford, which then went into Medway. Mr. Rosenfeld introduced himself, and showed the Board three different proposals he had.

The first plan was for 44,000 sq. ft. lots for a 13-home subdivision, with 4 affordable homes set aside. This plan was approved by the Planning Board a few years ago. In this plan, there would have to be a variance approved by the Zoning Board for 135 ft. frontage instead of 180 ft. He would then donate 10 acres of land as a buffer to the Conservation Commission.

On the second plan, there would be 17 lots, but 3 lots would have 28,000 sq. ft., and 14 would have 44,000 sq. ft., and still have 135' variance.

On the third plan, there would be 18 lots of 25,000 sq. ft., with a 140' frontage.

Prices of the homes would range from \$105,000-125,000 for the affordable homes; and \$159,000-199,000 for the regular homes. With the 18-lot plan, there would be five affordable homes, mixed in with the regular homes.

Theresa O'Brien and Robert Dubovsky of the Affordable Housing Committee commented how pleased they were to have Mr. Rosenfeld available for this. Mr. Dubovsky mentioned how their committee preferred the 18-lot plan with the five affordable homes.

The Board expressed preference for the 18-lot plan without the tail end pieces of property.

Diarmuid Higgins expressed concern for snow easements on the road. Gardner Rice suggested a path from the road out to Milford Street for easier access for buses. Mr. Dronzek mentioned the need for Conservation approval as wetlands were involved.

Mr. Dronzek asked the Board about preliminary informal approval. Mr. Johnson preferred 18 lots with no tails; Mr. Dronzek agreed; Mr. Brown said he had no problem with tails.

Mr. Rosenfeld said he would touch base with the ZBA.

-Paula Currivan stopped in and the Board told her about the parking restrictions that were lifted.

8:30

-Chief Wayne Vinton and officers of the Fire Department came before the Board. The Chief requested that a representative of the Fire Department be appointed to serve on the insurance committee, and stated Capt. Harold Lynch was willing to serve. Mr. Johnson made a motion to appoint Capt. Lynch to the committee; Mr. Brown seconded; all aye.

The Chief then stated that members of the department had done research on the policy presently in effect for the firemen. Mrs. Allen mentioned a meeting had been set up for November 19th with M.I.I.A. Capt. Lynch stated they did not want to meet with them, and they had already waited 6-8 weeks. Lt. Reding agreed that it was not necessary to meet with M.I.I.A.

Mr. Brown felt that the M.I.I.A. rep would be willing to adjust the policy to meet the needs of the firemen. Lt. Reding stated that the present policy with Hartford cannot meet the Woodmansee policy, even though Hartford got the low bid. Capt. Lynch stated the firemen knew nothing of the new policy with M.I.I.A. until it was switched a year ago from Woodmansee. Deputy Chief Rojee felt time was of the essence, as even a training session could not be held.

Mr. Dronzek said when he had met informally with the firemen, he had noted some significant discrepancies. Mr. Johnson wondered why when the policy was renewed, that someone did not read it to make sure it was O.K.

Capt. Lynch said back in 1983, a committee looked into the insurance for the firemen, and their recommendation was to go with Woodmansee, which was accepted. He could not understand why the town varied from this. Mr. Dronzek explained there was an insurance committee specifically to look into insurance for the town.

Paul Mitchell, who was in attendance, stated that Medway was one of the first ones in the area to use Woodmansee, and that the side by side comparison that the officers had made with them that evening showed that Woodmansee was a better policy and should be looked at. He suggested M.I.I.A. look over the Woodmansee policy and get some answers. Mr. Dronzek felt that the meeting of November 19th should proceed as scheduled and give M.I.I.A. the benefit of looking at another proposal prior to the meeting. Mr. Brown agreed that it was not the Board's intention to cut anyone's insurance, and he did not have any objection to M.I.I.A. looking at the policy and coming up with a counter-proposal.

Lt. Reding said a local agent told him no one can compare with Woodmansee; that it is specifically made for call firemen. He also stated the EMT's were not covered. Mr. Dronzek and Mrs. Allen both stated that they were covered. Lt. Reding said he saw nothing in the policy to indicate that, and would like both policies compared. He also stated that Mr. Dronzek had asked him to get the comparison package from Woodmansee put together, and he was to meet with the Chairman, but had not heard anything.

Lt. Reding also stated that Woodmansee's disability benefits were up to \$300/week, and after 30 days, it went up to \$600/week, or matched the person's weekly salary whichever was less. Woodmansee's policy went for 260 weeks for disability (5 years); Hartford went for 104 weeks (2 years). He also said that the Hartford only covered certain specific ailments; while Woodmansee seemed to pick up many more.

Capt. Lynch asked what it would take to override Hartford and get Woodmansee - they did not want anything else. Mrs. Allen again reminded them of the meeting on the 19th. Lt. Reding said no physical training could be done in the meantime.

Until the 19th, Mr. Dronzek asked Mrs. Allen to get a prompt response to the questions being asked: if the officers are correct and the policy does not cover them and M.I.I.A. would agree to cover them, what would the additional cost be; what would it cost to upgrade to the Woodmansee policy; how quickly can it be done; how would the policy be cancelled; also to contact Woodmansee and find out how quickly they could reactivate the policy. Lt. Reding had a copy of what the new Woodmansee policy would entail and gave Mrs. Allen that copy for photocopying.

Mr. Mitchell again reiterated that time was of the essence; that the agent involved should be interested in not losing the policy to someone else; that waiting to meet on the 19th was too far away - that someone should be in this week.

Mr. Dronzek said he did not take the firemens' complaints lightly, but he did want to give the present carrier time to explain the policy. Mr. Mitchell pressed for an answer in 24 hours - Mr. Dronzek said it could not be guaranteed. Again Capt. Lynch mentioned the long time waiting for an answer, and that the old Woodmansee policy expired in June of 1989. Mr. Mitchell stated that the "agent with authority" could come to the town, and that someone should get a hold of the officers with an answer and be given the information they want. Lt. Reding said he would keep in contact with the Administrative Assistant.

9:30

-Joe Casalinova stated that Boston Edison was behind schedule, and the placing of conduit had been discussed back in June. They are paving this week and would be done in two weeks. Would the Board consider an interim letter for permission as the petitions had only recently been submitted, and no public hearings had been held, and the deadline for street opening permits is November 15th?

Mr. Johnson made a motion to grant permission to place conduit at pole # 45/17 in a westerly direction to put pipe under the road on Summer Street to Claybrook Road, subject to the proper hearings later; Mr. Brown seconded; all aye.

Mr. Casalinova asked if the Board could write the letter, and he would personally hand-carry the letters to NET and Boston Edison. The Board agreed.

Mr. Casalinova also requested an extension of the special permit for removal of earth. Mr. Dronzek said the Board needed the approximate amount of cubic yards remaining to be removed so that another permit could be taken out. Since he would not start removing until spring, it was suggested to come back then with the permit.

9:37

-Mrs. Allen brought up two names of people to appoint to the Affordable Housing Committee: Suzanne Atryzek and Anne Johnson. Mr. Johnson made a motion to appoint both to the Affordable Housing Committee; Mr. Brown seconded; all aye.

-Mrs. Allen mentioned Attorney Akree's letter should get a response. She asked the Board to please let her know what action they wanted to take.

-Mrs. Allen asked the Board who would be attending Theresa McCarthy's surprise retirement party. Mrs. Allen was asked to draw up a proclamation.

-Mrs. Allen asked about the Veterans' Day services on Sunday, November 10th. Mr. Johnson said he would read the proclamation on behalf of the Board.

-Mrs. Allen mentioned talking to the Community Church and they were interested in discussing the purchase of the old Fire Station I. Mr. Dronzek asked Mrs. Allen to set up a meeting with the Historical Commission and the board of the Community Church to discuss this further.

-Mrs. Allen brought up the day after Thanksgiving as traditionally being closed at Town Hall. Mr. Johnson made a motion that the Town Hall be closed the day after Thanksgiving, November 29th; Mr. Brown seconded; all aye.

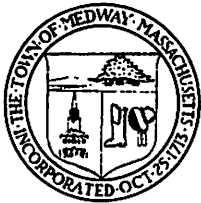
9:50 -The meeting was adjourned.

Respectfully submitted,



Mary Jean Fredette, Secretary

mj



BOARD OF SELECTMEN

155 VILLAGE STREET
MEDWAY, MASSACHUSETTS 02053

AGENDA

OCTOBER 28, 1991

ROOM 111 - MEDWAY HIGH SCHOOL

7:00 p.m.

Open meeting, sign warrants.

7:05

Joseph Casalino, Claybrook Farms
re: payment of police details

7:30

Adjourn to high school auditorium for
special town meeting.

Present: John Dronzek, Walter Johnson, Richard Brown and
Administrative Assistant Ruth Allen.

7:00 p.m.--Mr. Dronzek called the meeting to order in Room 111 of
Medway High School. The warrants were signed.

-Joe Casalinova of Claybrook Farms came before the Board to
clear up some issues. Dave Franchi of Franchi Company and
Jackie Little of Claybrook Farms Equestrian Center were also
present.

Mr. Casalinova was concerned about the police detail bills he
had been receiving. He did not feel he was being given
sufficient time to pay for them; that most companies use a
10-day turnaround for bills.

He also did not like all the bad publicity that Claybrook had
been receiving lately, all for late payment of police
details. He said he wanted to work with the community, but
this was just making things difficult.

Mr. Dronzek said that the Board of Selectmen usually don't
get involved with the collection of bills from the Treasurer/
Collector's office, and they only got involved this time
because the Police Department is under their jurisdiction.
The Treasurer's office had also asked the Board for their
assistance.

Mr. Brown stated that their Board meetings are also open
meeting, therefore, they could not control what was printed
in the papers. He stated that the town had a one week time
frame for payments.

Mrs. Tighe, who was present, stated that normally there is a
10-day turnaround; however, there had been problems with late
payments going back to May 1991 when that bill was finally
paid in October of 1991.

Mr. Casalinova explained there were different people hiring
police details, and when those contractors didn't have credit
with the town, they would just tell the police to bill
Claybrook Farms. There were also problems with different
figures not matching the bills received.

Mr. Dronzek said a four-month delinquency is what started the
whole problem, and although he did not like the 7-day payment
schedule, the Board did not set policy for the Treasurer's
office.

Mr. Franchi said most businesses operate on 30 days net - the
amount in question here was only \$600. Mrs. Tighe said that
an arrangement had been agreed upon that Mr. Franchi receive
copies of all bills sent to Claybrook Farms since October 11,
and all bills were to be picked up at the Treasurer's office
by a rep from Claybrook Farms.

Mr. Franchi stated he wanted to play by the rules, as long as
he knew them. He also said he would like to have a receipt

signed by the officer indicating what hours he was there for and on which day, so that he had something to substantiate a bill and match up with. Mr. Dronzek suggested Mr. Franchi make up the form as the Police Department does not provide those slips, and suggested it be a 3-part form (1 for Mr. Franchi, 1 for the Police and 1 for the town). Mrs. Tighe informed the Board that the Treasurer's office bills every day for police details. Mr. Casalino thought submitting \$2,000 a week to the town and a two-week turnaround was a good arrangement. Again, Mr. Dronzek told him that that had to be worked out with Mr. Franchi and the Treasurer's office.

Mr. Casalino felt the meeting was needed as he saw something getting out of control here that he wanted cleared up, both with the town and the newspapers. Again, Mr. Dronzek said the best thing to do was talk to the Treasurer's office. Mr. Casalino asked about working on a 7-day or 2-week schedule of payments. Again, Mr. Dronzek said talk to Mr. Lee and Mrs. Tighe.

7:25 -The Board adjourned the meeting to go to the special town meeting in the high school auditorium.

Respectfully submitted,



Mary Jean Fredette, Secretary

mj



BOARD OF SELECTMEN

155 VILLAGE STREET
MEDWAY, MASSACHUSETTS 02053

AMENDED AGENDA

OCTOBER 21, 1991

- | | |
|-----------|--|
| 7:00 p.m. | - Open meeting, sign warrants, approve minutes of 10-7-91 meeting. |
| 7:05 | - Tax Classification Hearing. |
| 7:25 | - Paul Rivard
re: railroad bed. |
| 7:35 | - Library Trustees |
| 7:45 | - Public Hearing -
China Lotus. |
| 8:00 | - Chief Lambirth & Paula Currivan
re: parking - commercial
District IV - West Medway Village |
| 8:30 | - Executive Session. |
| ----- | - old business. |
| ----- | - new business. |

Present: John Dronzek, Walter Johnson, Richard Brown and Administrative Assistant Ruth Allen.

7:00 p.m.-Mr. Dronzek called the meeting to order in the Selectmen's Meeting Room 2 of the Town Hall. Mr. Johnson made a motion approve the minutes of the October 7th meeting; Mr. Brown seconded; all aye. Mr. Dronzek did want to clarify that in the minutes where Representative Gardner is mentioned that only two precincts want county government, those are the only two precincts in Norfolk County that she represents and all the other towns she represents are not in Norfolk County. Mr. Dronzek also wanted to mention that he thought the meeting was very productive, and appreciated Mr. Hall coming. Mr. Brown suggested that maybe he could come to an all boards meeting next time. The warrants were signed.

7:05 -John Wilson, Assistant Assessor and members of the Board of Assessors - Harry Johnson, Al Borek and Joe Malloy - came before the Board to discuss tax classification at the public hearing.

Harry Johnson said the recommendation was for a single tax rate as voted by the Board of Assessors. He stated that since residential homes fill 83% of the tax base, and industrial and commercial and personal property fill only 17%, that they did not feel they could go with a dual rate.

Harry Johnson said that the valuation of the town went down from \$616,000,000 to \$573,000,000. With the new assessment, however, and the passage of the debt exclusion, the rate went up to \$16.10.

Mr. Brown asked if the majority of the increase in the rate is due to the decrease of valuation? Harry Johnson said it was about even - he said it would have been better if the debt exclusion could have occurred when we had assessed the previous time. Harry Johnson mentioned that the bills would be mailed by December 31st, and they will reflect the increases.

Mr. Dronzek asked if anyone in the audience had any questions or comments - hearing none, Mr. Brown made the motion to set a single tax rate for the fiscal year ending June 30, 1992 at \$16.10; Mr. Johnson seconded; all aye.

7:25 -Peggy Tighe, Assistant Treasurer, came before the Board to ask for their assistance in recovering the monies owed from Claybrook Farms for police details. Mrs. Tighe explained the delays in payment she had been getting from Joe Casalino; that promises had been made and continuously broken. Mrs. Tighe mentioned getting phone calls at home from them, which she refused to take. She stated that now they owe \$1,200 for the previous week's police detail. She said she has requested that all bills now go to Franchi Equipment Company on a daily basis.

Mr. Dronzek said setting a policy for these people would be in order and if the outstanding monies are not received this

coming Thursday for last week's detail that ended on Thursday, then they should be shut down.

7:35

-Paul Rivard came before the Board, along with his son, John and Paul F. DeSimone, to discuss some concerns abutters had about the fill he was using where he had been excavating off of Brigham Street in the railroad bed - their feeling was that it was not the same as what was removed. Mr. Rivard denied what the abutters were insinuating was true. All the land had already been seeded and loamed, as required by town by-law. Mr. Johnson did say, however, that he told Mr. Rivard's son not to seed until after the Selectmen's meeting to discuss the subject; and that the abutters are mostly concerned about water running off of Cottage Street to that location. Mr. Johnson also said that Ray Kelley would like the Board of Selectmen, neighbors, Mr. Rivard and his son to walk the area together to check out their concerns. Mr. Dronzek set up the time of 8:00 a.m. on Saturday, October 26th with the Board and Mr. Rivard.

7:45

-Mr. Johnson read the notice for the public hearing for the possible reduction of hours of the China Lotus on Friday night because of lack of payment of police details. Bob Jackewicz, attorney for China Lotus, manager Bing Leong, bookkeeper Lisa Hoban, and Chief Lambirth were present.

Ms. Hoban stated that they used police details on the Chief's suggestion, and acknowledged that she paid bills once a month; however, upon receiving a late notice from the Treasurer/Collector's office, paid the bill. Mr. Dronzek said that payments were habitually late, and when bills were not paid on time, the town had to advance the money to pay the officers.

Concerning the number of hours for the detail, Chief Lambirth said it was not practical for a 2 hour detail - that it had to be a 3 hour detail. Mr. Dronzek stated that many times a cruiser had to be dispatched to back up the detail officer, and that he understood this was the only place this occurred. When asked if it was worth the China Lotus staying open until 2 a.m., Ms. Hoban indicated it was. When asked about removing the detail, Chief Lambirth stated he did not like the details at liquor establishments, but thought it was a good idea when large crowds gathered. He was in favor of utilizing the officers elsewhere also, but did feel the 2 a.m. closing was a draw to people from other towns even though they have not had a problem with them since 1987. Mr. Dronzek advised all present if they chose to go without the detail, that all the problems would be theirs; that they would have to make sure they check I.D.'s. Mr. Dronzek also explained that there is no condition put on the license to have details - the town does not mandate that. Since there was no further discussion, Mr. Dronzek advised them that the Board would get back to them with the decision.

8:10

-The Library Trustees and Director Philip McNulty came before the Board because of a proposal made by the Finance Committee at their last meeting involving the library. Judy Lessard,

Chairman of the Library Trustees spoke on behalf of the Trustees and read a statement whereby she expressed their dissatisfaction in the manner the proposal was made without consultation with the Trustees prior to any public statement being made. The Trustees were not in favor of the proposal; however, were willing to work and talk with the School Committee but asked the Board to reject any idea of forming a study committee, as the two elected boards should be able to make any recommendations.

Mr. Dronzek clarified that all was done without talking to the Library Trustees, an elected body. He stated that the town elects boards, and they, in turn, appoint other boards, and this appointed board (meaning the FinCom), has no decision-making power, just advisory. It appeared to him, as one selectman, that an attempt was being made to restructure.

Mr. Brown protested saying that ideas were made by the FinCom at an open meeting, but Mr. Dronzek thought it was too major a subject with impact upon the town to just discuss without inviting the boards directly involved first. Mrs. Lessard stated a phone call to the director the night before did not leave any time for the Trustees to call a meeting and discuss the subject, and as of this date, they had not received any communication from the FinCom on this. Mr. Verdolino said that everything being argued about was prompted by the newspaper article. He said he contacted Mr. McNulty to let him know it would be brought up the next night, and could not understand what all the concern was for. He said the FinCom wanted the school committee to discuss the proposal with the library, and possibly the Board of Selectmen and the FinCom.

Mr. Johnson interjected that the FinCom had overstepped their bounds by not letting the Board hear the proposal first. Mr. Verdolino said he was not going any further on this, but he had asked the FinCom to look for new ideas, and this one was just one and more were coming. Conversations with school committee member, Doug Downing, and the Supt., and Mr. Brown had prompted bringing the proposal up at the FinCom meeting that evening. Mr. Dronzek stated that talking to the Trustees first would have alerted the FinCom to the problems with Chapter 70 reimbursement payments and that the whole proposal had already been studied years before. Mr. Verdolino felt that was irrelevant; that he was not trying to pull a power-play; and if the proposal sounds good, get on with the discussion. More conversations ensued with Mrs. Lessard saying that the issue was the lack of communication with the elected board involved, and that this subject had been talked about among the School Department and the FinCom 1-2 months before their scheduled meeting when there was time to contact the Trustees. She said the issue of vacating the building was out. Mrs. Pang felt that school libraries and public libraries don't mix, that they are both different, that is why a school librarian is called a "media specialist". She said the townpeople had worked too long to get its own building for a library to think of vacating it.

Mr. McNulty reiterated Mrs. Lessard's point that no new study

group need be formed - that the proposal could be discussed between the School Department and the Library Trustees. Mr. Brown stated the proposal was one of the last issues discussed that evening, and could not understand why this was the main topic of the newspaper article. Tom Carpenter said there was a total lack of communication when a meeting is held on October 9th, and on October 21st a letter is written to the Trustees. Mrs. Lessard again pointed out this is not the way to do business. Mr. Verdolino stated that more innovational ideas were coming from the FinCom, so get used to it.

Mr. Dronzek stated that as chairman of the Board of Selectmen, he didn't want to read anything into Mr. Verdolino's statement, but Medway will not operate this way. You just don't try and tell library trustees how to run their library. Mr. McNulty was sorry he did not voice his objections stronger to Mr. Verdolino the evening he called. Mr. Dronzek said he would not entertain a motion tonite or any other night to form a study committee - he would only do so if Town Meeting says it should be established.

8:55

-Chief Lambirth and Paula Currivan came before the Board to discuss parking near the property Ms. Currivan's owns that was known as Wood's Store. The Chief explained there was a tenant interested in renting the smaller of the two stores for a three-chair beauty salon, and felt six parking spaces would be required. The Chief said there is a parking ban on that corner area of no parking from 100' in each direction from that corner. He stated if the ban is rescinded, there might be two parking spaces on High Street, and two on Village Street, leaving 20' restrictions at the corner in each direction; that would still only give four spaces.

Mr. Dronzek stated there was room behind the stores for possibly eight cars if it was cleared out for parking, when Ms. Currivan acknowledged she owned the property. Mr. Bertram, the prospective tenant, was present to say he would need six parking spaces at the most, and that employees would park at the rear of the building. Mr. Dronzek said they have never designated certain parking spaces for certain stores, certainly not in front of residences, and since 1944 when the rules were established, nothing has changed. When Mr. Johnson mentioned clearing out behind the store for parking, Ms. Currivan said they could do that in the future, but not right now. Chief Lambirth agreed that clearing out behind the store would enhance the area, but that possibly the four spaces could be provided, but they would have to be marked out and enforced.

Mr. Dronzek asked Ms. Currivan to give the Board a rough drawing, and then they would discuss it at the Nov. 4th meeting. Ms. Currivan asked if it couldn't be done that evening as Mr. Bertram had to get a license from the state? Mr. Dronzek said the Board can't vote on generalities, but they are receptive to lifting some restrictions, and at the Nov. 4th meeting everything can be formalized. Again, Ms. Currivan pursued the issue saying Mr. Bertram needed state

certificates for the building - the parking didn't matter. The Chief said the town does not have to provide parking; there is space behind the building, and if the Selectmen say no, she can clear out that area to be used. Mr. Dronzek ended the discussion by asking Ms. Currihan to bring in drawings on Nov. 4th.

9:30

-Mr. Brown made the motion to go into executive session to continue to pursue a previous executive session on personnel matters, to return to open session following the executive session; Mr. Johnson seconded; all aye.

10:40

-Mrs. Allen asked about a decision on China Lotus. Mr. Brown felt the Board shouldn't do anything, and it was up to the China Lotus to ask the Chief for a police detail when they wanted one. Mr. Dronzek went along with this saying if there was one complaint, further action would be taken; and that payments of the details would be handled in a normal, business-like manner. Mr. Brown made the formal motion that there be no change in their license; Mr. Johnson seconded; all aye.

-Mrs. Allen passed on to the Board an emergency transfer from the Conservation Commission for \$5,433.28 for their secretary's salary. She explained there was only \$155 in the budget now, which had \$1,900 appropriated originally, and that she had been doing a lot of work on the Algonquin Gas Project. Mr. Brown made the motion to sign the emergency transfer to the FinCom; Mr. Johnson seconded; all aye.

-Mrs. Allen went over a complaint received that Aoude Mobil Station was operating 24 hours a day. She stated that when the Shell Station and Dunkin Donuts wanted to go 24 hours, they had to come to the Selectmen. Mr. Dronzek asked Mrs. Allen to notify Aoude that their being open 24 hours is subject to the approval of the Board of Selectmen, and that they have to go back to the hours they had.

-Mrs. Allen had a request from the Police Association to appoint Father William MacKenzie and Father Austin Fleming as Police Chaplains. Mr. Brown made the motion; Mr. Johnson seconded; all aye.

-Mrs. Allen had a request for a proclamation for Alzheimer's Month. Mr. Brown made the motion that November be proclaimed Alzheimer's Public Awareness Disease Month; Mr. Johnson seconded; all aye.

-The Board acknowledged receipt of correspondence from:

- Representative Ranieri in support of House Bill 5500, mosquito control funding.
- Representative Ranieri in agreement of defeat of House Bill 1479, Senator Chase's bill.
- Senator Burke saying he would consider opposition of House Bill 5500.
- M.I.I.A.'s appraisal figures of school buildings.
- Recycling Committee's request to the Board of Health that the brush pile be chipped.

- Reminder on the Selectmen's Association meeting that Wednesday.
- Principal David Driscoll looking for a member of the Board to be on the Advisory Council for community service. Mr. Brown volunteered to be on it.
- Mrs. Allen had received an estimate from Scott Guyette of G&F Electric for lighting outside the Town Hall building. He said the cost would be \$300 for one type of fixture, or \$35 for a different type of fixture. The Board said to go with the \$35 fixture.
- Mrs. Allen said that the County would be doing a traffic count at the high school.
- Mrs. Allen said that the traffic count for Main Street/Route 109 had been approved.
- Mrs. Allen said that Fred Sibley had asked her to talk to the Board about his using the old fire station I through the winter. Chief Vinton had no problem as long as he paid for the heat. Mr. Dronzek said he could store some of his equipment in there.
- Mrs. Allen mentioned that the Federal Emergency Management Agency had approved the cost we had submitted for Hurricane Bob, and would more than likely, approve 87-1/2% between FEMA and the State.
- Jack Ryan had spoken to Mrs. Allen about the Council on Aging acquiring a vehicle. He is gathering information now, but wanted to know the Board's feeling for it be owned and maintained by the Town. He is looking for grant money also. Mr. Dronzek said if there is no grant, there is no vehicle.
- Mrs. Allen mentioned a call from Dick Parrella from the Board of Health with respect to a previous Medway resident who has cancer, and possible other related cancer deaths in the Clover Lane area.
- Mrs. Allen mentioned the receipt of a proposal for signal design for \$23,800 at 109/126.
- Mrs. Allen mentioned the receipt of a proposal for the engineering of the Walker Street Bridge for \$93,000.
- Mr. Brown updated the Board on the mapping project meeting held earlier in the day. There was a demonstration given, and someone from Stone and Webster would be contacting Mrs. Allen to speak to Mr. Brothers and Mrs. Tighe about using the P.C.'s connected to the system. The Town would still have to get a plotter and a digitizer. He said they were asked to come up with specific recommendations. He thought the cost was relatively inexpensive, and Mr. Mitchell and Mr. DeSimone agreed to be appointed by the Board to work with department heads. A memo to both from the Board will be sent in this regard. Mr. Brown said he felt that the training would be a self-study course, and that the software would be set up

the way we want it. All in all, a very worthwhile meeting.

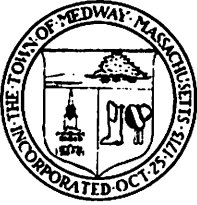
11:20 -The meeting was adjourned.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Mary Jean Fredette".

Mary Jean Fredette, Secretary

mj



BOARD OF SELECTMEN

155 VILLAGE STREET
MEDWAY, MASSACHUSETTS 02053

AGENDA

OCTOBER 7, 1991

- | | |
|------|---|
| 7:00 | Open meeting, approve minutes of
September 30th meeting, sign warrants. |
| 7:05 | Public Hearing - N. E. Telephone:
conduit - Main and Cottage Streets
conduit - Main and Holliston Streets |
| 7:15 | Adjourn meeting to Fire Station II to
meet with Norfolk County officials. |

Present: John Dronzek, Walter Johnson, Richard Brown and
Administrative Assistant Ruth Allen.

7:00 p.m.-Mr. Dronzek called the meeting to order in the Selectmen's Meeting Room 2 of the Town Hall. Mr. Brown made a motion to approve the minutes of the September 30th meeting; Mr. Johnson seconded; all aye. There were no warrants to sign.

7:01 -Mrs. Allen showed the Board a sample of soil taken from the area on the old railroad bed that Paul Rivard is developing off of Forest Road. Two abutters have complained that they are not happy with what is being done - that the land is not being restored with the same content or back to its original condition.

Mr. Johnson said he walked the property with Ray Kelley and took pictures of the area. He said it did not seem to be the same as before; that the elevations did not look the same; that the soil was not the same sandy quality as before (there seems to be more clay in the soil).

This discussion was interrupted for the public hearings.

7:05 -Joe Bausk representing New England Telephone Company came before the Board with two sets of petitions for the Board's approval. Mr. Johnson read the first petition.

1. Main Street (plan 1 of 2) Mr. Bausk indicated they just want to move the pole down in the area indicated and place conduit in the public way in the grassy area. To an abutter's question, he indicated it is really east of Elm Street, and not on Pond Street.
2. Cottage Street (plan 2 of 2) Mr. Bausk said conduit would be going under the sidewalk, not in the grassy area. They would rebuild the sidewalk to 3' wide - all 134' of sidewalk would be put back. This will be done either this year or in the spring. As the abutters had no further questions, Mr. Brown made a motion that both plans of the first petition be granted; Mr. Johnson seconded; all aye. The petition was signed.

Mr. Dronzek read the second petition.

3. Main Street (plan 1 of 2) Mr. Bausk said they wanted to go up further on the pole to decongest the area. The conduit would be under the sidewalk and the area repaired. The stone wall would be undisturbed. The gas station there has no problem with it.

Main Street (plan 2 of 2) Again, same situation here. There didn't seem to be any problem. Mr. Brown made a motion that both plans of the second petition be granted; Mr. Johnson seconded; all aye. The petition was signed.

7:20 -Richard Maciolek, Town Counsel, came before the Board to discuss a mortgage held on John and Paul Rivard by the Town of Medway for \$272,000 in the form of a bond to the Planning

Board of 5/8/91 of lots 4, 5, 6, 7, and 8. Mr. Rivard is selling lot 8 to Gregory Coras, and the mortgage is being released for lot 8. Medway Cooperative is putting up the new mortgage, and they are asking the Town to subordinate the mortgage.

Mr. Dronzek said he probably would be receptive to releasing lot 8, but the abutters may have a problem. Mr. Maciolek said it was just transferring the covenant. Mr. Johnson asked Mr. Maciolek if this was a good way to do this? Mr. Maciolek said, no, but the special town meeting can deal with the subject on the 28th. Mr. Johnson asked about the sewer project being brought back to the original condition? Mr. Maciolek said it should be. Mr. Dronzek said that the subject will be brought up with Mr. Rivard on the 21st.

Mr. Brown made the motion that the Board of Selectmen agree to subordinate the Town's mortgage on lot 8 of the original mortgage of May 8, 1991 from Paul and John Rivard; Mr. Johnson seconded; all aye. The "subordination of mortgage" agreement was signed.

7:25 -The Selectmen's meeting adjourned to Fire Station II to meet with the Norfolk County officials.

7:35 -Robert Hall, Treasurer of Norfolk County, was introduced to those in attendance, which included John King and Bill Rombalski of the Park Dept., Chief David Lambirth, Chief Wayne Vinton, Gardner Rice of the Water/Sewer Board, the Selectmen, Administrative Assistant and Secretary.

Mr. Hall said the County had decided to have these meetings in various towns to introduce what the County had to offer.

He stated that Norfolk County government was founded in 1643, and includes about 600,000 people, 27 towns and one city of Quincy. There is an \$18,000,000 budget; of which \$43,000 is Medway's assessment.

The County offers the follows:

1. Mass. Respiratory Hospital - they have a team for hazardous waste problems. There is a cost to the town but the amount is smaller than private people. Call the hospital directly if needed.

There is an asthma clinic for parents of those children.

Health fairs are also used for chest-screening - discounts are especially good for police officers and firemen.

2. Agricultural School - no tuition and free busing. Courses are related to farming, pre-vet, oceanography, auto mechanics, tree work, landscape/agriculture. They can design an area at no charge, i.e. town hall area. You just have to request them to do a project. He did not feel there was too much communication between the

Town and the County in this area. Joint fuel buying is being done with Quincy.

3. Dog Officer - their man could fill in for ours when he is on vacation at no charge. He could inspect kennels and help in any vaccination program - no cost for his time, but just to pay for serum.
4. Prison Labor - they can be provided to do maintenance. The finish painting of the Fire Station II was done by prison labor. Chief Lambirth stated they were utilizing Pondville Pre-Release right now. Mr. Hall's were from Braintree Alternative.
5. R.S.V.P. - retired seniors program. The Council on Aging can contact them for help with federal funding.
6. Wollaston Recreational facility - has a golf course. The town could get a lower annual rate.

Mr. Hall was asked by Mr. King about planning and surveying. He said the County Engineers do some of each. Mr. King mentioned the water bacteria backup at Choate Pond. Mr. Hall said there was no charge if they can help.

Mr. Dronzek said Medway has availed themselves of the County Engineers many times. They helped lay out Summer/Main/Village Streets intersection; work was done on Route 109; drainage at Cottage/Main Streets; high school parking lot. He indicated they are a little short-handed at this time. Mrs. Allen reiterated all requests have to be forwarded through the Board of Selectmen.

When Mr. Hall stated that most town officials don't know what is available, Mr. Dronzek said he wrote letters to Representatives Gardner and Ranieri about the need for keeping County Government. Representative Gardner stated that most of the other towns don't want county government, and she only represents two precincts that do.

7. Law Library - there is a law librarian available for queries about a particular statute. She will look it up and tell you what the statute is.

At this point, Mr. Dronzek asked Mrs. Allen to write a letter to all boards recapping what had been said this evening. There was much valuable information being given this evening that many were not hearing.

Chief Lambirth asked about a joint purchase of law books- Mr. Hall said just ask.

8. Blue Cross/Blue Shield - he stated there were new regulations.
9. Emergency vehicle in Westwood - Westwood has a stationary

truck on call. They would send EMT's and fire personnel if a truck ruptured in town. The Fire Chief would call HasMat.

10. Treasurer's Office - They have a collection service for \$100 or more. They have handled problems with ambulance bills and would only keep 25%. They could collect large library fines also. They also have an auditor that can do spot-auditing if someone leaves, but for only 1-2 days duration.
11. Data Processing service - this used to be a function of the Treasurer's office, but now they have a specialist that can be called for p.c., software, technical info.
12. County Jail - new jail to open December 1st.
13. Registry of Deeds.
14. Retirement system - Mr. Hall is also chairman of that system. \$126,000,000 is in the system and 41 units (participants) are in it.

He said the money is managed through the PRIM Board and PRIT Trust Fund. The Board can leave the monies there or move them around. Joe Malone, State Treasurer, is Chairman of the PRIM Board. Paul Doan is the Executive Director of the PRIM Board.

15. When asked what other services the County can offer, he replied:
 - centralized purchasing (oil, even toilet paper, Plainville fire equipment was done in this way).
 - parking tickets can be put on computer.
 - looking into a retirement village for County residents just on social security or small pension; maybe a nursing home.
 - Mr. Hall stated that County land has no zoning and is tax-free.
 - there is a recycling center.
 - they have Blue Cross/Blue Shield.
 - if several towns come to the County and all say they need something in particular, say recycling, they will listen. Mr. Dronzek suggested we let the Board of Health and the recycling committee know this.
 - When asked about Norfolk County Mosquito Control - Mr. Hall said they were not part of County government - they are a separate commission by the State.

the new information about County government.

8:37

-Mr. Dronzek said he talked to Diarmuid Higgins, and they were doing the leveling course of Milford Street this week, and the sidewalk on Upper Village Street next week.

-The Board signed the licenses for video games for Burger King.

-The Board discussed Sgt. Paulette's retirement dinner, and the need for a proclamation from the Board.

-Mrs. Allen said there was a problem with Claybrook Farms. They were slow in getting their street opening permit, and Water/Sewer Dept. failed to tell them to go to the Selectmen's Office for the necessary permit. Joe from Claybrook Farms has promised to get the bond to her, but Mrs. Allen hasn't seen it.

Mr. Dronzek told Mrs. Allen to give him until 10:00 a.m. Wednesday morning or shut them down. Mrs. Allen mentioned that he has paid about 1/4 of the police details, and that's all. Mrs. Tighe has tried to work out a schedule of payments, but to no avail.

Mr. Dronzek said the payment of details has to be worked out. If arrangements are not satisfactory, secure another bond.

Mrs. Allen said the year has been full of lack of police detail payments, insofar as China Lotus was concerned also. Should the Board reconsider the 2:00 a.m. closing time again? The Police Dept. feels it should be considered.

Mr. Dronzek suggested scheduling a public hearing for October 21st, and for China Lotus to give good reason why the Board should not amend the 2:00 a.m. Friday night/Saturday morning closing time. He said China Lotus won't need police details if they are only open until 1:00 a.m.

Mr. Brown said the Town could be liable if a person left the China Lotus DWI.

Mr. Dronzek made the motion to hold a public hearing on the delinquency of police detail cost collections, to possibly rescind the 2:00 a.m. closing time on Friday night/Saturday mornings and change it to 1:00 a.m.; Mr. Johnson seconded; all aye.

-The subject of a new Assistant EMS Coordinator to replace Gerry Copeland was brought up. Mr. Brown made the motion to appoint John Misiuk Assistant EMS Coordinator; Mr. Johnson seconded; all aye.

-Mrs. Allen gave the Board the contract for the Highway Garage Addition to sign. It had already been signed by Town Counsel and the Town Accountant. It is noted that the Highway Dept. has to do the excavation.

- Mrs. Allen acknowledged the Building Inspector's monthly report.
 - Mrs. Allen presented a request by the Council on Aging to change the by-law of 7 members to 11 members. Mr. Dronzek said this was something for an annual town meeting.
 - Mr. Johnson brought up the Norfolk County Advisory Meeting coming up on Wednesday, and asked the Board's consensus on the suggested charter reform. The Board was in agreement that the charter shows room for improvement.
 - Chief Wayne Vinton was present to go over his request for an article on the special town meeting warrant for protective clothing. Last week, he gave the Board an estimate. He said his revised cost is \$7800. This will bring everyone up to standard for this year. Between what he has in the budget this year, and what the cost would be, he said he would need only \$7830. The Board was in agreement to put the article in that amount on the warrant, and suggested he bring the new protective clothing to the town meeting for everyone to see.
 - Mrs. Allen brought up the Water/Sewer article for interest to be imposed for late payment. Town Counsel suggested this be done for all departments instead of just water/sewer. Mr. Dronzek then said the article would be submitted by the Board of Selectmen.
 - On the subject of the mechanic's tools, Mr. Dronzek thought it could be indicated on the warrant to transfer the monies from one old article with leftover funds to this one. Mr. Brown said the FinCom would take care of that.
 - Mrs. Allen said a letter had gone out to all departments requesting their written approval for using the mechanic for labor but agreeing to pay for any parts needed. Mrs. Allen gave the Board copies of letters received from Water/Sewer, Police Chief, Fire Chief and Park Commissioners. Mr. Dronzek thought there should be an equipment maintenance department possibly within the DPW? Mrs. Allen said if he takes on these extra responsibilities, the job description should be changed. Mr. Brown said that Mrs. Allen and Mr. Higgins should go to the JCRB.
- Mr. Dronzek stated that the Police Chief's letter was not that clear. He wanted to see it written that all police vehicles would be repaired by the mechanic, and not brought to other garages. Mr. Brown said for now, the Chief's letter was OK - they could pinpoint certain items later on. Chief Vinton reminded the Board that pumps have to be repaired by a certified person.
- Mrs. Allen acknowledged receipt of the letter from the Water/Sewer Board concerning the survey for cross-connections.
 - Mrs. Allen acknowledged the letter from MIIA about teachers taking students on trips in their own vehicles, as well as town employees on town business in their own vehicles.

-Mrs. Allen brought up a question from the Town Accountant on the first check for the defibrillator. She said it went to the Fire Association, and that they would turn it over to the Town Treasurer. Chief Vinton said that was months ago. Mr. Brown said he knew the story and he would tell the Board later.

-Mrs. Allen spoke to the Board about a letter received from Michael Swanson, Chief Engineer for DPW. Mr. Dronzek asked Mrs. Allen to call Mr. Swanson and tell him that the letter he referred to on the Route 109 reconstruction was not on file here in Medway.

-Mrs. Allen acknowledged receipt of a letter from Norfolk Mosquito Control asking for the Board's support in opposition of House Bill # H5500 which would eliminate regular mosquito control in Norfolk County. Mr. Dronzek asked Mrs. Allen to send a letter to Representatives Gardner and Ranieri asking them to oppose that bill.

-The Board acknowledged receipt of a letter from the ABCC on the new State Lottery game.

-Mrs. Allen mentioned that the Medway Business Council would like Mr. Dronzek to speak at their meeting on March 2, 1992, since there does not seem to be much communication between the businesses and the town government. The MBC does not feel that the Board supports them. Mr. Dronzek said at this time he would try to be at that meeting.

In this regard, Mr. Dronzek said that the Building Inspector was sending out lots of signs to people in the business district. Mr. Dronzek asked Mrs. Allen to tell the MBC to tentatively set it up, and he would firm it up in January.

-Mr. Brown said he and Mr. Johnson went to the Selectmen's Skills meeting on Saturday. He got a document on executive sessions procedures that he passed on to the Town Clerk to give to all Boards. Mr. Brown said they would pass on other information to Mr. Dronzek as the need arises.

Mr. Brown also suggested giving reporters at the Selectmen's meeting copies of correspondence that the Board has so they can be informed as to what is being discussed.

The Board agreed that the press would not receive a "censored" package, but items that are "sensitive" should be held.

9:40

-Mr. Dronzek made a motion that the meeting be adjourned; Mr. Brown seconded; all aye.

Respectfully submitted,



Mary Jean Fredette, Secretary

mj

SUBORDINATION OF MORTGAGE

The Town of Medway, a Municipal Corporation duly organized by law and located in Medway, Norfolk County, Massachusetts, the holder of a mortgage from Paul A. Rivard and John P. Rivard to said Town of Medway dated May 8, 1991, and recorded with Norfolk Registry District of the Land Court as Document No. 602685, ("Subordinated Mortgage") hereby agrees that said mortgage and the obligations secured thereby shall be and hereby are subordinate and junior in right to a mortgage given by Gregory J. Coras, Trustee of Kelley One Realty Trust, to Medway Co-operative Bank to be recorded herewith, and to future advances thereunder, to the same extent as if the latter mortgage had been executed and recorded and all advances made thereunder prior in time to the execution and recording of the subordinated mortgage.

Executed as a sealed instrument this day of October, 1991.

TOWN OF MEDWAY
BOARD OF SELECTMEN

By _____

COMMONWEALTH OF MASSACHUSETTS

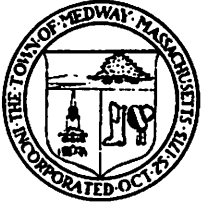
Norfolk, ss.

October , 1991

Then personally appeared the above named
and acknowledged the foregoing instrument to be the free act and deed of the
Board of Selectmen of the Town of Medway, before me

Notary Public

My commission expires:



BOARD OF SELECTMEN

155 VILLAGE STREET
MEDWAY, MASSACHUSETTS 02053

REVISED AGENDA

SEPTEMBER 30, 1991

7:00 p.m.	Open meeting, sign warrants, approve minutes of 9-23-91.
7:05	Kevin Nee re: Centrex
7:30	Len Guertin - Burger King re: Entertainment License
7:45	Joseph Dziczek - Chairman ZBA re: Cassidy's property and signs
8:00	Police Chief Lambirth
-----	old business
-----	new business

Present: John Dronzek, Walter Johnson, Richard Brown and
Administrative Assistant Ruth Allen.

7:00 p.m.-Mr. Dronzek called the meeting to order in the Selectmen's Meeting Room 2 of the Town Hall. Mr. Johnson made a motion to approve the minutes of the September 23rd meeting; Mr. Brown seconded; all aye. The warrants were signed.

7:02 -Kevin Nee of New England Telephone came before the Board to discuss the Centrex system again. Mrs. Allen had been asked last week to check around and make sure no one had any objections to the Centrex system being incorporated into the phone lines. She stated there had been none; on the contrary, it was receiving much support.

Mr. Dronzek asked about programming assistance from TSI. Mr. Nee said they had met with TSI, and the school department would be going with their vendor, Logic Communications from Framingham.

Mr. Dronzek said he was receptive to a motion from the Board. Mr. Brown made the motion that the Town switch from their present phone system to New England Telephone's Centrex system for efficiency and cost; Mr. Johnson seconded; all aye.

Mr. Nee said the next item would be a contractual agreement for a seven-year period with an initial outlay of \$2,300, which he was willing to have spread out over a six-month period of time. The Board was in agreement for that and signed the agreement. Mr. Nee indicated that it usually was a 6-8 week process. He said he would be preparing a list of all the present phone numbers, the new ones to be added, and the ones remaining.

7:10 -Since the next person on the agenda was not due to arrive until 7:30, Mrs. Allen went on with old business.

-Mrs. Allen received the Board's approval for an extension to allow the United Fund banner to be flown until October 4th. Mr. Dronzek said there were to be no more banners hung up by the Fire Department after this, in connection with Chief Vinton's letter to the Board on this matter.

-Mrs. Allen reminded the Board of the meeting the next day with the Assessors at 10 a.m. Mr. Dronzek asked who Mr. Scobbo was that was coming to the meeting? Mr. Brown stated he was coming just to talk as he has expertise in this area; but he would not be working for us as he has a conflict of interest here. The Board stated they would all attend.

-Mrs. Allen went over the response received from Attorney Maciolek on the Cole Library, saying he has answered their inquiry before and that the only way to remove the restrictions would be through a petition to the Land Court. Mr. Dronzek felt that was an insufficient reply, and asked if the property could be reverted back to the family? Mrs. Allen said the family is unknown.

Mr. Dronzek felt if it was going to cost the Town a lot to maintain, then it might be worth it to pay for the initial cost in legal fees to resolve. He asked Mrs. Allen to ask the Library Trustees if they would research the heirs. He again said the Town can't afford to maintain an empty building. He said that other than hanging hoses and the Lions using it for the bottle drive, it was not being used.

He asked about selling the two parcels together, and asked Mrs. Allen to contact the Elders of the Community Church or Wes Chapman to see if they have any interest in the old Fire Station, or in both parcels together.

7:25 -Len Guertin, supervisor for Burger King in Medway and Charlie Gilman, representing Mellotones, the vendor, came before the Board to discuss an automatic amusement license.

Mr. Guertin stated where the indoor playground presently is, is where they want to put these skill games, basically for birthday parties for kids, which would include basketball, bowling and a steering wheel type of game. He stated the games are designed for 6-13 year-olds. He said teens would be discouraged from going in there, and as it is a small facility, it would be closely monitored. The design of the set-up is for small kids.

Mr. Brown inquired about early release days. Mr. Guertin stated in the past they have asked teens to leave, and they have done so. The police have also been supportive in helping take care of problem kids there.

Mr. Johnson asked about injuries in the play area. Mr. Guertin said there have been some, but mainly because the parents were not watching the kids.

Mr. Dronzek asked Chief Lambirth, who was present, what he thought. The Chief felt the games would be a draw to kids, including teens, and that kids 6-13 don't really want video games. Mr. Guertin said they were mostly skill games.

Mrs. Allen said licenses have to be specific as to which games Burger King would have. Mr. Dronzek confirmed that they were present to ask for four licenses, for weekday use as well as Sunday entertainment.

Mr. Johnson made a motion that Burger King be granted weekday amusement licenses and Sunday entertainment licenses from 7 a.m. to 10 p.m. for four skill/amusement games of Basketball (M2748), Pole Position (2330), Chexx (2334), and Bowling (2734); Mr. Brown seconded; all aye.

7:45 -Joe Dziczek, Chairman of the ZBA, came before the Board to discuss a couple of matters. He first brought up the subject of signs, and stated that the Building Inspector authorizes, approves and denies signs. He said that the by-laws state that the Building Inspector should approve the signs, and if he denies them, then it goes on to the Board of Selectmen.

Mr. Brown asked about the signs for the Medway Supermarket. Mr. Dziczek said that the ZBA had granted Mr. Hyman a 90 day special permit for the A-frame signs, as no one spoke out in opposition to them. Mr. Brown felt they were a traffic hazard, and may block the view for pedestrians. Mr. Dziczek clarified they were 4'x8' signs, and were put up in the morning and taken down at the close of business at night. Allan Osborne, who was present, expressed concern of the town being flooded by temporary signs. Mr. Dronzek understood temporary signs, but did not want to see a multitude of them.

Mr. Dziczek asked the Board of Selectmen to keep these by-laws in mind for when the Planning Board goes over the by-laws for future changes. Mr. Brown said if the Building Inspector's reasons for not allowing a sign make sense, then they should go before the ZBA and follow their rules. Mr. Dronzek said maybe the law should be modified if there are problems in the shopping center with signs.

Mr. Osborne changed the subject for a moment asking about how many yard sales a person can have per year? Mrs. Allen answered two. He expressed the opinion that some people in town have as many as five a year. Mrs. Allen said it was probably done without a permit, as the Police Department gets a copy of the permit. Mr. Dronzek asked the Chief if his men look around at the yard sales. The Chief said they do; however, it's the people stopping to go to the yard sales that are creating the traffic hazard. Mr. Dronzek hoped the Chief would keep an eye out for repeat offenders and remind people that they have to have a permit.

Mr. Dziczek asked the Board about the Cassidy property for a golf course, and wanted to know what were the Board's feelings on it being allowed. He said a lot of people had a lot of questions, i.e. was the Town going to widen the street? did the school department have any problems with the use of that area so close to the school? were sidewalks going to be put in near there? He wanted to make sure that if the Board had any concerns that they were made known to the ZBA.

Mr. Dronzek asked about a similar proposal several years ago. Mr. Dziczek said that was from a different individual, and that Richard Cassidy would be the operator of this golf course. He said Mr. Cassidy's attorney would be contacting the Selectmen's office for a site plan approval. Again, if the Selectmen had any conditions they wanted to have imposed upon the property, or if they oppose it for any reason, to let the ZBA know what the conditions were or the reasons for opposing it.

Mr. Dziczek said that the Conservation Commission has been sent a letter because there is a seasonal stream on the land. Mr. Dronzek said they still have to come to the Selectmen for a site plan, and then maybe they would have to go to the Conservation Commission.

Conversation then centered around the owner of the property, Francis Cassidy, letting his son, Richard be the operator of

the golf course. Mr. Dronzek felt that as long as it was within the family, it could be transferred. Mr. Johnson said no - that Fred Lee said it has to be offered to the Town first. Mrs. Allen said that the land can go to a son, daughter, grandfather, etc.

8:15

-Chief Lambirth came before the Board to discuss a dilemma in front of the high school/middle school where the buses and cars go to drop off the students. He said some of the school personnel were acting as bus "re-routers". The Supt. or the Business Manager were inquiring about an additional crossing guard. Possibly the school department could pick up the tab. Regardless, it was an immediate issue that needed to be addressed, and someone needed to be assigned to help out there.

The Chief stated that a redesign of that front circle would be the best thing. Mr. Dronzek said that the mixing of buses and cars is not a good mix where there are smaller-sized kids around. Mr. Brown felt the crosswalks were not in the right location.

Diarmuid Higgins, who was present, said that a traffic count of the driveway was a suggestion that could be done by the County. Mrs. Allen said she has already sent a letter to the County asking for their help in the matter, as requested by the Business Manager.

Noting that the Chief needed an additional person to direct traffic, Mr. Brown made the motion that Charlene Tingley be appointed Special Traffic Crossing Guard; Mr. Johnson seconded; all aye.

8:32

-Diarmuid Higgins updated the Board on highway info. He said he met with Mike Delaney of Mass DPW earlier in the week, and they went over the areas of concern that maybe could be done with Chapter 90 monies.

He mentioned the drainage problem at 24 Village Street. Mr. Dronzek expressed concern of the owner not giving the Town an easement, after the Selectmen told him what to do when he came to see them. Mr. Higgins mentioned going out to Fisher and Milford Streets; Summer Street near Breezy Meadows; Claybrook Farms area; Fisher Street mix on the road; Red Bridge; and Shaw Street bridge. He mentioned he will be in touch with Mike Perrault of Commonwealth Engineers on some of these matters.

Mr. Higgins also mentioned Summer Street near the Fire Station, and how thoughts are of redirecting traffic, so that on signal from the station, traffic would be halted from both directions.

Mr. Higgins mentioned how George Vorhees is working with the radios and he wants to transfer the Base Station from the town highway barn, where it has been for 20 years, to the Police Station. The Highway Department would then use their mast on the Police Department tower.

Mr. Dronzek suggested using monies in the budget now, and then when it gets low, to go for an emergency transfer.

Mr. Brown inquired about Milford Street repaving. Mr. Higgins said they were sweeping now.

Mr. Brown asked about sidewalks on Village Street. Mr. Higgins said they are hoping to start this week, and to try and get done by the end of the month.

Mr. Brown asked about the highway garage addition. Mr. Higgins said he had met with Smith-Grove Construction, and a contract would be sent to the Town.

Mr. Dronzek asked about Trotter, and how they are progressing. Mrs. Allen told him that they have to get a stamped plot plan before the building permit can be issued.

9:00

-Mrs. Allen continued with old business.

-Mrs. Allen brought up the teachers' deferral as referenced by the letter from Douglas Downing, chairman of the School Committee, stating that the Committee had voted to ask the Town to decline to defer any portion of teacher compensation to a subsequent fiscal year. Mr. Brown made the motion to not defer any portion of teacher compensation to a subsequent fiscal year; Mr. Johnson seconded; all aye.

-Mrs. Allen brought up a similar letter from Tri-County. Mr. Brown made the motion that the Board of Selectmen hereby concurs with the action of the Tri-County Regional School District School Committee and rejects the provisions of Section 231 of Chapter 138 of the Acts of 1991, as amended, relating to the deferral of teachers' compensation for the Tri-County Regional School District; Mr. Johnson seconded; all aye.

-Mrs. Allen reminded Mr. Johnson and Mr. Brown about the meeting they were attending on Saturday in Worcester.

-Mrs. Allen reminded the Board about the joint Boards meeting with the Board of Health on October 1st. Mr. Dronzek and Mr. Brown said they would go.

-Mrs. Allen brought up the subject of an emergency transfer for line markings. Mr. Brown made the motion that the Board ask the FinCom for an emergency transfer for \$14,300 for line markings for DPS for fog and center lines; Mr. Johnson seconded; Mr. Dronzek added that there was a severe safety hazard and it should be done; all aye.

-New business.

-Mrs. Allen acknowledged receipt of the letter from Mass. Dept. of Revenue congratulating former Town Accountant, Mary Shea, on her exemplary fiscal 1990 Schedule A.

-Mrs. Allen presented the letter from the Democratic Town

Committee Chairman, Florence Mucci, with three names for the vacancy on the Board of Registrars. Mr. Brown made the motion to appoint Bertha Conena; Mr. Johnson seconded; all aye.

- Mrs. Allen acknowledged receipt of the letter from the ABCC indicating limited Sunday openings before Christmas and New Year's. Mr. Dronzek asked Mrs. Allen to write to the package stores in town and let them know of the public hearing.
- The Board signed the State DPW memo of agreement for \$149,295 on the transportation bond issue.
- Mrs. Allen acknowledged receipt of a letter from Tri-County with a listing of their surplus equipment. Mr. Brown suggested Mrs. Allen send a copy of the letter to the School Department.
- Mrs. Allen acknowledged receipt of several letters from Chief Wayne Vinton on different matters.

1. The Chief mentioned that Robert Goode was retiring from the Fire Department, but would like to remain as Fire Alarm Supt. He said Mr. Goode cannot respond to a fire after 65 years of age has been reached, but he could still be the Supt. Mr. Brown made the motion to allow Robert Goode to be Fire Alarm Supt. on an as-needed basis for non emergencies and maintaining the municipal fire alarm system; Mr. Johnson seconded; all aye.
2. The Chief brought up injury benefits for firefighters. Mr. Dronzek said he had gone to a meeting with the men, and he understood the concern if they were injured or killed, and the insurance would only cover \$25,000. He felt \$25,000 doesn't go very far these days. Mr. Dronzek asked if they were covered by workmen's comp? Mrs. Allen stated that the police, fire, EMT insurance they have is workmen's comp. Mr. Dronzek asked what the procedure would be after that? Mrs. Allen said they would have to sue the Town. Mr. Brown stated that the Town, if sued, might not oppose it, if put on the warrant. Mr. Dronzek wondered if Town Counsel could come up with some sort of letter. He then asked Mrs. Allen to ask Town Counsel what the procedure would be for an injured firefighter to collect above and beyond what the insurance covers. Mr. Dronzek suggested discussing the limits of the policies with the Insurance Committee.
3. Mrs. Allen went over the Chief's letter asking for an article to be put on the Special Town Meeting warrant to cover the purchase of protective clothing for the department. His figures were for \$20,435.40, which was broken down to \$454.12 per person x 45 men, and included coats, bunker pants, and boots. Mr. Brown suggested that the Chief come to the Selectmen's next meeting to discuss this further. He was surprised that that much clothing was still needed, after they have been getting some each year under their present budget.

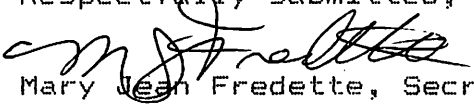
- Mrs. Allen reminded the Board about an upcoming regionalization meeting on October 30th in Bellingham to discuss shared purchasing and health insurance.
- Mrs. Allen acknowledged receipt of MMA's action bulletin indicating both our legislators are probably yes for veto of the Governor's overlay exemption.
- Mrs. Allen acknowledged receipt of an invitation from the United Way for volunteer night to be held on October 6th.
- Back to the Special Town Meeting warrant articles, Mr. Johnson was concerned about the \$8,600 being asked for, for mechanics' tools. He felt it was a lot of money for tools. Mrs. Allen explained that the mechanic does not have any tools; that he is bringing many from home to do the work. Mr. Dronzek was concerned about security for these tools if the funds were approved. Mr. Brown said he would be in support of the purchase, if Mr. Cole had comprised a list of which tools he would select; if he had a plan to secure the tools; as well as having a maintenance program set up for police, fire, ambulance, park, water and highway vehicles.

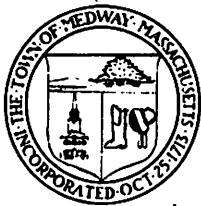
Mr. Dronzek asked Mrs. Allen to request in writing from the Park, Water/Sewer, Police, Fire, and EMS departments that when the work has been completed, they will pay for the cost of the parts when a regular schedule has been set up.
- Mrs. Allen mentioned that she was holding a spot on the warrant for the Board of Health's article on recycling if they had one.
- Mr. Dronzek looked over the article submitted by the Water/Sewer Dept., and asked Mrs. Allen to write them telling them they need a by-law change, and therefore, need the exact wording. He said to tell them we need the exact wording or the article can't be put on the warrant. Mr. Brown said that maybe the Water/Sewer Board could check with Fred Lee on the wording.
- Mrs. Allen went over the balance sheet as submitted by the Town Accountant.
- Mr. Johnson asked about the barriers at the Shell Station. Mrs. Allen said that the leases up at the shopping center have been rewritten because monies are so tight in order to keep the tenants they now have, and entice new tenants to fill the vacant stores. She also mentioned how Ocean State Job Lot is only supposed to be selling discontinued items, but don't.

9:50

-The meeting was adjourned.

Respectfully submitted,


Mary Jean Fredette, Secretary
mj



BOARD OF SELECTMEN

155 VILLAGE STREET
MEDWAY, MASSACHUSETTS 02053

AGENDA

SEPTEMBER 23, 1991

- | | |
|-----------|---|
| 7:00 p.m. | - Open meeting, sign warrants, approve minutes of 9-16-91 meeting. |
| 7:05 | - Public hearing - New England Telephone
re: pole on Skyline Drive. |
| 7:15 | - Paul DeSimone
re: Mapping Program |
| 8:00 | - Site Plan Review - John Solari
re: Jayar Road - garage |
| 8:15 | - David d'Amico
re: Gravel Removal Permit issued to
Oakland Cemetery. |
| 8:30 | - Ed Duggan
re: United Fund |
| ----- | - old business |
| ----- | - new business |

Present: John Dronzek, Walter Johnson, Richard Brown and
Administrative Assistant Ruth Allen.

7:00 p.m.-Mr. Dronzek called the meeting to order in the Selectmen's Meeting Room 2 of the Town Hall. Mr. Brown made a motion to approve the minutes of the September 16th meeting; Mr. Johnson seconded; all aye. Mr. Brown made a motion to accept the executive session minutes of September 16th; Mr. Dronzek seconded; all aye. The warrants were signed.

7:03 -Pat Lovitt representing New England Telephone and Boston Edison came before the Board regarding a petition to place pole #116S on Holliston St. Mr. Johnson read the ad that appeared in the Milford Daily News. Mr. Lovitt explained that the pole would be placed there for support. There was no one present in support or opposition; therefore, Mr. Johnson made the motion that the petition be granted; Mr. Brown seconded; all aye. The petition was signed.

7:05 -Mrs. Allen gave the Board the final site plan of Trotter, Inc., Gamewell Drive. Mr. Brown made the motion to approve the addition and alterations, with a revised date of 9/16/91; Mr. Johnson seconded; all aye. The plan was signed.

7:10 -Paul DeSimone and Paul Mitchell came before the Board to update the Board on the inception of the Mapping Program, and its status at this time.

Mr. DeSimone stated the idea was brought up back in the late 70's and early 80's. In 1975 a mapping study was done for sewer lines in a 240' strip (120' on each side of the center line). There was no other information obtained at this time other than this.

Assessors' maps went back to the 50's. With that in mind, the Board of Selectmen thought of mapping in '81-'82 for drainage purposes for the Highway Dept.; for location of houses and zoning for the Building Inspector/Zoning Enforcement Officer; for the Planning Board for determination of run-offs; for the Conservation Commission to determine wetlands.

At that time, they met monthly with Stone & Webster, and with a representative from each department involved, except the Planning Board. That continued until May of 1987. The allocated amount of \$225,000 (\$75,000 for each of the three phases) included hardware and the plotter (printer). He did not believe the cost included software. He said he believed the project was 95-99% completed. The system would be useful for many reasons, including a water break.

Mr. Mitchell mentioned it was also possible and voluntary upon the part of residents if an emergency arose, to give to the town a number to call during the day. This was another area for expansion.

Mr. Brown said it seemed as if there was alot of work to do. Mrs. Allen said Stone and Webster was coming in on October 21

to meet with the Board. She also stated the printer should already be included in the price, and that the only updating that needed to be done was from 1988 on.

Mr. Brown asked who would be doing the updates? Mr. DeSimone said the Board was to decide who would be taking responsibility. John Wilson had been designated back then for the work that was done, after discussing with him and the Board of Assessors.

Mrs. Allen inquired if this computer system was to be separate from the main system like a p.c.? Mr. DeSimone said yes, and that it would be as basic as possible so all departments could use it. The Board was to pick out one computer that would be appropriate. Mrs. Allen mentioned that prices have now gone down. Mr. DeSimone said they were not concerned with the Unix system - it is not connected to the main computer.

He indicated that the plotter is 24" wide and could do 24"x36" prints. People could come and request copies of maps be printed for set fees - invaluable to many individuals, i.e. realtors, appraisers, engineers.

Mr. Mitchell agreed saying it should be cost plus 10%. He also said because everyone is a part-time board, this was a good way to double-check on those boards in many areas, where problems could be picked up by those not directly involved.

Mr. Brown asked if several people would know how to utilize the system? He found it hard to believe that people in town hall would be able to figure it out, and if everybody used the plotter, it would get worn out.

Mr. DeSimone said the Assessors chose the size maps they wanted, but not everyone needs to have a map that size - they could be smaller in scale and size. Mr. Brown said that Stone & Webster would charge \$5,000 a year for an update - who would keep it updated? Mr. Mitchell said a rep from each department would have to keep their area updated. Mr. DeSimone agreed saying \$5,000 would be wasted money. He said the formula was based on the Mass. Grid System by coordinates. The use of different engineers would also not be needed all the time.

Mr. Brown asked again who was going to put the information in - most everyone at town hall seems to complain they are overworked? Mr. Dronzek said that probably the Board of Selectmen should take control of this whole thing.

Mr. DeSimone said that if you charge someone a reasonable cost for sheets, the Town could make some money. Mr. Mitchell seemed to think that people would find the time to input information.

Mr. Dronzek clarified that almost all of phase III is done. Mr. Brown clarified that all that is left is the electronic transfer. Mr. Mitchell suggested a committee be set up to

take it this next step further.

Mr. Brown said then the Selectmen can authorize the purchase of software, plotter, etc.? Mr. Mitchell said to let someone on this committee determine what to get. Mr. Brown said it sounded like the assessors were not sure of the whole thing anymore from the last time they were at the Board's meeting.

Mr. Dronzek said it seems that Stone & Webster has done the lion's share of the work. The final commitment is to recommend a computer and software to go along with it. The Board of Selectmen could designate someone to be charge. The Assessors should update every two years, anyway, and new catch basins would be incorporated on the maps, new telephone poles, etc. The whole thing needs to be managed, and the Board of Selectmen is the ultimate authority.

Again, Mr. DeSimone suggested a representative from the boards involved get together to have a meeting during the day, and have a Stone & Webster representative come and bring the program back to the employees.

Mr. Brown stated that he was not against the mapping project and getting the equipment - but he is against not knowing who will take care of it. Mr. DeSimone said to let the Board of Selectmen decide who would take care of it.

Mr. Dronzek asked Mrs. Allen to ask Stone & Webster to come to the Town Hall on October 21 at 1:30 p.m. He said at least one representative from all departments/boards that is actively involved in this project must be there. He said this can and will work for the Town.

Mr. DeSimone said this system is excellent for getting information instantly. Stone & Webster is ready to train the individuals involved. He and Mr. Mitchell would be willing to serve on this committee as citizens-at-large. Mr. Dronzek said the Board would try and mandate attendance at this meeting with Stone & Webster. A mapping program committee could be set up.

8:10

-John & Caroline Solari and Engineer Joe Hanlon from ESP Associates came before the Board to discuss the building of an industrial garage off of Jayar Road. Mr. Hanlon said that a proposed 50x100 building for metal fabrication and autobody was being proposed. They met with the Conservation Commission. The building would be a pre-fabricated structure. When asked about the number of employees, Mr. Solari said there would not be more than three, and plenty of excess parking would be available.

Mr. Dronzek clarified that this go-ahead from the Board would constitute what is necessary to apply for a building permit. Mr. Brown made the motion to approve the site plan as revised for lot 2B on Jayar Road dated 9/23/91; Mr. Johnson seconded; all aye. The plan was signed.

8:15

-Dave D'Amico came before the Board to discuss the gravel

permit re-issued by the Board a couple of weeks before for Oakland Cemetery for an extension of three years. He said he had concerns for safety, and asked the Board if they had placed any stipulations on the permit? Mr. Dronzek said there was a reduction in the quantity of gravel that could be removed from 100,000 to 50,000, since 1/2 the quantity has been removed since the original permit was issued.

Mr. D'Amico said he is concerned about the grade and cuts in the dirt, and showed the Board some pictures he had taken. He felt that people should be informed of the danger there. He also gave the Board OSHA's rules and regulations of what is allowed.

In view of what the pictures showed, Mr. Dronzek asked Mrs. Allen to send a letter to the Cemetery Commissioners (this was later changed to a letter going to Sam White, with copies to Mr. Tenney, the Oakland Cemetery Commissioners, Mr. Higgins,) saying that the Board has since been alerted to some safety concerns on the permit that was recently issued for another 3 years. He asked that the letter enclose the documentation from OSHA, and mentioning the possible safety situation and the color photos that were taken on 9/22/91. Mr. Dronzek said that there was talk originally of grading to the cemetery land, and he doesn't see how it can be done. Mrs. Allen said clean fill could be put in after excavating.

Allan Osborne, who was present, cautioned Mr. D'Amico on any accusations he might be making, asked him if they were actual pictures of cemetery land, town land, or Mr. Tenney's land. Mr. D'Amico said he was not against the project continuing, but was only concerned for safety for the people around there. Mr. Dronzek said to let them know the pictures are available in the Selectmen's office for viewing.

8:32

-Ed Duggan came before the Board in reference to the United Fund and payroll deductions. Peggy Tighe, Assistant Treasurer, was also present. Mr. Duggan said in the past payroll deductions for the United Fund were not available, but he thought in January, something could be done. He said this was the best way to solicit contributions, but it could not be arranged. Mr. Duggan said last year, \$1,133 was contributed, but over 2,000 incidents involving Medway and the United Fund were serviced. He said he would like to see the Board direct and take steps in an effort to programming some changes in the computer so other people can participate on a payroll deduction basis. Mr. Duggan talked to other area towns, and two don't but most of the rest do.

Again, Mrs. Tighe said it could not be done without some cost in program changes. Mr. Dronzek asked how many slots were in the system, and Mrs. Tighe said there were 10 fields allowed, and they presently utilize 44 deductions. The Cafeteria Plan alone took 8 of the fields. Mr. Dronzek asked about programming costs, and Mrs. Tighe said upwards of \$3,500 is only an estimate, and does not include the cost of printing new checks, etc.

Mr. Duggan, again, said he would like to see the Town make the effort to take positive steps in the future in this area, if not in time for January 1992, at least for the year thereafter. Mr. Dronzek asked Mrs. Tighe to check with Mr. Lee for future implementation. Mrs. Tighe said when Arlington Data gets enough specific requests from other towns, they will revamp the system at no charge. At present, they have had no other requests from other towns.

Mr. Duggan said he believed people would contribute if they could use the payroll system. He hoped that the Town would get some firm cost figures to have it done, and to find out if the employees would use it. Mr. Dronzek reminded Mr. Duggan that the payroll deductions come out of the Treasurer's office, and that is an elected position, and the Board can't tell him what to do. He said that the Board will keep on looking for an opening for another payroll deduction, but that it cannot be for January 1992.

9:17

-Diarmuid Higgins was present for an update on Highway info. He said Mike Delaney of Mass DPW was meeting with him the next day to discuss Summer/Main/Village Street intersection. Mr. Dronzek asked Mr. Higgins when could they advertise, it has to be in the papers. If everything is approved the next day, Tuesday the 24th, the first ad could be run on Thursday the 26th, with the second ad on Oct. 3rd; bids could be opened at the Oct. 21st Selectmen's meeting - then we would have run out of time.

Mr. Higgins said that Commonwealth Engineers would do the ad, and if we run on the 26th and the 3rd - maybe a special meeting to open ads on Oct 10th with a majority of the Selectmen. When asked how long it would take to do the work, Mr. Higgins said maybe 4-6 weeks. Mr. Dronzek said it was 8 weeks to mid-December.

Mr. Higgins was asked about line-markings? Mr. Brown said he talked to the FinCom and if he goes to their meeting on Oct. 9th, there may be some financing available. Mr. Higgins said he wants to try and take the needed money out of Chapter 90, he will ask Mike Delaney about it.

Mr. Higgins was asked about the highway garage addition? He said he was waiting to talk to Smith-Grove Construction, who was awarded the contract, but they should be getting started soon.

Mr. Higgins was asked about Milford Street repaving? He said he would try to get Chapter 90 monies for that.

Mr. Higgins was asked about the corrugated pipe on Holliston Street that Mr. Curatola was installing. Mrs. Allen said she had advised the Planning Board the Board of Selectmen had decided to no longer use corrugated pipe, but that it had to be concrete. She said she also notified the developer of same, and to speak to Mr. Higgins.

Mr. Higgins was asked by Mr. Dronzek about the "S" curve near

his home that is a slippery area when wet. Mr. Dronzek asked if the road could be grooved. Mr. Higgins said he would check with Mike Delaney - he said there is a popcorn mix that could be put down to prevent slippage.

Mr. Higgins was asked about sidewalks? He said he is planning on concrete with granite curbing near town square for about \$65,000, with other sidewalks to be done costing \$25,000.

Mr. Higgins was asked about Village Street sidewalks? He said it will be hot-topped very soon.

Mr. Higgins was asked about patching on Fisher Street? Mr. Higgins seemed to think the patching is holding O.K. Mr. Brown asked if they could use some of the same material on Causeway Street. Mr. Higgins said he would check.

Mr. Higgins was asked about the Red Bridge? Mr. Higgins said he would talk to Mike Delaney about widening it with a sidewalk.

Mr. Dronzek asked Mrs. Allen to call him after Mike Delaney was in to talk to Mr. Higgins.

9:40

-Mrs. Allen submitted the name of Sharon Ruggiero for the Arts Lottery Council for the first consecutive term ending September 23, 1993. Mr. Brown made the motion she be appointed; Mr. Johnson seconded; all aye.

-Mrs. Allen told the Board she, Mr. Higgins and Chief Vinton went to a meeting on Hurricane Bob, and filed a notice of interest. She stated she hoped the Town would recuperate about 75% of our total cost, and suggested Chief Vinton as Civil Defense Director be designated "applicant's agent" on behalf of the Town. Mr. Brown made the motion that he be so designated; Mr. Johnson seconded; all aye.

-The Board was in receipt of a letter from Florence Mucci, Chairman of the Democratic Town Committee, submitting three names to the Board for a Democrat on the Board of Registrars. Mr. Brown made a motion that Evelyn Clorite be appointed to fill the vacancy of Sandra Collum; Mr. Johnson seconded; all aye.

-The Board received communications from:

- Dan Ranieri on the passage of House Bill 6051 on teachers' salary deferral.
- Dept. of Revenue on the teachers' salary deferral.
- Attorney Gregory Barnes on an increase in hourly rate from \$75.00 to \$100.00.
- M.I.F.A. on the bonding for United Medical Corp. (Trotter).
- Barbara Gardner faxed several pages on teachers' salary deferral.
- Mass. Municipal Personnel Association's seminar on labor relations in the 1990's.

-The Board was in receipt of a letter from Chief Lambirth with

regard to on-street 10 minute parking at 320 Village Street, in front of Galante's Deli and Restaurant. The Chief indicated in his letter that there had been previous discussion on parking in that location when it was Lou's Country Auction.

Mr. Johnson said he had personally gone to the location and measured, and felt the area in front of the store could accommodate three parking spaces. Mr. Dronzek was receptive to allow three spaces or to postpone any action until further discussion was held.

Mr. Brown made a motion to allow three parallel 10-minute parking spaces in front of 320 Village Street; with the owner being responsible for providing, installing and maintaining proper signage; painting spaces on the pavement, all at the owner's expense; and that sufficient notification to his customers be posted within the establishment advising customers that violators will be tagged; Mr. Dronzek seconded. Mr. Johnson did not want to second the motion because he felt it should not be limited to 10-minute parking. After awhile, he changed his mind and went along with the motion; all aye.

-Mrs. Allen reminded the Board about the Norfolk County Engineers meeting of October 7th with Mr. Hall at 7:15 p.m. in Medway. Mrs. Allen will arrange for a meeting place.

-Mrs. Allen reminded the Board about the MMA's "Selectmen's Skills for the 1990's" workshop to be held on Oct. 5th in Worcester. Both Mr. Brown and Mr. Johnson said they would attend.

-The Board was in receipt of an invitation from Chief Lambirth inviting the Board to Sgt. Paulette's retirement party on November 6th. Mr. Dronzek suggested proclaiming Nov. 6th as "Sergeant Frederick H. Paulette Day".

-The Board was in receipt of a letter from Ed Reardon suggesting additional lighting around the Town Hall now that the Police Station is no longer at the location. Mr. Dronzek agreed with his suggestion, and asked Mrs. Allen to contact Scott Guyette of G & F Electric to look over the lights at the corners of the building.

-Mrs. Allen gave the Board a banner request from Ed Duggan on behalf of the United Fund, for a banner to be hung from Sept. 23 through Sept. 30. Mr. Brown made the motion that the request be approved; Mr. Johnson seconded; all aye.

-The Board discussed the situation on Thunder Hill Road as suggested by Paul Mitchell when he was in earlier in the evening. Mrs. Allen said the Building Inspector was given a copy of Attorney Maciolek's letter of June 17, 1991 regarding this matter, and that it was in his hands. The Board suggested sending a copy of Attorney Maciolek's letter to Paul DeSimone, since he originally brought the matter to Mrs. Allen's attention.

-Mrs. Allen brought up the 109 Corridor Project, and that it seems the matter has been neglected since Paul Mitchell wrote to Attorney Maciolek asking for him to take steps to work with the Norfolk County Counsel to get any necessary easements. The Board asked Mrs. Allen to send Attorney Maciolek a reminder about the easements, and to mention that bids would be started in December 1992.

-Mrs. Allen suggested that the Town Hall get a fax machine. Mr. Dronzek agreed saying they were about \$400 at Freders, and recommended that it be kept locked up in the Selectmen's office. Mr. Brown made a motion that the Selectmen get a fax machine for the Town Hall; Mr. Johnson seconded; all aye.

-Mrs. Allen brought up the suggestion of getting some new tools for the mechanic. She said that Mr. Higgins and George Cole had a representative in from MacTool and approximately \$8,500 would be needed for new tools for George to use on town vehicles.

Mr. Dronzek suggested an article on the special town meeting warrant to transfer the funds from other accounts for them - he would rather see that appear on the warrant than field lights. Mr. Brown felt that monies could be transferred if they were not used to pay for the bond.

Mr. Dronzek suggested setting a date for a special town meeting. The Board voted, therefore, to open the warrant for the special town meeting that evening, Sept. 23rd, and to close the warrant on Sept. 30, for a special town meeting to be held on October 28th at 7:30 p.m. at the high school.

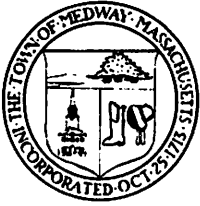
10:35 -The meeting was adjourned.

Respectfully submitted,



Mary Jean Fredette, Secretary

mj



BOARD OF SELECTMEN

155 VILLAGE STREET
MEDWAY, MASSACHUSETTS 02053

AGENDA

SEPTEMBER 16, 1991

7:00	Open meeting, sign warrants, approve minutes of 9-9-91 meeting.
7:05	Kevin Nee - Computer Telephone Corp. Centrex presentation
7:30	Maryjane White - Town Clerk
7:45	Edward Duggan - re: M.B.U.C.
8:00	Executive Session
----	old business
----	new business

Present: John Dronzek, Richard Brown and Administrative Assistant Ruth Allen; Walter Johnson was on vacation.

7:00 p.m.-Mr. Dronzek called the meeting to order in the Selectmen's Meeting Room 2 of the Town Hall. Mr. Brown made a motion that the minutes of the September 9, 1991 meeting be accepted; Mr. Dronzek seconded; all aye. There were no warrants to sign.

7:01 -Peggy Tighe, Assistant Treasurer, came before the Board with Town Clerk Maryjane White to get a renewal note signed by the Board for the sewer grant for a balance owed of \$62,000. The note is at 5.60% interest. When asked by Mr. Brown about borrowing against the Town, Mrs. Tighe said the Dept. of Revenue and the auditor discouraged such action, and suggested putting out to borrow. The Board signed the document and Mrs. White was there to notarize it.

7:10 -Kevin Nee of Computer Telephone Corp. came before the Board with Mark Bouvier to make a presentation about New England Telephone and a centrex system.

Mr. Nee stated that NET sub-contracts account managers, such as he, and they get paid by NET to do account management for towns and municipalities. He was at this meeting to tell the Board how to cut costs, as well as to make our system of communicating within the town easier. He was replacing Larry Whitten who had made the initial contact with the town.

Mr. Nee informed the Board that the monthly rental of the Centrex telephone system provides the town with a central phone area in the town hall building. His suggestion was to be an unlimited Centrex service. With renting the lines from NET, Centrex will provide the phone lines all on one bill for each department. In renting the lines from NET for a 7 year period, we would be locked into the rates; therefore, there could be no increase in that time to the town, although we would be able to take advantage of any decreases.

He mentioned a potential savings of over \$300 a month which would be a savings of over \$3800 in one year. The contract cost would be for the rental of equipment and maintenance, although the town hall, police and school would each be serviced by their present equipment vendor.

Mr. Nee stated that there was an initial output of \$2,300 to get the system in operation. He recommended new telephone numbers in a certain block, that would have a referral from the old numbers to the new numbers for callers.

Mr. Dronzek asked Mrs. Allen to find out what TSI would cost, and to send a letter to all departments telling them what is being considered and asking if anyone had any objections. Mr. Dronzek asked Mr. Nee why NET wants to do this - what is in it for them?

Mr. Nee said they get a monthly management fee for assisting towns, municipalities, etc. to set up a cost-effective

telephone system; as well as assuring NET that they were hooked up with a particular customer for 7 years. NET feels they are providing "new life revenue" by doing this. NET also feels that a section of the central office is in the town hall itself and would be easier to maintain.

Mr. Bouvier said he would give TSI a call and ask how much the cost would be in hours just for the town hall, since the police department and the school are on different systems. With the contract, the town would also be able to take advantage of any future programming changes.

Mr. Dronzek told them they will get feedback from the departments and let them know the results. The Board would try and get an answer to them after the next meeting on Sept. 23. It was suggested by someone in the audience to check with other towns that use Centrex, and see how they like it.

7:45

-Town Clerk Maryjane White came before the Board to discuss missing 1990 dog licenses. She stated there was no response to last letter she had written to Mrs. Fallon. She stated she could re-issue them if need be. She stated she and others have looked in the basement and everywhere else, and cannot find them. She said she needed the description of the dogs that were licensed.

When asked by Mr. Dronzek how many problems needing these licenses had arisen, Mrs. White went over two instances.

Mr. Dronzek did not know how to follow up on this more since a communication was sent, and a communication was received in answer to the question. He said she was making the Board aware of a potential problem.

Mr. Brown officially told the Administrative Assistant to contact Mrs. Fallon to stop in at the Town Clerk's office to help find out where the dog licenses were. Mrs. Allen asked the Board how Mrs. Fallon could find something that has been missing for three months? Charlene Walter said the week she left, they were gone.

7:50

-Ed Duggan of the Municipal Building Utilization Committee came before the Board to update them on the work being done in the town hall. Mr. Duggan suggested finding some money to put a new rug in the former Police Chief's office. He also said they would like to put a new window in the Treasurer's office mainly to bring in light.

He also said he had met with Building Inspector, Bob Speroni, and together they looked at the walls downstairs in the town hall, and none of the ones they want to remove are bearing walls. Now, he said, they can get a contractor in to get estimates.

Mr. Duggan mentioned they are in the process of moving the Town Accountant to the office once occupied by the Police Chief's secretary; and moving the Treasurer to the Chief's

old office; and moving the computers into the Accountant's old office.

Mr. Dronzek mentioned to Mr. Duggan that a response had been received from Town Counsel on the old Fire Station I, and there are no restrictions, but there is on the old Cole Library.

Mrs. Allen seemed to recall that some years back, the Selectmen gave control of the library back to the library trustees.

Mr. Dronzek seemed to feel that it might be a valuable package to combine the two buildings as one, and release the restrictions of the library. They could vote to give it back to the heirs. The Board requested a letter to be sent to Town Counsel asking for the procedure to have the restriction removed from the Cole Library deed.

8:00 -Mr. Brown made a motion that the Selectmen go into executive session to hear a complaint against a public officer of the town and to return to open session immediately afterward; Mr. Dronzek seconded; all aye.

9:45 -The Board returned to open session.

-The Board acknowledged receipt of communication from Attorney Maciolek on the old Fire Station I.

-The Board acknowledged receipt of communication from Attorney Maciolek on the sale of flowers at 16 Main St. Mrs. Allen will release the solicitor's permit to Mr. Duernberger.

-Mrs. Allen said that Glenn-Moore Realty Trust had received their certificate of compliance for Drybridge Crossing.

-Mrs. Allen presented to the Board a listing of streets in town to be marked with center lines and fog lines at an estimated cost of \$14,229. Mrs. Allen said it could be an article on the special town meeting warrant. Mr. Dronzek said not to wait for a special article if there are funds available.

Mr. Brown said they could go to the FinCom for an emergency transfer. Mr. Dronzek said he hoped they would do a leveling course before the lines are put in.

-Ron Wilson gave the name to Mrs. Allen of an Oakland Cemetery trustee for Cemetery Commissioner. Mr. Brown made a motion that Thomas Beal be appointed Cemetery Commissioner; Mr. Dronzek seconded; all aye.

-Mr. Brown made the motion to appoint Robert Brothers and Peggy Tighe to the Computer Committee; Mr. Dronzek seconded; all aye.

-Mr. Brown made the motion to appoint Robert Brothers to the

Insurance Committee; Mr. Dronzek seconded; all aye.

- The Board was in receipt of a letter from Len Guertin, Area Supervisor of Burger King expressing an interest in installing video and skill games in the indoor playground area. Mrs. Allen said that an automatic amusement license would be needed, as well as a Sunday entertainment license if they had the games on Sunday. She suggested putting them on the agenda to discuss further. Mr. Dronzek agreed, ask him to come in.
- Mrs. Allen had a request for a proclamation for "United Nations Day" on October 24th. Mr. Brown made a motion that Oct. 24 be declared "United Nations Day"; Mr. Dronzek seconded; all aye. Mr. Brown suggested a copy of the proclamation be sent to the schools and the newspapers.
- Mrs. Allen mentioned the Norfolk County Selectmen's Association meeting scheduled for October 23rd. Mr. Dronzek asked Mrs. Allen to make reservations for all three Selectmen.
- Kathleen St. Martin had submitted a solicitor's permit for Girl Scouts to sell girl scout calendars at the recycling center. Mr. Brown made a motion to approve the solicitor's permit; Mr. Dronzek seconded; all aye.
- The Board was in receipt of a proclamation for "staying in school/stay off drugs". Mr. Brown made a motion that October be proclaimed "stay in school month"; Mr. Dronzek seconded; all aye. Mr. Dronzek asked that a copy be sent to Officer Peter Bates.
- A bill was received from Michael Ciccoria for \$520 through August 31. Mrs. Allen believed this was the last of the bills we should receive from them.
- Mrs. Allen had a common victualler license for the Board to sign transferring Galante's from their present location to 320 Village Street. Mr. Brown made the motion that it be approved; Mr. Dronzek seconded; all aye. The Board signed the license at no additional cost.
- The Board acknowledged receipt of letters from:
 - Cablevision concerning cable realignment.
 - MMA on E911 acceptance
 - MAPC on upcoming meeting dates on land use
 - MMA on Gov. Weld's veto to exempt overlay accounts
 - Chief Vinton's August monthly report
 - Dept. of Revenue on payment schedule for cherry sheet programs
- Mrs. Allen mentioned that Trotter had come in for a preliminary site plan review, and that they should come in for a final site plan review. Mr. Dronzek asked Mrs. Allen to contact Trotter in that regard.
- Mr. Brown made a motion that the meeting be adjourned; Mr.

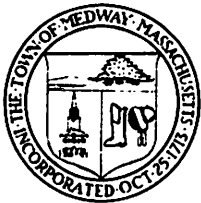
Dronzek seconded; all aye.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Mary Jean Fredette".

Mary Jean Fredette, Secretary

mj



BOARD OF SELECTMEN

155 VILLAGE STREET
MEDWAY, MASSACHUSETTS 02053

AGENDA

SEPTEMBER 9, 1991

7:00 p.m.	Open meeting, sign warrants, approve minutes of 8-26-91 meeting.
7:05	Earle White re: extension on Gravel Removal Permit at Oakland Cemetery
7:15	Public hearing - N. E. Telephone re: manhole - Main/Elm Streets
7:30	Richard Duernberger re: solicitor's permit
7:40	Esther Walker - Medway Boosters re: beano
7:55	Edward Duggan re: United Way and M.B.U.C.
8:15	Trotter Company re: preliminary site plan
----	old business
----	new business
9:15	Anthony Mastroianni

Present: John Dronzek, Walter Johnson, Richard Brown and
Administrative Assistant Ruth Allen.

7:00 p.m.-Mr. Dronzek called the meeting to order in the Selectmen's Meeting Room 2 of the Town Hall. Mr. Johnson made a motion that the minutes of the August 26, 1991 meeting be accepted; Mr. Brown seconded; all aye. The warrants were signed.

7:05 -Earle White of Sam White & Sons, with Ron Wilson, Trustee for Oakland Cemetery, came before the Board to discuss the gravel removal permit that had expired. Mr. Wilson said that the Cemetery Committee had assumed it was a 4 year permit instead of a 3 year permit. Mr. White stated they were about half-way through the project.

Mr. Wilson explained that the Town owned land between Mr. Tenney and the cemetery, and a joint agreement was made for Mr. White to move the gravel.

Mr. Dronzek confirmed that the permit was from May 2, 1988 to May 2, 1991. Mr. White, therefore, asked for a three-year extension. Mr. Wilson said the permit could be as of this evening.

Mr. Brown made the motion that Oakland Cemetery be granted a three-year gravel removal permit for September 9, 1991 through September 9, 1994; Mr. Johnson seconded; Mr. Dronzek clarified that the amount of yards involved would be 50,000; all aye. Mrs. Allen will fill out another gravel removal permit, and have the Selectmen sign it at the September 16th meeting.

Mr. Wilson also brought up the subject of a piece of land that is landlocked (3/4 acre) that Mr. White owns, but will deed to the cemetery - it is the same grade as where the town barn is, and then could be swapped back to the Town.

Mr. Dronzek asked Mrs. Allen to check and see how the land is listed on the assessors' maps - if it is town land that can be swapped. He also asked her to check with Town Counsel to see if the swap would be feasible.

Allan Osborne, who was present, mentioned that the cemetery has a right-of-way where the gates are on Mr. White's property. Mr. Dronzek mentioned that was a good thing to note.

Mr. Wilson made the comment that the town barn was built on cemetery property.

7:15 -New England Telephone Company's representative Pat Levitt came before the Board for a petition from New England Telephone Company for conduit on Main Street., southerly side approx. 33 ft. easterly of Elm St., and to place a manhole on Main Street.

Mr. Johnson read the ad as it appeared in the Milford Daily News. Mr. Levitt said the manhole would be off the road in

the grassy area, and flush with the ground. Mr. Levitt said that since this was being requested on a public way, they have to file with Digsafe. Mr. Higgins, Highway Supt., saw no problems. As there was no one to speak against the petition, Mr. Johnson made the motion that New England Telephone Company's petition be granted; Mr. Brown seconded; all aye. The petition was signed.

7:25 -Bob Speroni, Building Inspector, spoke to the Board about the building application process that he was asked by the Selectmen to make recommendations on.

On the subject of Conservation Commission, Mr. Speroni said they should definitely be involved when there is new construction going on.

Mr. Dronzek said to Mr. Speroni that if there was something that he had any doubts about, to give the Commission 72 hours to object.

Mr. Speroni felt 3-5 working days should be sufficient. He clarified that once he receives the completed application with sign-offs, he has 30 calendar days to approve or deny it. Mr. Dronzek went along with 5 working days. If the Wetlands Protection Act is not applicable, then the application should be signed off by the Conservation Commission within 5 working days of receipt of application.

The Board also looked at the language of swimming pools. Mr. Speroni explained that he felt a total height of pool and fence should be at least 5'. Mr. Dronzek clarified that one wall of the house is not part of the required fence needed. Mr. Dronzek asked if there was any indication made of distance the pool has to be from the dwelling? Mr. Speroni said there is no regulation made.

Mr. Dronzek said the rules as indicated could be amended down the road if the need warrants it. Mr. Johnson inquired about leaching fields and pools. Mr. Speroni indicated that the Board of Health has cooperated completely, and no problems seem to exist yet.

Mr. Dronzek said the Board will try and discuss what he presented later on in the meeting.

7:40 -Mr. Durenberger came before the Board with a request to sell cut flowers at 16 Main Street, on the property of C&R Auto-wholesalers. Mr. Durenberger presented a letter from C&R giving permission for Mr. Durenberger to use his property, as long as he did the selling at the eastern end of the property; was limited to one car and one table; kept 20' from the road; and left no litter behind.

Mr. Dronzek inquired if he had to have a license. Mr. Durenberger said he did. When asked what his hours of operation would be, he stated 3-6 p.m. on Thursday and Friday, and 12 Noon until 6 p.m. on Saturday, until Memorial Day.

Mr. Johnson wanted to know if his selling would affect other people's sales and real estate taxes?

Mr. Dronzek said the Board could approve the solicitor's permit subject to Town Counsel's ratification that he could conduct his business on a commercial property.

Mr. Brown made a motion to grant Mr. Durenberger the permit to sell cut flowers at 16 Main Street subject to the approval of Town Counsel reviewing the zoning by-laws for this area; Mr. Johnson seconded; all aye.

7:50

-Esther Walker, president of the Medway Boosters Club and Jan Lewis, member-in-charge of the Beano, came before the Board to speak to the Selectmen and get their approval to change their bingo night from Sunday to Saturday if the Executive Board of the Medway Boosters Club chose to do so.

Mrs. Walker and Mrs. Lewis explained the financial situation of the club, and their urgency to try and turn things around, with the possibility of switching to Saturday being part of the solution. Mrs. Lewis stated that she has a license to run the bingo from the State, and High School Principal, Dave Driscoll, had no problem with the change in nights, but suggested she clear it with the Town.

Mrs. Walker explained they had also terminated their agreement to have three custodians on duty, because out of their \$42,000 profit - \$21,900 had to be paid to them; they are now utilizing the one custodian needed whenever anyone uses the school property.

Mr. Johnson made a motion that the beano be allowed to be held on Saturday or Sunday, up to the discretion of the Medway Boosters Club as to which night they choose; Mr. Brown seconded; all aye.

8:00

-Ed Duggan and Andrea Rowe from the United Way came before the Board to get their support for the United Way campaign for Medway. Mr. Duggan explained he was looking for coordinators in the town hall, the police department, the school department, etc. as being the contact person for outright contributions or payroll contributions. Mrs. Allen explained there was no room on the payroll to do it.

Mr. Duggan said they could review the situation with the Treasurer/Collector's office or the Town Accountant, and see if it can be worked out. Mrs. Allen suggested Mr. Duggan contact Peggy Tighe.

Mr. Duggan said the town was involved last year, but not very many people contributed. Ms. Rowe said if they could get one person from each department, then they can work with those individual people. Mr. Duggan said they want to be able to go to the Police Chief, the School Supt., etc.

Mr. Brown suggested they go to the Chief and the Supt. and ask for volunteers. Mr. Duggan said a letter from the Board

of Selectmen asking the three groups for their complete support would be good. He stated that Bob Parrella was the area-wide chairman.

Mr. Johnson made a motion that a letter be sent to the Supt., Police Chief, and the Town Clerk introducing Mr. Duggan and Ms. Rowe as the metrowest area representatives who will be contacting them for volunteer coordinators in the United Way campaign endorsed by the Selectmen; Mr. Brown seconded; all aye.

-Mr. Duggan then spoke about the Municipal Building Utilization Committee's progress on the town hall renovation. He said he had talked to Steve Reding and a neighbor who was a builder, and they indicated that they need to know how the building was structurally built before any estimates could be given. Mr. Duggan said he talked to Bob Speroni, and he would try and locate any plans that might be available to show details.

Mr. Duggan asked if any information had been received from Town Counsel on the old Fire Station I. Mrs. Allen said no; therefore, Mr. Dronzek asked her to write to Town Counsel again.

Mr. Dronzek asked about contacting an electrician and a plumber just to disconnect what is in the old police station.

Mr. Duggan said they could get estimates about taking out windows and doors. Mr. Brown said areas such as for Fred Lee and knocking out a door and a window there, as well as for the Town Accountant could be looked into.

Mr. Dronzek asked Mr. Duggan to come to the next Selectmen's meeting on September 16th at 7:45.

8:20 -Representatives from Trotter Company - David Hillery and Peter Haines - and representatives from E. H. French Co. Inc. - Jack Keigwin and Mike Spicer - came before the Board to discuss a preliminary site plan at the old Gamewell facility, as the second phase of construction.

They said they would like to get approval tonight from the Board to carry them over for a couple of years. Mr. Keigwin explained that it was essential it be done before the move from Millis. He explained the present building of 70,000 sq. ft. is housed on 24 acres.

They were here to discuss the future expansion of an additional 30,000 sq. ft. Mr. Keigwin explained the addition would be for manufacturing, and that Commonwealth Engineers would be their consultants. He stated they would like to be in the facility by Spring.

Mr. Haines said the facility would be for sheetmetal fabrication, some welding and painting. They produce treadmills, such as the one presently in the new Police Station. Mr. Haines said they are presently leasing at their

location in Millis, and have now determined they are ready to have their own facility, which they indicated would be the Corporate World Headquarters. They did not feel they would lose any of their present employees since Medway was not that far from Millis.

Mr. Dronzek indicated that the Industrial Development Finance Authority had waived the town's right to control the financing, and the State has approved.

Mr. Keigwin said United Medical has additional plans for another building in the future of an additional 100,000 sq. ft., and he does not believe it would infringe on the wetlands area.

In discussing their present preliminary site approval, Mr. Keigwin indicated that the present expansion would be alongside the present building, and would be constructed to blend in with the same facade. Mr. Haines said they hope to hire an additional 25-30 people. Their projection is to peak at 150-170 people. He reiterated their commitment to working with the Town.

Mr. Keigwin said they would like to close on the building in three weeks, and hope to get a building permit at the beginning of October.

Mr. Johnson made a motion for the approval of a 30,000 sq. ft. addition-extension on their preliminary site plan (Graham Plan); Mr. Brown seconded; all aye.

On behalf of the Board, Mr. Dronzek said they were pleased to have the building occupied.

8:50 -Diarmuid Higgins came before the Board and stated that during the previous week, he had met with a member of the Water/Sewer Board, a member of the Water Dept., and Walter Johnson to check over the roads. He said they would do the trench this year with an 8'-10' strip (lip berm). He said they would pick up the trench to the brook, and any bad areas, such as near Nelson's Garage to the crossdrains. He said the pipe on Fisher Street should be replaced, but not with metal pipe under the street. He stated that the side of the road is OK, but not under the street.

Upon discussion of metal pipe, Mr. Higgins said that many years ago, it was determined not to use metal corrugated pipe under the street. He suggested a letter be written to the Planning Board informing them of same. Mr. Dronzek agreed.

Mr. Higgins said that he recently met with the State DPW, and looked at Breezy Meadows, Green Acres, and the Red Bridge. He said he would someday like to put a walkway and widen the Red Bridge.

Mr. Brown went back to the trench patching done on Milford Street, and said if it had been properly done, it would have been part of the Water Dept.'s responsibility. Mr. Johnson

asked if the Water Dept. could help? Mr. Brown said if we just told them to fix it, they would have to do it somehow. Maybe the cost should come out of the paving account for Milford Street, after it's been done by the Water Dept. Mr. Brown continued saying that everywhere they put trench patching, there has been a 1-2" settlement. Money exists in their water bonds and the money should come out of there.

Mr. Higgins said that after they fix Fisher Street, they would put thermal plastic down, yellow lines, and fog lines and then overlay the whole thing which would be good for 5-7 years.

9:00

Gardner Rice came in to join the discussion of trench-patching. Mr. Dronzek indicated that they want to get past this winter, and that there is responsibility on the part of the water department to bring the road up to the level it should be, and take it out of the water bond.

After much discussion, it was agreed that the water dept. would contribute \$2,500 left on the project towards the trench-patching. Mr. Higgins indicated that the cost to the town to put Milford Street in shape for winter would roughly be \$45,000, and that this temporary work done by Simeone would cut down on the amount of \$110,000 total cost of the paving project.

Mr. Brown stated that anyone that opens a street in Medway should put the street back the way it was; Mr. Dronzek agreed. Mr. Dronzek asked Mr. Higgins to get the project started.

After Mr. Rice and the Water/Sewer Board left, Mr. Brown mentioned to Mr. Higgins that it seems that three summers have gone by, and highway projects have not been completed.

He referred to a list that got passed out to the Board, and requested that between Mrs. Allen and Mr. Higgins, the list be updated on a status sheet for each project. Mr. Brown stated there was over \$500,000 in funds available for projects and better track should be kept of them.

-Mr. Higgins recounted the bids for the highway garage. Mr. Brown suggested getting a separate bid for the repair of the highway garage floor. Mr. Johnson made a motion that the highway garage bid be awarded to Smith-Grove Construction for \$58,500, without alternate #1; Mr. Brown seconded; all aye.

9:40

-Anthony Mastroianni, Veterans Agent, came before the Board to discuss a reduction in his salary for FY'92. He said he did not have any problems until he got the FinCom report and there was a reduction of \$1,400. After 22 years, he thought he was under a contractual basis and a reduction would have been discussed.

Mr. Dronzek explained that this item had honestly slipped by the Selectmen unnoticed. He said it was changed by the

Fincom after the Board of Selectmen had approved his original budget request.

Mr. Brown said that the last time they met with him, they were able to get a better picture of his responsibilities and duties. Mr. Dronzek agreed and said that the FinCom should also get this same message.

Mr. Mastroianni said that nothing will happen by him - he would leave it in their hands.

Mr. Brown said that at one of the regular sessions of the FinCom, this area of allocating monies should be discussed.

9:50

-The Board went over the wording of the building application process that Mr. Speroni had submitted. Mr. Speroni's added changes to the process was looked over, and Mr. Brown made the motion that the amended building permit application procedure as proposed with appendix B be approved; Mr. Johnson seconded; all aye. (copies attached)

-The Board went over the names of residents as submitted by the Conservation Commission for the two vacancies that exist.

The Board acknowledged receipt of a letter from Jan Morris, Chairman recommending the appointment of Richard DiGirolamo and Lawrence Kustra.

Mr. Johnson made the motion that Ben Generazio be appointed to the Conservation Commission; Mr. Brown seconded; all aye. The appointment slip was signed.

Mr. Johnson made the motion that Richard DiGirolamo be appointed to the Conservation Commission; Mr. Brown seconded; all aye.

-The Board was in receipt of a copy of a letter addressed to the Conservation Commission from Glenn-Moore Realty Trust asking for their Release from the Orders of Condition for 116 Main Street.

Mr. Dronzek asked Mrs. Allen to send a letter to Jan Morris, Chairman requesting that if Glenn-Moore has complied with the orders of condition of 116 Main Street, that they please expedite the release.

-The Board was in receipt of a letter from Mr. and Mrs. Michael Power of Village Street criticizing Paul Yorkis' actions on their property.

Mr. Dronzek asked Mrs. Allen to write a letter to Mr. and Mrs. Power and Mr. Yorkis asking them to come to the next Selectmen's meeting on September 16th.

-Mr. Dronzek asked Mrs. Allen to get Town Counsel's advice if someone who handles Medway real estate property can also be on the Conservation Commission, enclosing a copy of Mr. Power's letter. Also, what is the Town's risk on this

situation?

10:15

-Gardner Rice returned to the Board to mention that MPF Contractors went in to put a sewer easement on Vernon Road and went beyond the easement. The abutters are not satisfied and it may cost the Town \$7,500 to cross-sue.

-Mr. Rice also talked about paying a \$62,000 bond out of sewer funds by Tuesday, and will await hearing from the Selectmen.

-Mr. Rice also mentioned that Algonquin was putting in 30" main in town, and will be crossing Winthrop Street. Algonquin made some requests after the bids were opened, and the Water/Sewer Board will tell them to take full responsibility since the information was received after the bids were opened. The Board will commit to what was agreed, but beyond that, it is their responsibility.

10:30

-The Board acknowledged receipt of an anonymous letter from a resident who was concerned that the retirement age might be lowered to 62, and was not in favor of it.

-Mrs. Allen told the Board that the Village Variety Store was being sold, and a new owner was applying for a common victualler license. Mr. Brown made the motion that the license be granted pending Board of Health approval; Mr. Johnson seconded; all aye. The license was signed.

-Mrs. Allen presented an emergency transfer request from the EMS in the amount of \$3,000 to cover repairs to their K7 1984 ambulance. The Board decided to wait until all expenses for the year have been expended, and to suggest that they live within their budget.

-Mrs. Allen mentioned that the discussion on EMS mutual aid that the Selectmen had with Officer Grimes was now in the hands of the regional director in Worcester.

-Mrs. Allen presented two solicitor's permits. One was for Energy Concepts that do windows, insulation and siding. Mr. Johnson made the motion that the permit be granted only for daylight hours; Mr. Brown seconded; all aye.

The other was for Massachusetts Cablevision to go door-to-door for cable. Mr. Brown made the motion that it be approved; Mr. Johnson seconded; all aye.

-Mrs. Allen was in receipt of a Medex survey questionnaire. The Board said she could just tell them they were interested in getting more information.

-Mrs. Allen said there were various town boards that had responded with an interest in the Norfolk County Treasurer's Office coming to Medway. Mrs. Allen will try and schedule an evening visitation by Mr. Hall.

-The Board acknowledged receipt of a letter from Douglas Downing, Chairman of the School Committee, stating that they

will review the Board's request of lowering the retirement age to 62, and will try and get back to the Board prior to the meeting on September 23rd.

- Mrs. Allen stated she had calculated that Hurricane Bob had cost the Town about \$5,900 for overtime for police, fire, highway and water/sewer. She will submit this information to the State for their records.
- The Board acknowledged receipt of a letter from Charles River Pollution Control District on copper reductions.
- Mrs. Allen informed the Board that Paul DeSimone will be coming to the Selectmen's meeting on September 23rd to discuss the mapping program.
- The Board acknowledged the Affordable Housing Committee's letter indicating that only one more unit is left to be sold at Colonial Estates off of Lovering Street.
- The Board acknowledged the Building Inspector's report for August.
- The Board acknowledged Town Counsel's opinion on signs as requested by the Building Inspector.
- The Board acknowledged two certified letters from the Dept. of Public Utilities on Bay State Gas.
- The Board acknowledged receipt of a letter from Florence Mucci with the name of a person for the Board of Registrars. Mrs. Allen informed the Board they need three names. The letter stated two more names would be forthcoming.

10:50 -The meeting was adjourned.

Respectfully submitted,



Mary Jean Fredette, Secretary

Attachments

BUILDING DEPARTMENT - TOWN OF MEDWAY

GENERAL INFORMATION:

Building permits are required for internal/exterior changes, demolition and/or construction of buildings, wood stoves and chimneys, and swimming pools.

APPLICATION PROCEDURES:

Persons who apply for a building permit in the Town of Medway (APPLICATION FOR BUILDING PERMIT) are required to provide a stamped plot (site) plan for construction such as an inground pool, or any building or structure to be erected on a permanent inground foundation.

Any other construction such as a storage shed, greenhouses, etc. requires a plot (site) plan showing, to scale, the size and location of all new construction and all existing structures on the site, and distances from lot lines.

Conservation Commission sign-off is required on all building permit applications for any new exterior construction not on an existing foundation or original footprint, and swimming pools, and any other applications as required by the Building Inspector.*

Sign-offs on building applications are required **before** application will be reviewed and permit issued.

Persons who apply for a building permit may be required by the Building Inspector to obtain approval from the Water/Sewer, Highway, and Board of Health Departments before a permit will be issued.

INSPECTION PROCEDURES:

For new residential/commercial construction, the Local Inspector must make a foundation inspection; (as-built required in the office after foundation inspection, but before rough inspection); rough/framing construction inspection (after rough electrical and rough plumbing inspections); insulation inspection; and final construction inspection (after final electrical and final plumbing inspections, fire chief inspection for oil burner/fire alarms if applicable, board of health if applicable, conservation if applicable, gas inspector if applicable, water/sewer if applicable).

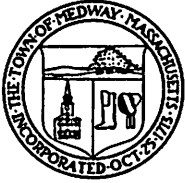
All inspections made by the inspectors must be signed-off on the building card.

Final inspections must be obtained by necessary departments prior to a certificate of occupancy being issued.

Conservation Commission sign-off is required before a certificate of occupancy can be issued on permits that required their sign-off on the application.

All building and electrical inspections must be scheduled through the Selectmen's Office.

~~*~~ ON APPLICATIONS WHERE CONSERVATION COMMISSION SIGN-OFF IS APPLICABLE, AND NO WETLAND CONDITIONS EXIST, THE CONSERVATION COMMISSION SHALL HAVE FIVE (5) WORKING DAYS TO SIGN-OFF ON SUCH APPLICATIONS.



Robert J. Speroni
BUILDING INSPECTOR

OFFICE OF THE
BUILDING DEPARTMENT

MEDWAY, MASSACHUSETTS 02053

Call office 533-2013
for inspections

APPENDIX B

INSPECTION PROCEDURE

POOLS

IN-GROUND:

Fences: A 5' high, non-climbable type of chainlink, stockade, 2" x 4" welded wire, etc. Stockade types must have horizontal supports on the inside.

Fence must be between pool and house.

In-ground pools must never be filled without fence installed.

Gates: A self-closing type with provisions for a padlock.

Inspections: Steel placement is inspected prior to pouring for gunite-type pools.

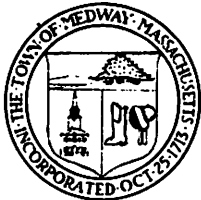
A final inspection is required on pool and fence after final electrical inspection and conservation commission, if required.

ABOVE-GROUND:

Fences: All above-ground pools must have a fence around them of at least 5' in height; or a deck/fence attached to the pool to give a total height of at least 5' above the ground.

Inspections: A final inspection is required on the pool and fence after final electrical inspection.

mj9/10/91



BOARD OF SELECTMEN

155 VILLAGE STREET
MEDWAY, MASSACHUSETTS 02053

AGENDA

AUGUST 26, 1991

7:00 p.m.	Open meeting, sign warrants, approve minutes of 8-12-91 meeting.
7:05	Open bids for highway garage addition.
7:20	John Wilson & Assessors re: Mapping Program
7:45	Chief Lambirth re: Sgt. Paulette's retirement.
8:00	Fred Lee - re: health insurance. Peggy Tighe - re: ambulance billing.
8:15	Michael Curatola re: replacing culvert on Holliston St.
8:30	Gardner Rice re: trench patches, misc. streets.
9:00	Executive Session: Attorney Richard Maciolek - discuss litigation
----	Old business.
----	New business.
Note:	Schedule Special Town Meeting for deferral on Teachers' pay?

Present: John Dronzek, Walter Johnson and Richard Brown.
Administrative Assistant Ruth Allen was on vacation.

7:00 p.m.-Mr. Dronzek called the meeting to order in the Selectmen's Meeting Room 2 of the Town Hall. Mr. Johnson made the motion that the minutes of the August 12th meeting be accepted; Mr. Brown seconded; all aye. The warrants were signed.

7:01 -Mr. Johnson read the ad as it appeared in the Milford Daily News concerning bids for the addition to the highway garage. Four bids were received as follows:

Barbato Construction - \$67,435 - Alt. 1 \$3,600 - with bond.
Tri Construction - \$86,238 - Alt. 1 \$3,224 - with bond.
Weststar Associates - \$64,037 - Alt. 1 \$1,037 - with bond.
Smith-Grove Constr. - \$58,500 - Alt. 1 \$6,000 - with bond.

Mr. Brown made a motion that the bids be turned over to the Highway Supt. for his review; Mr. Johnson seconded; all aye.

7:12 Fred Lee, Treasurer/Collector and Peggy Tighe, Assistant Treasurer/Collector came before the Board to speak further on health insurance. Mr. Dronzek said he was inclined to go with the present policy and set the policy with the retirement age at 65. Mr. Brown questioned if the age should be changed to 62?

Mrs. Tighe indicated roughly the cost for insurance for a family was \$600 and \$300 for a single person; however the town pays 60% and the employee 40%.

Mr. Brown said the Board should get some reaction from the School Dept. on lowering the retirement age to 62. Mr. Johnson said that some of the higher paid teachers might retire earlier if the age was lower, and save the town some money. Mr. Brown said it might be best to get the School Department's opinion prior to any vote being taken.

Mr. Dronzek told Mr. Lee, however, that until that final vote is taken, present policy will be followed. Mr. Lee asked that the policy be in written form when a vote is then taken.

Mr. Brown mentioned that he thought the personnel by-law committee should be aware of this possible earlier retirement age for future implementation in the by-laws when they are written. Mr. Lee agreed.

Mr. Dronzek asked the Secretary to write to the Chairman of the School Committee, enclosing a copy of Mr. Lee's letter to the Board, asking the Committee their feelings on the earlier retirement age of 62, and the reasoning behind their response prior to their next meeting on September 9th, if possible.

-Mrs. Tighe presented outstanding collection balances for EMS billing. From the beginning of EMS collection to December 31, 1989 - the prior years outstanding balance was \$148,045.78. Mr. Lee suggested contacting Comstar and asking them if anything could be a receivable. Mr. Brown suggested

that some sort of abatement form be made up for future abatements.

Mrs. Tighe then gave the outstanding collection balance for the period of January 1, 1990 through June 30, 1991 - \$47,146.63 vs. total billed of \$105,744.50.

Mr. Dronzek said the Treasurer/Collector's office should have a list prepared of the ones they would request an abatement for as non-collectible, and formally address that document to the Board so it can be signed for abatement. Mr. Dronzek also asked Mrs. Tighe to check with Officer Grimes as to the meeting he attended recently for out-of-town services.

7:27

-John Wilson, Assistant Assessor; and Harry Johnson with Joe Malloy from the Board of Assessors met with the Board of Selectmen to discuss the future of the mapping program. Mr. Wilson stated he had been requested to accompany Mark Flaherty to Stone and Webster in Boston.

Mr. Brown stated that Mr. Flaherty had already come before the Board requesting \$4,000 for a software package, and that was all the new information learned. The Board had thought once they went to Stone and Webster, they would learn more about the future of the mapping program.

Mr. Wilson said that they have a quote and a type of hardware they should use to update the assessors' maps from Stone and Webster for the overall mapping project. Mr. Wilson stated that Stone & Webster would get the engineering blueprint maps from Bay State Gas on the assessors' base map. Mr. Flaherty said he would do all the utilities, and Mr. Wilson would update the assessors' maps.

Mr. Dronzek asked if new catch basins could be added as they were put in - Mr. Wilson said they could. Mr. Dronzek tried to clarify that the project was specifically a town project for mapping - not a sharing of one department's equipment with another. Also, that Stone and Webster would recommend what should be done further in the phase, and centralize the equipment.

Mr. Brown mentioned that the town will soon be switching over to the unex system, and Stone & Webster mapping is on dos. Mr. Wilson said that \$11,000 would be for software and hardware for the main station, printer and a mouse. He then would like to put the information on a floppy disc and send it outside to engineering for a mylar, then having it printed for drawings.

Mr. Johnson said the assessors' maps could be updated every three years; however, Stone and Webster said their yearly update cost would be around \$5,200. Mr. Johnson said he wanted to look around and get more estimates, as well as checking further with Uxbridge and Dover, NH. He said Uxbridge claim they went through all the phases, and don't even the use the program.

Mr. Malloy said the mapping program should also show wetlands, areas of ledge, etc. Conservation Commission and Planning Board were also looking to the mapping program for valuable information.

Mr. Johnson agreed saying you could draw upon as little or as much information as you wanted from the many detail maps there would be.

Mr. Dronzek asked the Secretary to contact Stone and Webster and set up a meeting with the Selectmen for September 16th. Hopefully by that time, the Board will have received further information from other towns who use it, and how they like it.

Mr. Johnson stated that the Department of Revenue has said that this was the best system around. Also, that after Uxbridge saw what Stone and Webster could do, they signed on with them. Mr. Wilson said they are compiling changes they have so it could be sent to Stone and Webster. Mr. Brown asked if the assessors wanted the information updated all the time? Mr. Johnson said he did not know what else was on the town's program except the assessors' information. Also, a completed system, ready to operate may be a different price.

Mr. Brown thought the best thing was to have the computer in place and Stone and Webster update it; however, \$5,200 a year only for assessors' information seemed a little steep.

Mr. Johnson said he did not realize this was a tie-in to the main computer, so they went out and got their own p.c. Mr. Brown told him that the server would be downstairs on the main floor, but each department gets their own p.c.'s - each department would be working independently.

Mr. Dronzek again said he thought the program was of considerable value to all departments.

Mr. Dronzek asked the Secretary again to call Stone and Webster and have them come to the Board's meeting and make a presentation. Also, to invite all departments that might be interested and let them know when they were scheduled to come so they could also hear the presentation.

Mr. Dronzek reiterated the interest in the mapping program had been around for a long time. He expressed an interest in the original contract that was signed with Stone and Webster, and said that it should be on file in the Town Accountant's office. He asked the Secretary to try and locate it and make copies available to the Selectmen.

7:55

-Chief David Lambirth came before the Board to speak about Sgt. Paulette's retirement, but first announced that former Police Chief William Giallonardo had passed away that afternoon. He said the Police Station and the Town Hall will be draped in his memory.

In reference to Sgt. Paulette, he said he did not have the specifics as to what is needed, but he does need a court prosecutor and is taking applications; Officer James Boyan would be filling in, but that doesn't fill the officer's position. He said they are waiting for information from Civil Service, and they have a rehire list, but he wanted to try and utilize the five permanent intermittent police officers and re-evaluate them. Again, Civil Service has restrictions that need to be followed.

Chief Lambirth also stated they now have an existing list of Sgts. candidates, as well as an existing list of those to take exams. No results have been received of those who have taken exams. He felt he needed someone in a mid-level position who would also be good for collective bargaining.

Mr. Dronzek said the Board would probably defer to the Chief for his recommendations on this matter. The Chief said he was also thinking of different restructures, and Mr. Dronzek asked him just to keep the Board updated.

Mr. Brown brought up the subject of the highly publicized graffiti that had been showing up in Medway recently. He said he had been receiving occasional phone calls on the matter, and he asked the Chief how he should handle them?

The Chief felt everything had been overplayed, since Medway was the only community that had made any arrests. He felt there were people out there who were trying to be copycats. This last talk of graffiti had been on the private property for a long time. He said he would be happy to have questions referred to him, and could then defer to the District Attorney.

Mr. Dronzek thought it was a shame that the whole town was being indicted because of a few. The Chief said that the ecumenical groups are not having any problems, and that it was the news media that was blowing it up out of proportion.

8:15 -Michael Curatola, builder and Joe Hoban, from ESP Associates, came before the Board to talk about the sub-division at Curtis Landing off Holliston Street.

Mr. Hoban stated that there was an existing 18" pipe that needs to be replaced, and he stated that the Planning Board had recommended that the pipe be replaced, which Mr. Curatola will be doing with the same corrugated metal at no charge. He said that he would keep some pitch and put in a headwall and some ricrac, and would get the necessary street opening permit. They just wanted the Selectmen's O.K.

Mr. Curatola said that preliminary plans have been approved; he has submitted the definitive plan to the Planning Board and they will have a hearing at the beginning of September.

Mr. Dronzek reminded them no street opening permits will be issued after December 1. Mr. Dronzek wondered if this

constituted an initial site plan review? They will come back after their hearing with the Planning Board.

8:30

-The Board was informed by the Secretary that Gardner Rice would probably not be able to come to the meeting as originally planned since they had bid openings that evening. The Board started to discuss the roads in town that they felt were OK, and those that did need some trench-patching done before paving. Mr. Johnson said he thought it would be best to wait until next year. Mr. Brown thought that the south side of Route 109 from West Street to Fisher Street was really bad.

At this point, Mr. Rice along with Bob Heavey and Ron Wilson of the Water/Sewer Board did come into the meeting. Mr. Dronzek felt there had been significant discussion on the subject of repaving. He mentioned that last year there had only been one foot of frost, and they really need four feet. Next spring is the time to do the proper paving, but the Board did have areas of concern with trench-patching.

Mr. Rice said that when he received the letter from Administrative Assistant Ruth Allen concerning roads to repair, he said he had asked her to get specifics from Diarmuid Higgins and got none. He said he did not understand what the Board wanted. He does not see the problems that the Board is talking about. If he had had a list, it would have helped. Mr. Rice said if they agree with the Board of Selectmen, they will do it. He stated that it was the Water/Sewer Board that did not want to pave the first year, and they will do it this year, but he felt there was enough settlement last year from all the trucks that go along the roads.

Mr. Flaherty, who just came into the meeting, said that McCarthy Brothers and Mr. Higgins went over the list and corrected the streets. He said McCarthy got a list of what to do near #50 Milford Street and the two culverts up to #98 Milford Street. Then Mr. Higgins told them not to do it because it was easier to pick up with a leveling course.

Mr. Brown said maybe there was a misinterpretation - the Board of Selectmen want the holes filled in, and Mr. Higgins figured they would get done when it was paved. Mr. Flaherty said McCarthy has pulled the paving crew out - did the Board want an overlay or skim on the low sections? Did the Board want it paved to finish?

Mr. Brown said he guessed he wanted it paved to finish. If rest of Milford Street looked like the areas already done on Summer and Highland Streets, that would have been great.

Mr. Flaherty tried to explain to the Board why Mr. Higgins did not want to do trench settlement. Mr. Dronzek said that the Town is not paving Milford Street this year - but before winter starts in 1992, it will be paved.

Mr. Gardner said the subject of settlement was only brought

up at the third or fourth meeting with the Selectmen. It would have helped if it could have been brought up earlier. He asked for a time to get together and discuss further with the Board of Selectmen and the Water/Sewer Board. Mr. Dronzek assured him the funds are there to do the work. Mr. Rice said they could put a leveling course down this fall.

Mr. Dronzek asked the Secretary to set up, before the next Selectmen's meeting on September 9th, a time when Mark Flaherty, Diarmuid Higgins, a member of the Water/Sewer, and one of the Selectmen can get together so that they can make site inspections of the roads and decide what the next step would be, and what should be done. Mr. Rice indicated he could not make it on the 4th, and the 3rd and 5th were OK with him. Mr. Johnson thought the 3rd in the morning would be OK with him. The Secretary will finalize.

-John Williams, a member of the FinCom, mentioned he was present at the last School Committee meeting when the subject of teachers' deferral pay was brought up, but a vote was not taken as there was not a full board present. He felt it was going to be brought up again at their next meeting on Sept. 5th when they would vote.

Mr. Dronzek said he would like to then defer action on a special town meeting until he learned what the School Committee's decision would be and their reasoning behind the decision.

9:08 -Mr. Brown made the motion to go into executive session with Attorney Richard Maciolek to discuss litigation; Mr. Johnson seconded; all aye.

9:50 -The Board came back into public session.

-The Secretary gave the Board the list of Norfolk Police Officers that needed to be appointed as Special Police Officers for Medway. Mr. Brown made a motion that they be appointed as per the list; Mr. Johnson seconded; all aye.

-The Board discussed the new names that were submitted to the Conservation Commission to fill the two vacancies that exist, bringing the total interested people up to six. The Secretary said the Commission had planned on bringing the subject up at their meeting that evening.

-The Board was in receipt of a letter from Bob Speroni, Building Inspector indicating he wanted some clarification from the Conservation Commission prior to the Board taking a vote on a policy to be followed on building applications.

Mr. Dronzek said he did not feel any progress was being made here, and asked for the Secretary to tell Mr. Speroni to write up his recommendations on a procedure to follow so the Board can take a vote.

-Mr. Brown brought up the letter received from former Town Clerk, Corinne O'Callaghan-Fallon, in regard to cooperation

being extended with the Town. Mr. Dronzek asked the Secretary to let Mrs. Fallon know that there would be a special town meeting in the fall, and her stipend would definitely be one of the warrant articles.

-Mr. Brown brought up the subject of the Town Accountant's position. He made a motion that Robert H. Brothers be appointed the Town Accountant for a three year term, beginning with the first day of employment at a grade 12, step 3; Mr. Johnson seconded; all aye. The appointment slip was signed.

Mr. Dronzek asked the Secretary to check with Mr. Brothers as to when he would officially be starting work so the date would be indicated on the appointment slip. Mr. Dronzek also asked that the Secretary tell Tony Kennedy, the Temporary Accountant, that the Board would be in favor of a week or so overlap between the two gentlemen.

Mr. Dronzek asked the Secretary to have Mrs. Tighe send letters of appreciation to all of the eight other candidates, but to also call Mr. Hart and Mr. Scherra personally.

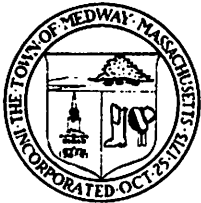
10:10 -The meeting was adjourned.

Respectfully submitted,



Mary Jean Fredette, Secretary

mj



BOARD OF SELECTMEN

155 VILLAGE STREET
MEDWAY, MASSACHUSETTS 02053

REVISED AGENDA

AUGUST 12, 1991

7:00 p.m.	Open meeting, sign warrants, approve minutes of 7-29-91 meeting.
7:05	Mark Flaherty - re: computer for mapping program.
7:15	Chief Lambirth.
7:30	David D'Amico - re: ZBA appointment.
7:45	Robert Ciavarra - re: ZBA appointment.
8:00	John Boczanowski - re: ZBA appointment.
8:05	Peggy Tighe - re: ambulance billing.
	Fred Lee - re: health insurance
----	old business.
----	new business.

Present: John Dronzek, Walter Johnson, Richard Brown and
Administrative Assistant Ruth Allen.

7:00 p.m.-Mr. Dronzek called the meeting to order. The warrants were signed. Mr. Johnson made a motion to accept the minutes of the July 29th meeting; Mr. Brown seconded; all aye.

7:01 -Mark Flaherty, Supt. of Water/Sewer and a member of the Computer Committee came before the Board to speak about the mapping project. He stated that he and John Wilson, Assistant Assessor, were going in to Stone and Webster in Boston the next day. He said that the Water/Sewer Board was going to purchase a PC (hardware) for about \$6,000, but software would cost an additional \$4,000-\$5,000. He estimated it would take about two years to on-load information. Mr. Wilson would input deed transactions, etc., and Mr. Flaherty would input utilities (gas, water, electricity, sewer) etc. He said that the software would be able to do graphics and create maps which would save the Town time and money in the long-run. He said if the Stone and Webster personnel were used, it would cost \$50/hr. He indicated the Assessors' maps haven't been updated since 1988.

Mr. Brown wanted to know the answers to some questions before getting any commitment from the Board for monies. He wanted to know what the \$4,000 would give the Town, and also what future commitment it meant, as well as what ramifications there might be.

Mr. Flaherty said the computer would be in the Water Dept. and if anyone needed information, they would have to go in there. He indicated future plans would be to get a printer so that plans could be made up. He said his present information was on file cards. Stone & Webster would specify what type of computer would be needed for the system when they go into Boston (probably a 486 with 1.3). Again, Mr. Brown said he did not want him purchasing anything yet, and to come back in two weeks with hardware and software costs.

Mr. Flaherty said he would need training, and then he could teach his men some how to do some info on the computer. Mr. Brown wondered if anyone else was utilizing the system besides Medway - Mr. Flaherty said he would research this. He also indicated Dig Safe could utilize the maps. Mr. Flaherty and Mr. Wilson would be requested to come back in two weeks with their findings.

7:25 -Chief Lambirth came before the Board to officially announce that Sgt. Fred Paulette would be retiring effective September 14. He said they are still in the stages of working out getting a replacement, as well as breaking in a new court prosecutor. He indicated there was a rehire list he needed to look at. The Chief will come back to the Selectmen's meeting on Aug. 26 to elaborate further. It was indicated that Sgt. Paulette would be working for the Dept. of Defense.

-Mr. Dronzek brought up the subject of uniform allowance with the Chief. He stressed to the Chief that it is important to have the proper receipts submitted with bills for payment, as proper backup is required for the auditors. The Chief's letter received by the Board explained the uniform allowance more clearly.

7:30

-David D'Amico came before the Board to discuss his interest in being on the Zoning Board of Appeals. He said that he first expressed his interest in being on the Board about two years ago, and he has been looking for an opening ever since. He said he plans to remain and finish his one year term on the Planning Board, even if he was appointed to the ZBA. Mr. Dronzek stressed to him the issue of conflict, and that he would have to excuse himself if need be. He stated he had been in Medway for 7 years. Mr. Dronzek said that they would consider him as a candidate and thanked him for his interest.

7:40

-Robert Ciavarra came before the Board to talk about his interest for the ZBA. He said he had been in Medway only a few months, but having lived in Easton for 20 years, had served on numerous commissions and boards there. He said he was also familiar with some of the conservation wetland rules and regulations. Again Mr. Dronzek discussed conflict and thanked him for his interest and for coming.

7:50

-Since there was some time left before Mr. Boczanowski was due to arrive, Mr. Brown filled the Board in on a Millis recycling meeting he attended. He was able to learn more about the company the Consortium signed a 20 year contract with for recycling, MRI of Holliston. Mr. Brown passed out literature he had received and stated there were about 150 people present. Routes, sources of funding, and percentages back to the Town were discussed.

The Board felt further discussion involving the Town might be a good idea, maybe at the next all-boards meeting. Mr. Dronzek thought the Board of Selectmen and the Board of Health could possibly sponsor a joint meeting, and ask representatives of the Consortium to be in attendance.

7:55

-John Boczanowski was present to discuss the ZBA appointment. He stated because of his business, he could only get involved with certain boards, such as the ZBA. He could not join the Conservation Commission or the Planning Board. He said he had always been involved with the Town, most recently as chairman of the School Building and Site Selection Committee. He felt this was the ideal board to be a part of, and would steer away from anything that could be conflicting. Mr. Dronzek said they would also consider him for the position.

8:00

-Peggy Tighe came before the Board to discuss EMS ambulance billing. At the previous Selectmen's meeting, she was asked to bring to the Board this evening a breakdown of what Comstar had billed, and what had been collected during the first quarter of FY'88, as well as FY'89 and FY'90. Fred Lee, who was present, said that everything given to them was billed. Mrs. Tighe said that in calendar year 1990, 67%

of what was billed was collected, which came to over \$90,000. Also, that prior to Comstar doing the billing/collecting, all outstanding bills did get billed. She stated that Blue Cross was part of the reason for the delays, but that things are picking up now.

Mr. Brown brought up how to get rid of old receivables. Mr. Dronzek said they should be abated as they will never be able to collect on the old billings. Mr. Lee admitted he was responsible for not getting abatements to the Board. He said he wanted to accumulate a certain quantity and then bring them to the Board for abatement all at once; and if the money comes in, put it in the general ledger.

Mr. Brown suggested cleaning up the account prior to the end of each fiscal year. Mr. Dronzek also suggested Mr. Lee bring up about six months at a time for abatement, and not to wait and hold them. Mr. Dronzek asked that they come up with the list of billings to abate up to the end of 1989. Mrs. Tighe mentioned Comstar receives \$13.50 of every bill, no matter how much is billed.

-Mr. Lee came before the Board to speak about health insurance. He mentioned that many people are now retiring before the age of 65. It has been his policy for 20 years that employees have paid the full premium to the Town until they reach 65, and after that the Town pays 60%. Some police officers can retire at the age of 55, so they would be paying full premium for 10 years. He needed a policy from the Board of Selectmen to be able to present to employees.

Mr. Dronzek asked that Mr. Lee put in writing the present policy he has been following in time for the Selectmen's August 26th meeting, at which time they could vote on it.

Mr. Johnson said the Board should consider letting the retirement age be 62. Mr. Dronzek said no matter what the age, it has to be across the board.

8:35

-Diarmuid Higgins came before the Board to update them on road conditions. He said they had recently used a "mole" on Karen Avenue and found that the catch basin had been plugged up with roots, and the pipe broken. Residents had been complaining about water flooding in their area, and this was obviously the cause of the problem. Because of all the work that would have to be done, Mr. Higgins suggested putting in new 24" pipe, close off the old pipe and easement, bypassing that whole section of piping, put in a third catch basin, which would cost about \$21,000.

Mr. Higgins wondered where the money would come from. Mrs. Allen told him that Chapter 90 monies were to be authorized by Labor Day, so that the money could possibly come from there. Mr. Higgins said he would contact Mike Delaney of Mass. DFW this week.

Mr. Brown was concerned about the trench patches put down all over town that he did not feel were adequately done. Mr.

Higgins said patch should be put down, allowed to settle, and then finished off in the Fall. Mr. Brown asked Mr. Higgins if he had talked to Mr. Flaherty about the condition of the streets in Town? He said he had, but Mr. Higgins said someone has to fix the streets. Mr. Brown said the Water Board should be asked to do them; they were their water/sewer projects. Mr. Dronzek asked Mrs. Allen to write a formal letter to the Water/Sewer Board asking them what their future plans are for town streets including Oakland, Milford, Summer and West Streets.

Mr. Brown asked about sidewalks - Mr. Higgins said he is working on it.

- Mrs. Allen brought up Chief Lambirth's reply to the Board on uniform allowance. Mr. Brown made the motion that the bill as submitted to the Accountant's office be paid; Mr. Johnson seconded; all aye.
- Mrs. Allen mentioned that the Consultant's account has almost been depleted because of the extra fees involved with the search for a Town Accountant. Mr. Brown said the bills could be paid out of Town Accountant's expense account.
- Mrs. Allen informed the Board that the Algonquin Gas public hearing had been postponed to August 27.
- Mrs. Allen brought up a block party request for Charles River Road for September 21 from 12 Noon to about 7 p.m. Mr. Johnson made a motion that the request be granted; Mr. Brown seconded; all aye.
- Mr. Allen told the Board that Robert Conroy, who had applied for the position as representative to the Metropolitan Area Planning Council, was still interested in representing Medway now that Mr. DiGiammerino had resigned. Mr. Brown made the motion that Mr. Conroy be appointed; Mr. Johnson seconded; all aye. The Board signed the appointment slip.
- Mrs. Allen acknowledged receipt of the Dept. of Revenue guidelines on summer salary for teachers and a letter from Attorney Mosches on the same subject. You need to have a Special Town Meeting if you do not want to defer the salaries.
- Mrs. Allen submitted to the Board a banner request by the Medway Historical Society announcing the 4th annual antique car show. They requested the banner be allowed to hang across Route 109 from September 15 through September 22. Mr. Brown made a motion that the request be granted; Mr. Johnson seconded; all aye. The Board signed the request.
- Mrs. Allen went over the letter received from the Town of Medfield DPW awarding the joint salt bid to Akzo Salt Inc. of Clarks Summit, PA., the low bidder. She stated that Medfield needed confirmation from the Board of their acceptance. Mr. Johnson made a motion that the Town of Medway accept Akzo Salt's bid of \$28.60 for solar salt

delivered; Mr. Brown seconded; all aye.

- Mrs. Allen acknowledged receipt of a letter from Town Counsel indicating that the Clerk of the Registrar's stipend payment cannot come out of FY'92 funds. Mr. Dronzek asked Mrs. Allen to make sure that particular item was included as one of the items for the next town meeting.
- Mrs. Allen also acknowledged the same letter from Town Counsel wherein he referenced drainage on Evergreen Street. The Board asked that Mrs. Allen or Mr. Higgins talk to Mr. Chilson about this matter. Mrs. Allen also mentioned that Norfolk County Engineers should be going to the Conservation Commission very soon about their study of the flooding situation at Cottage Street.
- Mrs. Allen acknowledged receipt of a letter from Kathy Rehl to the Board of Health asking that the recycling study committee be placed on the Board of Health's next meeting agenda for August 20th.
- Mrs. Allen brought up the injury of a child, Garret K. Burke, on a soccer playing field. She said the matter was turned over to the Soccer Association, and our insurance company has been notified of same.
- Mrs. Allen said she had talked to Mary Ellen Lavenberg, chairman of the Historical Commission, about the pole petition for Highland Street. Mrs. Lavenberg said the Commission had no interest in the guy wire/anchor, therefore, the Board signed the pole petition.
- Mrs. Allen referenced a previous letter written by Attorney Maciolek dated September 14, 1990 on the Charlie Norman property on Village Street. She said that Bill Cummings, Health Agent, was working on the issue on behalf of the Board of Health. Mrs. Allen asked the Board if they wanted her to send a letter to the Board of Health asking that the matter be expedited? Mr. Dronzek agreed, and asked Mrs. Allen to also enclose a copy of the above-referenced letter for them.
- Mrs. Allen acknowledged a letter from Robert Morini expressing appreciation for the cooperation he received recently from Building Inspector Robert Speroni and Conservation Commission member Raphaela Rozanski.
- Mrs. Allen said that Mr. Speroni asked her to tell the Board that he had talked with Jan Morris of the Conservation Commission, and is waiting for word from them on the building application process they want to follow. Mr. Dronzek asked Mrs. Allen to please send a letter to the Conservation Commission asking them for their disposition on signoffs.
- Mrs. Allen acknowledged a letter received from Andrew Martin of American Metals Recycling concerning white goods, which she forwarded to the Board of Health and the Recycling Committee.

-Mr. Johnson brought up a discussion he had had with Robert Speroni concerning a garage/addition on Lincoln/Norfolk Street, the adjacent house Mr. Finklestein wants to re-rent now that the previous tenant moved out. Mr. Johnson stated that it was agreed, at the time of the garage/addition, between he and Mr. Finklestein, that no one else would be allowed to move in there. Mr. Johnson was trying to determine what action the Building Inspector could take on this matter. He thought possibly Mr. Speroni could go back to the old records and see if such an agreement was indicated on the building application. He thought maybe the Board could ask Town Counsel for his opinion?

-Mr. Dronzek made a motion to regrettably accept Sgt. Paulette's resignation after 26 years of service to the Town of Medway; Mr. Brown seconded; all aye. The Board asked Mrs. Allen to gather some information on Sgt. Paulette for any future proclamation.

-Mrs. Allen mentioned that Mr. Mastroianni brought up the subject of his reduced stipend by \$1,700 recently at a time when there was not a full Board. The Board asked Mrs. Allen to put him on the agenda at his convenience. Mr. Brown suggested the chairman of the Finance Committee also be present for any elaboration needed.

-Mr. Brown made the motion that Mr. D'Amico be appointed to the Zoning Board; there was no second. Mr. Johnson made the motion that John Boczanowski be appointed to the Zoning Board; Mr. Dronzek seconded; all aye. The appointment slip was signed.

Mr. Brown nominated Mr. D'Amico for an appointment as alternate to the Zoning Board; Mr. Johnson seconded; all aye. The appointment slip was signed.

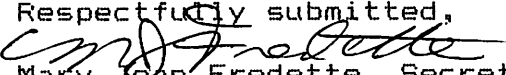
-Mr. Dronzek asked Mrs. Allen to please send Mr. Ciavarra's resume to the Conservation Commission since he was interested and seemed qualified for that position also. He also asked her to remind them that they would like an answer back promptly on the four names that have been submitted to them for the two vacancies.

-Mr. D'Amico brought to the Board's attention that he thought there was sand and gravel being removed at Oakland Cemetery without a permit. He said he checked with Mrs. Allen and the permit had expired in May of 1991. He had observed two trucks leaving with material after the said permit expired. He asked if the Board could send a letter inquiring into this? Mr. Dronzek asked Mrs. Allen to send a letter to the appropriate trustees.

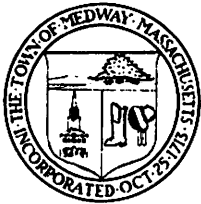
9:45

-The meeting was adjourned.

Respectfully submitted,


Mary Jean Fredette, Secretary

mj



BOARD OF SELECTMEN

155 VILLAGE STREET
MEDWAY, MASSACHUSETTS 02053

AGENDA

JULY 29, 1991

7:00 p.m.	Open meeting, sign warrants, approve minutes of 7/15/91 meeting
7:05	Peggy Tighe - re: ambulance report
7:15	Kathy Rehl - re: Millis Consortium
7:30	New England Telephone Company & Boston Edison - re: public hearing - Highland St.
7:45	Board of Health - re: recycling
8:15	Joe Gullotta - re: carnival for Walk-in Center
----	Old business
----	New business

Present: John Dronzek, Walter Johnson, Richard Brown and
Administrative Assistant Ruth Allen.

7:00 p.m.-Mr. Dronzek called the meeting to order. There were no warrants to sign. Mr. Johnson made a motion to accept the minutes of the July 15th meeting; Mr. Brown seconded; all aye.

7:02 -Peggy Tighe, Assistant Treasurer, came before the Board to discuss ambulance billing. She submitted to the Board the billings made to Comstar from January 1988 through June 1991.

Mr. Dronzek asked Mrs. Tighe what was referred to Comstar and collected? He was surprised there were so many listed.

Chief Lambirth, who was present, interrupted to inform the Board that Officer Grimes, EMS Coordinator, would be coming to the meeting shortly to give his input.

Mr. Brown said he could see what was billed in FY'90, but what was collected? Mr. Dronzek suggested a copy of Mrs. Tighe's report be given to the rest of the Board. Mr. Brown said, however, that the in-depth report was not necessary for him - he just would like the total figures.

Mrs. Tighe confirmed that this information was required quarterly. Mr. Dronzek also wanted to know what abatements were recommended.

Mr. Dronzek questioned Chief Lambirth on the confidentiality of the names on the report. The Chief said he was more concerned that the care of the patients was kept confidential, not necessarily the names.

Mr. Brown again said the Board just wants the totals, and why or why not they were abated.

Mrs. Tighe clarified they wanted FY'88, FY'89 and FY'90. Mr. Dronzek said they were concerned with 4/1/88 - 6/30/88; and the four quarters of FY'89 and FY'90.

Chief Lambirth said the commitments can be given by Officer Grimes when he arrived, and Mrs. Tighe could supply what monies had been received. Mr. Brown said the figures used have to be those that appear in the Treasurer/Collector's books.

Mr. Dronzek wondered if Comstar provided a monthly report; and regardless wanted an update for the next Selectmen's meeting to be held on August 12th so that further action could be taken.

Mr. Brown was concerned that there was a low collection. Mr. Dronzek said if so, maybe it was time to go with another agency.

Officer Grimes came into the meeting at this time. He said Dick Saunders was Comstar's Medway contact that he was

working with, and with his help, was working better with Blue Cross/Blue Shield. The 62% collection figure stated in January did not include BC/BS. He admitted the last time he had sat down with the Treasurer/Collector, some progress had been achieved.

7:22

-Kathy Rehl came before the Board to speak about the new contract signed by the Millis Consortium; however, she first mentioned that the company that used to take the newspapers was not accepting them. They had sent a letter to the Recycling Committee saying they were on vacation, and then did not reopen. She questioned how much the Board felt it would cost to haul newspapers from Medway to Framingham in order to do a cost analysis. Diarmuid Higgins, who was present, estimated \$50.00 per hour for a 2-1/2 ton dump truck. She did, however, get an estimate from C. B. Trucking for hauling to East Providence for \$38.00 per ton.

Mrs. Rehl then mentioned that the Consortium has accepted Materials Recovery Inc., and that at a special meeting on Wednesday night, all were welcome to come and hear what the contract entails. She said the contract indicates what they will take, and the outlook for the future looked promising. Mrs. Rehl indicated the tip fee is \$30.26/ton.

7:30

-Joe Bausk representing New England Telephone was present with regard to a petition for a sidewalk fixture to be placed in the grass area of #4 Highland Street to prevent a pole from falling. Several abutting homeowners were present including: Mr. Shaughnessy of #3, Mr. Kobierecki of #2 and Mrs. Robinson of #10. Mrs. Robinson stated that the sidewalk was only about 3' wide.

Mr. Shaughnessy suggested contacting the Historical Commission and get their input since this was being done in a historical part of town. Mr. Dronzek asked Mrs. Allen to check on this, since Highland Street was also a scenic road. Mr. Bausk said that most other towns don't bother with the historical commission.

Mr. Brown made the motion that the petition be granted contingent upon the approval of the Historical Commission; Mr. Johnson seconded; all aye. The petitions were not signed at this time.

7:45

-The Board of Health came before the Board to discuss recycling. Richard Parrella, chairman, was present. Nancy Russell would be arriving late. Philip Parchesky, the third member of the Board, was away on vacation.

Mr. Dronzek stated that the Board wanted the Board of Health to come to a meeting to discuss recycling in general. He said that the recycling committee was reappointed temporarily, except for a specific Board of Health rep, so that they would have an official status. He also said that they had received a letter that day from Town Counsel on the subject of the recycling curbside contract. Mr. Dronzek also stated that he thought the Board of Selectmen had transferred

recycling over to the Board of Health, but no formal vote had been taken.

Mr. Parrella, first of all, apologized for not making the last meeting, as he had been away on vacation and was at a business meeting. He said that the first time he heard there was any controversy was after the last meeting. Mr. Parrella said that the Board of Health was very supportive of the Recycling Committee and their efforts and so stated that at the Selectmen's meetings held in May and on June 3rd. He indicated that the Board of Health has their priorities, and recycling was honestly not at the top of the list. They did have a solid waste contract to go over and sign; three years of trash audits to assess; and they were updating rules and regulations. He stated that one of the members of the recycling committee had attended the last several Board of Health meetings, and finally on July 2nd asked when they were going to sign the forms for composting?

Mr. Parrella told Mr. Schwartz that the Board could not sign the forms because recycling was not under the Board of Health yet (no formal vote had been taken). He mentioned that it was on the agenda for the July 16th meeting. Again, he reiterated that they had only received the contract to review on June 3rd. He agreed that recycling had to be instituted, but he was concerned with where, how, when, etc. He said that when the Town joined Millbury in 1987, a program was conceived with offset receipts. How would recycling be paid for? Franklin had developed bid specs for curbside pickup but eventually went another route - why? He asked where would the holding area be as indicated on page 37? He said the Town has to build an area, and it can't be the landfill because it is supposed to be closed. The landfill can be used as a composting and recycling area, but that's it. Who is going to pay for the costs? Who's paying for berms that need to be put in? How can a contract be signed without going out to bid? These are some of the many questions that the Board of Health has to have answered before any contract is signed.

Attorney Maciolek's letter received that day indicated that he felt it would be alright to sign the contract; however, Mr. Dronzek said there were no present means to pay for it.

Mr. Parrella also said that Andy Martin had submitted a proposal a year ago for the recycling committee to look over - where is it and what were the feelings of the proposal? He said he was aware of alternatives on white goods that he wanted to look at. He said he could not understand the urgency here. Wheelabrator in Millbury were the ones that had to show the State they submitted plans to the DEP, not Medway. He indicated that the Board of Health has spoken to C. B. Trucking, and they will be looking into the whole situation more carefully.

Mr. Parrella said that during the first six months of 1991, they have eliminated 520 tons out of a total of 5008 tons. Because of these savings, and a lot having to do with what

has been eliminated with recycling, they are coming up with new rates so that the monthly fee will be reduced to \$13/month. A single senior citizen living alone will only have to pay \$6.50/month. In answer to a question from Mrs. Rehl, he said if their concerns are addressed, they would sign the contract tomorrow. Mrs. Rehl also asked if it would be amenable for the one who wrote up the contract to come to a meeting - Mr. Parrella said that was fine.

Mr. Parrella also stated that on July 16th, the Board of Health had decided to take recycling under their jurisdiction, but were waiting for the formal vote from the Selectmen, then they could proceed with meetings with the recycling committee, etc.

Mr. Dronzek indicated that a formal transfer of jurisdiction of recycling to the Board of Health would be good. He said that the Board of Selectmen were 100% behind the recycling effort, but there could not be split jurisdiction - recycling should be under only one board. When the transfer is done, there should be some solutions to the recycling situation handled in an expeditious manner.

Mr. Parrella said that Millbury has to develop some good solid waste management, but they know Medway is there to try and help, as well as trying to reduce costs. Their one exception seems to be yard waste - Mrs. Rehl had heard that Millbury did not want to accept it. Again, Mr. Parrella said he wanted answers before signing any contract.

Mrs. Rehl asked if the Board of Health would keep the same committee that was recently re-appointed - Mr. Parrella said that was fine as far as he was concerned.

Mr. Parrella reiterated the importance of calling a designated area a "composting area", as then it comes under DEP. If an area was called a "collection area", then DEP is not concerned.

Mr. Johnson made a motion to relinquish control of the recycling program under the Board of the Selectmen, and transfer that control to the Board of Health; Mr. Brown seconded; all aye.

Mr. Brown asked Mr. Parrella if there was a problem with billing? Mr. Parrella said there were changes to be made in the computer system that the Board of Health and their secretary did not know how to make. Mrs. Allen suggested Arlington Data be called in to help, as only the Town Accountant knew the process. Mr. Dronzek suggested this be arranged through the Interim System Manager.

Mr. Brown made the motion that Mrs. Tighe, the Interim System Manager, contact Arlington Data to get help for the Board of Health's inputting of computer information; Mr. Johnson seconded; all aye.

a carnival, did not show up for his scheduled appointment.

8:26

-Officer Grimes asked if he could speak to the Board on another related matter for EMS. He said he had delved into an area on the EMS ambulance run report indicated as "no service rendered". It turns out these were runs that Medway had done for mutual aid, with no return in monies coming back to Medway. The mutual town was doing all the billing, which usually involved Franklin and Bellingham.

Mrs. Allen told the Board that it was up to the Treasurer/Collector's office to inform the Board of what was going on with the billings. Officer Grimes said it was also up to the Treasurer's office to check validity of abatements. He said that the whole subject was to be addressed at a meeting to be held the next day; however, this whole situation started in 1974 and has continued, much to his dissatisfaction. When Medway is making a mutual aid call, they are the ones taking all the liability with personnel, vehicles and supplies - and they are receiving nothing in return. With financial cutbacks, it is impossible to allow this situation to continue. He stated that Mr. Saunders from Comstar will try and get some monies back from these towns.

Mr. Dronzek concurred completely with Officer Grimes' feelings on this matter, and asked him to please keep the Board informed of what occurs at the scheduled meeting. He stated he would be in favor of discontinuing mutual aid to these towns if the matter was not resolved. Officer Grimes stated that Chief Lambirth was supporting him on this subject. He reiterated that the towns involved were Franklin, Bellingham, Norfolk, and very rarely Wrentham.

Mrs. Allen said she could not find any EMS Mutual Aid Agreement of 1974. Officer Grimes informed the Board that out of 423 calls, 100 were for mutual aid. Mr. Dronzek informed the Board that during the day was the hardest time to get personnel from the same towns, and that was when mutual aid was most often used.

Mr. Brown just mentioned that in conversation with some fire department personnel, they wondered why the ambulance was always called out where there was a fire call? He suggested a joint meeting between them to discuss such concerns. Officer Grimes said he would meet with Chief Vinton.

-Officer Grimes asked, on behalf of the Police Athletic Association, for a two-day beer license for a softball tournament to be held on August 3 and 4. He stated that they had permission from the Soccer Board to use the concession stand at Oakland Field.

Mr. Johnson made the motion that the license be granted to the PAL for August 3, a Saturday, from 9 a.m. to 6 p.m.; and on August 4, a Sunday, from 12 Noon to 6 p.m.; Mr. Brown seconded; all aye. The Board signed the license.

-Mr. Higgins updated the Board on some flooding on Lee Lane

that had occurred. It seems that tree roots were the problem. He said the gas pumps are in and working fine. He said there was 3-1/2" of rain during the month. Mr. Higgins stated he had met with his mechanic and Chief Lambirth recently in reference to the mechanic, George Cole, trying to take over the repair of cruisers, fire trucks and ambulances, however, he would need some tools. Mr. Higgins knew he had to get three bids and advertise because the amount in question was over \$4,000.

Mr. Brown asked if the mechanic could service both generators at the Police Station and the Fire Stations? Mr. Higgins said he would talk to both Chiefs about the matter.

Mr. Brown also expressed his concern over the condition of the roads left by contractors doing water/sewer installations. He wondered if the Highway Dept. was always going to have to clean up after them? He said the work should be covered by the contractor.

Mr. Dronzek asked Mr. Higgins to request the Water Board if they were going to properly trench-patch the areas they have worked on? Mr. Higgins said that Oakland Street was an example of a street they have to redo that the Water Dept. worked on. Mr. Dronzek also asked that from Summer to West Street as well as Oakland Street be properly fixed by the Water Dept.

Mr. Dronzek asked how the specs for Main/Village/Summer Streets were coming? Mr. Higgins said Mr. Ferrault had been away on vacation, and the specs should be given to Mr. Delaney upon his return.

Mr. Higgins mentioned that the Milford Street culverts were done. Also, that Norfolk County Engineers were coming out Thursday to look over Lee Lane.

-The subject of the finalists for Town Accountant was discussed.

-Mrs. Allen brought up a question on some police bills for payment. Mr. Dronzek asked her to get further clarification on them.

-Mrs. Allen brought up the names of 15 people that had to be re-appointed since the 15 days for swearing in had elapsed. Mr. Brown made a motion that they be re-appointed as per the list attached; Mr. Johnson seconded; all aye.

-Mrs. Allen presented the names of two residents interested in serving on the Zoning Board. The Board decided to have her ask them to come in for an interview on August 12th.

-Mrs. Allen presented to the Board the new Blue Cross/Blue Shield agreement. Mr. Brown made a motion that it be signed; Mr. Johnson seconded; all aye. Mr. Dronzek signed the agreement.

- Mrs. Allen went over with the Board various correspondence received.
 - Mrs. Allen brought up the fence on West Street belonging to Mobile Excavating that had graffiti painted on it. The Board was informed that it had been repainted and covered over. The Board asked that Mrs. Allen write Mobile Excavating a letter of appreciation for having done the work.
 - The Board acknowledged receipt of the resignations of Michael Borkum of the Computer Committee and David DiGiammerino as MAPC representative.
 - The Town Clerk's response to an inquiry from the Board concerning the clerk of the Board of Registrar's stipend was discussed. Mr. Dronzek said the stipend should not be ignored. He asked Mrs. Allen to check with Town Counsel to see if legally it could come out of FY'92 monies.
 - Mrs. Allen went over with the Board the SWAP agreement received from David Soule of MAPC. Mr. Dronzek had concerns with three people being required to attend the monthly SWAP meetings. Mr. Dronzek suggested Mrs. Allen check with the Planning Board to see if they would like a member to be one of the three reps required. He asked her to tell the Planning Board that the MAPC wants the three reps, and no Selectmen are available.
- 10:22 -The meeting was adjourned.

Respectfully submitted,



Mary Jean Fredette, Secretary

mj

HAVE EXCEEDED THE FIFTEEN DAYS SINCE APPOINTMENT LETTER WAS
SENT TO GET SWORN INTO OFFICE:

Charles Bresnahan - Insurance Committee

Richard Coakley - Permanent Police Building Committee

Robert Ferioli - Capital Improvement Program Committee

Francis Gallo - Insurance Committee

Elizabeth Henderson - Permanent Fire Building Committee

Grace Hoag - Historical Commission

Chad MacInnes - Police/Fire Communications Dispatcher

Linda Myers - Police/Fire Communications Dispatcher

Teresa O'Brien - Affordable Housing Committee

Richard Ohlsen - Computer Committee

Gardner Rice - Local Water Resource Management Official

Tina Roberts - Special Traffic Crossing Guard

Charles Stuart - Permanent Fire Building Committee

Gerald Tracy - Insurance Committee

(as of 7/29/91)

July 29, 1991
Addendum to Selectmen's Minutes

Town Accountant Search Committee

Discussion was held on the 9 candidates for the position of Town Accountant.

The field was narrowed down by asking everyone to give their top three or four choices. They were as follows:

Peggy Tighe:	1. Eric Hart
	2. Robert Brothers
	3. Bruce Alexander
Ruth Allen:	1. Eric Hart
	2. Robert Brothers
	3. Bruce Alexander
	4. Kenneth Burgess
John Dronzek:	1. Ferdinand Scerra
	2. Eric Hart
	3. Marjorie Sanford
	4. Kenneth Burgess
Walter Johnson:	1. Eric Hart
	2. Ferdinand Scerra
	3. Robert Brothers
Richard Brown:	1. Eric Hart
	2. Bruce Alexander
	3. Robert Brothers
	4. Kenneth Burgess
Fred Lee:	1. Eric Hart
	2. Ferdinand Scerra
	3. Robert Brothers
	4. Marjorie Sanford
David Verdolino:	1. Eric Hart
	2. Robert Brothers
	3. Bruce Alexander
	4. Kenneth Burgess

In conclusion:

Eric Hart received 7 votes - 6 #1 votes; 1 #2 vote.
Robert Brothers received 6 votes - 3 #2 votes; 3 #3 votes.

Ferdinand Scerra received 3 votes - 1 #1 vote; 2 #2 votes.
Bruce Alexander received 4 votes - 1 #2 vote; 3 #3 votes.
Kenneth Burgess received 4 votes - 4 #4 votes.
Marjorie Sanford received 2 votes - 1 #3 vote; 1 #4 vote.

Page 2...

William Horton and Donald Dufresne received no votes. Marilyn Gordon told the committee at the interview that she was only looking for part time, therefore was eliminated from the running. Stephen Channell never showed up for the interview, therefore was eliminated from the running.

Mrs. Tighe made a motion that Mr. Hart, Mr. Brothers and Mr. Scerra be called back for a second interview; Mr. Verdolino seconded; all aye.

The committee decided to hold the interviews on August 13, with one interview scheduled at 6:00, one at 7:00 and one at 8:00.

References were available from Mr. Hart and Mr. Brothers. Mrs. Allen is to get references from Mr. Scerra.

The committee went over various questions that the candidates should consider prior to the interview. Mrs. Allen will write up the questions with reference to:

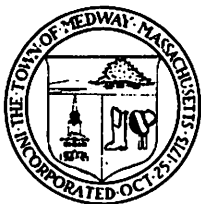
1. specific reports that would be submitted to the Board of Selectmen and the FinCom on a monthly and quarterly basis.
2. difference between UMAS and statutory accounting.
3. explain system of accounting.
4. long-range priorities.
5. toughest professional decision.
6. experiences being brought to the job.
7. what part of computer system should be monitored on a regular basis.

Mr. Dronzek asked that a copy of the job description of the Town Accountant's job be included with the list of questions.

The committee decided to think of alternates: Mr. Alexander being the first alternate and Mr. Burgess the second.

It was suggested that the chiefs of police of the towns they work in be contacted. The committee was concerned with how the applicant works with the Chiefs of the various towns. Towns mentioned were Attleboro, Plainville, and Holliston.

not



BOARD OF SELECTMEN

155 VILLAGE STREET
MEDWAY, MASSACHUSETTS 02053

AGENDA

JULY 15, 1991

7:00 p.m.	Open meeting, sign warrants, approve minutes of 6-17-91 and 7-1-91 meetings.
7:05	Conservation Commission and Building Inspector - re: sign-offs on building permit applications.
7:30	John Noorjanian, MAPC - re: SWAP.
8:00	Helen Luccio, Exec. Dir. Housing Authority - re: Federal Section 8 certificates.
8:15	Public hearing - Boston Edison - re: conduit on Village Street.
8:30	Recycling Committee and Board of Health - re: recycling.
----	Old business.
----	New business.

Present: John Dronzek, Walter Johnson, Richard Brown and
Administrative Assistant Ruth Allen.

7:00 p.m.--Mr. Dronzek called the meeting to order. Warrants were signed. The Board discussed the recent vandalism of the railroad trestle. Mr. Johnson made a motion to accept the minutes of the June 17th meeting; Mr. Brown seconded; all aye. Mr. Johnson made a motion to accept the minutes of the June 18th meeting; Mr. Brown seconded; all aye. Mr. Johnson made a motion to accept the minutes of the July 1st meeting; Mr. Brown seconded; all aye.

7:10 -Jan Morris, Chairman of the Conservation Commission and Bob Speroni, Building Inspector, came before the Board to discuss sign-offs on building applications. Mr. Dronzek said that he wanted to see a system in place whereby the procedure is easier for the resident, but not eliminating any important procedures that had to be followed. He did not want to see the ConCom involved if it was not necessary; therefore, he wanted to know what would constitute the proper procedure?

Mr. Morris agreed that the ConCom now has more work than before, and he was receptive to eliminating unnecessary steps also; however, he did not want to see permits fall between the cracks as some have in the past.

Mr. Speroni stated that the Board of Selectmen requested him to review the application process, so he showed Mr. Morris the paragraphs already approved by the Board, as well as the suggested conservation procedural paragraph he had written.

Mr. Morris looked over the paragraph, and did have some suggestions to make to improve upon it. Mr. Dronzek asked that the two of them, as well as Mr. Yorkis who was present, get together to work out a procedural guideline.

The Board agreed that the application process just needed to be streamlined, and with cooperation between all, it could be done.

Mr. Speroni said the present system is no problem to him; it was ConCom who was getting the additional workload. He only had to face the frustration of residents who could not understand why ConCom had to sign-off for a wood stove or interior construction application.

Both Mr. Morris and Mr. Yorkis stated that there could be circumstances more involved even with construction going on 150' from wetlands; it depended on what was being done.

Again, Mr. Dronzek asked that the three of them get together and work out an acceptable sign-off procedure, allowing sufficient leeway for any special circumstances that might arise. The Board was receptive to any changes necessary, and hoped this could all be worked out in an expeditious manner.

Mr. Dronzek asked ConCom if there was anything else they

wanted to discuss? Mr. Yorkis brought up the letter he received from the Board asking about the Gallagher's situation of wanting to fill in some of their land off of Cottage Street. He passed around to the Board his response to their inquiry stating that the Gallaghers need to file a notice of intent, as determined from their "Determination of Applicability" dated April 5, 1990. He stated once the Gallaghers file a notice of intent, the ConCom would make a site visit, and then issue an order of conditions.

Mr. Yorkis said that 50-60 cease and desist orders have been issued because of residents calling the ConCom and reporting suspected violations.

Mr. Dronzek said he just wanted to be able to tell the Gallaghers what procedure to follow. Mr. Yorkis said they just have to file a notice of intent and that there would be an advertised public hearing where they would show a plan of the scope of work to be done. Mr. Dronzek said a letter will be sent to the Gallaghers mentioning the above as clearing and concisely as possible. The only alternative to the ConCom's decision, if unfavorable, was to appeal to the Commonwealth of Mass.

7:40

-David Soule, Executive Director for the MAPC, came before the Board to speak about his organization. Mr. Soule mentioned they serve 101 communities, but to make the MAPC more regional, they had created eight sub-regional groups - Medway would be in the Southwest Advisory Planning Committee (SWAP).

He encouraged Medway to join for information on water, transportation, development, housing communities, sharing of equipment and personnel, etc. Time, money and resources can be utilized by working together. He said they have been in operation for 2-3 years, and suggested sending an observer to one of their meetings.

Mr. Dronzek mentioned the apparent difference between such towns as Dover and Sherborn with Medway, even though they are small towns. Mr. Soule mentioned the towns already a part of SWAP: Millis, Hopkinton, Holliston, Franklin, Bellingham, Milford as being active members.

Mr. Dronzek asked if there was any cost involved - Mr. Soule said there was not. Mr. Dronzek asked what would be the Town's responsibilities. Mr. Soule said the Town would have to choose to join, and agree with the Memo of Understanding. The only cost to the Town would be if they jointly decided to undertake a project together; then the Town would be assessed their share. He said meetings are held once a month during 9 months of the year. One of those attending has to be a Selectmen, and the other is someone appointed from the town-at-large, such as MAPC rep, David DiGiammerino.

Mr. Dronzek asked Mr. Soule to please get a copy of their Memo of Understanding to the Board so they could review it, and then be able to vote on it at their next meeting on July

29th. He thanked Mr. Soule for coming, and said the Board would consider joining SWAP.

8:00

-Helen Luccio, Exec. Dir. of the Housing Authority, and members of the housing authority came before the Board to discuss Federal Section 8 certificates. Mrs. Luccio introduced their attorney, Victor Sloan. Mr. Sloan said they were before the Board to get approval for the application of the Section 8 housing program. He said that presently they are operating a 707 program which is state-run. In this way, they utilize landlords that are pre-selected. Section 8 is a federally-funded project. The 707 program is 36 units, (cut down from 44).

Mr. Sloan said 591 certificates are available in this area; 500 are committed to Boston, and that leaves 91 divided up between 30-40 towns.

Mary O'Leary said that Mahan Circle and Maple Lane are federally-funded, and that it was important to get the "Town Fathers" support of this present program.

Michael Conena said they have to apply for 50 Section 8's to get into the program - Medway would be lucky to get 2-3.

Mrs. Luccio indicated that the application is a lengthy one, but they would get nowhere without the approval of the Board of Selectmen.

Mr. Johnson made a motion to write a favorable report to the Housing Authority endorsing the application for Section 8 certificates; Mr. Brown seconded; all aye. Mr. Dronzek asked the Housing Authority to get any appropriate documentation to the Board for their signatures.

8:10

-The Board went over the list submitted by Mrs. Allen for the funding of highway projects. Mr. Higgins was asked how far from bidding was the Town on the Summer/Main/Village intersection? Mr. Higgins said he was still waiting for specs from Commonwealth Engineers.

Mr. Higgins stated that it should just be a few more days before the Milford Street culverts would be worked on.

Mr. Dronzek asked about the Milford Street paving. Mr. Higgins said they are about a week away from beginning the process.

Mr. Dronzek reiterated that the funds are there to cover the projects.

8:15

-Edmund Kelley representing Boston Edison was present for a petition for conduit on Village Street of underground service for a new home.

Mr. Higgins looked at the plan and was satisfied. Jeff Nutting of 357 Village St. spoke in favor of the petition being granted. Mr. Johnson made a motion that the petition

from Boston Edison for conduit on Village St., northeasterly approx. 360 ft. southwest of Franklin St., a distance of about 27 ft. be granted; Mr. Brown seconded; all aye. The petitions were signed.

8:20

-Members of the Recycling Study Committee and Nancy Russell of the Board of Health, as well as members of the community, were present to discuss the present status of recycling.

Mrs. Allen informed those present that Richard Parrella, chairman of the Board of Health, had stopped in the office earlier in the day and said he had an important business meeting that evening and could not be in attendance at this meeting.

Kathy Rehl said she had requested this meeting because she wanted to know where the recycling committee was heading; they had given a site registration form for composting to the Board of Health and it was returned unsigned; they had heard nothing about the curbside contract; and no recycling committee had been appointed by the Board of Health yet.

Mr. Dronzek asked Mrs. Russell if she knew of anything to shed light on the situation. She said that they had been inundated with other matters and really had not discussed the situation yet; she had also missed the last meeting and did not know if something had transpired at that time.

Mr. Brown said the recycling committee needs that composting permit approved. Mrs. Rehl said that a Town official needs to sign the form, and since recycling is under the Board of Health, they would be the ones to sign the form. Mr. Brown said the Board of Health is saying that they are not responsible for composting, and won't sign.

Mr. Dronzek said that waste pickup was turned over to the Board of Health late in 1989; and from them, BFI was told not to pick up leaves. The responsibility for rubbish removal belongs to the Board of Health. Recycling is anything that is being removed from the regular rubbish pickup. The Board of Health is an elected body and the Board of Selectmen cannot usurp their authority.

Again Mr. Brown said the permit was sent to the Board of Health and returned unsigned - where does the Recycling Committee go? Mr. Dronzek said that Town Meeting decided to have the Board of Selectmen set up the recycling committee. After that the Board of Selectmen talked to the Board of Health and decided the responsibility of the recycling committee would go under the Board of Health, not the Board of Selectmen.

Mrs. Rehl stated she had submitted budgets to the Board of Health and heard nothing - they are confused.

Jeff Nutting, who was present, said that the Town has a group of enthusiastic volunteers - they are just looking for some direction. Mrs. Rehl said they are no longer a group.

Mr. Dronzek said the reappointment of a recycling committee belongs to the Board of Health - the Board of Selectmen have stated their support of the recycling committee. He did not know if the Board of Selectmen had any legal authority to do anything more.

Mr. Brown stated that at town meeting, it was decided that the Board of Selectmen were responsible. Mr. Dronzek said that the Board of Health was totally responsible for solid waste.

Mr. Brown reiterated that the Town was to have a recycling study committee, and did; now composting is involved, and where is the committee; and the permit is not signed for composting.

Mr. Dronzek said that Town Counsel was present. He asked Mr. Maciolek if the Board of Selectmen had any legal right to tell a town-elected board what to do? Mr. Maciolek said the Board has no authority.

Mrs. Russell said the Board of Health hasn't decided if they are taking recycling over yet. Mr. Dronzek said he hoped the Board of Health is not wishing it just goes away - there are mandates from the State involved.

Mr. Johnson asked Mr. Maciolek if it was legal to reappoint the recycling study committee? Mr. Maciolek said he would like to see a vote.

Mr. Dronzek said they were trying to reassure the recycling committee. The intent from the March 11th meeting was to have the Board of Health take it over. He asked Mr. Maciolek again if the Board could reappoint the committee?

Mr. Maciolek said the recycling study committee was set up to staff the center and make recommendations. The Board of Selectmen has not voted to turn it over to the Board of Health.

Mr. Brown made a motion to temporarily appoint Lynn Doyle, Joan Hunter, Walter Johnson, Kathy Rehl, Janet Riera, Maria Roberts, Mitchell Schwartz, and a Board of Health rep as designated by them to the recycling sub-committee to: continue with composting; continue with the Saturday recycling center; continue to review and study the curbside pickup program; Mr. Johnson seconded; all aye.

Mr. Dronzek said he was specifically requesting the Chairman of the Board of Health to come to the next meeting to discuss the role of recycling with the Board of Selectmen. Mr. Brown said the Board of Selectmen voted that this committee work with regional curbside information and come back to the Board with their findings. Mrs. Rehl said that Franklin's legal counsel will work with Medway's legal counsel.

Mr. Brown asked Mr. Maciolek if Town Counsel could give a legal opinion about offset receipts for curbside pickup. Mr.

Maciolek said it has to go back to town meeting - one is for recycling and one is for removal and disposal. Now that the recycling program has been established, you need to vote on how to fund it. Mr. Brown thought you could establish offset receipts for both.

A resident said that solid waste should be redefined; that it should be stated solid waste includes whatever items.

Mr. Dronzek again stated that solid waste is under the Board of Health's jurisdiction, and they will be meeting with them at their next meeting. He said this hassle can't go on, and he felt, as he thought the other members of the Board did, that recycling should go under Board of Health.

Mr. Dronzek expressed the feeling that some people don't understand town government and certain areas of jurisdiction that the different boards, committees and commissions have. The Board of Selectmen, he said, were responsible for establishing recycling, and it was done. He said you cannot have two boards tell one committee what to do.

A resident said this was not the first time that members of the Board of Health have not come to meetings that were held. If there are mandates in place, and others going into effect, why the standoff?

Mr. Dronzek said that the Board of Health discontinued grass clippings, etc. and recycling absorbed it. A resident said that now the Town has an "open-loop system".

Mr. Brown said he did not see anything wrong with the Board of Selectmen working on recycling and the Board of Health doing solid waste. Mr. Dronzek said you can't tell the Board of Health what to do. A resident asked what if the Board of Health doesn't agree with the Board of Selectmen that recycling go under them - they request their attendance at a meeting.

Mr. Dronzek said that the contract for curbside pickup is being discussed - the deadline is early September. He said the recycling program will not stop under any conditions. He did reiterate that many people have worked very hard for the Town for many years, in particular Richard Parrella, who was one of the original members of the solid waste committee who established this whole program.

Jeff Robertson presented a petition of 200 signatures from residents who want to keep recycling going and composting continued.

Mrs. Allen said she would put the Board of Health on the agenda for July 29th at 7:45.

9:20

-The Board had taken a short recess and was called back to order.

-Mrs. Allen brought up the subject of Anthony Kennedy as

temporary Town Accountant. Mr. Dronzek questioned if payment should be on a per diem basis as an independent contractor/vendor at \$160 per 8 hour day, or as a temporary employee. Mr. Brown suggested Mrs. Allen check with Fred Lee and make sure that retirement and health benefits would not be included under whatever form of payment they decide. Mr. Dronzek suggested his employment not exceed 90 days, and also that he report to Mrs. Allen to maintain a form of contact within the building.

Mr. Brown made the motion that Anthony Kennedy be employed as the temporary Town Accountant for a period not to exceed 90 days at \$20/hour for 4 days a week, 32 hours a week, and to report to Mrs. Allen, with no benefits; Mr. Johnson seconded; all aye.

-Mrs. Allen presented to the Board a credit change order #15 from the permanent fire building committee in the amount of \$18,773.70. This is supposedly the final accounting. Mr. Brown made a motion to approve the change order; Mr. Johnson seconded; all aye. The Board signed the change order.

-Mrs. Allen presented a request from Ron Pollock, Mael Bros. for a one day auctioneer's license to be held on July 26th. Mr. Brown made the motion that the license be granted; Mr. Johnson seconded; all aye. The Board signed the license.

-Mrs. Allen gave to the Board two emergency transfers: one for \$1 for the Gas Inspector and one for the Council on Aging for \$432.62. Mr. Brown made the motion that both be approved; Mr. Johnson seconded; all aye. The transfers were signed to pass on to the FinCom.

-Mrs. Allen went over the request from the School Department asking the Board to inquire if the Norfolk County Engineers could remark their parking lot. Mr. Brown made the motion that the Board ask the Engineers; Mr. Johnson seconded; all aye.

-Mrs. Allen went over a request from John Boczanowski for permission to have a block party on Fairway Lane on August 3rd from 10 a.m. until 5 p.m., with a rain date of August 4th. Mr. Brown made the motion to allow him to have the party; Mr. Johnson seconded; all aye.

-Mrs. Allen brought up the subject of Ed Duggan asking if there was going to be a transfer of funds for work to be done at the town hall. Mr. Brown said he first has to go out for bids - then they would discuss transfers. Mrs. Allen mentioned that Mr. Mahoney has already started working on the new Board of Health office. Mr. Dronzek asked Mrs. Allen to remind him that he needs three quotes.

Mrs. Allen mentioned that we had already received a quote of \$1500 for cell removal, not including plumbing and wiring.

-Mrs. Allen passed on to the Board the appointment slips of David Duncan as special police officer (photographer), as

well as the names of Millis P.D. (see letter attached) as special police officers. Mr. Brown made the motion that they be appointed special police officers; Mr. Johnson seconded; all aye.

-Mrs. Allen mentioned that Chief Lambirth would be on vacation July 22-29 and Sgt. Paulette would be in charge.

-Mrs. Allen said that the Chief wanted to ask the Board if he could use Town Counsel if they have to go out to bid for towing as the state says. Mr. Brown made the motion to approve the Chief's use of Town Counsel; Mr. Johnson seconded; all aye.

-Mrs. Allen brought up a letter received from former Town Clerk, Corinne O'Callaghan-Fallon, looking for her stipend for the Board of Registrars as Clerk of the Board for \$91.74. Mr. Brown said if the books are closed for FY'91, it's a problem to pay her. Mrs. Allen said you cannot encumber salaries, only expenses. Mr. Brown said it should be checked to see what happened.

Mr. Dronzek suggested the matter be referred to Fred Lee and Peggy Tighe. In checking the appropriations, Mrs. Allen found there was \$175 left in the account. Mr. Dronzek said if it was spendable, the monies should be given to her. He said if it has to go to special town meeting, then it will.

-Mrs. Allen went over a letter from the MAPC on FICA rules.

-Mrs. Allen asked the Board if they would like to set up a meeting with County officials. Mr. Dronzek asked Mrs. Allen to send a letter to other Boards to see if they would be interested in attending.

-Mrs. Allen brought up a request by Sidney Smith to rent part of the old police station. The Board said they were not interested.

-Mrs. Allen acknowledged receipt of a letter from Barbara Gardner and a letter from Cablevision.

-Mrs. Allen mentioned that since Jim Gallagher resigned from the Zoning Board, as well as alternate Frank Boczanowski, that only leaves three members.

-Mr. Dronzek mentioned some disturbing information he found in the auditor's report in the management letter. He requested a report on the more recent information available year-to-date on ambulance fees collection from Fred Lee. He said the Board has never approved an abatement or seen a request.

-Mr. Brown said there is an audit review committee, and they will review the audit, once they have received the copies of the report.

10:12 -The meeting was adjourned.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "M. J. Fredette".

Mary Jean Fredette, Secretary

mj



BOARD OF SELECTMEN

155 VILLAGE STREET
MEDWAY, MASSACHUSETTS 02053

MILLIS SPECIAL POLICE OFFICERS:

Chief Albert J. Baima

Sgt. Frank S. Newell Jr.

Sgt. William J. Dwyer

Sgt. William A. Carlson

Patrolman David C. Egy

Patrolman Roderick A. MacLeod

Patrolman Leo J. Acerra

Patrolman Robert A. Dixon

Patrolman Peter J. Opanasets

Patrolwoman Marsha P. Hunter

Patrolman Domenic J. Tiberi

Patrolman Thomas M. LaPlante Jr.

CHANGE ORDER

AIA DOCUMENT G701

Distribution to:
OWNER
ARCHITECT
CONTRACTOR
FIELD
OTHER

11
11
11
11
11

PROJECT: MEDWAY FIRE STATION #1
(name, address) Medway, MA

CHANGE ORDER NUMBER: 15

TO (Contractor):

INITIATION DATE:

Built Form Inc.
93 Massachusetts Ave.
Suite 211
Boston, MA 02115

ARCHITECT'S PROJECT NO:

CONTRACT FOR: The construction of
a new fire station.

CONTRACT DATE: December 5, 1989

You are directed to make the following changes in this Contract:

This change order reflects the following previously numbered change orders. It is a summary of all outstanding extras and credits involved in the project.

Original Change Order

15. Substitute gas for electric range	198.20
16. Plywood reinforcing in Apparatus Room ceiling	360.00
17. Architect's and Clerk of the Work's extra services	(14,072.40)
18. Install water line in refrigerator	52.00
19. Delete air compressor	(3,200.00)
20. Delete chain fall hoists on overhead doors	(1,200.00)
21. Install duct smoke detectors	550.00
22. Substitute rubber for vinyl base	388.50
23. Delete fire alarm box	(900.00)
24. Clerk of the Works extra services	(950.00)
TOTAL Net Credit	(18,773.70)

Not valid until signed by both the Owner and Architect.

Signature of the Contractor indicates his agreement herewith, including any adjustment in the Contract Sum or Contract Time.

The original (Contract Sum) (~~Guaranteed Maximum Cost~~) was \$ 695,850.00

Net change by previously authorized Change Orders \$

The (Contract Sum) (~~Guaranteed Maximum Cost~~) prior to this Change Order was \$

The (Contract Sum) (~~Guaranteed Maximum Cost~~) will be ~~(increased)~~ (decreased) (unchanged) by this Change Order \$ 18,773.70

The new (Contract Sum) (~~Guaranteed Maximum Cost~~) including this Change Order will be ... \$

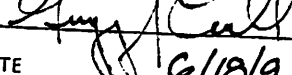
The Contract Time will be ~~(increased)~~ (decreased) (unchanged) by

The Date of Substantial Completion as of the date of this Change Order therefore is (0) Days.

The Carell Group, Inc.
ARCHITECT 202 Washington Street
Address Brookline, MA 02146

Built Form Inc.
CONTRACTOR 93 Massachusetts Ave.
Address Boston, MA 02115

Authorized:
Town of Medway
OWNER 55 Village Street
Address Medway, MA 02053

BY 
DATE 6/18/91

BY
DATE

BY 
DATE 7-15-91

BUILT FORM, INC.

COLLABORATION OF DESIGNERS & BUILDERS FOR REHAB & NEW CONSTRUCTION

March 28, 1991

Mr. Gregory Carell
The Carell Group
161 Harvard, St., Suite 13A
Allston, MA 02134

Dear Mr. Carell:

Enclosed you can find the detail statement of account for Medway Fire Station:

Contract amount including process change order:	\$717,972.57
Direct payment to Built Form Inc.	\$677,227.84
Joint check payment	\$11,417.98
Total paid	\$688,645.82

Change Order:

- Change Order #21
- Change Order #22
- Change Order #24
- Change Order #25
- Change Order #26
- Change Order #29

Credits:

- Chain fall hoists
- Fire alarm box
- Air compressor

Total credits	(\$5,300.00)
---------------	--------------

We look forward to receive the payment as soon as possible.
Please do not hesitate to call if I can be of any help.

Very Truly Yours,

Ali Amin,
Project Manager

cc: Elizabeth Henderson
Wayne Vinton

AA/

BUILT FORM, INC.

Collaboration of Design & Builder for Rehab & New construction

93 Massachusetts Ave., Suite 211

Boston, Mass. 02115

(617) 262-4676

CHANGE ORDER

TO: The Carell Group

202 Washington Street

Brookline, MA 02146

DATE: October 10, 1990

CHANGE ORDER NUMBER: 22-R

JOB NUMBER: 210

We Hereby Agree to make the change(s) specified below:

Enclosed you can find the detail for changing the range

Subcontractor \$ 80.00

G. & C. overhead and Profit \$ 12.00

Total \$ 92.00

Enclosed you can find the detail to install gas cook stove.

Subcontractor \$92.00

G.C. O&P \$10.00

Architect time \$340.00

Clerk time \$100.00

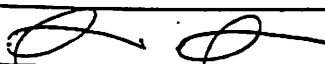
Request one week extension of time.

WE AGREE HEREBY TO MAKE THE CHANGE(S) SPECIFIED ABOVE AT THIS PRICE → \$

DATE: 10/10/90

PREVIOUS CONTRACT AMOUNT

\$

CONTRACTOR SIGNATURE: 

REVISED CONTRACT TOTAL

\$

ACCEPTED

The above price and specifications of this Change Order are satisfactory and are hereby accepted. All work to be performed under same terms and conditions as specified in original contract unless otherwise stipulated.

Date of Acceptance _____

Owner Signature _____

Office Copy

BUILT FORM, INC.

Collaboration of Design & Builder for Rehab & New construction

93 Massachusetts Ave., Suite 211
Boston, Mass. 02115
(617) 262-4676

CHANGE ORDER

TO: The Carell Group
202 Washington Street
Brookline, MA 02146

DATE: 10-23-90

CHANGE ORDER NUMBER: 24

JOB NUMBER: 210

We Hereby Agree to make the change(s) specified below:

All necessary labor and material to install water line to ice maker on the refrigerator. \$ 52.00

Move air line to new location. \$ 360.00

G.C. O.&P. \$ 42.00

Architect's time \$ 170.00

Clerk's time \$ 100.00

Request for one week extension of time.

WE AGREE HEREBY TO MAKE THE CHANGE(S) SPECIFIED ABOVE AT THIS PRICE → \$

DATE: 10/23/90

PREVIOUS CONTRACT AMOUNT \$

CONTRACTOR SIGNATURE: [Signature]

REVISED CONTRACT TOTAL \$

ACCEPTED The above price and specifications of this Change Order are satisfactory and are hereby accepted.
All work to be performed under same terms and conditions as specified in original contract unless otherwise stipulated.

Date of Acceptance _____

Owner Signature _____

BUILT FORM, INC.

Collaboration of Design & Builder for Rehab & New construction
93 Massachusetts Ave., Suite 211
Boston, Mass. 02115
(617) 262-4676

CHANGE ORDER

TO: The Canell Group
202 Washington St.
Brookline, Ma 02146

DATE: 11/20/90

CHANGE ORDER NUMBER: 26

JOB NUMBER: 210

We Hereby Agree to make the change(s) specified below:

Change the vinyl base to rubber base.

subcontractor

\$353.18

contractor

35.32

WE AGREE HEREBY TO MAKE THE CHANGE(S) SPECIFIED ABOVE AT THIS PRICE

\$ 388.50

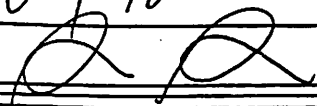
DATE:

11/20/90

PREVIOUS CONTRACT AMOUNT

\$

CONTRACTOR SIGNATURE:



REVISED CONTRACT TOTAL

\$

ACCEPTED

The above price and specifications of
this Change Order are satisfactory and are hereby accepted.
All work to be performed under same terms and conditions
as specified in original contract unless otherwise stipulated.

Date of Acceptance _____

Owner Signature _____

BUILT FORM, INC.

Collaboration of Design & Builder for Rehab & New construction

93 Massachusetts Ave., Suite 211
Boston, Mass. 02115
(617) 262-4676

CHANGE ORDER

TO: The Carell Group
202 Washington Street
Brookline, MA 02146

DATE: 11/6/90

CHANGE ORDER NUMBER: 25

JOB NUMBER: 210

We Hereby Agree to make the change(s) specified below:

Rafter tie bracing, provide and install plywood

decking in back of building per engineer letter.

1. Material: plywood, bold, underlayment \$104.00

2. Labor \$167.00

3. Direct cost 25% \$ 42.00

4. Profit & overhead 15% \$ 47.00

Total- \$360.00

WE AGREE HEREBY TO MAKE THE CHANGE(S) SPECIFIED ABOVE AT THIS PRICE → \$

DATE: 11/6/90

PREVIOUS CONTRACT AMOUNT \$

CONTRACTOR SIGNATURE: [Signature]

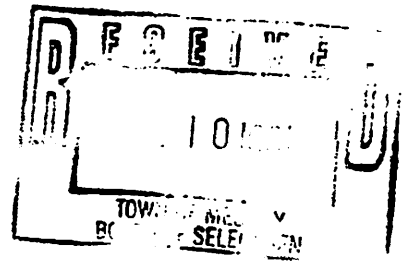
REVISED CONTRACT TOTAL \$

ACCEPTED The above price and specifications of
this Change Order are satisfactory and are hereby accepted.
All work to be performed under same terms and conditions
as specified in original contract unless otherwise stipulated.

Date of Acceptance _____

Owner Signature _____

Funding of Projects



Paving of Milford Street - Borrowed monies for
Paving (bal. \$90,677.91) and
Street & Seal (bal. \$26,783.55)
" (Oct 8 ATM 88) (bal. 1,103.20)
\$118,564.66

Milford Street Culverts - Interest from:
Chapter 637 = 6,027.10
Chapter 811 = 7,404.36
\$13,431.46

Summer/Main/Village Str. Intersection -
from appropriation V/M/124 = 44,650.00
" Article 26 STM 12/86 = 10,000.00
Chapter 90 (Agreement #34304) = 68,475.00
\$123,125.00

Maple Street Sidewalk - Article ATM's Construct/Repair
Sidewalks total amt. \$19,095.65

cc: selectmen 7/11/91

July 15, 1991

Medway Conservation Commission
Town Hall
Medway, MA 02053

Board of Selectmen
Town of Medway
Town Hall
Medway, MA 02053

Dear Selectmen:

In response to the recent inquiry regarding what activity can take place at 3 Cottage Street, 5 Cottage Street, and 135 Main Street I can share the following.

On December 19, 1989 the Selectmen requested that the Conservation Commission determine whether or not the land bordering the southeast side of Main and Cottage Street owned by James F. and Anita S. Gallagher is a wetland under the Wetlands Protection Act.

The Conservation Commission, as a result of that request issued on February 28, 1990 a Determination of Applicability, copy attached.

Recently, Mrs. Gallagher called me to tell me that a contractor was at her home and getting ready to put in a driveway. I explained that work of that nature could not take place without an Order of Conditions. She stated during the conversation that, "You and your wetlands regulations can go to hell." I indicated that I did not feel that I needed to listen to her abusive language and indicated that if she did not become more civil I would hang up. She continued her abusive language and I hung up the phone. I called the Acting Administrative Assistant and the Town Attorney to report the incident.

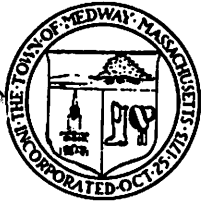
The Gallagher's must file a notice of intent for any activity within 100' of the wetlands which is a considerable area including the lawn area behind all three parcels.

I trust this provides the information you were seeking.

Sincerely,



Paul G. Yorkis
Past Chairman



BOARD OF SELECTMEN

155 VILLAGE STREET
MEDWAY, MASSACHUSETTS 02053

December 19, 1989

Mr. Paul Yorkis, Chairman
Medway Conservation Commission

Dear Paul,

The Board of Selectmen request that the Conservation Commission determine whether or not the land bordering the southeast side of Main and Cottage Street owned by James F. and Anita S. Gallagher is a wetland under the Rules and Regulations of the Commonwealth of Massachusetts, in particular the Wetlands Protection Act.

Sincerely,

Ruth Allen
Acting Administrative Asssistant
to the Board of Selectmen

Form 2

Commonwealth
of Massachusetts

DEP File No.

(To be provided by DEP)

City/Town MedwayApplicant Town of MedwayDate Request Filed 2/28/90

Determination of Applicability Massachusetts Wetlands Protection Act, G.L. c. 131, §40

From Medway Conservation Commission Issuing Authority

To Town of Medway James & Anita Gallagher
 (Name of person making request) (Name of property owner)
155 Village St. 135 Main St.
 Address Medway, MA 02053 Address Medway, MA 02053

This determination is issued and delivered as follows:

- ☒ by hand delivery to person making request on 4/5/90 (date)
☐ by certified mail, return receipt requested on _____ (date)

Pursuant to the authority of G.L. c. 131, §40, the Medway Conservation Commission
 has considered your request for a Determination of Applicability and its supporting documentation, and has
 made the following determination (check whichever is applicable):

Location: Street Address 3 Cottage St., 5 Cottage St., 135 Main St.
 Lot Number: _____

1. ☒ The area described below, which includes all/part of the area described in your request, is an
 Area Subject to Protection Under the Act. Therefore, any removing, filling, dredging or
 altering of that area requires the filing of a Notice of Intent.

The areas to the rear of the lot, south of the parking
 lot.

2. ☐ The work described below, which includes all/part of the work described in your request, is within
 an Area Subject to Protection Under the Act and will remove, fill, dredge or alter that area. There-
 fore, said work requires the filing of a Notice of Intent.

3. ☐ The work described below, which includes all/part of the work described in your request, is within the Buffer Zone as defined in the regulations, and will alter an Area Subject to Protection Under the Act. Therefore, said work requires the filing of a Notice of Intent.

This Determination is negative:

1. ☐ The area described in your request is not an Area Subject to Protection Under the Act.
2. ☐ The work described in your request is within an Area Subject to Protection Under the Act, but will not remove, fill, dredge, or alter that area. Therefore, said work does not require the filing of a Notice of Intent.
3. ☐ The work described in your request is within the Buffer Zone, as defined in the regulations, but will not alter an Area Subject to Protection Under the Act. Therefore, said work does not require the filing of a Notice of Intent.
4. ☐ The area described in your request is Subject to Protection Under the Act, but since the work described therein meets the requirements for the following exemption, as specified in the Act and the regulations, no Notice of Intent is required: _____

Issued by _____ Medway _____ Conservation Commission

Signature(s) _____

This Determination must be signed by a majority of the Conservation Commission.

On this 4th day of April, 1990, before me personally appeared Paul Yorkis, to me known to be the person described in, and who executed, the foregoing instrument, and acknowledged that he/she executed the same as his/her free act and deed.

Courten M. O'Callaghan-Fallon Notary Public

My commission expires Nov. 12, 1993

This Determination does not relieve the applicant from complying with all other applicable federal, state or local statutes, ordinances, by-laws or regulations. This Determination shall be valid for three years from the date of issuance.

The applicant, the owner, any person aggrieved by this Determination, any owner of land abutting the land upon which the proposed work is to be done, or any ten residents of the city or town in which such land is located, are hereby notified of their right to request the Department of Environmental Protection to issue a Superseding Determination of Applicability, providing the request is made by certified mail or hand delivery to the Department, with the appropriate filing fee and Fee Transmittal Form as provided in 310 CMR 10.03(7) within ten days from the date of issuance of this Determination. A copy of the request shall at the same time be sent by certified mail or hand delivery to the Conservation Commission and the applicant.



BOARD OF SELECTMEN

155 VILLAGE STREET
MEDWAY, MASSACHUSETTS 02053

AGENDA

JULY 1, 1991

7:00 p.m. Open meeting, sign warrants,
approve minutes of the 6-17-91
meeting.

7:05 John King, Chairman
Park Commissioners

~~7:30 Diane McCarthy, 4 Skyline Drive~~ *cancel*
~~re: Live Band Permit for 7/13/91~~

7:35

Peggy Sique: contract for computer
Old Business

New Business

MINUTES OF THE SELECTMEN'S MEETING
JULY 1. 1991

PAGE 1

Present: Walter Johnson, Richard Brown and Administrative Assistant, Ruth Allen. John Dronzek was on vacation.

7:00 p.m. Walter Johnson called the meeting to order in the Selectmen's Meeting Room 2 of the Town Hall. The warrants were signed.

7:05 The Board met with William Rombalski, Park Commissioner to discuss a problem they are having with an ice cream vendor at Choate Park and Oakland Street Park. The vendor received a food handlers permit from the Board of Health on May 22, 1991. The Park Commissioners were asking if legally they can keep the vendor from these two parks? The Board requested a legal opinion be rendered from Town Counsel, Richard Maciolek as to what rights the Commissioners have legally. The Administrative Assistant will send a letter to Town Counsel requesting this information and get back to the Park Commissioners with the finding.

Mr. Rombalski also brought up a matter that the Commissioners were interested in looking into purchasing the Mayer property that abuts Oakland Street field. They have not met with the owner of the property as yet to see if they would be interested in selling that parcel of land, they wanted to discuss it with the Board of Selectmen to see if they would be agreeable. The Board suggested he check with the Conservation Commission to see if they would be interested in purchasing the property for active recreation and then come back to the Board.

7:35 The Board met with Peggy Tighe, Interim Computer Systems Manager to review and sign the software contract agreement for FY'92 with Arlington Data. The Board voted unanimously to sign the agreement. Peggy informed the Board that Arlington Data would be supplying two new computer packages for the Treasurers office for free. These packages are a Municipal Lien Certificate package and the Treasurers Tax Title package. She also informed the Board that Arlington Data has a software package, Treasurers Cash Receipts/Book for \$995.00 available. The Board voted unanimously to acquire this software package.

Peggy asked the Board if the recommendations of the ..

Job Classification Review Board for step raises for nine of the Town's personnel would be effective July 1, 1991? The Board stated yes, that was voted at the Selectmen's meeting on June 17, 1991 along with putting the Selectmen's office, Town Accountant's office and the Assistant Town Clerk's hours back to 40 hours per week effective July 1, 1991. The Board requested she send a letter to the Board of Selectmen and the Finance Committee stating what amount of money would be needed to facilitate these increases for her department.

- The Board discussed the vacancy of the Town Accountant's position and decided to schedule a meeting of the search committee for July 16, 1991 at 6:00 p.m. in Sanford Hall to review the resumes that have been received for that position.
- The Board voted unanimously to approve an emergency transfer for FY'91 for the Fire Department in the amount of \$819.44 for salaries.
- Gardner Rice and Ronald Wilson stopped in to the meeting inquiring as to whether or not the Board would be repaving Milford Street from Summer Street to West Street? The Board informed them that they were planning on that being done and the monies would be coming out of the borrowed monies for paving and stone and sealing. The Highway Superintendent will put together and estimate of the cost for doing this work.
- The Board requested a letter be sent to PEBSCO's legal counsel for an opinion with regard to the Social Security Act which became effective July 1, 1991.
- The Board requested a letter be sent to the Parking Clerk for a report on how much has been collected in parking fines for FY'91 and where does this fine money go?
- The Board discussed the recommendation of the Job Classification Review Board for an increase in the Fire Chief's salary. The Board voted unanimously to increase the Fire Chief's salary to \$12,000.00 per year for 20 hours per week plus the hourly rate he would receive for attending a fire and any fees for inspections he makes.

Meeting adjourned at 9:30 p.m.

Respectfully submitted,

A handwritten signature in cursive script that reads "Ruth Allen".

Ruth Allen
Administrative Assistant

RA

MINUTES OF THE SELECTMEN'S MEETING
June 18, 1991

Page 1.

Present: John Dronzek, Richard Brown and Walter Johnson.

7:00 p.m. Called Michael Cicoria, talked to Terry Cote, Audit Manager about inputting FY92 figures into the computer. (get a copy of the job specs to Mike Cicoria, Department of Revenue and Bentley College and have Fred Lee speak to Harold Regan). Can arrange for '92 Budget Input to computer also, can assist in close of year if needed. Job specs available by calling town office.

Meeting adjourned at 7:45 p.m.

Respectfully submitted,

Walter J. Johnson, Clerk
Board of Selectmen



BOARD OF SELECTMEN

155 VILLAGE STREET
MEDWAY, MASSACHUSETTS 02053

AGENDA

JUNE 17, 1991

7:00 p.m.	Open meeting, sign warrants, approve minutes of 6-3-91 meeting.
7:05	Bill Ritchie - Live entertainment license.
7:15	Conservation Commission - Mr. and Mrs. Gallagher.
7:45	Sabina Doyle's - Joe Griffith - Review for renewal of Live Entertainment License.
8:00	Municipal Building Utilization Committee.
8:20	Edward Reardon - re: insurance.
8:30	Police Chief Lambirth - miscellaneous items.
----	Old business.
----	New business.

Present: John Dronzek, Walter Johnson, Richard Brown and
Administrative Assistant Ruth Allen.

7:00 p.m.-Mr. Dronzek called the meeting to order in the Selectmen's Meeting Room 2 of the Town Hall. Mr. Johnson made a motion to accept the minutes of 6-3-91; Mr. Brown seconded; all aye. The warrants were signed.

7:01 -Bill Ritchie came before the Board to request a live entertainment license for a clambake he was having on August 3, Saturday, at 216 Main Street. He stated Mr. Canavan, who lived next-door to him, had also allowed him to use some of his property for the party. He said he would be having two bands consisting of three people in total. Mr. Ritchie requested the live entertainment license from 1 p.m. to midnight. Mr. Brown made a motion that a one day live entertainment license be granted to Mr. Ritchie for August 3 from 1 p.m. to only 11 p.m.; Mr. Johnson seconded; all aye. Mrs. Allen will take care of the permit for them.

7:05 -Mr. Johnson brought up the question of closing town hall offices on July 5. He mentioned that it was only a half-day for employees, and after having the day before off, was it worth it to reopen for only five hours? Mr. Brown made a motion that town hall be closed on July 5; Mr. Johnson seconded; all aye. Mrs. Allen will post the appropriate notice and advise departments.

-The subject of Norfolk County Engineers not being used for small town engineering projects was brought up. Mr. Dronzek suggested a letter be sent to the State Senator and Representatives informing them of Medway's dependability upon them since the Town did not have their own engineering department.

7:15 -Mr. and Mrs. James Gallagher, and their son, came before the Board to speak about Conservation Commission concerns on an area they want to fill in on their property. Mr. Paul Yorkis had been requested to attend, but did not show up.

Mrs. Gallagher said she wanted to know why they had been denied from working on their property - she claimed they just wanted to put fill in where it had been washed out. She demanded answers.

Mr. Dronzek said the Board was not the one to give answers.

Mr. Gallagher said they bought fill and were ordered to remove it by Mr. Yorkis. Mr. Dronzek asked why they were told to remove it. Mr. Gallagher responded because it was in the wetlands.

Mrs. Gallagher said they put up a temporary stone wall. She also understood that there were boulders they could use at the Highway Barn.

Mrs. Gallagher said they have called Mr. Yorkis various times, and they never get calls back, except one time, and he

hung up on her when she started to sound abusive to him.

Mr. Dronzek said he didn't have an answer. The only alternative was to write a letter to the Conservation Commission requesting the reasoning behind the demand to remove the fill.

Mr. Brown asked if ConCom had jurisdiction of wetlands so close to the house? Mr. Dronzek assured him they did. Again, he said the Selectmen can try and ask clarification as to why the Gallaghers can't re-landscape adjacent to and north of #3 Cottage Street. He also would like to ask the ConCom what steps need to be followed so that the work can be done, with a copy of the letter to the Gallaghers, as well as a copy to them when a response is received.

When asked who would be taking over as chairman, Mrs. Allen told the Gallaghers the ConCom would probably be reorganizing as other Boards do around July 1 when reappointments are made. She also indicated she had no problem in getting a hold of Mr. Yorkis. Mr. Gallagher felt that citizens need not be abused either.

Mr. Brown felt residents should be allowed to take care of their property right up to the wetlands. Mr. Johnson said he didn't want the ConCom going against State rules and regulations. Mr. Gallagher did not want to appeal to the State, as he felt the decision would be given back to the Town anyway.

Mr. Dronzek assured them they would write to the ConCom, and if no response was received, would write to them a second time.

7:33

-Joe Griffith of Sabina Doyle's came before the Board to discuss his live entertainment license renewal.

Mr. Dronzek told Mr. Griffith the license would be until December 31, 1991, when all licenses are renewed again. Mr. Dronzek brought up an entrance made in Mr. Glynn's fence to access Mr. Griffith's establishment - he stated that was not his concern.

Mr. Dronzek reminded those present that his live entertainment license had been renewed through June 17, and was now back for renewal. Mr. Griffith said he was aware of some complaints, but none recently.

Mr. Brown said he noted some noise complaints for Sunday, but Mr. Griffith said he did not have a live entertainment license for Sunday. Mrs. Allen said that Sunday licenses were separate licenses from the State. Mr. Griffith said he was not there on the Sunday a complaint had been registered, so there could have been noise.

Mr. Dronzek stated that residents were aware that the license expired on June 17, and yet no one was there from the neighborhood to discuss the issue.

Mr. Johnson made a motion to renew the live entertainment license through December 31, 1991 on Thursday, Friday and Saturday from 6 p.m. until 1 a.m. Mr. Johnson said he had been there at various times and no loud noise was indicated. Mr. Brown suggested the time limit be altered to midnight. Mr. Dronzek asked Mr. Brown if he was amending the motion?

Mr. Griffith said that he could understand shortening his license to 12:30 - that was no problem; but to midnight, that was one full hour.

Mr. Brown made a motion that the original motion be amended to 12 midnight instead of 1 a.m.; Mr. Johnson seconded. Mr. Dronzek noted for the record that Mr. Johnson and Mr. Brown voted in favor of the amendment; Mr. Dronzek did not; the motion carried.

7:47

-Mrs. Allen brought several emergency transfers that needed Selectmen's approval prior to being submitted to the FinCom. They were: EMS - \$2,155.75; ConCom - \$765; Town Hall - \$985; Recycling Study Committee - \$800; Memorial Committee - \$40; Selectmen - \$16. Mr. Johnson made a motion that the six transfers be approved; Mr. Brown seconded; all aye. The Selectmen signed the transfer forms.

-Mrs. Allen showed the Selectmen the preliminary subdivision plan for Curtis Landing off of Holliston and Hill Streets.

8:00

-The Municipal Building Utilization Committee came before the Board, which included Edward Duggan and Diarmuid Higgins; Walter Johnson is also a member of the committee; David Verdolino was not able to attend.

Mr. Higgins said they have obtained some quotes on the possible installation of an elevator. Prior to asking for the committee for their recommendations for the town hall, Mr. Dronzek asked the committee if they had any ideas for the old fire station and the Cole Library?

Mr. Duggan said that no one could afford to maintain and upgrade the present buildings as they stand. There is also no convenient parking at the fire station - all it can be is a meeting place for various organizations only on the first floor.

Mr. Dronzek asked the committee if they were aware of the suggestion of putting both parcels together to sell? Mr. Duggan said he was not. Mr. Dronzek said the exterior of the buildings would be restrictive because of historical value; and there is a question on how the Cole Library could be sold on the deed, but not on the fire station. Mr. Higgins questioned if the Cole Library wasn't given as an endowment? Mr. Dronzek said he was not sure, and that the whole matter should be referred to Town Counsel. If there were still restrictions on the deed, to possibly give it back to the family for them to disperse.

Mr. Duggan said Counsel can research the deeds, but the MBUC has to have the Selectmen's permission to approach him; or to have the Selectmen's permission to sell to abutters; or to keep them as historical buildings. The Board granted permission for the MBUC to go Counsel for research of deeds.

Mr. Dronzek said he was not surprised that it could cost money to fix up the town hall, but there is no money available. He asked if the MBUC would object to the use of portions of the old police station on a temporary basis?

Mr. Brown said the Treasurer's office hasn't requested extra space, but he was told by him that they could use space; he could use the Chief's old office. Mr. Duggan told Mr. Brown that letters had been sent to the Treasurer's office twice asking what their needs were, with no response.

Mr. Duggan outlined the idea of moving the Assessor's office to the Town Clerk's office and moving the Town Clerk downstairs. Mr. Brown said he thought the Water/Sewer Dept. would be moved to the Town Clerk's office when the Town Clerk was moved downstairs. Mr. Duggan was not aware that the Water/Sewer Dept. wanted to move their office. He said the Selectmen's office did not ask for more space; just to have removed from the office area filing cabinets that did not belong to them, such as FinCom and Board of Health.

Mr. Dronzek asked about the Board of Health using the front office area downstairs that used to be the Sergeant's office. Mr. Duggan said temporary use eventually means permanent use, and someone would have to make sure that door is opened and locked, because access to the rest of the town hall is then accessible.

Mr. Duggan said there is still a lot of furniture, etc. in the old police station, and some employees wanted some of that furniture for their use. Mr. Dronzek told him to give those people three days to take what they wanted, and then get rid of it. He was told the Chief had said Mark Flaherty wanted the furniture left behind. Mr. Dronzek asked Mr. Higgins to mention to Mr. Flaherty to take what was needed, and the rest would be thrown out.

Mr. Duggan said the area does have to be cleaned out before anyone can move in, even if renovations are not done right away. He also recommended that the Town Accountant could use the secretary's area in the old police station for computers, etc.

Mr. Brown inquired as to what steps need to be taken. Mr. Duggan said local contractors could do the work; it could be done in stages; it could cost \$10,000; the reception area should be done first; work on the town clerk area initially - take out the cells; you could use movable portable partitions to make up smaller offices, and the treasurer's office and the accountant's office would have a little more space.

Mr. Dronzek wondered if there was someone who could take out the cells? Mr. Higgins said he would check on it. Mr. Duggan said the corridor needs to be accessible to other offices that may open up downstairs, and it would also mean relocating the radiator that exists on the present wall between the present town hall and the old police station.

Mr. Dronzek said renovations were done in 1970 by a Mr. Ferguson.

Mr. Brown asked about the Board of Health secretary getting a temporary spot. Mr. Duggan said she could use the old Sergeant's office. Mrs. Allen said the secretary has to make sure the door is opened and locked.

Mr. Duggan brought up using local contractors to do the work again. Mr. Higgins asked if some contractors should be brought in to just look at the work to be done, but that they would have to go out to bid.

Mr. Brown said there was some money left in the town hall refurbishing account that can be used, and then they could go to the FinCom for an emergency transfer before the end of the fiscal year. Mr. Duggan said even if they got \$2,000 at a time in stages, it would help. Mr. Brown said to fill out the form for a transfer.

Mr. Dronzek said offices could start to be cleaned out for the Accountant, Town Clerk and Board of Health - but does the Town have to put the elevator in right away? Mrs. Allen said that would have to be checked upon.

Mr. Higgins felt the Town Clerk's office should be worked on first, since it was the office the public goes to the most.

Mr. Brown said there are no smoke detectors, and Mr. Dronzek agreed that it will have to be done. Mr. Dronzek said they would discuss the storage of records at a later date.

Chief Lambirth stopped in, and he said he would get the name of the person who took the locks out of the cells to Mr. Higgins. Harold Bemis, who was present at the meeting, said if the work is done in increments, you can by-pass alot of requirements. He said that Jack Prager did the inside and outside plans.

Mr. Duggan reiterated what had been decided: the Board of Health can go downstairs; the MBUC can go to Town Counsel; they will be able to obtain some funds to begin work. A suggestion was to use Braintree Alternative Center or MCI.

Mr. Bemis went back for a moment to the discussion of the old fire station and the Cole Library and said that both buildings could be connected on the second floor with a connecting bridge; then there would be two stairways (exits).

used to carry coverage for the Town for 15 years, but lost out to MIIA 7 years ago. He said insurance coverage has not been put out to bid since then, and they have been excluded from the bidding process. He said he represents NESC (New England School Collaborative). He indicated it was too late for bidding for FY'92, but some thought should go into the bidding for FY'93.

Mrs. Allen said that MIIA had come in with quotes, and they were renewed by the Insurance Committee. Mr. Dronzek asked about quotes for FY'92, and Mrs. Allen said they had come in slightly higher than last year.

Mr. Reardon commented that only Charles Bresnahan had insurance knowledge of the 8 people on the committee. Mrs. Allen stated that only one member of the committee need have insurance expertise.

Mr. Dronzek suggested that in March of 1992, the Town should go out and get some more prices. Mr. Reardon suggested a bid form be made up and sent out.

Mr. Dronzek said the Board would be receptive to hearing more information. Mrs. Allen confirmed that they could handle everything except workmen's comp. Mr. Reardon said yes, and the Town wouldn't get much of a dividend anyway - Mrs. Allen said last year, they got \$9,000.

Mr. Brown said firefighters had told him they didn't think the present coverage was as good as before. Mrs. Allen said the Insurance Committee would look at both policies again.

9:05 -Allan Osborne, who was present, said that Harold Bemis was interested in being on the Zoning Board of Appeals. Mr. Dronzek told Mr. Bemis that he just needed to send a letter of interest to the Board, and they would then consider him.

9:10 -Chief Lambirth came before the Board to update them on his department. He said they are all moved in and planning an open house on June 30, to which all were invited. Mr. Dronzek felt the Selectmen should make a statement, and he would come back from his vacation to say a few words.

The Chief asked about the Park Department helping out in the landscaping. Mr. Dronzek said the Chief should write a letter to the Park Commission chairman requesting maintenance by the Park Department, with a copy of the letter to the Selectmen.

The Chief remarked about custodial service, and said the cost would be tight. He asked if he should go as low as he would dare, and then come to the Selectmen and the FinCom? Mr. Brown said they would plan on having a special town meeting in FY'92, and can then put the request for additional funds on an article.

The Chief said he was going to draw up specs for maintenance/custodial help, but recently received information from

Pawnville Pre-release Center that he could go through the State with some supervision. The Police Department would supervise the inmates while they were in the building, and they would be responsible for picking them up and bringing them back. He figured they needed someone 5-6 hours a day, 5 days a week, and this program would cost the Town \$5.00 a day. He mentioned the men would be carefully screened, and that there was a talent of 50-60 people there that could be utilized for various other town help as well. Mr. Johnson made a motion that the Police Department be allowed to utilize Pawnville Pre-release Center for maintenance/custodial help; Mr. Brown seconded; all aye.

The Chief mentioned that there were court cases involving by-law violations that were going to be heard the next day, and more information would be forthcoming on them.

The Chief also mentioned that the incident involving a person who had his car towed and was suing the Town had the case resolved in the Town's favor.

The Chief also mentioned inadequate lighting at the Police Station that he spoke to Fred Roth of Boston Edison about. Mr. Roth suggested increasing the candle power and a flood lamp; and if someday, he wanted to increase power, he would have to come to the Selectmen so that a request could be put in writing by the Selectmen.

The Chief mentioned that a ground fault receptacle had been taken care of.

The Chief brought up the subject of \$1500 for three individuals - the prosecuting officer, safety officer and juvenile officer. He said the funds have been dispersed at his discretion, and was making the appeal that he has that right to ask for the money. He said the money is there, but has never been titled.

Mr. Brown said the monies were put under salaries - there are no stipends per se. Mr. Dronzek clarified these were not contractual items; the Chief said they were not. Mr. Dronzek said there was not much choice since the funds were voted to be dispersed in that way. The Chief said he would put the matter aside, and would approach the Selectmen again when he needed to.

The Chief also said there was \$20,000 leftover in the police account under salaries and \$984 in out-of-state travel.

Mr. Dronzek brought up a letter from the Treasurer/Collector on past-due detail accounts. Mrs. Allen stated that if they had known about Claybrook Farms owing money to the Town, they could have held up giving the loam removal permit pending back monies had been paid. She also indicated that China Lotus was almost up-to-date on their details.

-Mr. Dronzek asked Mrs. Allen to inquire of MIIA that, in light of reduced expenses these days, to submit new quotes.

-Mr. Dronzek discussed asking for \$10,000 from the FinCom for the town hall. Mrs. Allen stated there was \$1,455.57 in the renovation account. Mr. Dronzek wondered if the amount should be \$20,000, but that they would have to go out to bid for anything over \$4,000. Mrs. Allen said the Town could go out for quotes and take the monies out of the reserve fund for FY'92. Mr. Dronzek said at least the area on the first floor of the old police station could get cleaned out.

-Mrs. Allen said that a request had been received from Joe Dziczek of the Zoning Board to use Town Counsel for an issue concerning an owner occupancy of a two-family building. Mr. Dronzek said he had some reservations on this issue, and said it would be good to get a ruling on the subject. Mr. Brown made a motion for the Zoning Board to use Town Counsel in this matter; Mr. Johnson seconded; all aye.

-Mrs. Allen clarified that appointments had been made at the Selectmen's meeting that was held on June 13, and that that portion of the meeting was not held in executive session.

Mr. Brown made a motion to accept the minutes as prepared by Mr. Johnson with the addition of noting which appointments Mr. Dronzek left the room for when a discussion was held - they were police and fire communications; special police officers; permanent intermittent patrolmen; Mr. Johnson seconded; all aye.

-Mr. Johnson made a motion that Kathy Rehl be appointed Millis Consortium representative and Maria Roberts alternate; Mr. Brown seconded; all aye. (They had been omitted from the original list of appointments.)

-Mrs. Allen also brought up two other people for appointments - Gardner Rice as Local Water Resource Management Official and Kenneth Cushman on the Disability Commission. Mr. Johnson had a problem with Mr. Cushman's appointment. Mr. Dronzek stated that the commission is for up to seven people. The Board of Selectmen can act as one board, and they can act as a disability commission temporarily if there was none.

Mr. Johnson made the motion that Mr. Rice be appointed as Local Water Resource Management Official; Mr. Brown seconded; all aye.

-Mrs. Allen noted the letter from the Fire Department to the Park Commission for requested landscaping.

-Mr. Dronzek expressed appreciation for the Park Department's help in hanging the POW flag in the Town Square. He also expressed Ed Anthony's appreciation as well.

-Mrs. Allen noted to the Board the listing of highway materials as attached to the Board's minutes of June 3, as well as fuel/gas. Mr. Dronzek read the list of awards as the low bid, and based upon the Highway Superintendent's recommendations. Mr. Johnson made the motion that those

recognized be awarded the contracts; Mr. Brown seconded; all aye.

-Mrs. Allen noted to the Board Town Counsel's answers on the railroad bed situation.

-Mrs. Allen gave the Board the two pole petitions that had been approved on May 20, but had not been signed; this was done.

-Mrs. Allen said she received a phone call on June 10 from MIFA rep, Ralph Mastroianni, who stated he was an architect for alternative housing to be located on the corner of Pond and Main Streets. He said he had filed a notice of intent with the Conservation Commission and noted that no more water runoff will come onto Main Street than it already receives. Mrs. Allen said the housing will be for autistic and special needs kids. About \$400,000 in bonds is allocated for that location on behalf of Evergreen Center, Inc.

Mr. Dronzek asked if it was taxable property? Mrs. Allen said no, as she believed it was not for profit. Mr. Dronzek expressed concern to the School Department's budget as to what the situation would be if the students attended Medway schools. Mrs. Allen said she would check and see if they were tax exempt.

-Mrs. Allen had a request from the Fatima Shrine personnel requesting a sign to be placed at the corner of 126 and Milford Street on June 22 and 23. Mr. Brown made the motion it be approved; Mr. Johnson seconded; all aye.

-Mrs. Allen went over briefly correspondence received from:

- Barbara Gardner saying that the Town could utilize the Pre-Release Center at MCI in Framingham.

- The Historical Society's 4th annual auto festival.

- Richard Maciolek stating late bids received have to be returned.

- Cablevision's considerations for senior citizens.

- Donald Cantin's resignation from the JCRB.

- Sandra Collum's resignation from the Board of Registrars.

- Kathy Rehl's letter to the Board of Health concerning recommended reappointments.

-Mrs. Allen gave the Board Maureen Meyer's appointment slip to the School Committee to sign, to be then forwarded to the School Committee for their signatures.

-Mr. Dronzek questioned who could be on the Insurance Committee - Mrs. Allen said the definition of the committee specifically states who can be on it.

-Mrs. Allen passed on to the Board all the appointment slips for the Board to sign for FY'92.

-Mrs. Allen brought up the subject of Thomas J. Daley from the Department of Labor and Industries concerning Corinne

O'Callaghan-Fallon's vacation pay. She said the Department felt these wages were due her; however, they were awaiting for word from the Selectmen if these wages were going to be paid, or else call for a hearing.

Mr. Brown said Sections 148 and 149 deal with employees and an elected town official is not an employee. He said she was voted a one year's salary, and nothing more can be voted other than that. Mrs. Allen said she only knows what Mr. Daley passed on to her. Mr. Brown said her salary was voted for in 1990, and it was up to her to take that vacation and she didn't. Mrs. Allen said Mark Flaherty had told the auditors, when they were in doing the annual audit, of accrued time for employees who should not be carrying over vacation but do.

Mr. Brown said he talked to Fred Lee, since he was a full-time elected official, and he had felt that elected officials do not qualify for the same vacation as employees. Mr. Dronzek felt unemployment laws are free-standing laws.

Mrs. Allen told the Board that Mr. Daley has to be notified if the wages will be paid or not, or it has to go to the Labor Commission. Mr. Dronzek said he was open for a motion either way. Mr. Brown made a motion to stick to the original motion. Mr. Dronzek said they haven't voted before - it was there now for voting. Mr. Brown said it should not be paid - the money was not there; Mr. Johnson seconded; Mr. Dronzek opposed - motion carried 2-1. Mr. Dronzek felt whether elected or not, an employee for the Town was an employee, and should be paid.

Mr. Brown said this same situation could run into 54 weeks each year. He suggested referring it to Town Counsel for his opinion. Mrs. Allen said to Mr. Brown that he was the one that said Mary Shea had asked Town Counsel for his opinion on the matter. Mr. Brown said they never got an answer. He said his first thought was to pay Mrs. Fallon, and then when Mr. Brown talked to Fred Lee (being an elected official) and he had said elected officials were different, he changed his mind.

-In answer to what was a Parking Clerk, Mrs. Allen gave the Board a copy of the Mass. General laws.

-Mrs. Allen had received a revised, one copy, of the Rules and Regulations of the Planning Board to review and receive comments on - Mr. Johnson said he would review it.

-Just for their own information, Mrs. Allen told the Board she had been informed that Planning Board Chairman, Allan Fraser, had been appointed Building Inspector in Ipswich.

-Mrs. Allen passed on to the Board the guidelines for quarterly tax billing as prepared by the Dept. of Revenue.

-Mr. Dronzek brought up with the Board his concerns about the JCRB's decision to give increases to nine employees. Mr.

Brown said the only people the Selectmen have any say on is Highway. Mr. Dronzek said town meeting reduced the wages of three boards in town, and now we are giving raises to selected individuals. We are cutting the annual wages of six people and nine people get a raise. If there is going to be a reduction in wages, it should be across the board, or give the other employees back their hours.

Mr. Brown brought up employee Scott Peters who did not get a 6% raise like everyone else. He stated he started out at the lower level and went more than two years without an increase. He said all five members voted unanimously on this. Mr. Brown said he had concerns about those reduced in hours going back up to 40 hours as Mr. Dronzek suggested.

Mr. Brown said three years ago, \$11,910 was allocated out of offset receipts, this was forgotten and not included in the trash budget. Two years ago, it was not voted properly at town meeting 1990, and wasn't expended properly. This year \$11,910 is coming from offset receipts that hasn't been spent.

Mr. Brown said \$7,051 in the Selectmen's office, and Town Clerk's monies cut can't be changed, but the assistant town clerk can be changed. The town accountant's office can be changed too because there will be money in the account since we won't have one for a while.

Mr. Brown said some got 8% and some got 12%, while others got 6% increases. Everyone has the right to go to the JCRB. Mrs. Allen was concerned that employees might want to unionize when word got out of some of the increases.

Mr. Dronzek felt the whole issue was bordering on hypocrisy. He did not know if this required a vote of the Board.

Mr. Brown believed the Board was to accept the recommendations of the JCRB. Mr. Dronzek asked if that was a motion? Mr. Brown made the motion to the accept the recommendations as outlined by the JCRB; Mr. Johnson said he could not second it; Mr. Dronzek said he could not second it.

Mr. Brown said the Board was holding back all the increases because of this. Mr. Dronzek said stipends were discussed at town meeting - but this was making a moral decision.

Mr. Brown said Mr. Dronzek was ready to give someone a two week vacation pay, but not increases to regular employees. He said all the library personnel will probably be going to the JCRB as well. Mr. Dronzek said again they are taking from one group of people and giving it to another. Mr. Brown said you can argue with the FinCom. Mr. Dronzek said this can all be put on hold for now, and see how the others' salaries go. If the others get reversed, then he would reconsider.

Mr. Brown said to write a letter to the Treasurer/Collector

and tell him to reinstate the salaries. Mr. Dronzek said that town meeting voted one way, and he believed in that. He needed more assurance - what we're saying is we overspent, and we need a transfer. He said if it can legally be done, he wanted the salaries reinstated on July 1, 1991 for five of the six employees, since the Town Clerk's salary was voted upon and was different. Mr. Brown said the Town Clerk can write a letter to the FinCom, saying she cannot operate on a 35-hour week.

Mr. Brown said to let offset receipts monies go into the reserve account. Mr. Dronzek asked John Williams, who was present, if he felt the FinCom would be able to support this decision of the Selectmen? Mr. Williams felt they would.

The Board agreed to address correspondence to FinCom for 40 hours through FY'92 for the Selectmen's office, the Town Accountant's office, and the Town Clerk's assistant; and to write a letter to the Town Clerk for her to approach the FinCom for a 40-hour week, with a copy of the letters to the Treasurer/Collector.

-Mrs. Allen suggested advertising for the Town Accountant's position in the Boston Globe, and that it would probably be too late for the Beacon. Mr. Dronzek suggested the Milford Daily News as well, giving a brief synopsis of the job specs, which should include municipal know-how.


Mr. Brown suggested asking the auditors for a recommendation. Mr. Dronzek agreed.

-Mr. Brown moved reconsideration of the JCRB's letter; Mr. Johnson seconded; all aye.

Mr. Brown moved to accept the JCRB's letter of recommended salary increases; Mr. Johnson seconded; all aye.

11:24 -The meeting was adjourned.

Respectfully submitted,



Mary Jean Fredette, Secretary

mj

June 6, 1991

An executive session was called to order at 8 p.m. at Fire Station # 2 with Selectmen Oronzek, Brown & Johnson in attendance. Also present at this session was Town Accountant Mary Shea.

Topics discussed were:

1. Payment of certain bills. Mrs. Shea was questioned as to why some bills could not be paid sooner.
2. The hiring of temporary help.
3. Quarterly reports to the Selectmen.
4. Breach of confidentiality on a Town Employee contract.
5. Percentage of time spent accounting for the Town of Medway.

Following discussion, it was voted that Mary Shea would be rehired from July 1 through Dec. 31, 1991, prior to which time another evaluation would be made to determine whether or not she will be rehired for the balance of a three-year term.

Reappointments were next on the agenda. Selectman Johnson abstained on voting for the reappointments of Robert Sparin, Inspector of Building and Anthony J. Mastroianni, Veterans Agent. All other reappointments were voted unanimously. ~~Johnson~~ Chairman Oronzek left the room and did not vote on any appointment that could be considered a conflict of interest. *

There are several vacancies which remain to be filled.

Those reappointed are as follows: (see list)

In addition, the following appointments were made: Linda Reynolds & Donna Cullen to the Finance Committee.

Respectfully Submitted
M. Johnson

COPY

June 6, 1991



The Medway School Committee and the Board of Selectmen met on June 6, 1991 at 6:45 p.m. in the High School Bandroom to select the candidate to fill the School Committee vacancy left by the resignation of Carl Pride. Those in attendance included Dawn Boyan, Chairperson; Doug Downing, Bill Yanco, Peter Young, Richard Brown, John Dronzek and Walter Johnson. Also in attendance: Superintendent Arthur Bettencourt, Business Manager Francis Gallo, Medway Federation of Teachers' Representative Steve Amrock, Medway Student Advisory Representative Josh Binder and Secretary Missy Dziczek.

A. CALL TO ORDER

Chairperson Dawn Boyan called the meeting to order at 6:50 p.m., noting that all members were present except for Mr. Nutting.

B. APPROVAL OF MINUTES

Mr. Young moved to accept the minutes of May 22, 1991. Seconded by Mr. Yanco. All in favor.

C. SELECTION OF NEW SCHOOL COMMITTEE MEMBER

Mrs. Boyan opened nominations for the School Committee vacancy.

Mr. Yanco nominated Maureen Meyer for the School Committee vacancy. Mr. Downing nominated Andrea Marcus. Peter Young nominated Ken Masterson. Dick Brown nominated Dusty Lardin.

Mr. Young moved to close the nominations. Seconded by Mr. Yanco. All in favor.

Mrs. Boyan read a letter from Mr. Nutting giving his support to Maureen Meyer. Mr. Yanco, Mr. Downing and Mr. Young stated why they supported the candidates they nominated.

A paper ballot vote was taken, with Town Clerk Mary Jane White noting the results. Mrs. Boyan announced that the new School Committee member was Maureen Meyer. The vote was 4 for Maureen Meyer, 2 for Ken Masterson and 1 for Andrea Marcus. Mr. Downing moved to make the vote for Maureen Meyer unanimous. Seconded by Walter Johnson. All in favor.

D. ADJOURNMENT

At 7:05 p.m., Mr. Yanco moved to end the joint meeting of the School Committee and Board of Selectmen. Seconded by Mr. Young. All in favor.

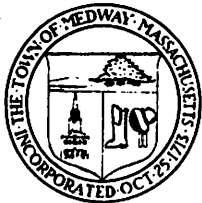
Respectfully submitted,

Accepted: 6/20/91

Missy Dziczek

COPY





BOARD OF SELECTMEN

155 VILLAGE STREET
MEDWAY, MASSACHUSETTS 02053

AGENDA

JUNE 3, 1991

7:00 p.m.	Open meeting, sign warrants, approve minutes of 5/20/91 meeting.
7:05	Open fuel/oil bids.
7:15	Open highway materials bids.
7:30	Joint meeting: Finance Committee, Treasurer & Assessors - quarterly billing.
7:45	Joint meeting: Recycling Committee, Finance Committee & Board of Health.
8:15	Bob Speroni, Building Inspector.
8:30	Claybrook Farms - earth removal permit.
----	Old business.
----	New business.

Present: John Dronzek, Walter Johnson, Richard Brown and Administrative Assistant Ruth Allen.

7:00

-Mr. Dronzek called the meeting to order in the Selectmen's Meeting Room 2 of the Town Hall. Mr. Johnson made a motion to accept the minutes of 5-20-91; Mr. Brown seconded; all aye. The warrants were signed.

-Mr. Dronzek asked Mrs. Allen about the Medway Special Act. Mrs. Allen said the Town Clerk was forwarding it to Representative Gardner.

-Mr. Dronzek also inquired of Mrs. Allen if there had been anymore complaints about Sabina Doyle? Mrs. Allen stated Mr. Griffith was on the agenda for the Selectmen's June 17th meeting as that was when the three-month temporary live entertainment license expired. She has also asked the Police Department for their comments on the subject.

-Mr. Brown brought up the subject of the solid waste account and indicated that Town Counsel felt "raise and appropriate" included offset receipts or levy. Mr. Dronzek said he would like Counsel's opinion in writing that the amount could be listed on the appropriations sheet as such. Mr. Brown said the Town Clerk makes up the form, and as such could eliminate the offset receipts column, but should have verification from Mr. Maciolek for line items 97 and 98. Mr. Brown did not feel a special town meeting would be necessary for this if it can be done. Mr. Dronzek asked Mrs. Allen to check with Town Counsel on this subject.

7:05

-Mr. Johnson read the ad as it appeared in the Milford Daily News requesting bids for town fuel. Three bids were submitted: R&D, Norwood Energy and Holliston Oil. Mr. Brown made a motion that the bids be referred to the Highway Superintendent for his review and comments; Mr. Johnson seconded; all aye. (Copy of bid results attached.)

-The letter received from Congressman Early to participate in a "town meeting" at 10:30 a.m. to 12 Noon on June 9, 1991 was discussed.

7:15

-Mr. Johnson read the ad as it appeared in the Milford Daily News requesting bids for highway materials. Bids were submitted by 17 companies. J. H. Lynch's bid was received at town hall at 4:08 p.m., and the Board felt since it was received after the deadline of 4:00 p.m., it could not be considered. Mr. Dronzek asked Mrs. Allen to get a ruling on this from Town Counsel. It is noted for the records that Mystic Bituminuous did not enclose a bid bond as required. Mr. Brown made a motion that the bids be referred to the Highway Superintendent for his review and comments; Mr. Johnson seconded; all aye. (Copy of bid results attached.)

7:50

-David Verdolino, representing the Finance Committee; Fred Lee and Peggy Tighe, representing the Treasurer's Office; and Harry Johnson, Joe Malloy, and John Wilson representing the Assessors' Office joined the Selectmen for a joint discussion

on quarterly tax billing. Mr. Dronzek asked for any problems or comments from those present. Mr. Johnson stated that the law was quite specific on the third quarter bill being mailed by December 31, and not being able to collect on it after 30 days, ending up with 3 payments instead of 4. Unfortunately, he said, the Assessors have to inspect each parcel of land by January 1, 1992 for '93 bills, and they needed to have the bills early in December so they can be sent out. Mr. Brown asked if it was planned to have two bills sent out in one envelope? Mr. Lee said it was.

Mr. Wilson said that only 3 out of 8 programs had been tested and bills need to be out by July 1, necessitating information being compiled at least one week prior to that. Mr. Brown asked about instructions for residents. Mr. Johnson said instructions will be on the back of the bill, and they will try to enclose a little notice of information. Mr. Brown inquired about advance publicity, such as in the newspapers and cable. Mr. Johnson said the usual news releases will be issued. Mr. Verdolino commented that he did not want to see residents throwing away one bill when they found two enclosed in the same envelope. Mr. Johnson indicated the first bill needed to be paid by August 1, and the second by November 1.

Mr. Dronzek also said some more publicity and notification to the residents would not hurt, such as an interview by Cable; but that the information should be out there to the people. Mr. Lee indicated some banks will send out payments on August 1 and then on February 1. Mr. Johnson stated that the bill is the net tax bill of the previous fiscal year, which includes gross tax, liens, fees, exemptions, and abatements.

Again, Mr. Dronzek asked that as simple an explanation as possible be given to residents through the newspapers and cable. Mr. Johnson felt the bill was simple to understand.

8:05

-Various members of the Recycling Study Committee; Dick Parrella and Philip Parchesky of the Board of Health; and David Verdolino of the Finance Committee joined the Selectmen in a joint meeting. Mr. Dronzek asked Mr. Verdolino where he wanted to go with the meeting since he had called it, but then mentioned to those present that he could see the recycling center was quite busy that past Saturday, saw a lot of dumpsters, and no injuries have been incurred. He stated that several weeks ago, the Selectmen had talked to the Recycling Study Committee and the Board of Health about the transferral of solid waste to the Board of Health, and that they were going to review the situation with the Recycling Study Committee before anything was finalized.

Kathy Rehl mentioned, for the record, that the 8th graders at the Middle school had received a citation from Governor Weld for the Earth Day projects they had done; and, of course, the Recycling Study Committee also deserved some credit for their involvement.

Mrs. Rehl mentioned the bans that are coming up at the end of 1992, that includes aluminum, metal and glass containers.

Mr. Dronzek asked about the items that are not totally clean, for consideration of what residents in the area might be concerned about. Mrs. Rehl indicated that the vendors don't really care if they are clean or not--most are rinsed out by residents anyway. Mr. Parrella mentioned that the recycling center would fall under the same codes as for others under Board of Health restrictions. Mr. Brown felt there was no problem in this regard so why delve on the matter further.

Mrs. Rehl went over various facts and figures that she had compiled, and indicated the cost saving to the town and the many volunteer hours of residents, as well as cars that came through. She also wanted to bring before everyone the results of their regional Franklin group into curbside pickup. She also said there were eight towns involved in getting a "request for proposal" written, and in compliance with Section 30B and 22B for a contract for curbside pickup and marketing materials. She went over the concept of picking up so many recycleable tons a month at the same time the trash is picked up; how the containers would be put at schools, etc.; how the vendors would be responsible for the materials. One of the members of the Recycling Study Committee said they had chosen the vendor they would like to work with.

Mr. Dronzek interrupted to make sure the Recycling Study Committee was aware that they were only to look at prospective vendors, not to make any commitments.

Mrs. Rehl said they were aware of that. She continued on saying that the vendor would have to distribute flyers, provide roll-off containers, and provide a written monthly statement. She further stated that their group felt C.B. Trucking was the most advantageous vendor. She said the 1st year cost was \$54.50/ton; 2nd year \$56.25/ton; 3rd year \$58.00/ton. This reflected a 2-1/2% increase per year where Wheelabrator has increased 6% per year. Assuming 50% of the residents participated, tonnage could be about 890 tons. Mrs. Rehl felt this was the way for the town to go.

Mr. Dronzek said, again, that this area had been transferred to the Board of Health, and he believed this was under their control, and their discussions should be with them. Mrs. Rehl inquired if this was as of FY'92?

Mr. Brown said that the Recycling Study Committee was appointed by the Board of Selectmen at the Town Meeting by the Moderator, and the Selectmen should formally transfer them to the Board of Health as there are monetary implications in the contract with the FinCom. The Board could disband this committee and let the Board of Health appoint the committee.

Mrs. Rehl said that this contract just came up now, and they have 90 days to act on it. Mr. Brown suggested that the Board of Health appoint the Recycling Study Committee as a sub-committee to the Board of Health. He said that the Town would probably be under a new contract soon for solid waste

disposal, and to have the opportunity to have curbside pickup provided at no cost to the Town seemed good. Again, Mr. Dronzek said this was the prerogative of the Board of Health to decide how to handle the issue, not the Board of Selectmen. Mr. Brown felt the issue could still be discussed. A member of the Recycling Study Committee stated that sometimes there are 20 cars coming in at one time in the center with 5 people on; and the idea of curbside pickup can offer residents the ease of recycling - it sounded good.

Another member of the same committee said that she was having a hard time getting volunteers lately - after 16 phone calls, no one had signed up. Some people were getting burned out.

Mr. Brown said composting would have to be continued, and possibly an area to do sorting of materials. Mrs. Rehl said she talked to Mike Cassidy and the center would be O.K. Mr. Brown said some towns supply residents with containers. Mrs. Rehl said they are about \$3.00 a container, and Franklin has 50% participation without buying the containers. One of the members of the Recycling Study Committee said that the committee can try and look for corporate sponsorship.

Mr. Johnson asked about the cost per year as compared to the present \$180 per year. Mr. Brown did not feel the rate would be affected. Mr. Dronzek said the idea of recycling is also not to fill up the landfill.

Mr. Parrella said the Recycling Study Committee is doing a great job and recycling is going to be around, but the Commonwealth doesn't do anything to help out. He also agreed that recycling is under the jurisdiction of the Board of Health; however, what to accept, how, when - there were a number of issues that needed to be separated and looked at that would have a bearing on their decision. This was the first time he was looking at the documentation.

Mr. Dronzek agreed there was a hard-working core of people involved, and the interest may not always be there for some. A member of the Recycling Study Committee asked what would occur if there was not curbside pickup instituted? Mr. Parrella said he did not know yet, and that the Board of Health would continue to have meetings during the summer months. He said that during the first four months of the year, 254 tons was eliminated, and the bulk of it was organic matter.

Mr. Brown asked if the Board of Health would review the bids for the contract? Mr. Parrella said they would give their recommendations, and at the end of June, they would do their own internal audit of the system, find out where they are to proceed to, and get a new rate for July. They would, also, at that time look over the whole recycling situation.

Mr. Brown asked when they would appoint a sub-committee? Mr. Parrella said after July 1, and that \$6,000 had been put in the recycling budget; but they had an obligation to get the vendor to perform effectively.

Mrs. Rehl reminded everyone that they have 3 months from this date to sign the contract, and each town signs their own contract. The price as stated was good for three months. Mr. Parrella said they could get their own prices individually if need be, but they were not ready to sign a contract yet. Mr. Brown said their answers may be in the material the Recycling Study Committee is providing.

Again, Mr. Dronzek said the Recycling Study Committee has been appointed through June 30. Also, Mr. Parrella said if they have all their answers within 3 months, fine, but if they have questions, they can't sign.

One of the members of the Recycling Study Committee said that the more people on together, the better the price, than if an individual small town going on its own. Also, the longer you wait to get on the bandwagon, the harder it will be - there are other towns that want in.

-Mr. Parrella brought up two more issues for discussion. The office for the Board of Health secretary - he said he had talked to Bob Speroni, and they are sharing together one office and one desk. He said the Board of Health was requested to move the secretary to the annex, but there is no ventilation, no air conditioning, and no lock on the door. He asked if they could obtain permission to use the Sgt.'s office temporarily. He stated there were many old people that come to the Board of Health, and to be on the ground floor would be better. This would allow Mr. Speroni to have his office back.

Mr. Dronzek tried to clarify where the Board of Health files were, and how many there were? Mr. Parrella said there were some in the Selectmen's office, some in Sanford Hall, and some in the Building Inspector's office-about 5 or 6.

Mr. Dronzek suggested the secretary use the Selectmen's Meeting Room 2. He also said that the Municipal Building Utilization Committee was given the responsibility of looking throughout the building to ascertain the relocation of town hall employees and space, and until that report is received in two weeks, the Board did not want to implement the space.

Mr. Parrella asked that the Board consider their suggestion right after that meeting with the M.B.U.C.

-Mr. Parrella then gave an update of the bids for the collection of trash. He said that all bids came in lower than what is presently being paid out, and the Board of Health recommended that the bid be awarded to C. B. Trucking, 86 Holliston Street. They were the low bidder for residential and dumpsters, excluding special pickups for a total of \$561,412.08 for a 3-year contract. Mr. Johnson made a motion to award the bid of a solid waste contract for 3 years to C. B. Trucking; Mr. Brown seconded; all aye.

Joe Dziczek, who was present, asked about the cost if C. B. got the recycling contract as well as the solid waste

contract. Mr. Parrella said that still needed to be researched.

9:00

-Bob Speroni, Building Inspector, came before the Board to discuss several issues. First of all, he is in the process of updating the building booklet; and as it now states, every application requires Conservation Commission sign-off, even if only a stove is being put in - he felt this was a waste of time for everyone. Mr. Dronzek tried to clarify that if the ConCom is not involved, wasn't Mr. Speroni supposed to indicate N/A on the application? Mr. Speroni said he was asked the last time they met to come to the Board with his recommendations - Conservation sign-off was the first thing he wanted to bring up tonight. He said he went over the application, and he did not feel that ConCom needed to sign-off on applications such as for the stove.

Mr. Johnson felt if the home was 100' away from wetlands, maybe ConCom should sign-off, but if it was 300' away, it was ridiculous. Mr. Dronzek and Mr. Johnson felt the Building Inspector should be able to determine if ConCom sign-off was needed or not. Mr. Dronzek also felt if it was just a tool shed involved, that the Board could tell Mr. Speroni ConCom sign-off was not needed.

Mr. Speroni said there was a problem here in that he did not want to overstep boundaries, and if the Board gave ConCom the responsibility of signing-off on applications, that it was the Board who had to take that responsibility away. Mr. Dronzek said he did not want to see petitioners running around all over town trying to get sign-offs. Mr. Speroni said that he had spoken to the ConCom, and they were against taking them off the application process, because there may be an order of conditions on the property.

Mr. Johnson said he heard that a certificate of occupancy could not be held up because of an order of conditions. Mr. Speroni said he has been getting ConCom sign-off as the Board had requested of him. Mr. Johnson said the Building Inspector was a powerful person, and should have the authority to make some decisions. Again, Mr. Speroni said that the Board set this up, and he was required to do what the Board said. Mr. Dronzek said the Board has the prerogative for the Building Inspector to have flexibility when there are no questions, and he could indicate N/A, and ConCom would have 72 hours to question the decision of N/A; but if there was a borderline choice, ConCom should sign-off.

Mr. Speroni said he was trying to get insignificant permits out of the realm of being looked at by ConCom. Mr. Dronzek suggested the wording after pools, "or structure where foundation not involved, or any other relatively insignificant structure not requiring a foundation". Mr. Speroni said if a shed is not on a foundation, then sign-off is not required. Mr. Dronzek agreed with Mr. Speroni of trying to eliminate all unnecessary sign-offs.

Mr. Brown said Mr. Speroni has to go to ConCom, go through

their rules, and decide which pieces of property are within 100' of the wetlands. Mr. Speroni said he did not know if he was legally qualified to determine what property was within 100' of wetlands. Mr. Johnson suggested looking at overlays (topographical maps). Mr. Speroni said he would like to resolve this once and for all. Mr. Dronzek suggested a joint meeting with the ConCom, the Building Inspector and the Board. Mrs. Allen will set it up.

Mr. Speroni brought up a decision made recently involving an application he had received for a sign from Pat Currul. Under the Zoning By-laws, the denial of the sign has to go to the Board, as the ZBA stipulated "no business sign permitted" when the special permit was issued to Ms. Currul. Mr. Speroni said the group she belongs to requires a sign, so she went to the ZBA to request permission for the sign, and they said that permit has to come from the Building Inspector; however, as Zoning Enforcement Officer, he has to go along with the ZBA decision.

Mr. Dronzek said the Board of Selectmen has the right to review the Building Inspector's decision and override his decision. He clarified that the house in question is between the VFW and Medway Manor - two buildings already having signs.

Joe Dziczek, who was present and is Zoning Board chairman, said they had discovered she was operating illegally for a couple of years, and so the ZBA allowed the business but said no sign because of the neighbors around her. Mr. Dronzek could not understand the problem with allowing the sign if buildings on both sides of her already had signs. Mr. Speroni could not understand why the wording is placed in the decision if the ZBA does not have jurisdiction on signs? The second time she came before the ZBA, they could have taken the language out - now there is nothing the Building Inspector can do. Mr. Dronzek suggested putting a rider on the permit, subject to Town Counsel approval.

Mr. Dziczek clarified that the subject of a sign was not brought up by Ms. Currul until discussion during the hearing had begun. He said if a sign needs a variance, the Board of Selectmen don't get involved.

Mr. Brown said the area was not zoned for business or signs. Mr. Dronzek looked for a motion; as there was none made, the subject was a dead issue.

-Mr. Speroni went over with the Board the second batch of people in violation as the revals are being done by the Board of Assessors. Mr. Speroni asked Mr. Wilson what percentage of the town did he think would be in violation - and Mr. Wilson said 20% of the town had been done, with the violations submitted. Mr. Speroni said he is holding off sending letters of violation until the application process is worked out. He mentioned that some of the first eight letters sent out probably should not have been sent, as they were not really in violation. However, Mr. Speroni did

indicate to the Board that if indeed they asked him to pursue the violations, some might have to end up in court.

Mr. Dronzek said he did not want to see residents harassed, but certain people might have to be contacted. Mr. Speroni told the Board that they cannot tell him to overlook a violation if he has been asked to go after all violations, and the violation is in the Building Code.

Mr. Johnson suggested lowering the fees. Mr. Speroni said he did not think it was the fees that was aggravating the people; it was having to go through the whole application process.

Mr. Johnson said years ago, the Building Code allowed structures under 100 sq. ft. and under 8 ft. in height to not require permits, such as metal tool sheds. He felt if the resident ended up pulling the permit, the Town should be happy. Mr. Speroni told the Board that in conversation with John Wilson all buildings get taxed, including sheds. Mr. Dronzek asked Mr. Speroni what constituted a building; he said any structure.

Mr. Brown said that all violations would then have to be acted upon. Mr. Speroni reminded the Board that this was only a part-time position, and he did not know how long and involved this violation process would take, as well as handling the normal building applications being submitted, and trying to clean up the Building Inspector's office.

Mr. Dronzek suggested a joint meeting with the Conservation Commission to try and go over the application process, and in the meantime, to try and do some violations each week. Mrs. Allen will set up the meeting.

10:00

-Mr. Armand Janjigian and Joseph Casalinova of Claybrook Farms came before the Board to discuss a gravel/loam permit they were submitting. They indicated they had received an order of conditions from the Conservation Commission and were acting upon it, and hauling loam out of town. They did not realize a permit was needed, and had to be brought to the Board of Selectmen for approval prior to doing any hauling.

Mr. Dronzek stated to them that they were issued a cease and desist order one day by the Police Department, and continued to haul the next day. They said they were told to correct the drainage problem, and again they were just doing what the order of conditions stated. They were removing concrete pipe and getting rid of manure to put in the ponds. When asked by Mr. Dronzek how much they were hauling, they said they were getting rid of manure and rock and excavating for the three ponds--about 12,000 cu. yd. and 3,500 cu. yd of manure.

Mr. Brown inquired as to 60 days permission for the hauling. They indicated that would be fine, but they would also be hauling manure on a regular weekly basis probably thereafter--this manure is what had been accumulated. Claybrook Farms indicated that if they would haul more than what they were

stating now, they know they have to come back to the Board. Mr. Dronzek reminded him that the Selectmen's Office would probably be called again if he starting hauling.

Mr. Brown made a motion to allow them a special permit for earth product removal as stipulated above to expire on August 3rd; Mr. Johnson seconded; all aye.

10:15 -Diarmuid Higgins, Highway Supt., updated the Board on the department's activities.

On the highway garage bids, two were received: one was right on the money, but did not have a D.C.P.O. certificate; the other bid was above the budgeted amount; therefore they have to go out to rebid.

Mr. Higgins said they are cleaning up Howe Street, and the berms are all in.

He said the Highway Department went to Medfield for information on the new federal testing that is required. The men saw videos and took some general knowledge tests.

Mr. Higgins also said he will be going over the installation of sidewalks this week.

Mr. Brown questioned Mr. Sutherland's complaint about the end of his driveway. Mr. Higgins said they ran out of hardtop, but they will get to it and repair it.

Mr. Brown asked about the condition of Causeway Street from Holliston Street to Puddingstone Lane, and asked Mr. Higgins about crack sealing. Mr. Higgins said they never used it. Mr. Brown suggested they inquire as to its cost.

Mr. Brown asked Mr. Higgins about the work to be done at Village/Main/Summer Streets, and when would he be advertising? Mr. Higgins said when they receive the specs, and at this point, it looked like work would be postponed until mid September.

Mr. Brown asked about the culverts on Milford Street. Mr. Higgins said when the water is low enough, they will work on them.

Mr. Brown asked if they would start paving when they were done with the culverts? Mr. Dronzek said there was Chapter 90 money for Milford Street. Mr. Higgins said there is some money in the article for paving. Mr. Brown indicated there is around \$130,000 on the cherry sheets. Mrs. Allen indicated that the money was earmarked already, and that the water/sewer would pay \$3,000. Mr. Dronzek said previous figures submitted indicated it would cost \$100,000-\$110,000. Mr. Higgins said that possibly half of Oakland Street could be done instead. Mr. Dronzek indicated Summer to West Street needs to be done. Mr. Higgins felt it could be "bandaided" for 5-6 years. Mrs. Allen said there was \$26,000 in stone and seal account, and \$96,000 in paving.

Mr. Brown asked for the figures to be written down so they could be referred to later on. He also asked that some figures be done up for Milford Street, Causeway Street, the first sidewalks on Village Street - that should leave about \$18,000 left for sidewalks.

-Mr. Brown brought up Mrs. Rhodes' name on Mallard Drive that appeared in the secretary's log. Mr. Higgins indicated that the referral to him had been taken care of. Mr. Brown brought up another reference in the log to underground storage tanks. Mr. Higgins said it was information referring to a 10-year pay-back through a grant from the State.

Mr. Dronzek said he did not want to see such information as the logs in his packet anymore. He knew how busy the office was and did not need this information to be aware of it. Mr. Brown said he just wanted citizen complaints, not when the mail was distributed.

-Mrs. Allen gave the Board the contract for proposal of engineering for Main/Summer/Village Streets to sign. Mr. Brown made a motion to accept the contract for Commonwealth Engineers; Mr. Johnson seconded; all aye.

-Gerry Copeland, Assistant EMS Coordinator, told the Board that the EMT's would like to have a "mock accident" on June 21 on town property, not on a town road, and was asking for the Board's approval. Mr. Brown made a motion to approve this request; Mr. Johnson seconded; all aye.

-Mr. Brown brought up the subject of a special town meeting - was one needed? Mr. Verdolino said the school department had overrun the account by \$40,000 - the reserve fund has \$20,000 and if \$5,000-\$10,000 needs to be set aside for other items, there would still not be enough for the school department.

Mr. Dronzek said to ask the Town Accountant to look and see where there may be any available monies. Mr. Dronzek indicated to the Board that there may be \$15,000 leftover in one of the accounts, the Police Department, because they did not replace one of their officers. He said we needed a special town meeting anyway. Mrs. Allen asked the Board if they could open the warrant and close it on Friday.

Mr. Brown suggested Monday, June 24th, for one article for the schools to take the needed monies out of different departments. Mrs. Allen said some departments may need the money themselves. Mr. Brown said that small amounts could be taken out of the reserve fund.

Mr. Dronzek asked Mrs. Allen to write a memo to Mary Shea asking for an update of any and all sources that have excess funds in their budgets, as a special article, and to have that synopsis by June 10.

Mr. Brown made a motion to open the warrant for special town meeting to be held on June 24th, and to close the warrant as of 1:00 p.m. on Friday, June 7th, for posting on June 10th;

Mr. Johnson seconded; all aye.

-Mr. Verdolino said that he learned at a Mass. Society of CPA's about teacher pay deferral of ten months, i.e. July and August payments would go into FY'93.

-Mrs. Allen brought up the request of the EMS Department to take one of the air conditioners out of the Police Department's old station. She asked if this should be tabled until the M.B.U.C. give their report. Mr. Dronzek agreed.

-Mr. Dronzek suggested moving the Selectmen's meetings to the Fire Station II building in back of Town Hall for the summer months to allow accessibility for the handicapped. Mrs. Allen will look into it.

-Mrs. Allen submitted to the Board an emergency transfer for the Gas Inspector as he had gone over \$118, and he had \$5 in the account. The Board signed the request.

-Mrs. Allen submitted to the Board an emergency transfer for Special Counsel for \$1,164.81. The Board signed the request.

Mr. Brown made the motion that both requests be submitted to the Finance Committee for approval; Mr. Johnson seconded; all aye.

-Mrs. Allen brought up the request of the Conservation Commission for a plaque, and Town Counsel's opinion that it was OK to pay for it out of Conservation Land Acquisition money.

-Mrs. Allen brought up the solicitor's permit request that was submitted to the Board to go door-to-door selling volume library books. Mr. Johnson made the motion that Mr. Jack Murphy be allowed to go door-to-door during daylight hours only from June 4 to August 30, as long as there was counter-approval given by the Police Chief; as there was no second to the motion, the motion failed.

-Mrs. Allen brought up information received that Ed Reardon needed to be re-appointed to the Industrial Development Finance Authority as of April 1. Mr. Brown made the motion that Ed Reardon be appointed to the IDFA through April 1, 1994; Mr. Johnson seconded; all aye. The Board signed the appointment slip.

-Mrs. Allen acknowledged the resignation of Nicholas Vouriotis from the Finance Committee.

-Mr. Brown made the suggestion that the Selectmen have a special meeting on Thursday, June 6th, just to go over appointments. The meeting was set up for 8:00 at the Fire Station II building behind Town Hall. The Board asked Mrs. Allen to ask Town Accountant, Mary Shea, to come to that meeting.

- Mrs. Allen gave the Board Chapter 81 appropriations to sign for \$612,841.25 that needed to be signed. The Board signed the document.
- Mrs. Allen gave the Board the Memo of Agreement of Chapter 15 2nd apportionment in the amount of \$68,475.00 to sign. The Board signed the document.
- Mrs. Allen went over the Selectmen liaisons, and Mr. Brown agreed to take the Permanent School Building & Site Selection Committee, the Personnel By-law Committee, and the Job Classification Review Board.
- The Board acknowledged receipt of the memos from Town Accountant, Mary Shea.

11:20 -The meeting was adjourned.

Respectfully submitted,



Mary Jean Fredette, Secretary

Attachments



Fuel Bids

Holliston Oil Service, Inc.

#2 heating fuel	\$.6185/gallon
Diesel Fuel	\$.6285/gallon

Norwood Energy

#2 heating fuel	\$.6425/gallon
Diesel Fuel	\$.6525/gallon
Gasoline 90 Octane	\$.8405/gallon

R & D Fuel Oil Co.

#2 heating fuel	
Library	\$.139 above P.O. P.L.P. price published on date of delivery.
Heavy Garage	\$.059 "
Firestation (Main St)	\$.139 "

**COMMONWEALTH OF MASSACHUSETTS
DEPARTMENT OF PUBLIC WORKS**

MATERIAL TO BE USED FOR

ALUMINUM PIPE

[illegible]

SUMMARY OF BIDS

**COMMONWEALTH OF MASSACHUSETTS
DEPARTMENT OF PUBLIC WORKS**

MATERIAL TO BE USED FOR

Bank Gravel

[illegible]

MATERIAL TO BE USED FOR:

Perm Mix

DATE _____

Measures

June 4, 1991

[illegible]

SUMMARY OF BIDS

MATERIAL TO BE USED FOR

TO BE USED FOR
Bituminous Concrete

TOWN OF

DATE

OF
Midway
June 4, 1991

[illegible]

SUMMARY OF BIDS

MATERIAL TO BE USED FOR

DEPARTMENT OF PUBLIC WORKS

TOWN OF

DATE _____

CO BE USED FOR
Costed x David Lipis

[illegible]

SUMMARY OF BIDS

MATERIAL TO BE USED FOR

Cold Patch

TOWN OF

DATE _____

OF
Medway
June 4, 1941

[illegible]

SUMMARY OF BIDS

TOWN OF

DATE _____

MATERIAL TO BE USED FOR

DEPARTMENT OF PUBLIC WORKS

Concrete Pipes

[illegible]

**COMMONWEALTH OF MASSACHUSETTS
DEPARTMENT OF PUBLIC WORKS**

MATERIAL TO BE USED FOR

Crack-lead.

DATE _____

Medicus

June 4, 1991

[illegible]

SUMMARY OF BIDS

COMMONWEALTH OF MASSACHUSETTS
DEPARTMENT OF PUBLIC WORKS

MATERIAL TO BE USED FOR

Dense Graded Base Gravel

TOWN OF

DATE _____

[illegible]

SUMMARY OF BIDS

MATERIAL TO BE USED FOR

Guard Rail

TOWN OF

DATE _____

OF
Midway
June 4, 1991

[illegible]

COMMONWEALTH OF MASSACHUSETTS
DEPARTMENT OF PUBLIC WORKS

MATERIAL TO BE USED FOR

DEPARTMENT OF PUBLIC WORKS

DATE June 4, 1991

[illegible]

SUMMARY OF BIDS

TOWN OF

DATE _____

OF
Midway
June 4, 1891

MATERIAL TO BE USED FOR

Sand Seal / Stone Seal

[illegible]

MATERIAL TO BE USED FOR

Park Trail

TOWN OF

DATE June 4, 1991

[illegible]

SUMMARY OF BIDS

MATERIAL TO BE USED FOR

Washed Sand

TOWN OF

DATE _____

OF
Midway
June 4, 1991

[illegible]

SUMMARY OF BIDS

MATERIAL TO BE USED FOR

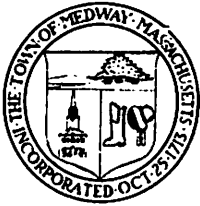
3/4" Washed Stone

TOWN OF

DATE _____

OF Medway June 4, 1991

[illegible]



BOARD OF SELECTMEN

155 VILLAGE STREET
MEDWAY, MASSACHUSETTS 02053

AGENDA

MAY 20, 1991

7:00 p.m.	Open meeting, approve minutes of May 6th and May 13th meetings, sign warrants.
7:05	Open bids for Highway Garage addition.
7:20	Public hearings - N. E. Telephone: Stub pole - Holliston Street; Service cabinet and pad - Lovers Lane/Holliston Street.
7:30	Steve Reding - Building Code Board Of Appeals.
7:45	David Di Giammerino, MAPC Representative - Re: SWAP
----	Old business.
----	New business.

Present: John Dronzek, Walter Johnson, Richard Brown and
Administrative Assistant Ruth Allen.

6:55 p.m.-Prior to the start of the meeting, Allan Osborne asked the Board: 1) why the Town Hall was not draped for former School Committee member, Terrence Kelley? Mr. Dronzek said it was an oversight on the Board's part. 2) who was marching in the Memorial Day Parade and saying a few remarks? Mr. Dronzek said he was. 3) Mr. Osborne mentioned an officer from Fort Devens would be coming to the dedication ceremonies on Memorial Day.

7:00 -Mr. Dronzek called the meeting to order in the Selectmen's Meeting Room 2 of the Town Hall. Mr. Johnson made a motion to accept the minutes of 5-6-91 and 5-13-91; Mr. Brown seconded; all aye. The warrants were signed.

7:01 -As there was some time before the bid openings for the highway garage, Mr. Brown passed around to the Board some documentation he had put together resulting from Town Meeting action.

Mr. Brown distributed to the Board salary and stipend information for their review, and asked that copies of same be given to the Treasurer/Collector and the Town Accountant. He said that in the FY92 columns were indicated the changes according to what was voted at Town Meeting.

He also brought up the quarterly tax billing procedure that needs to be discussed for implementation for FY'92, to be followed up with a meeting between the Treasurer/Collector and the Board of Assessors. David Verdolino and John Williams, representing the FinCom, were present and they said they would attend also. Mr. Dronzek suggesting a meeting date of June 3.

The purchase of the new police vehicle needs to be coordinated. Mr. Dronzek said Mr. Higgins should check and see which vehicle is causing the most problems. The idea of trade-in or auction was brought up.

On the Millis sewer easement, Conservation Commission needs to get involved. Mr. Dronzek asked Mrs. Allen to check with the Town Clerk to get the exact wording of how the motion was accepted.

With reference to the special act, Mr. Brown said this needed to be coordinated with the Government Study Committee, and the legislature. Mr. Dronzek said the Town Clerk should pass this on to the legislature, but asked Mrs. Allen to check with the Town Clerk. Mr. Brown said the Government Study Committee should meet with the Selectmen. Mrs. Allen said the committee was probably discontinued after they handed in their report, and they were also appointed by the Town Moderator. Mr. Dronzek said possibly the committee would like to continue on, and to have Mrs. Allen asked Mr. Maciolek if this would be possible.

7:08

-As it was time for the opening of the bids for the highway garage addition, Mr. Johnson read the ad that appeared in local newspapers. Bids were submitted as follows:

Priggens Steel, Wrentham - \$57,450 - plus 4 alternates - bid bond submitted.

Smith-Grove Construction, Waltham - \$64,500 - plus 4 alternates - bid bond submitted.

Mr. Brown made the motion that the bids be taken under advisement; Mr. Johnson seconded; all aye. Mr. Dronzek asked that Mr. Higgins, Highway Supt., look over the bids.

7:15

-Mr. Brown continued on with his report, going over the funds approved for departments at Town Meeting, and the difference.

He then went over some information that he wanted from the Town Accountant as a FinCom member for a long time, and certainly wanted now as a Selectmen. Mr. Dronzek stated this was a substantial list, and some of the items have already been requested, but the list could be submitted again.

Mr. Brown then wanted a list of all real estate and buildings owned by the town, and their current use, including conservation. Mr. Dronzek felt the Board of Assessors should be able to provide this information.

Mr. Brown's report was interrupted for the public hearings.

7:20

-Mr. Johnson read the ad that appeared in the Milford Daily News for the first of two public hearings. The first ad pertained to conduit being placed on Holliston Street and Lovers Lane.

Representing NET were Joe Bausk and Pat Levitt. He explained this was being done to improve service, and to place a service terminal and pad in that area. As there were no questions from the Board or residents, Mr. Johnson made a motion to grant approval of NET's petition; Mr. Brown seconded; all aye.

Mr. Johnson read the second ad that appeared in the Milford Daily News. This ad was for placing of a stub pole on Holliston Street. Mr. Levitt indicated that this was a supporting pole, as the present pole in that location is listing. As the Board had no further questions, Mr. Dronzek asked residents if they had any questions.

Mrs. Hoban of 91 Holliston Street, an abutter, questioned the exact location of the pole, making sure it was not in front of her driveway area. Mr. Bausk stated that Mr. Hoban had already given them permission to place the anchor on their property 3-4 months ago, and that the pole is being placed on public way. Mrs. Hoban then indicated there was no problem. As there were no further resident questions, Mr. Johnson made the motion to grant approval of NET's petition; Mr. Brown seconded; all aye.

7:30

-Steve Reding, Bob Tucker, and Mike Blanchette, representing the Building Code Board of Appeals, came before the Board to clarify their responsibilities. Mr. Reding said they are tentatively planning to meet on the first Thursday of each month, and see what happens after that. Mr. Dronzek suggested to this board that they meet with the Building Inspector. Mr. Reding said they have plans to do that.

Mr. Dronzek asked how their board wanted to be notified if someone wants to appeal. Mr. Reding said they are working on a complaint form. Mr. Tucker said they are trying to write down who and what they are so they can explain to residents what the proper procedure is to follow. They are working on a specified number of days to file for a hearing, etc. Mr. Dronzek said, at this point, they can be flexible with their schedule until complaints are filed. Mr. Reding indicated that the appeal has to be posted.

Mr. Johnson hoped that their board does not become a "rebelrousing group", and that the complaints are justified. Mr. Dronzek said that the Board of Selectmen would not allow that to happen. He stated that their board was organized, and everyone is not just going to file in and complain, but need to file a written complaint. Mr. Reding indicated a form can be given out by the Building Inspector if they want to pursue an issue. He said basically they are waiting for someone to come to them first; they are not out looking for problems.

Mr. Dronzek said if a request comes to the Selectmen's Office, then we will know that there is an appeal to be filed; however, he requested that their board let the Board of Selectmen and the Building Inspector know of the decision.

Mr. Reding was wondering what fee should be established? He said they do have to advertise in the newspaper, and they would like at least those costs covered by the applicant. He said their decision has to also be sent to the State Board and anyone named on the application (complaint form), as well as any other administrative costs.

Mrs. Allen suggested having the petitioner billed for the ad, as the Selectmen's Office does with liquor licenses. Mr. Reding asked about the processing fee. Mr. Brown suggested doing it through the Board of Selectmen's or Building Inspector's budget. Mrs. Allen said a one-time ad could run around \$25-\$35.

Mr. Osborne said if it's a public hearing, then a secretary is needed to take notes of the meeting, so that there is also a salary to be concerned about. Mr. Reding said it could be done through the clerk of their board.

Mr. Brown made the motion that a \$35 filing fee for the Building Code Board of Appeals be approved; Mr. Johnson seconded; all aye.

7:55

-David Di Giammerino, MAFC rep, came before the Board. First of all, he thanked the Board for the appointment. Secondly,

he stated that he found out Medway was not a member of SWAP. Mr. Di Giammerino felt SWAP was a vehicle for getting comments on regional programs. Mr. Johnson asked if there was a fee to join. He indicated no, and almost all area towns are members.

Mr. Dronzek said Mr. Borek had very strong objections to belonging to SWAP because of some of the towns in it, such as Dover and Sherborn. Mrs. Allen confirmed that there was no fee because SWAP is a sub-committee of MAPC.

Mr. Di Giammerino said he has not gone to a SWAP meeting as Medway was not a member, but he is attending the next MAPC meeting on May 23. He also stated that John Noorjarian could come before the Board some time, and the Board at that time could ask questions of him. He would like to pursue why Medway does not join SWAP.

Mr. Dronzek said it is worth further discussion, and passed on the dates of June 17, July 15 and 29 to ask Mr. Noorjarian when he would like to see the Board.

8:10

-Mr. Verdolino asked for a joint meeting with the Recycling Study Committee, the Board of Health, the Board of Selectmen, and the FinCom. He stated that a representative of the Recycling Committee had requested he ask for the meeting. He also stated their next meeting was June 12.

Mrs. Allen mentioned Mrs. Rehl of the Recycling Committee was coming in on June 3. Mr. Dronzek then suggested using her appointed time at 7:45 for the joint meeting.

-Mr. Dronzek mentioned he had received a phone call from Douglas Priest, selectman of Millis and member of the Millis Consortium. Mr. Priest said he had clear indications that Station W.G.B.H., Channel 2, wanted to do a show on the Millis Consortium. He said it would be professionally done, and would cost sponsors about \$85,000. Mr. Priest said all the towns that participate will receive a video of the program that could be shown on their local cable channels.

-Mr. Brown continued on with his report. He said he wanted a description of the insurance coverage the town had because EMT's and firemen want to know what is on it. He wanted to know what the limits were and a description of the coverage.

In reference to town vehicles, Mr. Brown said he had talked to someone from Wellsley College who handled the vehicles, and they have a stipulation that only certain trucks are driven during certain hours, so they don't need 24-hour coverage on their insurance policy.

Mr. Brown brought up some items for the Selectmen's Office that he said may or may not apply as they may already be done. He said he wanted all calls, letters and visits logged in and that the Selectmen can review them each week.

Mr. Johnson said if a resident does not give their name for

a complaint, it cannot be followed up on.

Mr. Dronzek said the Selectmen get copies of all letters already.

Mr. Brown said the Town Hall should have an answering machine. Mr. Dronzek said it takes time during the day to listen to any recorded messages, and did not want the office tied up with that. He stated that the office would call the Board if they were needed for any discussion.

Mr. Brown could not see where the answering machine would be any problem. Mr. Dronzek said people don't have a problem getting complaints to the office. If residents can't call the office, they can always write a letter.

Mr. Brown said he plans on getting to Selectmen's meetings at least a half hour earlier than the scheduled meeting so he can meet residents informally before the meeting. He said it's hard for people to sometimes get to see one of the Selectmen.

Mr. Dronzek said, if the office was open, and if someone like Mr. Brown could be there, fine. He just could not guarantee his presence at the earlier time. Mr. Johnson said he is also available during the day for any complaints from residents, since he was retired.

Mr. Brown brought up the warrants. He felt that the Town Accountant or the Treasurer/Collector, whoever did payroll, should let the Board of Selectmen know when new people were hired, their step and grade, and their salary, except for the school.

Mr. Dronzek said the Town Accountant has the responsibility of making sure the warrants have been reviewed, and is the proper budget line item. Mr. Brown said he realized checking every item may be inappropriate, but some issues should be checked ahead since there were over 600 people on the payroll. Also, the Town Accountant should let the Board of Selectmen know of any unusual or large expenditures. Mr. Dronzek thought the summary sheet on new employees on the payroll and any unusual large or capital expenditures was fine.

Mr. Brown said he would like to see regular meetings with all departments. Mr. Dronzek said there were the all-boards meetings. Mr. Brown said he did not mean that - he would like to see more meetings with individual departments and boards. Mr. Johnson asked if he meant to have regular dates put on the agenda for these meetings. Mr. Brown said volunteer groups such as the Boosters and the Lions are not invited to the all-boards meetings, and as such, don't have the opportunity to meet with the Selectmen.

Mr. Dronzek said - if there was a way of doing this and saying it carefully - if it could be done in a reasonable time frame, such as 20 minutes, because the agenda keeps

getting longer. It could be a report to the town, not just to the Board of Selectmen, and if their report would take longer than 15 minutes, then to make it a written report and leave it with the Selectmen; otherwise the report could get too long and the people could get carried away.

Mr. Brown said the Selectmen could give the departments an outline of what they should cover. Mr. Dronzek did not want to be dictatorial, and tell them when to come to a meeting. Mr. Brown said it could be an invitation. Mr. Dronzek then said if they don't respond - fine; they don't have to come to give a report.

Mr. Dronzek tried to clarify if these individual meetings would be in lieu of the all-board meetings? Mr. Brown said they should still have the all-boards meetings, as they are more or less financial meetings. Mr. Dronzek said these individual meetings could also be a recap of where these departments and boards are at since the last all-boards meeting.

-Mr. Brown brought up the mail coming in to the office again. Mr. Dronzek said the Selectmen get copies of the letters in their packets. Mr. Brown asked if they were followed up? Mr. Dronzek said either the Selectmen follow up on them, or the office does.

As to the log of calls and visits, Mr. Dronzek said the office could record the date, the person who called, the reason for the call, and any disposition if any.

Insofar as the answering machine is concerned, Mr. Dronzek said he did not feel the Town Hall needed one; Mr. Johnson agreed. However, Mr. Dronzek felt if the need ever arose for one, he would go along with getting it. He felt the office was open enough hours to handle the concerns of the town.

Mr. Brown said he was away from Medway during the day, and he might possibly think of something on his way home from work, and could not call the office - he could then use the answering machine. Again, Mr. Dronzek said if the need warrants it, we would get one; however, he asked Mr. Brown if he wanted to make it a motion. Mr. Brown said he would wait.

-Mr. Brown asked Mr. Higgins if he had completed the DPS questions on the form he had given him? Mr. Higgins said he did not have the form with him, but he could go over the questions at this time. Mr. Brown said he would like the answers to the questions written.

Mr. Higgins told the Board that all but one of his men can run the equipment; they were all licensed; but there is now some federal testing that is coming up, and he feels it is terrible. If one of his men fails the test, which is 1-1/2 hours long, he would have to retake the test at about a cost of \$50. Mr. Higgins said he is taking his whole crew to Medfield for a briefing on how the test runs, and what it was

all about.

Mr. Brown asked Mr. Higgins about the street sweeper. Mr. Higgins said it is shared with Millis, and that about 75-80% of the town was done. He said they have had the sweeper for 3-4 weeks so far; and that their working relationship with Millis was excellent for the past 6-7 years that they have shared the sweeper.

Mr. Higgins said the sweeper is run every day except when there is heavy rain, for an 8-hour day. They split the cost of any repairs or parts needed, and clean it for the next day's use. Mr. Brown asked if it was run on two shifts. Mr. Higgins said there is usually one shift, with 7-hour operation, and 1-hour maintenance.

Mr. Brown asked about summer help; that there is \$3,000 in the budget. Mr. Higgins said they would use the help for roadside cleaning, brush cutting, and helping the park and water departments out.

Mr. Brown asked about their work schedules, and for a weekly schedule of their activities so he could answer questions for the public. Mr. Higgins said they were painting crosswalks at this time, finishing off Howe Street, and patching potholes.

Mr. Brown asked about Mr. Sutherland's driveway, as reported in a complaint letter from him. Mr. Higgins said the corner of his driveway is eroded from his turning into the driveway; as well as the Post Office being the worst offender by riding along the edge of the road near there. If there is a problem on town property, they will fix it. When they do the new sidewalks there, they will take care of it.

Mr. Johnson voiced some concern over the condition of patching that is done when local contractors do the work; they should be made responsible for the way it is left.

Mr. Higgins indicated that the sidewalks will be started within the next two weeks. Mr. Brown asked about the cost. Mr. Higgins said the town is doing it. Mr. Brown clarified that the cost was \$7500 for 5' wide sidewalks, and that other projects were going out to bid? Mr. Higgins agreed.

Mr. Brown asked about specs. Mr. Higgins said they are working on them. He said that the schools were pretty much taken care of since they are not concrete, but bituminous.

Mr. Brown inquired about road repair on Causeway and Fisher Streets. Mr. Higgins said they are both scenic roads, and they would have to excavate to go in to dig. He said Fisher Street was 6,366 feet long, and that the cost was over \$100,000 for repair, and catch basins, etc. He said there were drainage problems on Causeway Street, and there is no tree-cutting allowed to widen the road without a public hearing. They would have to blast on Fisher Street - and it could, altogether, go to \$500,000.

Mr. Dronzek said that Milford Street has to be done. Mr. Brown asked what was the minimum and maximum cost - maybe they could get the money, or have the FinCom release some of their monies.

Mr. Brown asked about the 126/Village/Main Street intersection. Mr. Higgins said they are waiting to hear from the State. Mr. Dronzek confirmed that they wanted to start construction, if possible, mid-July.

Mr. Brown asked about Howe Street. Mr. Higgins said they should finish it up this week; that it was about 80% done, and that they are doing the berm and shoulders.

Mr. Brown said the Highway is doing an excellent job - he had heard good comments on the crosswalk markings.

Mr. Brown asked about fog lines. Mr. Higgins said it depends on how much money they have to work with. He said we were one of the few towns that the highway department takes over a variety of miscellaneous jobs. The Police Department may have more money in their budget to do that.

Mr. Brown asked about the Milford Street culverts. Mr. Higgins said the pipe has been ordered; they are waiting for low water. Mr. Brown asked if it was all being coordinated. Mr. Dronzek said Mark Flaherty was coordinating it for late June.

-Mr. Dronzek brought up the EMS bill for the defribulator. He said he wanted to get it paid, and to make sure that one of the Selectmen stays on top of it. Competitive prices had to be solicited. Mr. Brown said someone should call Officer Grimes. Also, the Town Accountant should be called, and if she hears nothing from Officer Grimes within a reasonable amount of time, to contact Officer Grimes and ask him to get the information to the office.

Mrs. Allen told the Board that Officer Grimes was told months ago what to do, and that a letter was needed from him. Mr. Brown said Mrs. Shea said she would accept a letter from him to get the bill paid, and if he gives her that letter, everything would be fine. Mr. Dronzek said if someone drops the ball, to tell Mrs. Shea to let the Board of Selectmen know.

Mr. Johnson asked if the Board received something in writing from Mrs. Shea on guidelines for donations? Mr. Dronzek said the Board asked her to do that, and if someone is not following the rules, to let the Board know.

-Mrs. Allen said that Chief Lambirth had been in touch with her and said Sgt. Paulette was trying to get a \$75,000 grant (mutual aid pact) signed by the Selectmen for one year, which could be reapplied for after the year was up. The amount is for all the towns. Mrs. Allen asked if the Selectmen would like her to make copies of the contract for their review, since it had just been brought up during the Selectmen's

meeting? Mr. Brown said the contract looked alright. Mr. Dronzek said they could read the contract, and take a tentative vote.

Mrs. Allen said she needed a motion to enter into the mutual aid agreement, and for the contract to be signed. Mr. Brown made a motion to enter into the agreement; Mr. Johnson seconded; all aye. The Board signed the document.

-Mrs. Allen brought up the Norfolk County Advisory meeting to be held on Wednesday; as well as a proposed retirement statute to be discussed for adoption at that meeting. Mr. Dronzek said there was a conflict since there was a school committee meeting that night that the Selectmen were supposed to attend; however, Mr. Johnson can be the only voting member for Norfolk County Advisory Meetings. Mr. Johnson said he would probably go to that meeting, and Mr. Dronzek and Mr. Brown could go to the school committee meeting.

-Mrs. Allen acknowledged with the Board the letter from the Board of Assessors indicating lower revenue in excise tax receipts this year.

-Mrs. Allen went over the two letters received from Cablevision with regard to customer satisfaction and senior citizen discounts.

-Mrs. Allen went over a letter received on bonding, which was directed to the Treasurer/Collector.

-Mrs. Allen went over the letter received from the Mass. DPW on the Milford Street culverts indicating the bidding statutes. Mr. Dronzek asked Mrs. Allen to contact Mike Delaney on this matter.

-Mrs. Allen said that the Building Inspector will be working during the day shortly; however, the Board of Health is occupying the office. Would the Municipal Building Utilization Committee be giving their recommendations to the Board soon?

Mr. Brown said to move the Building Inspector someplace else, instead of moving the Board of Health secretary. Mrs. Allen said that the Board had asked the Board of Health to occupy the Sanford Hall Annex, but they said it was too hot in there for their secretary.

When Mr. Brown was informed that the Building Inspector has his files in the office, he suggested he move the files. He was informed that there are no files in the office that belong to the Board of Health - that they are just utilizing the contents of the Building Inspector's office for their use, such as his files and his desk. Mrs. Allen said the Building Inspector wants the office back that belongs to him. He cannot work in the office when the secretary is there. Maybe he should just be asked to come and talk to the Board. Mr. Dronzek said the Building Inspector should be able to

do his work in his office at his convenience.

Mr. Brown said everyone should work together. Mr. Dronzek suggested letting the Board of Health secretary use the Selectmen's Meeting Room, and if that was not acceptable, to then come and talk to the Board.

Mr. Brown then brought up the space vacated by the Police Department. He said for no additional expense, the door could be opened between the Town Accountant's office and the old police station for her use. This prompted a question to David Verdolino, a member of the Municipal Building Utilization Committee, as to where their committee stood at this point. He said he was aware of a draft report being prepared which was to be circulated to members of the committee. Mr. Dronzek said it was time to request that report from that committee.

Mr. Brown said the office next to the Town Accountant should be given to her. He had spoken to both the Town Accountant and the Treasurer/Collector about this. Mr. Dronzek said the MBUC was appointed by the Board of Selectmen and requested to research the whole town hall situation, and we should allow them to give us their report as they said they would do after town meeting. Mr. Brown said then to request that the MBUC give the Board a report immediately or dismiss the committee.

-Mrs. Allen brought up the letter received from the Division of Local Services on the first and second apportionments relative to Chapter 15, Acts of 1988, and that our portion was \$68,475.

-Mrs. Allen went over the letter received from Dee Moschos with regard to health re-enrollment for reservists.

-The list of candidates to fill the school committee vacancy was brought up.

-Mrs. Allen went over the letter received from Chuck Gallo of the School Department asking for the Highway Department's help in moving the contents of the fifth grade classrooms to the middle school. She said it would take several hours of their time, and they would not be doing any actual moving around of equipment, just driving the trucks. Mr. Dronzek asked for Mr. Higgins to coordinate the move with Mr. Gallo.

-Mrs. Allen wanted to go over with the Board the summer hour schedule. She suggested starting every other week on June 3. Also, the Treasurer/Collector wanted to know if the Board was closing their office at 1 p.m. on Fridays. Mrs. Allen said the office is open from 8:30-4:30, but there is usually someone here from 8 a.m. on.

Mr. Dronzek said he would prefer to keep the hours as is when cutting back to 35 hours, and possibly have one person on from 8:30-3:30, and the other from 9:30-4:30. He asked that this be confirmed by the June 3rd meeting.

He also informed the Board that the Secretary and the Administrative Assistant don't get paid for night meetings. Mr. Brown questioned that saying board secretary hours include night meetings, such as the Board of Assessors. Mrs. Allen said he could ask that Board for a record of time, but extra hours usually go under comp time.

Mr. Dronzek said he would like to see the office closed on Fridays at 1 p.m., as has been the custom for many years, during the months of June, July and August. Also, it has been the custom that the Selectmen's Office decides what hours they will go by, and others in Town Hall usually follow suit. Mr. Brown asked why certain hours can't be the rule for all of Town Hall. Mr. Dronzek said the Board of Selectmen do not dictate to other elected officials' departments. However, Mr. Brown said the Board of Selectmen has jurisdiction over the employees of the elected officials. Mr. Dronzek said that was not so. Mr. Brown said it was in the general laws.

Mr. Brown made a motion that the Board of Selectmen's office would be open during the hours of 8:30 and 4:30 p.m. and close at 1 p.m. on Fridays during the months of June, July and August; Mr. Johnson seconded; all aye.

-Mrs. Allen brought up an application from a D. R. Betts for permission to move a house from Franklin to Millis over Medway streets. Mr. Dronzek noted the travel area would be mostly over Village Street, and expressed some concern for the width of the road and the width and height of the house. Mrs. Allen said Mr. Betts had indicated he would pass this same information on to the Police Chief. Mr. Johnson made a motion to allow Mr. Betts to move his house over Medway streets, as long as counter-approval has been received from the Police Chief; Mr. Brown seconded; all aye.

-Mrs. Allen brought up an incident where someone fell and got hurt at a Boosters bingo in the high school cafeteria. All bills were sent to Chuck Gallo, Business Manager of the school, and Mr. Gallo in turn, wrote to the injured party telling her that they were not responsible. Mr. Gallo then was visited by a relative of the injured party who stated that if the bills were not paid by the School Department, that they would sue. Mr. Gallo said a claim has been submitted to the Town's insurance carrier, and the injured party will have to prove fault for anything over \$5,000.00.

Mr. Brown questioned the boosters being covered by the school/town. Mrs. Allen informed him that all volunteers and organizations of the school were under blanket coverage.

-Mrs. Allen stated that the library director was wondering if the library could have an additional hour of the custodian's time. She stated that the custodian usually works 10 hours for the library, and 30 hours for the town hall per week, and that 2 of those hours per day were spent at the police station.

Mr. Dronzek asked that the custodian first take care of the extra cleaning that needs to be done at the town hall with the extra 2 hours he now has, and then let him work 1 of those extra 2 hours at the library when he was done.

-Mrs. Allen said the Board was in receipt of a letter from the State Dept. of Public Works, Michael Swanson, who was requesting permission from the Town to drill boreholes in the granite blocks at Cottage/Village Streets abutment. Mr. Dronzek asked Mrs. Allen to let Mr. Higgins and Mr. Sibley be aware of this.

-The Board was in receipt of a letter from the MMA for the annual dues.

-Mrs. Allen brought up the subject of a special town meeting for the end of June. It was the consensus of the Board to wait until the June 3rd meeting to decide if one was needed, and if there was a special, it would be strictly for year-end transfers.

-Mr. Brown mentioned receiving an invitation to the D.A.R.E. graduation, but could not attend. Mr. Johnson said he would probably be going.

-Mrs. Allen mentioned the Board receiving a letter from Jim Gallagher asking that he not be reappointed to the Zoning Board of Appeals. Mr. Dronzek said that the vacancy should be advertised.

-Mr. Brown brought up the memo on Anita Gallagher's phone call to Paul Yorkis. Mr. Brown stated he had been called by Mrs. Gallagher also, who asked him to come out and check the property because all she wanted to do was fix the property up. Mr. Brown said he looked at the back yard, and confirmed that there was a lot of rough ground area there. Mrs. Gallagher told him she can't get an answer from the Conservation Commission on what she can do, but can get told what not to do.

Mr. Brown said Mr. Yorkis has told Mrs. Gallagher that if she wanted to do anything to her property, to call him. She said she called him, and he just stated you can't do that.

Mr. Dronzek could not understand why the Gallaghers would want to fix up the area when the situation of the Cottage Street flooding has not been resolved. Also, no one that the Board of Selectmen appoints should have to take verbal abuse from anyone. He said it was unfortunate that this was a long-standing feud between them, and has been a bone of contention for a long time.

Mr. Brown said she just wanted to smooth out the area next to the house. Mr. Dronzek said there are certain orders of condition for the property. Mr. Brown said she should be able to landscape around the foundation. Mr. Dronzek stated that until the whole drainage problem is taken care of, it won't last, and why bother? Mr. Brown brought up the two

dirt piles she had placed on her property to use for the rough area. Mr. Yorkis had told her to remove those dirt piles or she would be fined. Again, Mr. Dronzek said there are many ramifications to the whole situation that Mr. Brown was not aware of.

-Mrs. Allen mentioned that there are apparently two vacancies on the FinCom - one being for Mr. Brown, and the other for Mr. Vouriotis, who does not seem to come to any meetings. Mr. Verdolino confirmed this. Mrs. Allen said she needed a letter of resignation from Mr. Vouriotis, and that she would call him on this matter.

-Mrs. Allen mentioned an invitation for the Selectmen for a reception for Arthur Wilcox of the OddFellows on June 29 at the VFW.

-Mrs. Allen brought up the decision by the ABCC for the suspension of the liquor license for 10 days for the Golden Jade Restaurant. Mr. Dronzek said that the restaurant can still serve food. He suggested the 10 day suspension starting with May 28 through and including June 6. This was made a motion by Mr. Brown; seconded by Mr. Johnson, all aye. Mrs. Allen will send a certified letter to Mr. Ngo informing him of this, with a copy to the Police Chief and Linda Green of the ABCC.

-Mrs. Allen brought up a street light pole at the Summer/126/ Main Street intersection, where pole 20/5X would be eliminated, and a new 20/5X would be placed.

-Mr. Osborne brought up the fact that the Town owns 50 pauper gravelots in Evergreen Cemetery that no one has been buried in the last 15 years. He mentioned that the last paupers were buried in Oakland Cemetery anyway. He said there was a potential savings here of approximately \$325 per grave, or around \$24,000-25,000.

-Mr. Dronzek asked Mrs. Allen to send a letter to the trustees of Evergreen Cemetery, c/o George Lee, trustee, asking if there is any interest of the cemetery corporation on this matter. If so, then they should contact Mr. Maciolek.

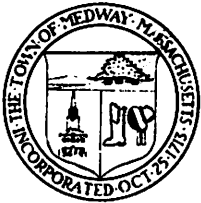
10:35 -The meeting was adjourned.

Respectfully submitted,



Mary Jean Fredette, Secretary

mj



BOARD OF SELECTMEN

155 VILLAGE STREET
MEDWAY, MASSACHUSETTS 02053

AGENDA

MAY 13, 1991

MEETING IN ROOM 111 - MEDWAY HIGH SCHOOL

6:30 p. m.

Meet to reorganize.

7:00

Adjourn to special town meeting.

7:30

Adjourn to annual town meeting.

Present: John Dronzek, Walter Johnson, Richard Brown and
Administrative Assistant Ruth Allen.

6:35 p.m.—Mr. Dronzek called the meeting to order in Room 111 of the High School.

—The Board was open for nominations to reorganize. Mr. Brown made the motion to nominate Mr. Dronzek for chairman; Mr. Johnson seconded; all aye. Mr. Brown made the motion to nominate Mr. Johnson for clerk; Mr. Dronzek seconded; all aye. As there were no other nominations, the motions were accepted.

—Mr. Brown noted some concern for two weeks vacation for the former Town Clerk. Mr. Dronzek stated the matter was with Town Counsel for his opinion.

—A discussion on summer hours was postponed to the next meeting.

—Mrs. Shea, Town Accountant, brought the warrants for the Board's approval. The warrants were signed.

—Mr. Brown questioned the bill for the defribulator with Mrs. Shea. Mr. Dronzek said he and Mr. Borek had been through this situation before and it had also been discussed with Town Counsel. It is still not resolved. Mr. Brown wanted to know if the Board could tell the Town Accountant to just pay it.

Mrs. Shea indicated that the first defribulator had been paid last fall; on the second one, she said that Chapter 30B mandates getting three competitive prices. Once she has that information, she can process for payment.

Mr. Dronzek said Officer Grimes was told what to do, and did it. Mr. Brown said Officer Grimes can give Mrs. Shea a note saying that they went out for competitive bids.

Mr. Dronzek suggested Mrs. Shea come up with some guidelines that are a proper and legal method of receiving donations where the Town is the buyer; then each department can be given a master sheet which covers a monetary gift. If those departments had a format on file for that specific purpose, then it would be followed.

Mrs. Shea said she could try and come up with a memo. Mr. Dronzek suggested the check be made out to the vendor. Mrs. Shea said procurements could also be made through the state bid list of vendors.

Again, Mr. Dronzek said it would be good to have in writing how to accept a gift, and what the procedure was to follow.

—Jeff Nutting stopped in and asked the Board if he should go ahead and plan a meeting with the three existing Personnel By-law committee members. The Board said he should. Mr. Nutting also expressed the desire to have a Selectman be a

member of that committee.

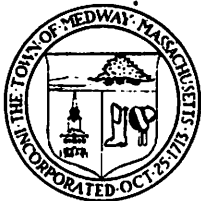
8:50 -The meeting was adjourned.

Respectfully submitted,



Mary Jean Fredette, Secretary

mj



BOARD OF SELECTMEN

155 VILLAGE STREET
MEDWAY, MASSACHUSETTS 02053

AGENDA

MAY 6, 1991

7:00 P.M.

Open meeting, sign warrants, approve minutes of 4-29-91 meeting.

7:05

Henry Wickett
re: problems at Samoset Road

Old Business

New Business

Present: John Dronzek, Walter Johnson and Administrative Assistant Ruth Allen.

7:00 p.m.-The meeting was called to order by Acting Chairman, John Dronzek in the Selectmen's Meeting Room 2 of the Town Hall. Mr. Johnson made a motion to accept the minutes of 4-29-91; Mr. Dronzek seconded; all aye. The warrants were signed.

7:01 -Henry Wickett, a developer in the area, came before the Board to discuss a problem he was having in his development off of Samoset Circle. Mr. Wickett expressed the opinion that there were problems with the Conservation Commission as there had been an on-going problem in this development for five years. He said the conditions had been revised six times, either by the Conservation Commission or the Planning Board. He stated that this was extortion. Mr. Wickett said his attorney, Joe Catoni, had spoken to Town Counsel, and were starting to build, when once again Conservation Commission intervened and they were stopped.

Mr. Dronzek stated that the Board of Selectmen had no jurisdiction over this matter. He stated he only became aware of the situation when an abutter called him and informed him of work going on at the site, and a cease and desist order was issued to Mr. Generazio since work had started prior to a building permit being issued. Mr. Dronzek said he had talked to the Conservation Commission chairman and the Local Building Inspector about the matter.

Mr. Wickett asked that Town Counsel handle the situation with his attorney. Mr. Dronzek and Mr. Johnson both said that Counsel cannot interfere with decisions that have been made by Conservation Commission and Planning Board. When asked by Mr. Dronzek if he was appearing before the Zoning Board of Appeals, Mr. Wickett said he would be on May 15.

However, Mr. Wickett again stated he had been going back and forth between the Boards 14 times, and that his Engineer had spent a great deal of time going to the various meetings.

Mr. Wickett also mentioned the amount of material that had been collecting on his property over the years, including a motor home, treehouses, and trash. Mr. Yorkis had told him that it was his responsibility to move it. Mr. Johnson told him he sympathizes with him, but the Board of Selectmen could not help him.

Mr. Dronzek said the Board of Selectmen could send a letter to the Conservation Commission and the Planning Board asking them to please expedite this matter. Again, Mr. Wickett said he would like to turn this over to Town Counsel.

Mr. Johnson said he could not understand why the situation could not be resolved in 2-3 meetings. Again, Mr. Dronzek said the Board cannot direct Town Counsel what to do, but the letter could be written requesting they expedite the matter and that a final resolution be rendered as soon as possible. Mr. Dronzek said this would then give him time to appeal, and

if you differ with their decision, then you could challenge the Conservation Commission's ruling to the E.P.A. You would have every right to do this.

Mr. Dronzek asked Mr. Wickett if he had an order of conditions. He said he did. Mr. Dronzek asked him if he had a performance bond. He said he did not. Both were part of the three conditions as set down by the Conservation Commission in their letter to him dated March 21.

Mr. Wickett went on to explain that Mr. Generazio had 4 lots and he would be putting the road in for the 4 lots. Mr. Dronzek clarified that Mr. Wickett was concerned with only lot B1. Mr. Wickett said he has to go for a variance for the driveway because part of it would be in the buffer zone.

Mr. Dronzek could not believe he was going through all this to sell one lot. Mr. Wickett again stated he had Planning Board authorization; however, the Conservation Commission was saying that if he didn't give them lot G1, then Conservation would not give Mr. Wickett authorization to build on lot B1.

Mr. Dronzek told Mr. Wickett that there were some very strong ramifications here in what was being said. Mr. Wickett again said he owns lot B1, and Mr. Generazio owns the rest; and Mr. Wickett's attorney had asked him to go to the Board of Selectmen to get some resolutions.

Again, Mr. Dronzek said that in reference to the Conservation Commission's letter of March 21, the Board could send a letter to the Commission asking them to please resolve this matter as soon as conditions two and three of the letter had been complied with by Mr. Wickett; and then asked him to send a letter to the Commission advising them to this effect.

7:30

-Mrs. Allen went over several matters with the Board.

-The contract from Millis Used Auto for the removal of glass from the Recycling Center was submitted. Mr. Dronzek expressed a sense of relief that this was being handled by someone other than volunteers because of the safety issues involved. Mrs. Allen said that the container for the glass would be coming soon. The contract runs from May 1 through July 31, 1991.

Mr. Johnson made a motion that the contract with Millis Used Auto for the removal of recyclable glass be approved; Mr. Dronzek seconded; all aye.

Diarmuid Higgins, who was present, mentioned the problems that the Highway Department incurred in the transportation of glass, and the amount of time incurred by his men trying to deliver the glass, even after having notified Foster Forbes they were coming. Being refused because of two stones in the load, they then had to go to Westboro.

Mr. Higgins also mentioned that there might be a problem with brush in the future. Mr. Johnson said that there might have

to be stickers given out someday for town residents so as to prevent out-of-towners from dumping in Medway. Mrs. Allen said this might have to be with all recycling, since it costs the Town to get rid of the newspapers.

-Mrs. Allen said she had received a phone call from a Memory Lane resident complaining about the puddles forming in front of the property due to lack of drainage in the street. It was noted that this is one of the streets appearing on the annual town warrant to be accepted, and that the Highway Department had found too many problems with the street to recommend that it be accepted.

Mr. Higgins mentioned that Commonwealth Engineers, Allan Fraser of the Planning Board, and he had gone out to look at that area the other day. The resident and her husband had both called the Town Hall the day that it rained a great deal so that people could go out and look at the amount of water present. The resident had called Mr. Rice, and he did not assume any responsibility for their problems; therefore, the resident contacted Allan Fraser and asked him to come and look at the property.

Mrs. Allen said it is not fair that the Town has to pick up the problems that the developers leave behind. Mr. Dronzek stated that the Planning Board has to correct the problems on this street, as well as the others on the warrant, before the Selectmen would approve their being accepted. She stated that the residents would not want the streets accepted if this was the condition they would be accepted in.

Mr. Dronzek asked that the Highway Department check out the streets prior to Town Meeting on the 13th so the Board of Selectmen would know if they should dismiss the article or not. He asked that Mr. Power look the streets over Monday afternoon so that last-minute work done that day would be known, and to get Mr. Power's comments in writing. Mr. Dronzek said if the streets are not up to spec, the Town does not want to accept them. He said he felt sorry for these people, but the Town is not going to inherit the builders/developers problems.

-Mrs. Allen said she sent Attorney Maciolek a proposed motion for the easement on Town property in connection with the Millis article, but Mr. Maciolek said it was no good, and that the motion tells you nothing - he said nothing could be done without a plan from Millis; there is nothing on paper of what they are doing. Mr. Dronzek also said there is a specific location needed. She had not heard anything yet from Millis. Mr. Dronzek said the article may have to be dismissed if no further information is received. Mrs. Allen also indicated that the vote on the overrides could decide the issue.

-Mrs. Allen submitted the annual letter to the auditors, Michael J. Cicoria, for Mr. Dronzek's signature.

-The Board was in receipt of a letter from Paula Roberts of

Division of Local Mandates concerning a grant to become available for the removal and replacement of underground storage tanks - the situation of the highway tanks will be checked into.

Mrs. Allen reminded the Board that this has to be done, but the Town does not have any money. Mr. Dronzek asked if this would be included in FY'93 budget; Mrs. Allen said it would.

Mr. Higgins said the State Fire Marshall is making regulation changes and tests would be done. He also stated there was a 2,000 gas tank and a 1,000 diesel tank.

Mrs. Allen confirmed that this also included school oil tanks, library, etc. Mr. Higgins said the new fire and police stations are gas; school and library are #7 fuel. He also stated that the new pumps are coming in soon. When asked about the amount of fuel used, Mr. Higgins said the mileage is always read, and the number of gallons recorded. There is a log sheet at the police station and the highway garage which is checked every Thursday and logged in. This also includes trucks and equipment too. He stated that diesel vouchers are made out on the first day of each month.

-Mrs. Allen said that a fifth person has volunteered to be on the Building Code of Appeals Board. Mr. Johnson made a motion that William C. Dickson be appointed to this Board through June 1992; Mr. Dronzek seconded; all aye.

-Mrs. Allen said that the substantial completion forms for the new Police facility needed to be signed by the Board of Selectmen as submitted by Chief Lambirth. This confirms that the Town becomes responsible for the electricity, insurance, etc. now. Prior to this, it was the contractor's responsibility.

-The Building Inspector's report for April was submitted.

-The Finance Committee's memo on reserve fund transfers was noted.

-The Board was in receipt of Dee Moschos' letter concerning the practice of fixing parking tickets for family members; a copy was sent to the Police Chief.

-The updated figures, as of April 30th, for the multi-purpose bond issue was submitted by the Town Accountant.

-Mr. Dronzek wanted to discuss with Mr. Higgins sources of funding for the repair of Milford St. (Route 109). Mrs. Allen said that only Chapter 90 money remained. However, Mr. Dronzek said there was approximately \$80,000-\$100,000 appropriated for street stone and sealing.

Mr. Dronzek mentioned the condition of West Street, and how it was repaired by the Water Department. Mr. Higgins said the job was complete, and he did not feel there was anything to be done. Mr. Dronzek had to agree with Mr. Gardner Rice

of the Water/Sewer Board who had stated at a previous Selectmen's meeting that Route 109 was the lifeline road of the Town, and should be in good condition. He felt this was a top priority, and no paving should be done anywhere in Town before Route 109 was done. Mr. Dronzek felt that since the monies were earmarked for paving, the funds were available to do Route 109 instead. Mr. Dronzek said there was \$90,677.91 in the paving account as submitted by the Town Accountant, and there were monies in the Chapter 90 account.

Mr. Johnson asked if the Water/Sewer Department could help out. Mrs. Allen mentioned that Mark Flaherty was being asked to go back to McCarthy to see what they could do.

-A reminder was given to the Board of the hearing of the Golden Jade on May 8.

-Mr. Dronzek asked about the specs for the Summer/Main/Village Street intersection. Mr. Higgins explained that after the contract is drawn up for the Engineers, then the specs are made up, and then they go out to bid. Mr. Dronzek asked, based on today, when could they open bids. Mr. Higgins felt the first part of next month. Mr. Dronzek asked if they could still stay on schedule for July, and requested some information in time for Monday night's town meeting for review. He also asked Mr. Higgins to get information from Mark on paving costs.

-Mr. Higgins told the Board that they have gone out to bid for the highway garage addition.

-Mr. Dronzek asked about the sidewalks in Town. Mrs. Allen told him that the sidewalks were voted on at town meeting, but she would get the list to him.

-Doug Downing, Chairman of the School Committee, stopped in and formally announced Carl Pride's resignation from the School Committee. He said the Committee has solicited applications from residents with the cut-off date being May 9th, and they would then share that list of applicants with the Board of Selectmen. A joint meeting was set up for May 22 with the School Committee and the Selectmen.

Mr. Dronzek went over with Mr. Downing the procedure that will be followed - basically between the eight of them, a chairman is elected, and the Board of Selectmen would be looking at the School Committee for their recommendation.

Mr. Downing said the residents in town are aware of the request for candidates, and the School Committee may meet some of the candidates and discuss and set up interviews if need be. He said they have five applications so far. He also said that it is a one-year term, until the next election.

Mr. Dronzek briefly went over with Mr. Downing the ruling set down by the School Committee that there can be no prayer at any school function - this was recommended by

School Counsel. Mr. Downing said Peter Young, a member of the School Committee, had done some research and they do

have the court documentation on the case. Mr. Dronzek was totally disgusted with the whole ruling.

8:23 -The meeting was adjourned.

Respectfully submitted,



Mary Jean Fredette, Secretary

mj

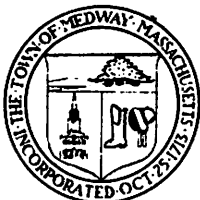
mg

Des. Option	Amount Borrowed	Expended Prior Fiscal Years	Expended FY1991 thru: 4/30/91	TOTAL Expended thru: 4/30/91	BALANCE Unexpended
A8 ATM 87: Fire Station 010-220-5038-5800-698	900,000.00	376,240.81	501,143.67	877,384.48	22,615.52
A4 ATM 90: Streets Stone/Seal 030-422-5301-5800-901	100,000.00	0.00	73,216.45	73,216.45	26,783.55
A5 ATM 90: Streets Paving 030-422-5302-5800-902	250,000.00	89,978.55	69,343.54	159,322.09	90,677.91
A6 ATM 90: Sidewalks 030-422-5002-5400-903	100,000.00	0.00	0.00	0.00	100,000.00
A7 ATM 90: Highway Dept Trucks 030-422-5304-5810-904	85,950.00	83,034.64	2,915.36	85,950.00	0.00
A11 ATM 90: Park Dept Truck 060-650-5307-5810-907	23,000.00	23,000.00	0.00	23,000.00	0.00
A12 ATM 90: Park Equipment 060-650-5308-5810-908	23,600.00	22,396.30	1,203.70	23,600.00	0.00
A13 ATM 90: Park Tractor Mount 060-650-5309-5810-909	1,800.00	1,800.00	0.00	1,800.00	0.00
A16 ATM 90: Police Architect 010-201-5312-5200-912	90,000.00	70,325.93	19,674.07	90,000.00	0.00
A17 ATM 90: Police Facility 010-201-5313-5800-913	1,500,000.00	297,239.55	1,019,660.86	1,316,900.41	183,099.59
A18 ATM 90: Fire Dept Pumper 010-220-5314-5810-914	160,000.00	157,830.00	2,170.00	160,000.00	0.00
A19 ATM 90: EMS Ambulance 010-232-5315-5810-915	35,000.00	34,844.00	156.00	35,000.00	0.00
A30 ATM 90: School Gym Floors 020-600-5322-5810-922	158,000.00	142,909.75	0.00	142,909.75	15,090.25
A33 ATM 90: School Floors 020-600-5325-5810-925	50,000.00	34,484.00	10,220.64	44,704.64	5,295.36
A3 STM 6/26/89: Water Bonds 044-450-5229-5800-829	1,100,000.00	0.00	572,710.98	572,710.98	527,289.02
A28 ATM 91: Hwy Garage Adtn 030-422-5411-5810-751	60,000.00	0.00	0.00	0.00	60,000.00
TOTALS	4,637,350.00	1,334,083.53	2,272,415.27	3,606,498.80	1,030,851.20

The unexpended balance is earning interest
for the general fund estimated receipts.

VENDOR POLICE FACILITY EXPENDITURES NUMBER A17ATM90:010-201-5313-5800-913	EXPENDED IN FY90	EXPENDED IN FY91—thru 4/30	TOTAL EXPENDED
V.0817 Sarver	6,560.00	32,800.00	39,360.00
V.0772 Castagna	289,993.00	887,698.00	1,177,691.00
V.2453 Putnam Pipe Corp	686.55		686.55
V.2077 New England Mobile Systems		16,325.32	16,325.32
V.0293 Radio Shack		7,482.59	7,482.59
V.3227 Hughes & McCarthy		17,984.93	17,984.93
V.0384 Thompson & Lichtner Co, Inc		5,690.40	5,690.40
V.0445 Dictaphone		16,806.45	16,806.45
V.2074 Rooter-Man		1,700.00	1,700.00
V.0135 Milford Daily News		208.00	208.00
V.0246 Industrial Electric&Electronic		15,890.20	15,890.20
V.1452 Concrete Systems, Inc		917.00	917.00
V.747 A T & T		4,682.60	4,682.60
V.1171 L W Bills Company		5,391.99	5,391.99
V.3111 Electro Standard Laboratory		1,416.50	1,416.50
V.3560 Office Furniture Center		4,666.88	4,666.88
	297,239.55	1,019,660.86	1,316,900.41

I.	TOTAL CASH PAYMENTS TO DATE:		1,316,900.41
II.	Contract Castagna Construction	1,190,000.00	
	Change Orders appr 4/91	33,390.00	
	Change Order 1	4,936.00	
	Change Order 2	2,760.00	
	Change Order 3	13,014.00	
	Change Order 4	6,442.00	
	Change Order 5	10,916.00	
		71,458.00	
	Change Order Deduction	3,818.00	
	Change Order Deduction	1,203.00	
	Net Change Orders	66,437.00	
	Total Contract with changes	1,256,437.00	
	Total Paid thru 4/30/91	1,177,691.00	
	4/30/91 Balance Due on Contract		78,746.00
III.	Contract Office Furniture Center	47,055.41	
	Total Paid thru 4/30/91	4,666.88	
	4/30/91 Balance Due on Contract		42,388.53
IV.	Contract Hughes & McCarthy Architect	167,375.00	
	Paid on Art 10 STM 6/27/88	60,000.00	
	Paid on Art 16 ATM 90 (Borrowed)	90,000.00	
		17,375.00	
	PLUS: ?????		
	Total of Contract with changes on Art 17		
	Total Paid thru 4/30/91	17,984.93	
	4/30/91 Balance Due on Contract		
	TOTAL PAID AND COMMITTED UNDER ART 17 ATM 90		



BOARD OF SELECTMEN

155 VILLAGE STREET
MEDWAY, MASSACHUSETTS 02053

AGENDA

April 29, 1991

7:00 p.m.	Open meeting, sign warrants, approve minutes of 4-8-91 meeting.
7:01	Discuss concerns of banner on debt exclusion on Rt. 109.
7:05	Robert Speroni - Building Inspector re: issues
7:30	Paul Rivard re: sewer easement in railroad bed.
7:45	Gardner Rice - Water/Sewer Commission re: paving of Milford Street.
8:00	Walter Swift re: loam removal permit 133 Milford Street
8:10	Chief Lambirth re: contract for cleaning services; Golden Jade/Schultz driveway
----	Old business
----	New business

Present: John Dronzek, Walter Johnson and Administrative Assistant Ruth Allen.

7:00 p.m.--The meeting was called to order by Acting Chairman John Dronzek in the Selectmen's Meeting Room 2 of the Town Hall. Mr. Johnson made a motion to accept the minutes of 4-8-91; Mr. Dronzek seconded; all aye. The warrants were signed.

7:01 -Mrs. Allen said some concerns had been raised about the "Vote Yes on debt exclusion questions 1 and 2" banner being hung over Route 109 after the Selectmen had voted the approval of the banner permit at a previous meeting.

Mr. Dronzek said the Selectmen had voted to issue the banner permit, even though he has heard comments both ways on the subject since, it has been put up. Mr. Johnson asked if it was a political sign, and if so, it was illegal. Mr. Dronzek stated the banner was over public property, attached to private property.

Mrs. Allen stated that she had contacted Town Counsel, Richard Maciolek, and he had said the banner was political. Mr. Dronzek stated that frequently town counsel is requested for his opinion, but you don't have to accept the opinion of counsel.

Peter Young, a member of the Medway Community Alliance, was present with Judy Lessard, also a member, and he stated that the permit was issued. The MCA came to the Board, and the Board knew what the banner was for; and if there was a mistake made, the MCA had still expended the money to buy it. The Board may have to live with this mistake this one time.

Mr. Johnson said he was not against the sign, and he was sure there was a mistake made, but having the banner up has created animosity, and even more if it is left up.

Mr. Young said this was a decision the MCA has to make, and they would like to leave it up as agreed. Mr. Dronzek said he is not convinced there is anything illegal about it, and the Board's original vote should stand.

Mr. Johnson made a motion that the banner should come down, and the permit revoked; Mr. Dronzek did not second the motion, because he believed the sign was proper. The motion failed.

Based on that, Mr. Dronzek told the MCA representatives that if they wanted to forego the banner being put up the rest of the time, fine; otherwise the banner permit is in effect until May 7.

Mr. Johnson stated that when signs were on display in front of the police station last fall for question #3, he had to come down to the station, and tell them to remove them. He said he felt this was similar, and Town Counsel had ruled on the subject, but he would go along with the vote as taken.

7:10

-Dick Brown and David Verdolino of the Finance Committee stopped in and told the Board that the Student Government Interns were having a televised forum on the debt exclusion questions on Wednesday, May 1 at 7:30 in the high school band room. The Finance Committee would be there and the Selectmen were invited to participate. Mr. Dronzek said he would be there.

7:11

-Robert Speroni, Building Inspector, came before the Board to speak about several issues. The first being that he had received a call from Raphaela Rozanski, a member of the Conservation Commission, stating that there was a violation at 116 Main Street. A representative from McCormick's Foods had moved in without an occupancy permit. Mrs. Rozanski had talked to Brian Moroney, manager, and he said that he had an occupancy permit; however, he referred any further questions to Mr. Glynn. Mr. Glynn had said he had no occupancy permit. He stated that he had thought he would have had one by now, and didn't know why the Conservation Commission had not signed off yet. Mr. Glynn said he thought he had complied with all the orders of condition.

Mr. Speroni went on to say that he told Mr. Glynn if he got a letter from the Conservation Commission attesting to this, he would not proceed further with the violation and bringing this to the Selectmen's meeting; he had received no letter.

Mr. Glynn said he could get the work required by the Conservation Commission done by May 7, and Mr. Yorkis agreed. Mr. Speroni said he was notified officially of the violation, and therefore, was bound to act upon it as Building Inspector.

Mr. Dronzek asked what the penalty was - Mr. Speroni said it was \$1000/day and one year in jail for each violation.

Mr. Johnson said he was not against the Building Inspector trying to do his job and enforcing the rules, but he did not feel it was worth all the effort.

Mr. Dronzek said as long as the Board had Mr. Glynn's assurance.

Both Mr. Glynn and Mr. Yorkis were present at the meeting.

Mr. Yorkis said there were problems with the second application being submitted for an addition to 116 Main Street. Prior to this, Conservation Commission had received an application to sign, and they had refused. Mr. Glynn was not notified of the first turn-down. The order of conditions was still valid for three years on the property.

Mr. Dronzek did not feel it would serve any good purpose to pursue this further as long as Mr. Glynn says the work will be done by May 7.

Mr. Johnson said the tenant should not be allowed to operate there until after May 7.

Mr. Glynn said he has to get a large hydraulic machine with a long arm to remove the silt from the detention pond, now that he knows what the Conservation Commission is requesting be done - no guarantee.

Mr. Dronzek asked if the tenant had moved in? Mr. Glynn said no, but he had phones installed. Mr. Dronzek asked if it would cause extreme hardship if he could not be in until May 7? Mr. Glynn said messages could be left.

Mr. Johnson said the building will have numerous tenants, and if you have to get each unit signed off, it will cause problems.

Mr. Dronzek said the Board could waive the penalties through May 7, provided the work requested by the Conservation Commission and the Building Inspector is done by May 7, otherwise, it would be retroactive to April 26, and allow limited operation of the tenant.

Mr. Speroni said he could issue a temporary occupancy. Mr. Johnson made a motion to have Mr. Glynn comply with the order of conditions and to have all work done by May 7, to the satisfaction of the Conservation Commission and the Building Inspector; Mr. Dronzek seconded; all aye.

Mr. Yorkis mentioned that the work being done will improve the holding capacity as originally outlined to do. Mr. Glynn said it will require annual maintenance after this.

-Mr. Speroni then brought up the subject of the booklet given to those who want to process a building application. He felt the information contained therein was archaic and prohibitive and needed updating. He wanted to amend a portion of the regulations that had been redone.

He did not feel a resident needed to get a certified plot plan that would cost over \$250 for a shed. The Building Code says site plan, so on that basis, he came up with a few new paragraphs that could be inserted.

Mr. Johnson asked why Conservation had to sign off on the application for a wood stove? Mr. Dronzek said they could sign off where applicable. Mrs. Allen stated that the Conservation Commission signs off to alert, ahead of time, any problems such as the one with Mr. Glynn - this would not have been caught if they were not requested to sign the application for the extension of Sabina Doyle's.

Mr. Johnson said the Board has to give the Building Inspector some authority to decide if a sign off is needed or not. Mr. Speroni said the Board of Selectmen decided that the Conservation should sign off; and if the Selectmen want to change that ruling, fine.

Mr. Dronzek said it could be the judgement of the Building Inspector if the Conservation Commission should be involved or not, and a copy of all applications could go to the

Conservation Commission, and if any problem, they could let the Building Inspector know in 72 hours. Mr. Speroni said for exterior changes, the Conservation could sign off; but for interior changes, maybe not. If regulations were changed, fine.

Mr. Dronzek suggested Mr. Speroni submit something in writing for the Selectmen to look over.

Mr. Dronzek suggested substituting the new paragraphs of Mr. Speroni's for the two in the present booklet. Mr. Johnson made the motion to amend paragraphs 1 and 2, page 1 of the rules and regulations as adopted by the Selectmen in 1983 with the new paragraphs as written by Mr. Speroni; Mr. Dronzek seconded; all aye; (copy attached).

-Mr. Speroni then brought up the subject of office space. He said he had discussed this with Mr. Johnson. He had also spoken to Dick Parrella of the Board of Health, and Mr. Parrella asked Mr. Speroni to mention his concerns as well to the Board. Mr. Speroni mentioned how the Board of Health secretary used to be in the Sanford Hall Annex, and then moved to the Building Inspector's office when it got extremely hot. Mr. Speroni said he would like his office back. He also felt that the Board of Health secretary could go back to the Annex.

Mr. Dronzek asked Mrs. Allen to ask the Board of Health to vacate the office, and suggested using Sanford Hall Annex.

7:50

-Paul Rivard, his son, John, and Paul F. DeSimone, the Engineer, came before the Board to discuss a sewer easement along the railroad bed near Village Street.

Mr. Rivard stated that in August of 1988, the Board of Selectmen approved a sewer easement for him to stay on the southerly side of the railroad bed. The problem is that the marking lines are right down the center of the railroad bed, and it would mean the removal of stone walls and some trees. He would like to work to the southerly side of the center line. Mr. Rivard said he wanted to move 5'-10' northerly.

Mr. Dronzek told Mr. Rivard that two members of the Water/Sewer Board were present, and could give their opinion. Mr. Rivard said the grade is almost flat, and there are no wetlands. Also, New England Telephone will have that line area off-line for the summer, so it would coincide with the work that Mr. Rivard would be doing at that time.

Mr. Dronzek said even if the Board agreed, they cannot give him the right to encroach on the residents; however, he did not have any problem with Mr. Rivard's suggestion - neither did Mr. Johnson. Mr. Dronzek said as long as all the other Boards give their approval, and they are not violating any agreements that were reached.

-Mr. Rivard also asked about getting permission to access the gravel driveway going west on Village Street right after

Village Auto Body, next to the fence. Mrs. Allen said that the Garnsey foundation is there. Mr. Higgins, who was present, said that the DPW and UMASS would be doing testing behind the granite wall east of Chicken Brook also. Mrs. Allen said the area in question is discontinued land of the Cottage Street extension.

Mr. Johnson asked if the abutters could claim the land. Mr. Dronzek said you can't give away town land. He asked Mrs. Allen to check and see if it is the town's land.

Mrs. Allen checked the documentation she had and saw that at town meeting of 5/15/84, it was voted that "Cottage Street be discontinued from Village Street to the railroad right-of-way", not abandoned, and a sewer easement is there. Mr. Rivard said he was going in on that easement.

-Mr. Rivard also said he is getting comments from Mr. Kelley, and he continues to post that property with "no trespassing" signs. He asked if he could get police protection.

Chief Lambirth was in attendance for this meeting, and he said the police can go up to keep peace.

Mr. Dronzek asked Mr. Higgins, who was present, to pinpoint where the Cottage Street extension was. Mr. Higgins said they could go on the sewer easement.

8:10

-Gardner Rice and Ron Wilson of the Water/Sewer Commission came to talk to the Board about the Milford Street culverts, but Mr. Dronzek asked them if they could just wait a little while and allow Walter Swift, a Hopedale Selectmen, to come on ahead of them for a loam removal permit.

Mr. Swift stated he wanted to remove 500-600 cubic yards of loam at 133 Milford Street (across from Green Street). He said the grade would be re-established on fill instead of loam (1/2 of which would be screened loam coming back). He stated that they got their special permit from the ZBA for a greenhouse to be put on the property.

Mr. Johnson made a motion that Mr. Swift be allowed to remove 500-600 cubic yards of loam, and bring in fill; Mr. Dronzek seconded; all aye.

Mrs. Allen asked how long the permit should be for. Mr. Dronzek asked Mr. Swift what the whole cycle was for everything to be done - Mr. Swift said two weeks; Mr. Dronzek suggested putting down one month.

8:20

-Gardner Rice and Ron Wilson now came before the Board. Mr. Rice said the culverts on Milford Street are deteriorating, and that there was \$5,000 set aside to install them. He said the streets cannot be resurfaced until the culverts are done. Milford Street is the worse street in town, he said, and the condition of the street was not all caused by the Water/Sewer Board. He said this should be the number one priority for resurfacing and the necessary culvert materials should be

purchased.

Mr. Dronzek said the town voted to do the culverts, and there are sufficient funds to cover it. Mrs. Allen said we are waiting for an order of conditions from the Conservation Commission, and it should be taken care of at their meeting on May 7. Mr. Dronzek said the whole effort should be coordinated between Highway and Water/Sewer.

Mr. Rice said they are tied up now on the sewer project, and he could not understand why it was not done in the Fall when there was time, and the water table was not high, as it is now. He said it has to wait, but he wanted the public to know the situation. He said information would have to come from Mark Flaherty, Water/Sewer Supt. Mr. Higgins was recommending that the drainage be replaced with concrete pipe instead of metal pipe.

Mr. Dronzek said again that there is funding to do it now, and to do what absolutely needs to be done. Mr. Higgins asked if McCarthy was to do the work, or the town contractor?

Mr. Rice said \$5,000 was for the two culverts - the town does the resurfacing.

Mr. Johnson asked about using some of the Lovering Street repair money. Mr. Dronzek said there was the all-purpose bond - some of that money had not been spent, and is under the bond, and it can be done. He said the road was more important than the sidewalks.

Mr. Rice through out a ballpark figure for resurfacing of \$80,000. Mr. Higgins felt it was closer to \$100,000.

Mr. Rice suggested Mr. Flaherty verify with McCarthy what they are doing, and in the meantime, the town would get the necessary materials, and get the Conservation Commission order of conditions, and check the financing situation - all within the 6-8 weeks, for possible work end of June, towards July.

8:40

-Chief David Lambirth came before the Board to discuss several items. First of all, he wanted to talk to the Board about a cleaning contract and maintenance for the new police station. He said the Permanent Building Committee had met recently, and they can't afford to hire another custodian. Walter Mahoney, town hall custodian, felt it would take 6 hours a day for a custodian.

So the Chief was looking towards contract services maybe once or twice a week, and then go to the Finance Committee with their figures. He had quotes from \$30-\$40/visit to \$80/visit. The low bidder was for \$50/single visit; \$65/two visits; \$90/three visits. The Chief said he also worked alone. The Chief said maybe \$7,000 would be for the entire project.

Mr. Dronzek thought \$4,500 per year was a steal. Mr. Johnson

did not want to see them tied up with a contract. Chief Lambirth said he still had to talk to Accountant, Mary Shea, but felt they should come up with a minimum 90-day trial period. He would also like to ask the Selectmen to support the \$7,000 figure. He said he had three proposals, but may have to look for more.

Mrs. Allen reminded the Chief that he had to go out to bid. Mr. Dronzek asked if he didn't sign the contract, did he still have to bid? Mrs. Allen said, yes, for over \$4,000. Mr. Dronzek recommended a cancellation clause.

Mr. Johnson made a motion that the Police Chief receive approval to go to the Finance Committee for \$7,000 for cleaning contract; Mr. Dronzek seconded; all aye.

-The Chief also stated that there was a problem with eastbound traffic on Route 109. People are going through the Golden Jade Restaurant, and as such, has been brought to the Safety Officer's attention. An officer, stationed nearby, stopped 27 vehicles going through there. He said he would like to see a permanent barricade; and that the Golden Jade and the gas station jointly own it, except for the end where Peter Schultz gets a piece of it.

Mr. Dronzek said the safety officer has the most influence, and suggested the Chief make sure of the ownership of the property. He also said it is necessary to block it off for one 24-hour period a year, such as at the Community Church. Mr. Dronzek said there could be something in the deeds, and if not, it could be requested to block it off. First of all, it is necessary to find out if there are any restrictions.

-The Chief also wanted to bring up the subject of taking a "right turn on red" onto Main Street from Holliston Street. He felt there should be no "right turn on red" allowed because businesses are complaining about the continuous traffic flow. He suggested that this be tried for a while on a trial basis. Mr. Johnson made a motion that there be no right turn on red allowed on the northwest corner of Holliston Street and Route 109; Mr. Dronzek seconded; all aye.

-Mr. Dronzek asked Chief Lambirth if he was aware of the hearing with the Golden Jade on May 8? The Chief said he was and he and Officer Grimes were planning on going. Mr. Dronzek and Mr. Johnson said they would go along.

9:10 -Mr. Dronzek asked Mr. Higgins how far away was the bidding process with Commonwealth for the construction at the 126/Village/Main intersection. Mr. Higgins said he would contact Commonwealth. They also have to do the specs, and the State Engineer has to approve them, as well as Attorney Maciolek, and Accountant Mary Shea has to also sign. Mrs. Allen said there is about \$120,000 in the account. Mr. Higgins said he would get the necessary information to the Board on where the money is coming from. Back to the culverts, Mr. Dronzek asked Mr. Higgins to order them.

9:15

- Mrs. Allen said that Marilyn Morris, administrator of Norfolk, had contacted her asking that the Board write a letter the Norfolk County Commissioners asking that the Norfolk County Engineers' budget not be cut, and to give their support. The Board agreed this should be done.
- Mrs. Allen brought up a letter from the Division of Local Mandates showing the proposed \$31 million assessment for teachers pensions. The Board agreed that letters should be sent to the Representatives and State Senator objecting to the additional encroachment on town funds.
- Mrs. Allen mentioned the report of statement of assets for Cablevision that the Selectmen received a copy of.
- Mrs. Allen brought up the letters that had been sent to the owners of unregistered cars on Populatic and Milford Streets. The one on Populatic was being checked out that day, and the one on Milford Street the next day - complaints would be filed.
- Ed Reardon stopped in and questioned the bid process for insurance. Mrs. Allen said she would check with the insurance committee as to what is sent out for bids; however, the town's insurance is handled by M.I.I.A.
- Margaret Matthews from the Milford Daily News stopped in to get some clarification on the discussion at the Finance Committee last Wednesday night with the Conservation Commission and the Selectmen and Millis Administrator, Charles Aspinwall with regard to granting a sewer easement to Millis.

It seemed as if the Conservation Commission was against the article on the town meeting warrant, but it was finally discovered they did not like the wording, and started to redraft a rewording of the article. The Finance Committee was trying to come up with a motion for the article. It was believed that there was no notice of intent needed to get preliminary approval at the town meeting. Mrs. Matthews stated there were approximately 200 homes involved in this sewer easement connection.
- Mrs. Allen brought up the Veteran's Agent request for an emergency transfer for \$1600. Mr. Johnson made a motion to approve the request; Mr. Dronzek seconded; all aye.
- Mrs. Allen had received the request of Michelle Fasolino to be appointed to the Conservation Commission to fill the vacancy of Mary Ann Kurjanowicz who resigned. Mr. Johnson made the motion to appoint Miss Fasolino to the Conservation Commission; Mr. Dronzek seconded; all aye.
- Mrs. Allen said there were several people requesting to be appointed to the Personnel By-Law Vommittee. She submitted the names of Jeffrey D. Nutting, Robert J. Richard, and William B. Leary. Mr. Johnson made a motion that the above residents be appointed to the Personnel By-Law Committee; Mr.

Dronzek seconded; all aye.

- Mrs. Allen brought up the letter received from Al Downes, Norfolk County Engineer, in reference to the drainage problems at Main, Cottage and Evergreen Streets. He had requested to meet with the Conservation Commission prior to meeting with the Selectmen. The Board asked that Mrs. Allen send a letter to James Gallagher to update him on the situation.
- Mrs. Allen mentioned Chief Wayne Vinton's letter with regard to his new employment, and hours of availability.
- Mrs. Allen presented to the Board 30+ solicitors' permits for Greenpeace Action. Mr. Johnson made a motion that Greenpeace be allowed to solicit during the month of May, during daylight hours, in Medway; Mr. Dronzek seconded; all aye.
- Mrs. Allen mentioned the letter received from Supt. Bettencourt with reference to the mandate of no more prayers can be said at any school function. Mr. Dronzek expressed total distaste for this action.
- Mrs. Allen brought up the concern of a resident for water hoses extending from homes into the town's storm drains. Did the Board of Selectmen give these people permission to do so? Mrs. Allen said she saw the one on Cottage Street, but not the one on West Street that she also mentioned. The Board did not feel any action was necessary.
- Mrs. Allen brought up the letter from the DEP concerning the C.R.P.C.D. permit process on copper criteria. The Board felt this had already been started.
- Mrs. Allen mentioned the resignation received from Carl Pride on the School Committee.
- Mrs. Allen mentioned that the Board of Health was going out to bid for trash removal, and that the bids would be opened on May 21 at 7:05 p.m. at the Board of Health meeting, and the Selectmen had to be present.
- Mrs. Allen said that Mary Shea was finalizing the figures for the construction of the police facility, and discovered that the architect had been overpaid \$5,700.
- Mrs. Allen brought up the letter received from the Municipal Building Utilization Committee where they stated that it would be best to postpone any decision on space until after the elections and the police have moved out of town hall.
- Mrs. Allen mentioned the letter received from Attorney Dee Moschos concerning the open meeting law not applying to committees appointed by an administrator, such as a superintendent.
- Mrs. Allen brought up the subject of the Lions having a walk-a-thon on June 8. No permit is necessary from the Board

and Chief Lambirth will be checking the route out.

-Mrs. Allen mentioned the letter received from Cablevision giving a discount to seniors living in subsidized housing as of May 1.

-Mrs. Allen said she had been receiving a lot of animal complaints lately, and she had been documenting them with letters to the Animal Control Officer.

10:25 -The meeting was adjourned.

Respectfully submitted,



Mary Jean Fredette, Secretary

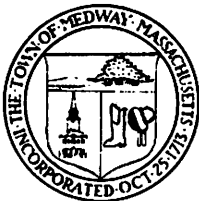
mj

Persons who apply for a building permit in the Town of Medway (APPLICATION FOR BUILDING PERMIT) are required to provide a stamped plot (site) plan for construction such as an inground pool, or any building or structure to be erected on a permanent inground foundation.

Any other construction such as a storage shed, greenhouses, etc. requires a plot (site) plan showing, to scale, the size and location of all new construction and all existing structures on the site, and distances from lot lines.

Sign-offs on building applications are required before application will be reviewed and permit issued.

Building permits are required for internal/exterior changes, demolition and/or construction of buildings, wood stoves and chimneys, and swimming pools.



BOARD OF SELECTMEN

155 VILLAGE STREET
MEDWAY, MASSACHUSETTS 02053

AGENDA

APRIL 22, 1991

7:00 p.m.

Open meeting, approve minutes of
4/8/91 meeting, sign warrants.

7:05

Jerry Hyman, Medway Supermarket
re: earlier opening on Sundays
during summer.

*Cancelled per phone
call to Chief*

7:15

Water/Sewer Board

re: Milford Street culverts and
repairing Milford Street.

*Cancelled -
want both
selectmen*

7:30

Bob Speroni, Building Inspector

re: clarification/problems with
violation letters.

*Cancelled -
want both
selectmen*

8:00

Gary Smalley, 8 Lovers Lane

re: complaint about wiring inspector
(this may have been resolved).

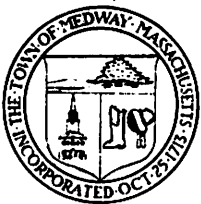
*he called
&
cancelled*

Highway Superintendent

Old business

New business

*Meeting cancelled
due to lack of
quorum - one
of the selectmen
was ill*



BOARD OF SELECTMEN

155 VILLAGE STREET
MEDWAY, MASSACHUSETTS 02053

AGENDA

APRIL 8, 1991

7:00 p.m.

Open meeting, sign warrants,
approve minutes of 4-1-91
meeting.

7:05

Kathy Rehl -
re: Regional Recycling.

Old Business.

New Business.

Present: John Dronzek, Walter Johnson and Administrative Assistant Ruth Allen.

7:00 p.m.-The meeting was called to order in the Selectmen's Meeting Room 2 of the Town Hall. The minutes of 4-1-91 were accepted and the warrants were signed.

-Because of the problems that seemed to exist on lot #1, Pond Street, Mr. Dronzek suggested a joint meeting between the Building Inspector, the Assistant Building Inspector, a member of the Conservation Commission, and the Selectmen.

-Mr. Dronzek said he spoke to John Dovenio, who owns a liquor store in Medway, and Mr. Dovenio felt the public hearing with the Jade Restaurant went the way it should have. Mr. Ngo had since spoken with Mr. Dronzek and Mrs. Allen about the procedure to follow to appeal.

7:05 -Kathy Rehl and Janet Riera came before the Board to speak about Regional Recycling. Mrs. Rehl said they were looking into curbside pickup, and evaluating prices and proposals.

Mr. Dronzek felt there should be some structure. Mrs. Riera said most all members of the group were appointed by their Selectmen of the various towns. Mr. Dronzek did not know if they had any legal right to form another committee. Mrs. Rehl said the letter to the Selectmen may have been sent so the Selectmen were aware of the group and their function.

Mr. Dronzek said the Board was thoroughly behind the recycling effort, and they could, as a by-product of the recycling study committee, look into curbside pickup, as long as they were not spending any of the town's money.

Mrs. Allen told the Board that the letter from Wolfgang Bauer specifically asked for the Selectmen to appoint the two representatives. Mr. Dronzek said the Selectmen could authorize the recycling committee to investigate all aspects of recycling programs. Mrs. Rehl said they are sending out RFP's, and if a contract is presented to them, they would want to come back to the Selectmen and the Town and discuss.

Mr. Dronzek said town meeting is the only place where authorization of monies can be allocated. Mrs. Allen reminded the Board that their terms on the recycling study committee expire at the end of June, then they would be appointed by the Board of Health. She also said that Town Counsel had suggested to let the recycling study committee finish their term, and then let the Board of Health take over. She said the trash budget comes out of the Board of Health account, but the Town still has to decide on the final outcome.

Mrs. Rehl said she was still interested in pursuing a specific tipping fee from the contract, and that it has to be less than \$57.00/ton. Mr. Dronzek said if the reduced tonnage is due to recycling, then bidders have no choice.

Mrs. Rehl said the RFP is two-phase: curbside pickup and marketing. The Town can drop out in February of 1993, or take 6-month options. They don't have to go by the Millis Consortium bids when they are received.

Mr. Johnson made a motion to authorize the Recycling Study Committee to participate in the evaluation with Franklin on curbside pickup; Mr. Dronzek seconded; all aye.

Mrs. Rehl also stated she had a proposal from Millis Used Auto for glass pickup. Mr. Dronzek suggested getting a copy of the proposal to Town Counsel for his approval, and then the Selectmen could sign if he okayed it.

Mrs. Riera explained to the Board that Millis Used Auto would use their own containers and pick up the glass and transport it. If the glass is rejected, then \$300 has to be paid; all loads have been accepted thus far.

Mr. Dronzek said the agreement sounded good, as he was concerned about the highway personnel and volunteers getting injured with the glass.

Mrs. Rehl said she would get a copy of the proposal to Mrs. Allen, for her submittal to Town Counsel. Mrs. Allen said she would also check on insurance.

Mr. Johnson said he would check into how scouts collect newspapers, and receive some monies for them. Mrs. Rehl said about 1-1/2 tons of newspaper come in in one week.

Mr. Dronzek again congratulated the committee for all their efforts, and a job well done.

Mrs. Rehl said about 130-150 people a week come to the center. Unfortunately, many people are grumbling about bringing leaves to the center.

In reference to plastic containers, Mrs. Rehl said that they only want water and milk jugs at this time, and then if they are accepted, they can add bleach bottles later on. She also made mention that their container for holding plastics was not big enough. Mr. Dronzek suggested she talk to John Hurley, our representative to Tri-County Vocational School, and to check with Diarmuid Higgins about space.

7:35 -Mr. Dronzek brought up the need to appoint a representative to the MAPC between Mr. Di Giammerino and Mr. Conroy. Mr. Johnson made a motion to appoint David Di Giammerino, Mr. Dronzek seconded; all aye. Mr. Dronzek asked Mrs. Allen to send a letter to Mr. Di Giammerino notifying him of the appointment, and to also send a letter to Mr. Conroy suggesting other positions that he might apply for.

7:38 -Administrative Assistant

-Mrs. Allen said that Bob Power of the Highway Department had

personally gone out and checked the four streets that would be on the warrant as submitted by the Planning Board. There were many items on the list to be corrected for each street. Mrs. Allen suggested sending them a copy of Mr. Power's comments that if these corrections were not made, the Board of Selectmen would have to dismiss the article on the town floor.

Mr. Johnson made a motion that Article 15 be dismissed at town meeting, with regard to road acceptance, unless all the corrections complied with Mr. Power's letter; Mr. Dronzek seconded; all aye.

Mr. Dronzek expressed his thanks to Mr. Power for being so candid about the roads' condition.

-Mrs. Allen made mention of the letter from Mass. Dept. of Revenue indicating that new growth for FY'92 was expanded to include items such as sheds, pools, etc.

-Mrs. Allen brought up the letter from the Middlesex News inviting the Town to participate in a conference being held on May 8 in Framingham. Mr. Dronzek thought possibly he, Mr. Higgins and Mrs. Allen could attend.

-James Gallagher stopped in and mentioned his meeting with Representatives Gardner and Ranieri with regard to the sub-committee for the elderly. Allan Osborne, who was also present, said they have had 3-4 meetings so far, and they are checking into tax refunds for seniors, and delayed payments for water/sewer bills, and there had already been an abatement for 65-year old seniors living alone.

Mr. Gallagher said they are going regional and having a statewide meeting in Milford on May 8, and 9 from Medway are attending. He said there is some hidden assistance for the elderly that is not known, and hopefully together they can learn what is available. Mr. Gallagher said there is information on tax abatements forms available from the assessors for those over age 70, if their property value does not exceed \$40,000, but many do not know this does not include real estate or houses.

Mr. Dronzek suggested they get on the assessors' agenda so their meeting can be recorded in the minutes, asking the assessors to look in their problems.

Mr. Osborne reiterated how long-time residents are feeling the worst pinch. Mr. Dronzek said the Board of Assessors is an elected board, and the Board of Selectmen has no jurisdiction or influence with them. Mr. Osborne still felt more information should be forthcoming to the elderly, but indicated the sub-committee meetings are starting to turn around to be more productive. Ed Reardon joined the meeting, and it was indicated that he was chairman of this sub-committee.

-Mrs. Allen went over the resumes as submitted by citizens

interested in being on the Building Code of Appeals Board. Mr. Johnson made a motion that the following be appointed to that board: Michael Blanchette, Robert Tucker, John Mee and Stephen Reding; Mr. Dronzek seconded; all aye. Appointment letters will be sent out to them.

-Mrs. Allen brought up a letter from a Medway taxpayer, whose information was not accurate as he thought the debt exclusion questions included the purchasing of more equipment.

Mr. Dronzek stated that the Selectmen were not elected to ignore the Town's problems or dismantle the school system. He said the final vote is always up to the people, and what is done at the election and town meeting is always what the people want—we voted for the fire station and the police station. State aid is just not there anymore.

-Mrs. Allen had a request for an emergency transfer for the Conservation Commission for consultant work on the Algonquin Pipeline. Last time, \$5,000 was asked for in the emergency transfer for consultants, and they received \$2,000. Now they are asking for \$3,700. Mr. Johnson made a motion to approve the request to the Finance Committee of \$3,700; Mr. Dronzek seconded; all aye.

-Mrs. Allen brought up the subject of parallel parking on both sides of Village Street near Medway Hardware, as recommended by Chief Lambirth. Mr. Johnson made a motion that parallel parking be on both sides of Village Street near Medway Hardware instead of diagonal parking, and in doing so, will still leave an equivalent number of spaces as there is now in the diagonal parking; Mr. Dronzek seconded; all aye.

-Mrs. Allen gave the Board the Building Inspector's report of 7 March permits.

-Mrs. Allen gave the name of Randy Marcus to the Board as the Arts Lottery candidate for the Arts Lottery Council. Mr. Johnson made a motion that Mr. Marcus be appointed to the Council; Mr. Dronzek seconded; all aye.

-Mrs. Allen brought up bills received for payment of the cleaning of police uniforms. The bills were copies, which were unacceptable, and also there were no receipts with the bills. Then it was noted that the bills are from FY'89. Mr. Dronzek asked Mrs. Allen to send a letter to the Police Department telling them that receipts are required with each bill, and to tell the Police that there were prior year bills included in the batch submitted.

-Mr. Dronzek said he would like an update on the bid documents for Commonwealth Engineering, when they are going out to bid, the specs prepared, etc. for the Village/Main/Summer Street intersection.

-Mrs. Allen brought up two incidents that residents were selling vehicles on their property. The Board agreed that Police Chief Lambirth should send a letter to the residents,

Milford Street, to tell them to discontinue their business.

Mr. Dronzek said there is a schedule of fines needed. There should be a maximum fine of \$100 on the penal laws, or \$50 fine for each unregistered vehicle, as well as seeking further action in the courts. Mr. Dronzek also asked that the two letters the Chief sent indicate that if a response is not received by April 22, then to please let the Board know, and then the Selectmen could send a letter. He also asked that someone go and check the status on both locations on that date, and take immediate action.

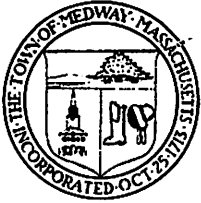
8:50 -The meeting was adjourned.

Respectfully submitted,



Mary Jean Fredette, Secretary

mj



BOARD OF SELECTMEN

155 VILLAGE STREET
MEDWAY, MASSACHUSETTS 02053

AGENDA

APRIL 1, 1991

7:00 p.m.

Open meeting, sign warrants,
approve minutes of 3-25-91.

7:05

David A. DiGiammerino -
re: appointment as MAPC Rep.

7:15

Public Hearing -
Golden Jade Restaurant

Old business.

New business.

Present: John Dronzek, Walter Johnson and Administrative Assistant Ruth Allen.

7:00 p.m.--Acting Chairman John Dronzek called the meeting to order in the Selectmen's Meeting Room 2 of the Town Hall. The minutes of the March 25, 1991 meeting were accepted. The warrants were signed.

7:01 --David DiGiammerino came before the Board to speak to them about being appointed to the Metropolitan Area Planning Council. Mr. Dronzek explained to Mr. DiGiammerino some of the areas that the MAPC covered, and what would be asked of him in respect to time and meetings. Mr. Dronzek said the Board would respond to any report that was submitted by him after attending a meeting if deemed necessary. He also explained how the MAPC would be of help in areas such as the Rt. 109 reconstruction, and other major planning areas. Mr. DiGiammerino would be expected to bring back to the Board any future concerns for the Town of Medway that he was made aware of, from his being representative. Questions on growth would have to be directed to the Planning Board.

The Board explained that two resumes had been submitted for the position, the other being a Mr. Conroy, and that the Board would take both under advisement and make a decision very soon.

7:13 --Dick Brown stopped in and mentioned that the scheduled D.O.R. meeting for Tuesday, April 9 was in conflict with a previous commitment he had made, but that representatives of the FinCom would be at the meeting with the D.O.R., Selectmen, Treasurer/Collector, Town Accountant.

Mr. Brown also mentioned that the FinCom would be discussing the warrants for the special and annual town meeting on Wednesday, April 3 and asked if the Selectmen could attend. Mr. Johnson and Mr. Dronzek said they could.

7:15 --Mr. Dronzek called the public hearing in session in reference to the Golden Jade Restaurant. In attendance were Tony Ngo, manager and bartender-brother Peter. Mr. Dronzek told Mr. Ngo that he was familiar with why the hearing was called because of the report received from the Police Department about certain alleged violations that were made on March 1, 1991. Mr. Dronzek then deferred to Chief David Lambirth for his input.

Chief Lambirth said the officer that went into the establishment was present and could give a report.

Officer Donald Grimes stated that at 9:00 p.m. on March 1, 1991, he and Officers Boultenhouse and Boyan went into the bar area where they observed 25-30 patrons sitting at tables and playing darts. They stated they were making I.D. checks to make sure all were over the legal age of 21 - 8 had no I.D.'s; and 4 of those 8 without I.D.'s were minors. All had drinks in front of them and were drinking. They were given

sobriety tests and sent home. They talked to Tony Ngo, the manager, and he had stated they checked I.D.'s, including the 8 who said they did not have I.D.'s. The officers saw the proper license on display in the establishment.

Mr. Dronzek asked both gentlemen from the Golden Jade to introduce themselves for the record, which they did.

Sgt. Malo, who was the shift supervisor that evening, was also present. He stated that the officers told him of their findings at the Golden Jade, and Sgt. Malo asked the officers to write up a report for Chief Lambirth. Sgt. Malo said it should be noted that this was not an isolated incident - that they have been going at random and doing I.D. checks at different establishments. They have targeted the Golden Jade and China Lotus because of phone complaints that minors were being served. He stated he has gone in to the Golden Jade and done I.D. checks, and has told the manager and bartender to make sure they check I.D.'s of patrons. Sgt. Malo said this is the first time they have documented an incident and reported it to the Board of Selectmen.

Sgt. Malo indicated that on March 16, Sgt. Paulette conducted a check and another violation was found. A report was made but not sent to the Selectmen because false identification was used and an investigation is underway; however, there will be another report forthcoming on minors being served.

Sgt. Malo said he had two written complaint reports from parents about minors that were served on March 28, which Sgt. Malo read for these minutes, eliminating the names. Both parents came to the police station on Saturday, March 30, and wrote the statements. The incident is also under investigation.

The first parent, a mother, had a 19-year old daughter, Melissa and a friend, Susan, that had gone to the Golden Jade to celebrate Melissa's 19th birthday. They were there until about midnight, and were served alcohol all night. They had false I.D.'s on them. At midnight, the parent's oldest daughter had gone to the Golden Jade to meet her sister and saw her drunk. She told the waiter not to serve her anymore drinks, and they went home at about 12:30. The minor could not even stand up. The mother had called the manager of the Golden Jade and told them they should not be serving minors. The manager had said I.D.'s were not from Mass. licenses. The mother had said the daughter had been so drunk, she could not stand, should not have been served, and would register a complaint with the Police Department.

The second parent, a father, had a 17-year old daughter, who basically filed the same complaint. It was admitted that false I.D.'s had been used, but also that they had been served beyond a reasonable level of intoxication.

Mr. Dronzek asked if photo I.D.'s were used? Sgt. Malo said they were. Mr. Dronzek asked if when doing random checks, are the managers of the establishments notified? Sgt. Malo

said they indicate that I.D.'s have already been checked, but the officers check anyway. Usually there is no problem. If they find a violation, then they are told they will be cited. Mr. Dronzek asked if the management is notified of the findings? Sgt. Malo said they are.

Mr. Johnson asked if they usually ask for two I.D.'s, or see if the I.D. matches the license? Sgt. Malo said the I.D. check should be of the Mass. license or an alcohol I.D. card with a picture. Usually signs on the wall will indicate what an establishment will accept. Other forms of I.D. are not reliable, i.e. out-of-state or college I.D.'s.

Mr. Dronzek brought up the March 28th incident, and asked Chief Lambirth that if I.D.'s are produced, and the license looks real, what option does that leave the manager? The Chief stated that the blame for the false I.D. lies with the one who produced it; however, the person may have in their possession, a photo I.D., and the Mass. license is the best I.D. He said that it could still be falsified, but it was the best form of identification.

Mr. Ngo asked about out-of-state license identification. The Chief stated judgment has to be used sometimes. The management should be able to tell the difference between a 16-17-18-year old, and older people.

Mr. Dronzek stated as holder of the license, Mr. Ngo can refuse to serve anyone if he feels the I.D. is not valid. There is no law that says you have to serve someone.

Mr. Ngo stated that on March 28, I.D.'s were checked twice. He looked at a New Orleans license, the picture looked right, and the person looked old enough to drink.

Mr. Dronzek told Mr. Ngo that as the license holder, he is supposed to be familiar with the law and Massachusetts laws. It is his right to refuse to serve and his responsibility to refuse to serve.

Peter, the bartender, also stated he checked I.D.'s 4-5 times that evening. He looked at the picture, and spent 4-5 minutes on them. He said they looked right.

Mr. Dronzek reminded them both that this hearing was not about the March 28th incident, but the March 1st incident, even though Sgt. Malo had read some statements. This concerned 8 people without I.D.'s; 4 that were minors.

Mr. Ngo said he asked for I.D.'s a couple of times, and all 8 showed I.D.'s to them, even though they did not show them to the Police. He said he doesn't want to go against the law, but they checked I.D.'s.

Mr. Dronzek found this hard to believe - that all 8 showed I.D.'s; all 8 refused to show them to the Police; why would the 4 refuse to show they were 21?

Officer Grimes stated he was the one at the door, and all 8 were asked to produce I.D.'s - the 8 said they were never asked for I.D.'s. Officer Grimes said he asked for I.D.'s of everyone, including the 8.

Sgt. Malo said, in defense of Tony and Peter, that it is possible they showed I.D.'s to them, and not the Police. It's possible they would not show false I.D.'s to the Police because they could be arrested for false identification. The 8 said they did not have I.D.'s, and were not asked for one by the management. That is all the officers can base judgement on. They can only tell what the findings were at the time of the incident.

Mr. Dronzek could not understand why, if they are in a drinking establishment, those of legal age would not want to show I.D.'s - it would seem they would be asking for trouble.

One of the parents of one of the minors stated that her 20-year old daughter claimed she had just walked in the door that evening and stood near the bar, and was only asked for an I.D. by Officer Boultenhouse. She gave the officer her social security card for I.D.

Mr. Dronzek asked if there were anymore comments? Hearing none, he stated that the hearing was closed. He stated that they would take their testimony under advisement.

Upon being asked by Mr. Ngo for some information on laws, Mr. Dronzek gave him a copy of M.G.L. Chapter 138, Section 64, and that the local licensing authority was the Board of Selectmen, so he would know the appeal procedure to follow.

When asked what happens now by Mr. Ngo, Mr. Dronzek said the Board would review and make judgment - either there would be no action; there would be action and suspend the license for a period of time; or they would revoke the license. If the suspension was for a period of time, then he would have the right to appeal. The ABCC has the right to look over the Selectmen's judgement and comment - they would be duly notified.

Mr. Ngo continued on asking what can he do when there are false I.D.'s produced? He did not want to be against anyone. Again, Mr. Dronzek reiterated that Mr. Ngo is the holder of the license, and the law cannot tell him how to use his judgment. He must know about drinking and driving responsibilities. No one can make the judgments for him, but he should be familiar with the law and use responsible judgment. Even if someone was 30, and he refused to serve him, that person cannot legally do anything to Mr. Ngo.

Mr. Ngo again said parents complained because their minors were served, but they showed I.D.'s. Again, Mr. Dronzek said it was Mr. Ngo's decision to say "no".

Mr. Ngo said he can't refuse - it's his business. Mr. Dronzek said if he did business like that, then he would be

in regularly to the Board of Selectmen. Mr. Dronzek told Mr. Ngo he should consider his license and the reputation of his business more important than the profit he was making.

Mr. Ngo said that kids don't always tell the truth. Mr. Dronzek dismissed further discussion by saying the the investigation going on for the March 16 and March 28 incidents are not in this report, and he would be notified shortly of the Selectmen's decision on the March 1 incident.

-Old Business.

-Mrs. Allen told the Board she was informed by Mr. Rice that the flag should have been raised from half-mast to full-mast after Mr. Borek's funeral. The Board wants to leave it half-mast until April 15 as previously voted.

-Mrs. Allen said that Attorney Maciolek had faxed the two ballot questions to the D.O.R. that day for their approval. An answer should be received the next day, but that it was already known that no amounts would be indicated in the questions.

-Mrs. Allen said that Representative Dan Ranieri had contacted her in reference to the Route 109 corridor project. He indicated he was trying to get construction from Papa Gino's to Coffee Street included in the design of the package before it went out to bid in December of 1992. Representative Ranieri is on the Transportation Committee, and will send the Board a letter on this subject.

Mr. Dronzek mentioned that Mike Delaney of Norfolk County Engineers said they would fund the engineering. Mrs. Allen felt the only problem was Apollo, but that would not affect the engineering, as it was all designed. Mr. Dronzek asked who had done the engineering, and Mrs. Allen mentioned Stone & Webster did it to the Holliston Street line. The 109 Corridor project was done by Somerville Engineering for the State.

-Mr. Dronzek asked about the engineering on the 126/Village/Main intersection. Mrs. Allen said that both New England Telephone and Boston Edison are already involved. Mr. Dronzek asked about the possibility of gas lines in the area, and Mrs. Allen said she would talk to Bob Power or Diarmuid Higgins about it.

-Mrs. Allen said that the Building Inspector had come up with a form to be sent out to residents who evidently had not pulled a permit for construction on their property, and wanted the Selectmen's approval. They felt the form was fine.

-Mrs. Allen said that there were more complaints registered against Sabina Doyle's for music heard on Thursday night. Mr. Johnson also said he was called on Saturday night about noise being heard there, and he and the officer heard nothing; an unmarked car went up there and heard nothing.

-New Business.

-Mrs. Allen had a request for an emergency transfer for the Selectmen to sign for special counsel. She said arbitration cost \$7900, and the bill was in from the arbitrator and the attorney. Mr. Johnson made the motion that an emergency transfer be submitted to the Finance Committee for special counsel for \$4,500; Mr. Dronzek seconded, all aye.

-Allan Osborne, who was present, informed the Board that Diversified Funding Inc. has ordered Shell to move the sign, and now they are filing suit against the Zoning Board of Appeals on their decision.

-Mrs. Allen had a banner request from the Medway Lions to promote their Las Vegas Night on April 20. They were requesting the banner to be up from April 13 to April 20. Mr. Johnson made a motion that the request be approved, Mr. Dronzek seconded; all aye.

-Mrs. Allen had another banner request from the Medway Community Alliance asking for a banner in support of the passage of the debt exclusion to be displayed from April 21 to May 7. Mr. Johnson made a motion that this be approved; Mr. Dronzek seconded; all aye.

-Mrs. Allen went over Governor Weld's letter with the Board, wherein he stated that they are looking over the local aid situation and trying to come up with new solutions.

-It was brought up that Student Council had received three awards recently. Mr. Johnson made a motion that a letter be sent to them congratulating them; Mr. Dronzek seconded; all aye.

-Mrs. Allen mentioned that China Lotus had not been paying for their police details on time. They had sent a check for partial payment, and she had to contact Ms. Hoban and inform them that their closing time would be effected if the bill was not paid in full - a check was received on Friday, after "some" annoyance on her part. The Board agreed that these details were requested by China Lotus and should be worked out between them and the Police Department, and should be paid in a timely manner.

-Mrs. Allen said the Board was in receipt of a letter from the Town of Franklin saying that they were exploring regional recycling services, and recommended the Board's formal appointment of two representatives to the Evaluation Committee, as well as alerting the Board to the procurement process underway.

Mr. Dronzek did not feel the Board had any involvement in this appointment process, as the group was not appointed by the Board, but that it was alright with him that the Town had two "unofficial" members of the group. Mr. Dronzek asked Mrs. Allen to check further on this, and indicated to her that he did not feel they had any right to act on behalf of

the Town.

-Mrs. Allen said that 4 out of 5 people have applied to be a member of the Building Code of Appeals Board, and told the Selectmen that she would put a copy of their resumes in their next packet for them to look over.

-Mr. Johnson brought up a complaint against a Mr. Leland who seemed to be operating a used car business out of his residence at 108 Milford Street, across from the Leigh Memorial. He said he saw 4 cars for sale all at one time.

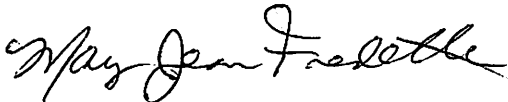
Mr. Dronzek recommended that a letter be sent to Chief Lambirth indicating the Board's concerns, and to please take whatever action was necessary for the apparent selling of cars that the Board had received several complaints about. He said there is a town by-law that only one unregistered vehicle can be on a property. He also asked that a copy of the letter be sent to the Zoning Enforcement Officer.

-Mr. Dronzek asked Mrs. Allen to check with Bob Power, in Diarmuid Higgins' absence, on the four streets that the Planning Board has on the town warrant for acceptance.

-The Board decided to take up the case of the Golden Jade. Mr. Johnson felt that some disciplinary action should be taken; Mr. Dronzek agreed. Mr. Johnson made a motion to suspend his license for 10 days from May 13 through May 22; Mr. Dronzek seconded; all aye. It was felt this would give Mr. Ngo sufficient time for the appeal process if he so desired.

9:25 -The meeting was adjourned.

Respectfully submitted,



Mary Jean Fredette, Secretary

mj

ms



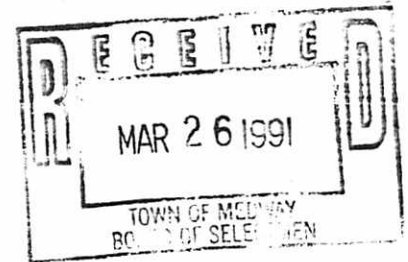
THE COMMONWEALTH OF MASSACHUSETTS
EXECUTIVE DEPARTMENT
STATE HOUSE • BOSTON 02133

WILLIAM F. WELD
GOVERNOR

ARGEO PAUL CELLUCCI
LIEUTENANT-GOVERNOR

March 21, 1991

Ms. Ruth Allen
Administrative Asst.
Town of Medway
Board of Selectment
155 Village Street
Medway, MA 02053



Dear Ms. Allen:

Thank you for your recent correspondence regarding local aid. The Lieutenant Governor and I have received many letters of interest and concern about this matter.

As you realize, changes must be made in every governmental department and program. The situation in Massachusetts demands widescale reorganization. Unfortunately, the solutions to our current fiscal crisis are not easy.

The state will continue to support and invest in its cities and towns. The average reduction of local aid funding is only 4%. This reduction is well within the range of all reductions across state government. I have suggested to the Massachusetts Municipal Association that we develop a new allocation formula for fund distribution that will be timely, equitable and incentive driven. This new system should allow local governments to become masters of their financial destinies.

At the same time, the Lieutenant Governor and I are working to roll back expensive state mandates that are draining the resources of cities and towns. We must devise more affordable relationships with authorities and semi-independent organizations which were created to provide regional and local services. We will continue to work with local officials to identify new ways to strengthen the fiscal self-sufficiency of local government.

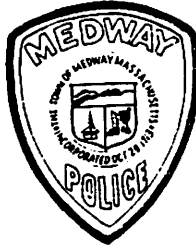
Many people have joined you to offer their opinions and advice about local aid. Paul and I value your important contributions to the process. Please know that we appreciate your input and are sensitive to your concerns.

Sincerely,

William F. Weld

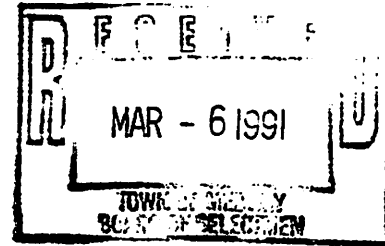
cc. Selectmen 3/27

Police Department
533-8211



**Town of Medway
Massachusetts**

mg
W. David Lambirth
Chief of Police



March 6, 1991

TO Board of Selectmen

FROM Chief Lambirth

SUBJECT Golden Jade

Gentlemen,

As a follow up to my Officer's report, reference the activity at the Golden Jade Restaurant, on Friday, March 1, 1991, I am adding some input given to me by my Shift Supervisor of that date.

Sergeant Malo, who was on duty that night, has indicated that he directed officers to conduct an I.D. check, as a follow up to other occasions when similar situations had taken place.


He indicates that he has spoken with the manager on numerous occasions, in regard to serving minors and not properly checking I.D.'s, further, that he was received very coldly and with no indication that the manager will be more co-operative.

The draw there, seems to be the installation of dart boards, which brings in the crowd formerly patronizing the V.F.W., before they saw fit to remove theirs.

Now the Jade, quite unlike a restaurant, has become a pub atmosphere.

I would welcome any action the Board feels appropriate in addressing this matter.

Respectfully Submitted,


David Lambirth
Chief of Police

DL/mw

cc: selectmen 3/7/91

From The Desk Of:

Sergeant Richard C. Malo

Chief,

Attached is a copy of the report regarding the Golden Jade. This has become a very common occurrence and is not the first time that a check has found minors drinking. I think we should pursue this with the Selectmen and go for a suspension of their license as it appears that talking with them is not getting the cooperation we need. Also they have dart boards set up in the bar area which is a big attraction for young people. Is this allowed without some sort of permit or entertainment license. I think if we could eliminate the dart boards we would eliminate many problems.

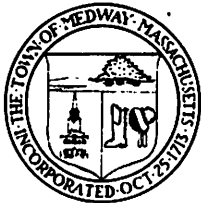
Also we may want to require police officers there as we do with the Lotus, however this occurs on many different nights due to the dart boards so just a Friday detail would not solve the problem.

Our continuing to do walkins needs to be strengthened by some action taken against this place. Please keep me advised on this matter.

Dick

*Report forwarded to Selectman
for their perusal, and possible
action*

C. Jones



BOARD OF SELECTMEN

155 VILLAGE STREET
MEDWAY, MASSACHUSETTS 02053

AGENDA

MARCH 25, 1991

7:00 p.m.	Open meeting, sign warrants, approve minutes of 3-18-91 meeting.
7:05	Public hearing - New England Telephone Company re: - Holliston Street - Main/Evergreen Streets
7:15	Elsie Robinson re: proclamation.
7:20	Open catch basin cleaning bids.
7:30	Vern Robertson - Medway Cable Access re: community bulletin board.
7:45	Bob Conroy re: appointment as M.A.P.C. rep.
8:00	Lou Galante re: site plan.
----	Highway Superintendent.
-----	Old business.
-----	New business.

Present: John Dronzek, Walter Johnson and Administrative Assistant Ruth Allen.

7:00 p.m.-Acting Chairman John Dronzek called the meeting to order in the Selectmen's Meeting Room 2 of the Town Hall. The minutes of the March 18, 1991 meeting were accepted. There were no warrants to be signed.

-Mr. Johnson made a motion to send a letter of congratulations to the Boys Basketball team on their excellent season; and to all the sports teams for the excellent playing they do; as well as a letter of congratulations to be sent to the Drama Club for their fine performance; Mr. Dronzek seconded; all aye.

-Mr. Johnson brought up a complaint about an inground pool on Holliston Street next to the Medway Manor, that has a portion of a fence missing around it. Mrs. Allen said she would pass that on to the Building Inspector.

-Mr. Johnson also complained about the condition of the house next to Medway Block, and Mrs. Allen said the Board of Health is aware of the situation and acting upon it.

7:05 -Mr. Dronzek read the notices that appeared in the newspaper on the two petitions being requested by New England Telephone Company.

Ken Carlson representing NET was present. The first petition was for conduit to a service cabinet on existing poles 3/58 and pole 3/57 on Holliston Street south of Meryl Street. Mr. and Mrs. Hoban of Holliston Street were present to verify the location. Mr. Hoban asked if the street had to be opened -Mr. Carlson said it did; to which Mr. Hoban asked for assurances that the street would be returned to its original condition. Mr. Carlson said they would make every attempt to do so. As there were no objections, Mr. Johnson made a motion that the petition be granted; Mr. Dronzek seconded; all aye.

The second petition for NET and Boston Edison was for anchor and guys at existing pole 20/63 on Main Street opposite Winthrop Street. As there were no objections, Mr. Johnson made a motion to grant the petition; Mr. Dronzek seconded; all aye.

7:15 -Elsie Robinson came before the Board on behalf of the Rebekahs and the Odd Fellows to ask that the Board of Selectmen declare the week of April 21 through 27 "Living Legacy Week" in Medway. She said they will try to plant two trees at the new Fire Station, and invitations will be sent to Medway officials. Mr. Johnson read the proclamation and made the motion that "Living Legacy Week" be proclaimed; Mr. Dronzek seconded; all aye. The proclamation was signed.

7:22 -Mr. Dronzek read the notice that appeared in the newspaper concerning the bids for the cleaning of catch basins, and proceeded to open the bids as follows:

Calista Bros., Kingston - \$5,808
\$6.00/basin; 5% bid bond enclosed.

Lloyd Truax, Foxboro
\$4.98/basin; check for \$250 (bid bond) enclosed.

Bacher Maintenance, Billerica
\$7.14/basin; 5% bid bond enclosed.

Mr. Johnson moved that the bids be taken under advisement and await the Highway Superintendent's recommendation; Mr. Dronzek seconded; all aye.

7:30

-Vern Robertson of Medway Cable Access came before the Board to talk about the community bulletin board. Mr. Dronzek told Mr. Robertson some complaints had been registered - that some information is not appearing on the bulletin board which had been sent to them, and at other times, information stays on for much too long a period of time.

Mr. Robertson acknowledged that there had been problems in the past with some of his core volunteer people leaving and he was the only one left; but that now, everything was starting to get back under control. He mentioned that not all personnel know how to edit, etc., and that it takes about two hours a day to program properly. He said he was trying to keep everything that was municipal on one channel, and everything community-oriented on another channel. He did state that, however, that complaints do mean people are watching cable.

Mr. Dronzek explained that complaints received were not major, but did deserve to be acknowledged by the Selectmen. He said he was pleased to know that Medway Cable Access was aware of its problems.

Mr. Robertson said that the sending of information to the P. O. Box 547 was the best way to relay information, and to allow at least two weeks prior to the date requested of publication. He asked that residents keep their information brief, otherwise they would have to do the editing. He felt the Town boards and their information was not as problematic as community info. Residents can also call 533-6111 for brief messages, such as change of meeting dates, or cancellations.

Insofar as equipment is concerned, Mr. Robertson stated that Cablevision started up the system, and they maintain and replace anything it has to; however, about 1/2 of the equipment belongs to Medway Cable Access now, and Cablevision is not obligated to maintain that equipment.

Mr. Dronzek said that many people are not aware it is volunteers that man the equipment; and that Mr. Robertson had answered all of the Board's questions.

7:50

-Bob Conroy came before the Board to express his interest in the appointment as representative to the Metropolitan Area

Planning Council. Mr. Dronzek told Mr. Conroy that there was one other person interested in the appointment, and that he was scheduled to come before the Board the following week. Mr. Conroy understood this. He indicated that he was a C.P.A. Mr. Dronzek asked him if he had any questions of the Board. Mr. Conroy said he had met with David Soule of MAPC, and he has the general idea of what his involvement would be.

Mr. Dronzek told Mr. Conroy the Board would give serious consideration to the application, and that the appointment would be for a three-year term. Mr. Conroy told the Board that he was told that there would be four general meetings a year, in addition to monthly sub-regional meetings.

8:00

-Lou Galante of Galante's Deli of Village Street came before the Board to discuss a site plan in conjunction with his anticipated purchase of the old auction house at 320 Village Street. Jim Chilson, who was with Mr. Galante, stated that the property is in Commercial IV, pre-existing, and the property would be used as a restaurant with two bathrooms. He said there was 1500 sq. ft., and there was water and sewer. He indicated there was sufficient parking, as well as space for handicapped parking. He knew there was some constructive work to be done on the inside, and some cosmetic on the outside.

Mr. Dronzek wanted Mr. Galante to be aware of the problems that had occurred there in the past with parking in front of the store. Mr. Johnson said that for 1500 sq. ft., he would need five parking spaces. Mr. Dronzek did not feel that it was necessary to come for the site plan as Mr. Galante was not doing any structural changes to the property on the outside, only on the inside. Mr. Chilson agreed, but felt it was taking that extra precaution to alleviate any potential problems.

Mr. Johnson made a motion to approve the site plan for Mr. Galante for 320 Village Street; Mr. Dronzek seconded; all aye. Two copies of the site plan were signed.

8:15

-Diarmuid Higgins, Highway Superintendent, came before the Board. He was shown the catch basin cleaning bids received; and made a recommendation to the Board that the bid be awarded to Lloyd Truax. Mr. Johnson made a motion that the bid for catch basin cleaning be awarded to Truax; Mr. Dronzek seconded; all aye.

Mr. Higgins mentioned the meeting held with Norfolk County Engineers on March 21 with the Selectmen. He mentioned that Bob Powers' mother had died, and that members of the Highway Department had gone to the funeral. He stated that mechanic, George Cole, was working on a compressor for the Water Department, and some Fire Department equipment. He stated he had a meeting with Commonwealth Engineers and Allan Fraser of the Planning Board on March 26.

In reference to an article from the Planning Board on the streets to be accepted, the Board felt that space should be

set aside for it, as well as the one on Open Space Development. Mr. Johnson made the motion that space on the annual town warrant be set aside for both articles; Mr. Dronzek seconded; all aye. With regard to the acceptance of streets, Mr. Higgins said he had no problem with the streets that had a finish coat. He said crosswalk signs have been ordered. With regard to the roof on the old fire station I, he said the roof appears to be in good condition, even with the few signs of rust on it. In reference to the Park Department's use of the old fire station, Mrs. Allen told the Board that there is no insurance on the structure, only on the equipment inside.

8:35

-Mrs. Allen went over with the Board the information received from Chief Lambirth about the four police cruisers. She said that the K-4 had been replaced when it was totalled. Mr. Dronzek thought maybe only one needed to be replaced, K-1, and to take the monies out of stabilization. He said he would like to see only 1 car replaced instead of 2.

Mr. Johnson made the motion that an article for the replacement of one police cruiser be placed on the annual town warrant, in nearly the same words as was placed on last year's warrant (for trading, etc.); and that one town vehicle should be taken out of fleet but used in town; Mr. Dronzek seconded; all aye.

-Mrs. Allen said that no word has been received yet from either the School Department or the Police Association with regard to postponing pay increases.

-Mrs. Allen said that Phil Parchesky is looking into the matter of the rusting dumpster on Lincoln Street, by contacting Bonnollo to take it away.

-Mrs. Allen said she had spoken to Richard Maciolek in reference to Chapter 40, Section 21D; and he felt it was too restricted. He suggested developing the ordinance and by-law, and Dick Parrella would confer with Town Counsel further on the matter.

Mr. Johnson made the motion to rescind the Selectmen's vote to accept provisions of Chapter 40, Section 21; Mr. Dronzek seconded; all aye.

-Mrs. Allen brought up the Water/Sewer Commissioners' article for the town warrant about a cross-connection control by-law. The Selectmen were concerned about the wording, and the lack of time to decide if the article was acceptable. A call was made to Gardner Rice to attend the meeting, and to postpone the discussion on designated articles #14 and #15 until he arrived.

-Mr. Johnson made the motion that the two articles on transfers as submitted by the Water/Sewer Commissioners be placed on the special town meeting warrant; Mr. Dronzek seconded; all aye.

-Mr. Johnson made the motion that designated article #13 for the transfer be placed on the annual town meeting warrant; Mr. Dronzek seconded; all aye.

-Mr. Johnson made the motion that the Selectmen's article for increasing minimum bid amounts from \$4,000.00 to \$10,000.00 be placed on the annual town meeting warrant; Mr. Dronzek seconded; all aye.

-Mrs. Allen brought up the letter received from the District Court of Wrentham which Mrs. Allen felt was too restrictive of community service volunteers; the Board agreed.

-Mrs. Allen brought up a request from Richard Tighe, Sealer of Weights and Measures, to go to the FinCom for an emergency transfer for mandated stage II vapor system. Mr. Johnson made the motion that his request be granted; Mr. Dronzek seconded; all aye.

-Mrs. Allen gave the Board re-appointment slips to sign for Paul Wilson and Paul DeSimone as representatives to the Regional Sewer District for three years. Mr. Johnson made the motion that they be re-appointed; Mr. Dronzek seconded; all aye. The Board signed the appointment slips.

-Gardner Rice arrived. Mr. Rice explained that the cross-connection control device was mandated and was to prevent material going back into a system when blockage occurs in the lines. The schools definitely had to be taken care of, and they need to be tested three times a year. Technically, the Town does not need the by-law; the State's mandate is enough; however, they felt they should just go the extra step. Mr. Rice said the State by-law was several pages long, and the Town's by-law could be in a briefer form to clarify and have on our own books.

Mr. Rice stated this was cost-free; and that a Consultant would go to various locations, such as the schools, undertakers, advise them what they need to install, and to tell them to then hire a plumber to do the work. Cost to them would be a minimum of \$50 to several hundred dollars for the inspection. He would also prioritize the locations.

Mr. Dronzek suggested passing out the State form to all the residents at town meeting instead of having it put in the town warrant, since it was lengthy. Mr. Rice said he would work on it by the next Selectmen's meeting on April 1, and ask Mr. Maciolek to look it over.

Mr. Rice said he had spoken to Mary Shea about a revolving account for this; and if it is done, it might be able to reduce the cost a little. He said anyone that has a wet sprinkler system also has to do the inspection, including lawn sprinkler systems. He approximated 6-8 tough cases in Town that he was aware of. He did not feel three tests a year were necessary; that random testing would be sufficient.

Mr. Johnson made a motion to reserve two spots on the town

meeting warrant for this cross-connection control system project, at this time designated #14 and #15, with the wording of the articles to be supplied and approved by Town Counsel; Mr. Dronzek seconded; all aye.

-With reference to the two articles Mr. Rice submitted for the special town meeting warrant, and the one for the annual, Mr. Dronzek told him that amounts should be indicated.

-Mr. Rice said that the Commissioners had opened proposals the week before for a new Engineer for the Water Department project, and that five had been submitted.

-A reminder of the financial forum at the high school the next evening was made.

-Mr. Dronzek asked Mrs. Allen to find out how the ambulance billing situation was progressing. Mr. Grimes never submitted the requested information to Peggy Tighe.

9:27 -The meeting was adjourned.

Respectfully submitted,



Mary Jean Fredette, Secretary

hj



BOARD OF SELECTMEN

155 VILLAGE STREET
MEDWAY, MASSACHUSETTS 02053
(508) 533-2013

AGENDA

MARCH 18, 1991

7:00 p.m.	Open meeting, sign warrants, approve minutes of 3-11-91 meeting.
7:05	George Fiske - re: Zoning Article "Open Space Development" for Annual Town Meeting.
7:30	Hearing for renewal of Live Entertainment License for: - Sabina Doyle's Restaurant
7:45	Linda Jacobs - Medway Community Alliance, to make a statement.
-----	Highway Superintendent
-----	Old Business
-----	New Business

Present: John Dronzek, Walter Johnson and Administrative Assistant Ruth Allen. Selectmen chairman Edward Borek died over the weekend on March 15, 1991.

7:00 p.m.--John Dronzek called the meeting to order, which was held in the Selectmen's Meeting Room 2 of the Town Hall. Mr. Dronzek will be Acting Chairman until after the May 6th election. He asked for a minute of silence in memory of Ed Borek. The warrants were signed and the minutes of March 11, 1991 accepted.

-Mr. Johnson made a motion that Arthritis Awareness Week be proclaimed the week of April 15-21; Mr. Dronzek seconded; all aye.

7:05 -George Fiske came before the board to bring up the article that they had asked the Planning Board to place on town meeting warrant, which was a petition for a zoning article. He introduced Jed Manus.

Mr. Manus said his clients were Mr. and Mrs. Woods. He said they have been before the Planning Board and the Selectmen to seek an amendment to the zoning by-laws for future development and preservation called "open space development". They had gone through several drafts, and now, he was submitting the latest draft that the Planning Board had approved. Mr. Manus said they had met with abutters last week, and several were present this evening.

Mr. Dronzek clarified that the article he was submitting had been approved by the Planning Board, and the document he was giving to the Selectmen was a condensed version of the entire open space document.

7:10 -The Board temporarily interrupted the meeting to attend a Conservation Commission ceremony in Sanford Hall.

7:15 -Mr. Dronzek and Mr. Johnson returned to the meeting room. Mr. Dronzek explained to those present that Mr. Boczanowski was giving a gift of 4+ acres of land at the Sanford Mill to the Conservation Commission for the residents of the Town to use for a canoe launching area.

Mr. Manus continued by saying they would not be putting more homes in the area than would be allowed by the by-law. Mr. Dronzek explained to the residents, that even if the Selectmen decided to put the article on the warrant, the planning board would still be holding public hearings prior to the town meeting. They would also have to then get subdivision approval and a special permit.

Mr. Gilman of Puddingstone Lane said the documents that residents received did not spell out that the area would be developed minus wetlands. Mr. Manus said that rules and regulations were given out earlier and detailed this information. He also stated that the by-law would establish the minimum and maximum density, and that the engineering has not been done yet, and the wetlands have not been mapped out

yet.

A citizen stated that the documents they were given the other night were deceiving, in that they showed 62 lots were going to be developed. Mr. Manus said that was based on the assessors maps, but the maps will be accurate when they are engineered.

Mr. Dronzek reminded the residents that all articles for the town meeting warrant have to be submitted to the Selectmen, and they would decide if an article can be on the warrant; other than a citizen's petition which has to go on the warrant. Zoning articles do require a public hearing.

Citizens questioned when they would get all the facts from Mr. Manus, and when their plan was up for approval.

Mr. Johnson made a motion to temporarily postpone Sabina Doyle's hearing until after the present subject was discussed; Mr. Dronzek seconded; all aye.

Mr. Manus told the residents that he would have to get a special permit to have only so many units - probably more than 12 and less than 80. He said when the engineering is done, they will have some better ideas.

Mr. Dronzek reminded those present that Mr. Manus and Mr. Fiske came before the Selectmen to discuss the article being placed on town warrant; any other information is not available yet as had been stated. Mr. Johnson also reminded the residents that after the preliminary plans are made up, then the public hearing will be held on the definitive plan, and then the special permit would be discussed.

Mr. Manus told the residents that there would be plenty of opportunities for them to come and speak and look at the information they had. Mr. Dronzek said that the article has to pass on town warrant by 2/3 vote, and if it is not passed, then it has to come before the Planning Board again. Mr. Manus did state, however, that if the article did not pass, he would still develop on a conventional basis.

A resident spoke up and asked the Selectmen to please keep the best interests of the town in mind; to make decisions to benefit the town; and to also keep the town the way the residents thought it was going to be when they moved here.

Mr. Dronzek said they would take the residents' concerns under advisement.

A resident asked what would the impact be on the town if they did change the by-law? Mr. Dronzek could not give a specific answer, but said there are those who do want open space and recreational areas and facilities in the town.

A resident was concerned if the number of non-buildable lots was excluded from the total number of buildable lots. Mr. Manus said if they lost lots, then they would go

conventional.

Mr. Dronzek again told the residents that their concerns should be addressed to the Planning Board, and they would not amend the article as submitted by them. He told them that there would be plenty of time for discussions, and the Board of Selectmen would keep their concerns in mind. He thanked the residents for coming.

7:50 --Joe Griffith of Sabina Doyle's came before the Board to talk about his live entertainment license. Mr. Dronzek again apologized for having had to delay his time, but the previous meeting could not have been stopped.

Mr. Griffith told the Board that his live entertainment license should have been renewed in January, but through an administrative error, was not done. He also did not realize that it had expired. He said he did not want the license for Sunday anymore, but for Thursday instead, as well as Friday and Saturday.

One of the members of the audience present was Karen Nuthman of 11 Meadow Road. She objected to the live entertainment license being granted, in lieu of the fact that his entertainment went until 1 a.m.

Mr. Johnson said Mr. Griffith approached him about two weeks ago, and he did go out to investigate. Mr. Johnson said he could not hear any music from out in the parking lot, with the car engine running, with the car windows rolled down, and then with the engine turned off. He also went up near the stockade fence, and still could not hear anything.

A resident said he had to get up at 5 a.m., and could not get any sleep with music going until 1 a.m., especially on Thursday night. Mr. Griffith said the music doesn't go beyond 12:30 a.m. The resident said he called the police at 12:35 a.m., and the music was still playing.

Sgt. Malo, who was present, said the police respond to all complaints, and the officer did not hear any music. Windows at Sabina Doyle's were closed when the entertainment was on; however, the officer was not in the resident's home, and did not hear what he heard.

The resident said his bedroom faces the parking lot, and he could hear the music. Another resident could not understand why he was allowed to have an entertainment license in a commercial area that abutted a residential area.

Mr. Dronzek told the residents that the Selectmen held a hearing on his liquor license in November/December of 1989, and no one was there. Residents said they were not notified.

Mr. Griffith explained that last call was at 12:30 a.m., and except for Thursdays, they usually close at 11 p.m. He told of how he found an employee with a radio near an open window, and took care of that.

Another resident, Mike Cellucci of Meadow Road, stated that during the summer, he had the air conditioner on, and he could not hear the music; when he could hear the music, he had called the police after not getting any response with a call to Sabina Doyle's - the police responded, and the music ceased.

Mrs. Nuthman argued that this was not the way these residents should live - they should not be disturbed, and should not have to call Sabina Doyle's or the police.

Mr. Griffith said he will turn the volume on the sound down. Mr. Johnson suggested accoustical material. Mr. Griffith reminded residents that they purchase property near a commercial district. Again, a resident stated that there is a problem here, and they want it rectified. Again, Mr. Griffith said he will attempt to quiet everything down, and make sure the windows are closed. Mrs. Nuthman said they object to the granting of a live entertainment license to Mr. Griffith.

A resident could not understand why they were not individually notified that Sabina Doyle's was having a public hearing on a liquor license since they were abutters. Mr. Dronzek told him that only on zoning board of appeal petitions and pole petitions, are abutters notified for a distance of 300-500 feet; liquor licenses require direct abutters only. Mr. Griffith said he did everything that was required of him to obtain his liquor license. He asked residents to give him another chance.

Another resident complained that he was operating without a valid license that had expired, and also on a day that he had no license for. Mr. Dronzek said this was one license that had not been caught by the Selectmen. The resident asked whose side the Selectmen were on - theirs or Mr. Griffith's? and asked the Selectmen to second the citizens' request not to grant him the license.

Mr. Dronzek said they would go over their comments and take them under consideration. Again, the residents voiced their objections, and Mr. Dronzek had to state that the meeting would be held in an orderly fashion, or it would cease. Mr. Dronzek explained how two people could have different opinions and be involved in the same situation. He said Mr. Griffith has agreed to try and remedy the situation, and he is not violating any laws that they were aware of, and therefore will probably vote favorably on the license.

A resident asked if the Selectmen did not feel that operating without a license for three months wasn't a violation of the law. Again, Mr. Johnson said Mr. Griffith would tone it down, and he could soundproof that portion of the building if need be. Mr. Dronzek also stated that if Mr. Griffith doesn't remedy the situation, the Selectmen would revoke the license. Mr. Griffith felt the problem could be resolved.

Sgt. Malo said the Board has worked with the police in the

past, and it was possible to just issue a three month license and during that time, he was to take corrective action, and the police would monitor the establishment. He said if calls come in to the police, they will respond, but asked the residents not to just make frivolous complaints.

A resident wanted clarification on the Sgt.'s stand on this issue. Sgt. Malo said the police department does not take any stand - one way or the other.

On complaints of noise in general in the parking lot, and next door at Condon's, Sgt. Malo said the police usually do their building checks around 12:30 a.m., and they take care of any problems in that area at that time routinely.

Residents asked if Mr. Griffith owned the property, or leased, to which he replied he leased. Other questions such as sign permits and cutting back on restaurant hours brought Mr. Dronzek to say that the hearing was closed.

8:40

-Linda Jacobs, on behalf of the Medway Community Alliance, came before the Board to read a statement in regard to what the group's purpose was - to help the town be aware of what a debt exclusion was, and their intent to see it pass on the town election ballot. Mr. Dronzek said both he and Mr. Johnson were in favor of the question, but tried to clarify a mis-statement of Linda's "to maintain current level of personnel and services". He said the passage of the debt exclusion would only level-fund, not level-service.

He proceeded to say that revenues would only be \$12,200,000, and to get to level funding with the debt exclusion would still be eliminating positions, but it would be disastrous without it. To level services would take \$13,750,000 - that was a difference of \$1,550,000, and the debt exclusion would only cover around \$800,000. Level funding would be \$13,000,000.

Mrs. Jacobs said the MCA would like the Selectmen's endorsement in a publication they are printing to send to all residents. Mr. Dronzek said they could make a statement to at least be in favor of maintaining adequate levels of service within financial means. He said that they were all taxpayers and he hoped the town would not let their investment in the town go awry.

When asked what number was the ballot question, Mr. Dronzek said #1. Dick Brown, who was present, said the Finance Committee is not recommending the whole sewer debt. Allan Osborne, who was present, reiterated the problems encountered by senior citizens with tax dollars going up, and said the concerned seniors group is not against the debt exclusion, but money was tight. Mr. Brown said the Finance Committee is trying to use the lowest amount possible, and were recommending the amount be \$756,176.02. This would be a 9% increase in taxes, or \$1.20 increase for every \$100,000 of property value the first year, and reduced every year thereafter.

Mr. Osborne suggested Water/Sewer decrease their rates for seniors, and possibly postponing payments or abatements. Mr. Dronzek felt it should be made public what is available for seniors to take advantage of.

Mr. Dronzek told Mrs. Jacobs the Selectmen would have their statement ready for Friday.

-Mrs. Allen told the Finance Committee what Mrs. Shea had stated about the amount for debt exclusion - she had said if they exclude the multi-purpose bonds, they have to exclude the note - it was all one. Mr. Brown differed with this, and said the 1 yr. note and long-term bonds were not the same.

-Mr. Johnson made the motion that the Town of Medway should exclude from the provisions of proposition 2-1/2 the total principal outstanding amount of \$5,708,050, which is made up of multi-purpose bonds of \$3,440,000, and made up of five FHA sewer bonds, with a total principal of \$2,268,050 and the interest thereon; Mr. Dronzek seconded; all aye.

-Mr. Dronzek said they had received the Finance Committee's letter for an article on the town meeting warrant for quarterly tax billing. Mr. Brown gave the Board a letter from Representative Gardner stating Holliston and Southboro had no problems with quarterly tax billing. He said the documents he was giving the Board could be done as a citizen's petition, a FinCom article, or as a Selectmen's article.

Mr. Johnson made a motion that the article be placed on the town meeting warrant as per the FinCom's recommendation and under the Finance Committee; Mr. Dronzek seconded; all aye.

-Mr. Johnson moved that the Selectmen put the Planning Board's article on open space development on the town meeting warrant; Mr. Dronzek seconded; all aye.

-Mr. Dronzek expressed his concerns to the Finance Committee about the stipends being eliminated from certain boards; but Mr. Brown said everyone has to show the town that they are trying to cut back. Mr. Johnson made mention of Tri-County's percentage of cut-back, unemployment and health insurance that are still a problem for funding.

Mrs. Allen said that the treasurer's office is responsible for unemployment and health insurance, and they would know what the figures were.

-Mr. Brown mentioned that the Water/Sewer Dept. was requesting a 4% increase in the salary account, but the Finance Committee had to vote against it.

-Mr. Johnson made a motion that the Selectmen endorse the FinCom's presentation for the financial forum on March 26; Mr. Dronzek seconded; all aye.

9:25

-Diarmuid Higgins, Highway Supt., updated the Board that traffic signs were vandalized over the weekend; that brush cutting was being done on Rt. 126; that streets were being swept; and that the meeting with Norfolk County Engineers was still on schedule for March 21 at 10 a.m.

9:30

-Mr. Johnson made a motion to renew Sabina Doyle's live entertainment license for three months to expire on June 17, to monitor them during that time period, and to allow the license to be valid on Thursdays from 6 p.m. to 12 midnight; and Fridays and Saturdays from 6 p.m. until closing, 1 a.m.; Mr. Dronzek seconded; all aye. The Board signed the license.

-Mr. Dronzek made a motion that, since Edward A. Borek was the chief executive officer of the Town of Medway, the town hall be closed to the public on March 20th until 1 p.m. in memory and out of respect of his death; Mr. Johnson seconded; all aye. Mr. Dronzek said employees can go to the funeral, or work in the office, but offices would be closed to the public.

-Mrs. Allen went over with the Board the citizen's petition for redoing the Cottage Street area because of flooding problems. The Board agreed there were no funds available, but the petition has to go on the annual warrant.

-Mrs. Allen went over the library's article - one for the special, and one for the annual. Mr. Johnson made a motion that the library articles be put on the warrant; Mr. Dronzek seconded; all aye.

-Mrs. Allen brought up the Planning Board's request to now use Town Counsel in the Lou Petrozzi matter. Mr. Johnson made a motion to allow the Planning Board to use Town Counsel on this matter; Mr. Dronzek seconded; all aye.

-Mrs. Allen brought up the Board of Health's request to have an article on town meeting warrant in reference to chapter 40, section 21D on fines. Mr. Johnson made a motion that this article on fines be placed on the warrant by the Board of Selectmen; Mr. Dronzek seconded; all aye.

-Mrs. Allen said no information has been received from Police Chief Lambirth about the condition and mileage of the present police cruisers - the information is needed by Monday, the 25th.

-Insofar as postponing pay increases for the school department and the police department, no response has been received yet from the School Committee or the Police Association.

-In response to reports that Park Department vehicles have been seen with a child on board, Mr. Dronzek asked Mrs. Allen to write to the Park Commissioners asking that that situation cease and desist; Mr. Johnson seconded; all aye.

-In reference to New England Telephone's request to place a

stub pole and guy wire to existing pole #38-60/1 behind the town hall, the Board was in agreement to grant this as long as there was no interference with the garage doors, and ambulances coming and going. Mr. Johnson made the motion that this petition be approved; Mr. Dronzek seconded; all aye.

-Mrs. Allen went over with the Board the list from the Assessors' office listing the locations that have been found by Mr. Thompson as not having permits for their added/corrected structures. The Board was in agreement that the Building Inspector write up a form letter to be sent to all violators, telling them they have been found to be in violation, and for safety reasons, and to pull a permit. Mr. Dronzek suggested the letters be sent out in batches, so the Building Department is not overwhelmed all at one time.

-In reference to Tri-County's article for the town meeting warrant, the Board agreed to place it on the warrant.

-Mrs. Allen told the Board that Ms. Fallon had published a news release to let residents know of the procedure that has to be followed because of the death of Mr. Borek, after having received the approval of Attorney Maciolek.

-Mrs. Allen told the board that the request for proposal on regional recycling has been released, and they are going out to bid.

-In reference to Mr. Johnson's appointment to the Norfolk County Advisory Board, the Board signed the appointment slip. Mrs. Allen will advise the Advisory Board of their new representative since Mr. Dronzek resigned.

-Ms. Fallon submitted an article for the town meeting warrant for fireproof storage files. Mr. Johnson made a motion that this be approved; Mr. Dronzek seconded; all aye.

-Mrs. Allen mentioned that there had been complaints about the old Be-Well Farms building, and that it has since been corrected and boarded up where necessary.

-Mrs. Allen said that Chief Vinton was wondering who is going to take up the expenses of heat and light for the old fire station once this fiscal year was over? No decision was made.

-Mrs. Allen mentioned that there were three outstanding dog complaints that have been handed over to Jim Cassidy for action and an answer.

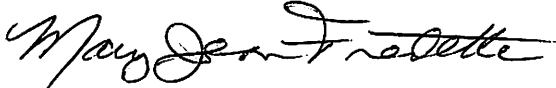
-Mrs. Allen confirmed Vern Robertson of Medway Cable Access will be at the Selectmen's meeting on March 25th.

-Mrs. Allen confirmed that the Golden Jade hearing was scheduled for April 1, and parents of the minors involved were notified.

-Mrs. Allen told the Board that, per the town by-laws, the Board of Selectmen are to appoint a building code of appeals board, consisting of five people. So far, she said, two builders, one architect, and one engineer have applied; and she was waiting for one more name of a builder.

10:20 -The meeting was adjourned.

Respectfully submitted,



Mary Jean Fredette, Secretary

mj

ARTICLE []

To see if the Town will vote to amend the Zoning By-laws:

By adding a new section:

"R. OPEN SPACE DEVELOPMENT

1. Purpose. The Planning Board may designate a parcel of land as an Open Space Development by granting a special permit to the parcel owner pursuant to this Section.

Designation of a subdivision as an Open Space Development is intended to promote the more efficient use of land in harmony with its natural features; to encourage the preservation and maintenance of open space; to protect water bodies and water supplies, aquifers, wetlands, flood plains, agricultural lands, wildlife and other natural resources; to permit more flexibly conceived and more attractively designed residential subdivisions; to facilitate the more economical provision of utilities to and throughout residential subdivisions; and to ensure that the development of land is sensitive to and compatible with existing surrounding neighborhoods and the Town of Medway generally.

2. Standards.

(a) Location. An Open Space Development shall be located in an Agricultural and Residential I District, an Agricultural and Residential II District or a General Residential District only.

(b) Minimum Parcel Size. An Open Space Development shall be a single parcel of land containing not less than ten times the minimum lot area required in the zoning district(s) in which the Open Space Development is located but, in any event, not less than ten acres.

(c) Number of Lots. The number of lots permitted in an Open Space Development shall not exceed the number of lots into which the parcel can be subdivided in accordance with this Zoning By-law and the Rules and Regulations of the Planning Board applicable in the zoning district(s) in which the Open Space Development is located, without regard for this Section.

(d) Dimensional Requirements. Each lot in an Open Space Development shall conform to the dimensional and other requirements applicable in the zoning district(s) in which the Open Space Development is located, without regard for this Section, except that:

(1) Each lot in an Open Space Development shall contain not less than 50% of the minimum lot area required in the zoning district(s) in which the Open Space Development is located but, in any event, not less than 15,000 square feet;

(2) Each lot in an Open Space Development shall have frontage on a street of not less than two thirds of the minimum street frontage required in the zoning district(s) in which the Open Space Development is located, or, if the frontage is on a turn-around, then not less than one third of said minimum street frontage.

(e) Utilities. Each lot in an Open Space Development shall be served by municipal water service and municipal sewer service.

(f) Open Space

(1) The minimum required Open Space in an Open Space Development shall equal the greater of:

(i) an amount of land if, when added to the land contained in the lots in the Open Space Development, shall be at least equal in area to the number of such lots multiplied by the minimum lot area required in the zoning district(s) in which the Open Space Development is located; or

(ii) at least twenty five per cent (25%) of the total area of the Open Space Development.

No more than fifty per cent (50%) of the minimum required Open Space shall be situated within a Flood Plain/Wetland Protection District as defined by Section Q.2.(a) of this By-law or situated within wetlands as defined by M.G.L.A. Ch. 131, §40.

(2) The Open Space shall be readily accessible to the owners of the lots in an Open Space Development.

(3) All Open Space shall either be owned by a Homeowner Association whose membership includes all of the owners of the lots in an Open Space Development, the Town of Medway, for park or open space use, subject to approval of the Town Meeting, or a non-profit organization, satisfactory to the Planning Board, the principal purpose of which is the conservation of open space in perpetuity.

(4) The Open Space shall remain undeveloped and in its natural state, but, subject to the approval of the Homeowner Association, the Town Meeting, or such non-profit organization, respectively, the Open Space may be used for any activity permitted under General Laws Ch. 184, §§31 - 33.

(g) Homeowner Association. If the Open Space is to be owned by a Homeowner Association:

(1) the parcel owner shall include in the deed to

the lot owners beneficial rights in the Open Space. The parcel owner shall also grant a separate conservation restriction to the Town over the Open Space pursuant to General Laws Ch. 184, §§31 et. seq., to ensure its perpetual use for the purposes approved by the Homeowner Association and specified in General Laws Ch. 184, §31. This restriction shall be enforceable by the Town in any proceeding authorized by General Laws Ch. 184, §32.

(2) In order to ensure that the Homeowner Association will properly maintain the Open Space, the parcel owner shall cause to be recorded at the Norfolk District Registry of Deeds a Declaration of Covenants and Restrictions which shall, at a minimum, provide for the following:

(i) mandatory membership in the Homeowner Association as a requirement of ownership of any lot in the Open Space Development;

(ii) provisions for maintenance assessments on all lots in order to ensure that the Open Space is maintained in a condition suitable for the uses approved by the Homeowner Association. Failure to pay such assessments shall create a lien on the defaulting lot owner's property within the Open Space Development, enforceable by either the Homeowner Association or the owner of any lot in the Open Space Development.

(iii) provisions which, so far as possible under existing law, will ensure that the restrictions placed on the use of the Open Space will not terminate by operation of law.

(3) The parcel owner shall be responsible for the maintenance of the Open Space until such time as the Homeowner Association can assume such responsibility.

(h) Use of Open Space. Use of the Open Space, when owned by a Homeowner Association, shall be restricted to lot owners and their guests and other persons approved by the Homeowner Association. Either the Homeowner Association, the Town or such non-profit organization shall have the right to place reasonable restrictions on the use of the Open Space that has been deeded to it in order to ensure its continuing suitability for the purposes authorized by this Section. No structure shall be erected on the Open Space except as incident and appropriate to the above uses.

3. Granting Authority. The Planning Board is hereby designated as the special permit granting authority for Open Space Developments.

4. Additional Conditions. The Planning Board may, in appropriate cases, impose further reasonable restrictions upon the

9

The first part of the report deals with the general situation of the country and the progress of the work. It is followed by a detailed account of the various projects and the results achieved. The report concludes with a summary of the work done and the plans for the future.

The second part of the report deals with the financial aspects of the work. It gives a detailed account of the income and expenditure of the organization and shows how the funds have been used. It also includes a statement of the assets and liabilities of the organization.

The third part of the report deals with the administrative aspects of the work. It gives a detailed account of the organization's structure and the work of the various departments. It also includes a statement of the personnel of the organization.

The fourth part of the report deals with the social aspects of the work. It gives a detailed account of the organization's social work and the results achieved. It also includes a statement of the social work of the organization.

The fifth part of the report deals with the future of the organization. It gives a detailed account of the organization's plans for the future and the steps that will be taken to achieve them. It also includes a statement of the future of the organization.

The sixth part of the report deals with the conclusion of the work. It gives a detailed account of the organization's achievements and the lessons learned. It also includes a statement of the conclusion of the work.

The seventh part of the report deals with the appendix. It gives a detailed account of the various documents and reports that have been prepared by the organization. It also includes a statement of the appendix.

The eighth part of the report deals with the index. It gives a detailed account of the various topics covered in the report. It also includes a statement of the index.

The ninth part of the report deals with the bibliography. It gives a detailed account of the various books and articles that have been consulted by the organization. It also includes a statement of the bibliography.

Open Space Development, or parts thereof, as a condition to issuance of a special permit under this Section, and may promulgate any additional rules and regulations relative thereto.

5. Land in Two or More Districts. For purposes of this Section, if the land shown on the plan includes land located in two or more zoning districts, all of the land shall be considered as lying entirely within the zoning district having the largest area and frontage requirements, provided, however, that if eighty per cent (80%) or more of the land shown on the plan lies within one zoning district, all of the land shall be considered as lying within that zoning district.

6. No Further Subdivision. No lot shown on a plan for which a special permit is granted under this Section may be further subdivided, and a notation to this effect shall be shown on the plan.

7. Amendments. Any increase in the number of lots, or change in the layout of ways, the Open Space and its ownership or use, or change in any other material condition stated in the original special permit shall require a new special permit issued in accordance with the provisions of this Section."

by amending CONTENTS (Page 1) of the Zoning By-laws by deleting:

"R. Not Used	
S. Signs	34"

and adding in its place:

"R. Open Space Development	34
"S. Signs	36"

and by amending ARTICLE III. ADMINISTRATION, SECTION D. BOARD OF APPEALS (Paragraph ~~4~~⁵) by deleting:

"The Board of Appeals is hereby designated to act as a permit granting authority and a special permit granting authority and shall have the following powers:"

and adding in its place:

"Except as otherwise provided herein, the Board of Appeals is hereby designated to act as a permit granting authority and a special permit granting authority and shall have the following powers:"

and to see if the Town will pass any vote or take any action relative thereto.

[PLANNING BOARD]

Finance Committee Budget Recommendations
Explanatory Comments

Column 1 = fiscal year 1991 budget; Column 2 = FY92 department requests;
Column 3 = FinCom recommendations assuming no debt exclusion;
Column 4 = FinCom recommendations assuming a debt exclusion passes.

General Comments:

Salaries - Full and part time salary budgets have been level funded. For departments with salary contracts (police and school depts) this means a decrease in personnel to offset the increases called for in the contracts. For other departments (those without salary contracts; town offices, highway, library, etc.) this means no salary increases, no promotions, no job grade increases, no salary step increases, no increases in hours, no increases in personnel, no increases in part time help.

Stipends - We are recommending elimination of stipends for moderator, Bd of selectmen, Bd of assessors, wire inspector, gas inspector, Bd of water/sewer and Bd of health. Stipends have been continued for fire personnel, registrars, emergency medical services, police & fire comm, sealer of weights, building inspector and animal control officer.

Overtime - Only overtime related to public safety are being recommended.

Expenses - Level funded, which means that all departments must offset increases in utilities, postage and supplies with decreases in budgets for training, education, overtime and maintenance. Other town expenses such as health insurance, retirement costs, debt payments and Tri-county school assessments have all reflected large increases.

Departmental Comments:

Board Secretaries - All part time board and committee secretaries have been budgeted for reduced hours. Additional work loads can be made up through volunteer efforts of the board or committee members.

Finance Committee - 150 hrs annually | Planning Board - 250 hrs annually
Job Class Rev Bd - 36 hrs annually | Bd of Health - 250 hrs annually
Zoning Board - 250 hrs annually

Park Department - Full time salaries have been transferred to the DPS Highway budget. A detailed plan for sharing and consolidation of resources between the highway and park departments is under review. The combined full time DPS budget reflects the elimination of one full time position and an increase in the summer part time budget. The Park Department part time salary budget has not yet been adjusted to reflect the elimination of salary amounts related to field maintenance that will be included in the DPS budget.

Unemployment - The cost of layoffs has not been included at this time.

Schools - The figures for the school (line 94 & 95) used in column 2 reflect the superintendents initial budget (a 4.1% increase). The schools have made dramatic cuts in their budget and now have submitted a budget which reflects level funding.

Police and Fire Departments - The cost of operating the new police and fire stations is being absorbed within the current budget by decreases in training, new equipment, replacement equipment, maintenance and possibly personnel.

Cost of an Override

Town Totals:

Before Override = \$630,000,000 value X \$13.28/1000 = \$8,387,000

After Override of:

\$756,000 = \$630,000,000 value X \$14.48/1000 = \$9,143,000

Individual Taxpayer: Formula = (valuation) X rate/\$1,000 = Annual Tax

Before Override = \$100,000 value X \$13.28/1000 = \$1,328

\$200,000 value X \$13.28/1000 = \$2,656

After Override of:

\$756,000 = \$100,000 value X \$14.48/1000 = \$1,448 +120

\$200,000 value X \$14.48/1000 = \$2,896 +240

Estimated using FY91 approximate valuations and tax rate.

VERRIDE VS DEBT EXCLUSION

FIRST YEAR

	<u>VERRIDE</u>	<u>DEBT EXCLUSION</u>
A. FY91 LEVY LIMIT	\$8,182	\$8,182
B. (A) x 2.5%	+205	+205
C. FY92 NEW GROWTH	+200	+200
D. FY92 OVERRIDE	+756	N/A
E. FY92 LEVY LIMIT (A+B+C+D)	---\$9,343	---\$8,587
F. FY92 DEBT EXCLUSION	N/A	+756
TOTAL PROPERTY TAXES	---\$9,343	---\$9,343

YEAR 2

A. FY92 LEVY LIMIT	\$9,343	\$8,587
B. (A) x 2.5%	+234	+215
C. FY93 NEW GROWTH	+200	+200
D. N/A	N/A	N/A
E. FY93 LEVY LIMIT (A+B+C)	---\$9,777	---\$9,002
F. FY93 DEBT EXCLUSION	N/A	+729
TOTAL PROPERTY TAXES	---\$9,777	---\$9,731

VERRIDE VS DEBT EXCLUSION

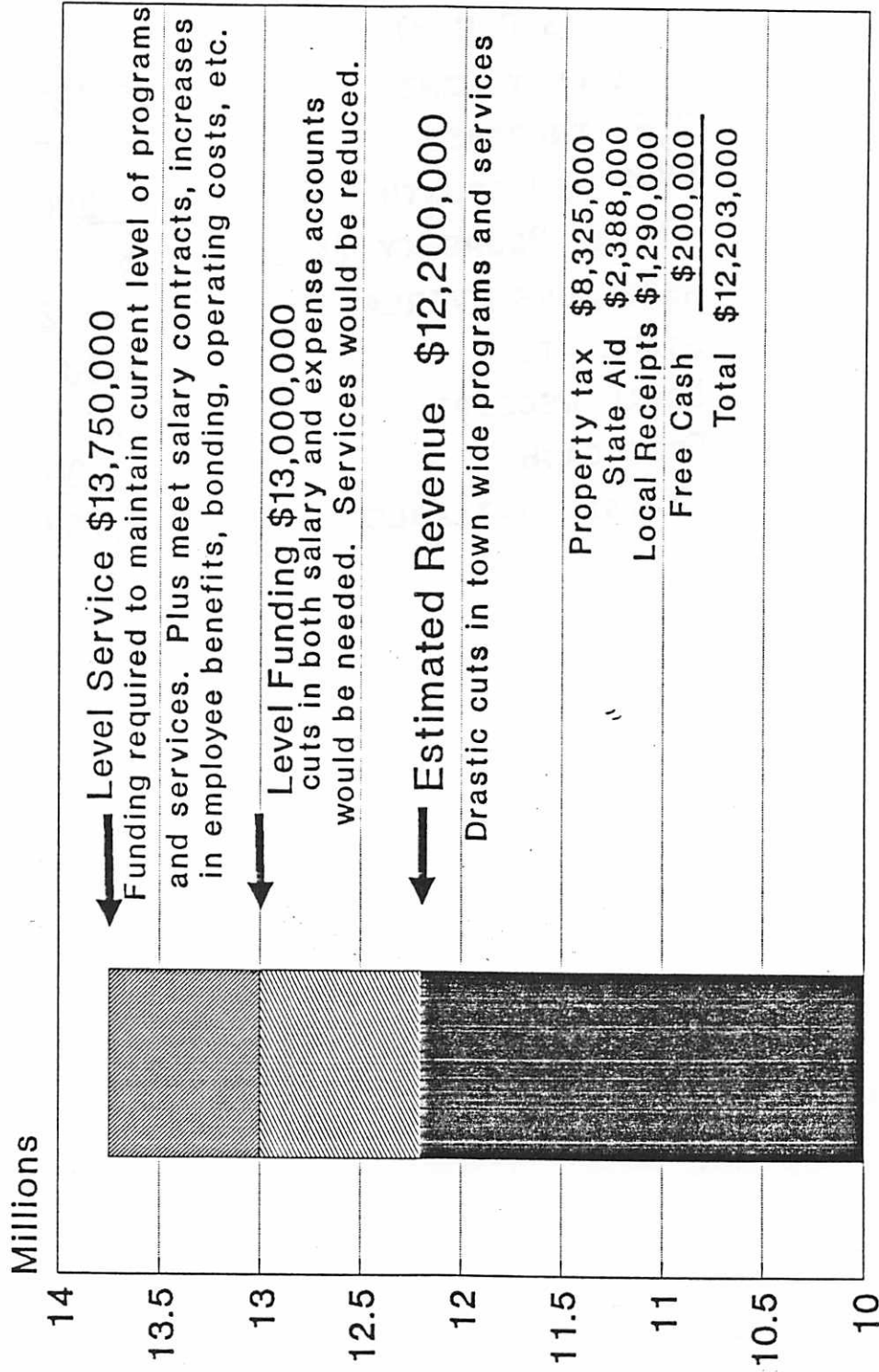
FIRST YEAR

	<u>VERRIDE</u>	<u>DEBT EXCLUSION</u>
A. FY91 LEVY LIMIT	\$8,182	\$8,182
B. (A) x 2.5%	+205	+205
C. FY92 NEW GROWTH	+200	+200
D. FY92 OVERRIDE	+756	N/A
E. FY92 LEVY LIMIT (A+B+C+D)	---\$9,343	---\$8,587
F. FY92 DEBT EXCLUSION	N/A	+756
TOTAL PROPERTY TAXES	---\$9,343	---\$9,343

YEAR 2

A. FY92 LEVY LIMIT	\$9,343	\$8,587
B. (A) x 2.5%	+234	+215
C. FY93 NEW GROWTH	+200	+200
D. N/A	N/A	N/A
E. FY93 LEVY LIMIT (A+B+C)	---\$9,777	---\$9,002
F. FY93 DEBT EXCLUSION	N/A	+729
TOTAL PROPERTY TAXES	---\$9,777	---\$9,731

Fiscal Year 1992 Appropriations



COMPONENTS OF REVENUE

(\$ 000's)

FY91 LEVY LIMIT	\$8,182
2.5% INCREASE	205
FY92 NEW GROWTH	<u>200</u>
TOTAL PROPERTY TAXES	8,587
ASSESSORS OVERLAY	-262
STATE AID	2,388
LOCAL RECEIPTS	1,290
FREE CASH	<u>200</u>
TOTAL AVAILABLE	\$12,203

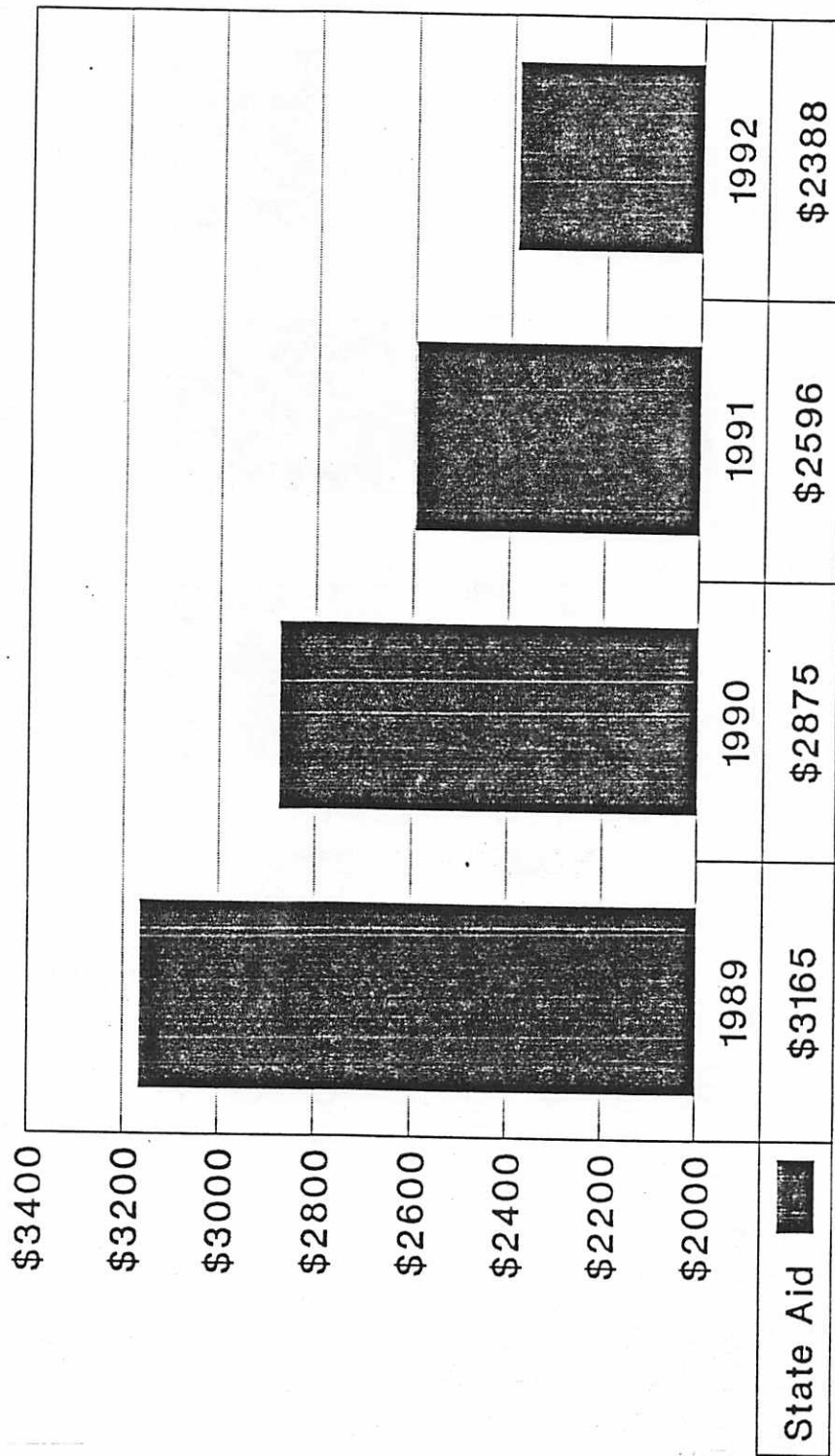
COMPONENTS OF REVENUE
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TOTAL AVAILABLE	\$12,203

State Aid

(\$ in Thousands)

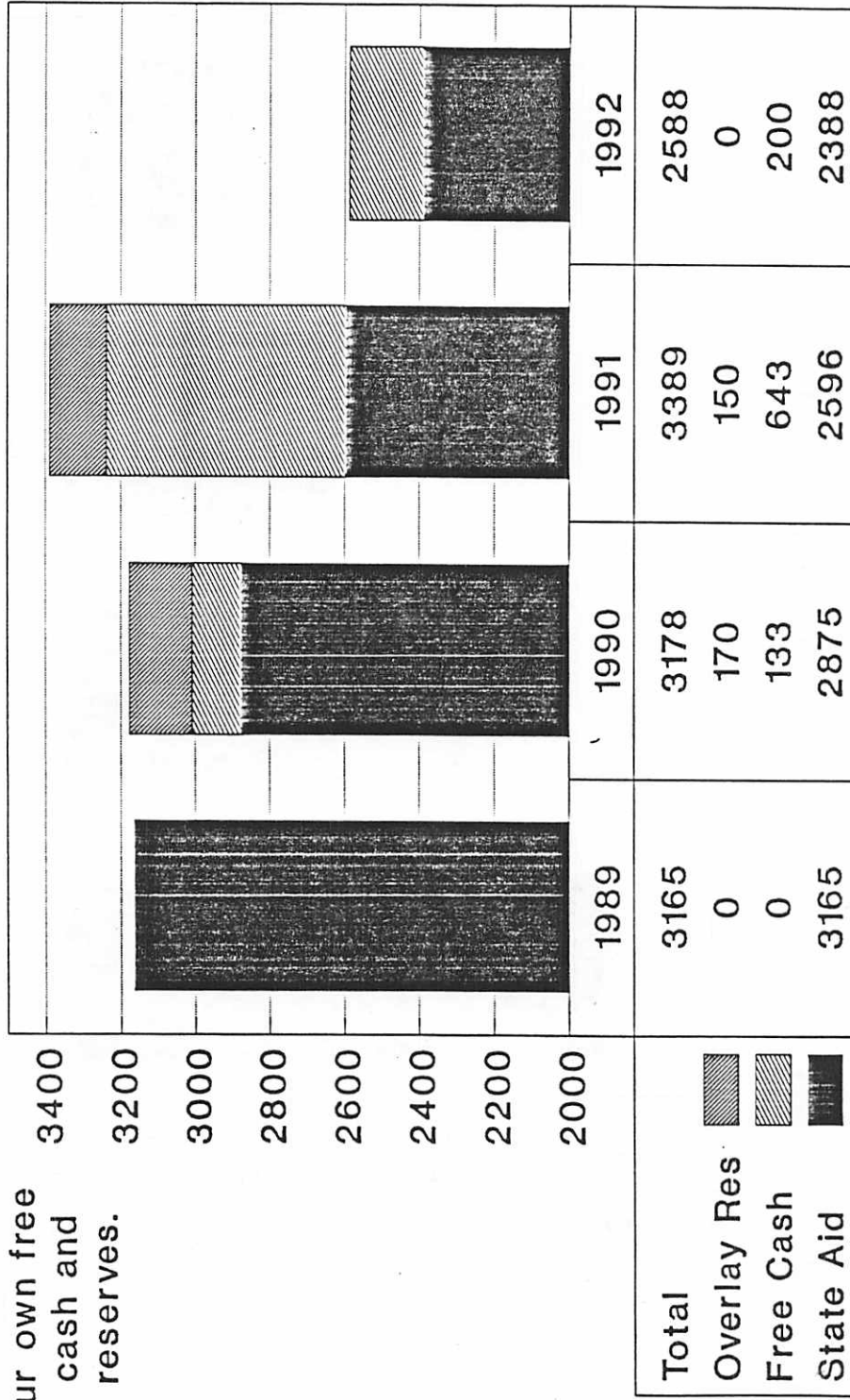
The amount for FY92 reflects an estimate of the cuts being proposed by Governor Weld as part of his FY92 budget.



Aid from the State has Decreased

State Aid Free Cash & Overlay Reserve (\$ in Thousands)

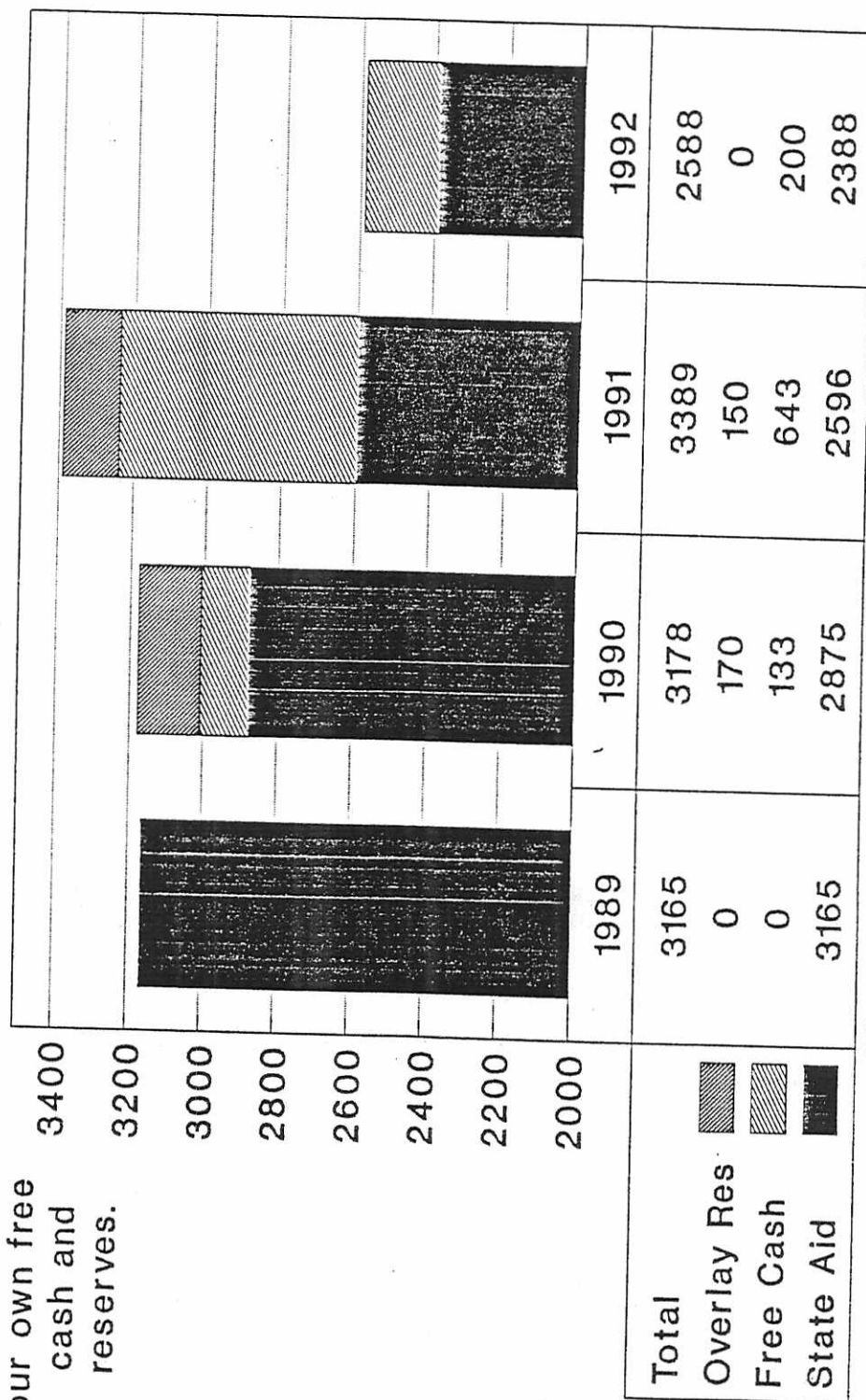
In 1990 and 1991, Medway made up the State Aid reductions from our own free cash and reserves.



The use of Overlay Reserve and Free Cash can no longer make up the shortfall in State Aid

In 1990 and 1991, Medway made up the State Aid reductions from our own free cash and reserves.

State Aid Free Cash & Overlay Reserve (\$ in Thousands)



The use of Overlay Reserve and Free Cash can no longer make up the shortfall in State Aid

Glossary

- Abatement -A complete or partial cancellation of a tax levy.
- Free Cash -Surplus revenue which is able to be appropriated. Certified annually by the Department of Revenue.
- Level Service -Funding allocation sufficient to maintain existing services and quality. This usually requires additional monies each year to accommodate wage increases, service contracts and other escalators.
- Level Funding -Allocating the same number of dollars to a department from year to year and implementing the services and standards of quality that can be paid for within the amount of funding provided. Level funding usually requires reductions in services and quality.
- Overlay -Taxes raised in excess of appropriations for the purpose of creating a fund to cover abatements.
- Overlay Reserve -The accumulated amount of overlay for previous years which has not been used.
- Stabilization Fund -A special reserve account created to provide for capital improvements.

GLOSSARY (CONTINUED)

- * LEVY - THE PROPERTY TAX LEVY IS THE REVENUE A COMMUNITY CAN RAISE THROUGH REAL AND PERSONAL PROPERTY TAXES.**
- * LEVY CEILING - A COMMUNITY CANNOT LEVY MORE THAN 2.5% OF THE TOTAL FULL AND FAIR CASH VALUE OF ALL TAXABLE REAL AND PERSONAL PROPERTY IN THE COMMUNITY. THIS IS THE UPPER LIMIT.
(NO MORE THAN A TAX RATE OF \$25.00/1000 OF VALUE)**
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GLOSSARY (CONTINUED)

- * LEVY - THE PROPERTY TAX LEVY IS THE REVENUE A COMMUNITY CAN RAISE THROUGH REAL AND PERSONAL PROPERTY TAXES.**
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Year	Multipurpose Bonds		Bonds		Bond Payment		FHA Sewer Bonds		Interest		Subtotal		TOTAL	
	Principal	Interest	Principal	Interest	Subtotal	Subtotal	Principal	Interest	Subtotal	Subtotal	Subtotal	Subtotal	TOTAL	TOTAL
FY92	\$309,900.00	\$232,328.52			\$542,228.52	\$542,228.52	\$101,150.00	\$112,797.50	\$213,947.50	\$213,947.50	\$213,947.50	\$213,947.50	\$756,176.02	\$756,176.02
FY93	\$309,500.00	\$210,494.67			\$519,994.67	\$519,994.67	\$101,150.00	\$107,740.00	\$208,890.00	\$208,890.00	\$208,890.00	\$208,890.00	\$728,884.67	\$728,884.67
FY94	\$310,150.00	\$188,652.01			\$498,802.01	\$498,802.01	\$101,150.00	\$102,682.50	\$203,832.50	\$203,832.50	\$203,832.50	\$203,832.50	\$702,634.51	\$702,634.51
FY95	\$294,650.00	\$167,332.81			\$461,982.81	\$461,982.81	\$101,150.00	\$97,625.00	\$198,775.00	\$198,775.00	\$198,775.00	\$198,775.00	\$660,757.81	\$660,757.81
FY96	\$195,894.00	\$150,041.14			\$345,935.14	\$345,935.14	\$101,150.00	\$92,567.50	\$193,717.50	\$193,717.50	\$193,717.50	\$193,717.50	\$539,652.64	\$539,652.64
FY97	\$180,000.00	\$136,790.88			\$316,790.88	\$316,790.88	\$101,150.00	\$87,510.00	\$188,660.00	\$188,660.00	\$188,660.00	\$188,660.00	\$505,450.88	\$505,450.88
FY98	\$180,000.00	\$124,100.88			\$304,100.88	\$304,100.88	\$101,150.00	\$82,452.50	\$183,602.50	\$183,602.50	\$183,602.50	\$183,602.50	\$487,703.38	\$487,703.38
FY99	\$194,906.00	\$110,885.44			\$305,791.44	\$305,791.44	\$101,150.00	\$77,395.00	\$178,545.00	\$178,545.00	\$178,545.00	\$178,545.00	\$484,336.44	\$484,336.44
FY00	\$190,000.00	\$97,270.00			\$287,270.00	\$287,270.00	\$101,150.00	\$72,337.50	\$173,487.50	\$173,487.50	\$173,487.50	\$173,487.50	\$460,757.50	\$460,757.50
FY01	\$150,000.00	\$85,200.00			\$235,200.00	\$235,200.00	\$101,150.00	\$67,280.00	\$168,430.00	\$168,430.00	\$168,430.00	\$168,430.00	\$403,630.00	\$403,630.00
FY02	\$125,000.00	\$75,437.50			\$200,437.50	\$200,437.50	\$101,150.00	\$62,222.50	\$163,372.50	\$163,372.50	\$163,372.50	\$163,372.50	\$363,810.00	\$363,810.00
FY03	\$125,000.00	\$66,562.50			\$191,562.50	\$191,562.50	\$101,150.00	\$57,165.00	\$158,315.00	\$158,315.00	\$158,315.00	\$158,315.00	\$349,877.50	\$349,877.50
FY04	\$125,000.00	\$57,687.50			\$182,687.50	\$182,687.50	\$101,150.00	\$52,107.50	\$153,257.50	\$153,257.50	\$153,257.50	\$153,257.50	\$335,945.00	\$335,945.00
FY05	\$125,000.00	\$48,812.50			\$173,812.50	\$173,812.50	\$101,150.00	\$47,050.00	\$148,200.00	\$148,200.00	\$148,200.00	\$148,200.00	\$322,012.50	\$322,012.50
FY06	\$125,000.00	\$39,937.50			\$164,937.50	\$164,937.50	\$101,050.00	\$41,997.50	\$143,047.50	\$143,047.50	\$143,047.50	\$143,047.50	\$307,985.00	\$307,985.00
FY07	\$125,000.00	\$31,062.50			\$156,062.50	\$156,062.50	\$101,050.00	\$36,940.00	\$137,990.00	\$137,990.00	\$137,990.00	\$137,990.00	\$294,052.50	\$294,052.50
FY08	\$125,000.00	\$22,187.50			\$147,187.50	\$147,187.50	\$100,050.00	\$31,887.50	\$131,937.50	\$131,937.50	\$131,937.50	\$131,937.50	\$279,125.00	\$279,125.00
FY09	\$125,000.00	\$13,312.50			\$138,312.50	\$138,312.50	\$100,050.00	\$26,885.00	\$126,935.00	\$126,935.00	\$126,935.00	\$126,935.00	\$265,247.50	\$265,247.50
FY10	\$125,000.00	\$4,437.50			\$129,437.50	\$129,437.50	\$100,050.00	\$21,882.50	\$121,932.50	\$121,932.50	\$121,932.50	\$121,932.50	\$251,370.00	\$251,370.00
FY11							\$100,050.00	\$16,880.00	\$116,930.00	\$116,930.00	\$116,930.00	\$116,930.00	\$116,930.00	\$116,930.00
FY12							\$78,850.00	\$11,887.50	\$90,737.50	\$90,737.50	\$90,737.50	\$90,737.50	\$90,737.50	\$90,737.50
FY13							\$64,600.00	\$8,500.00	\$73,100.00	\$73,100.00	\$73,100.00	\$73,100.00	\$73,100.00	\$73,100.00
FY14							\$64,100.00	\$5,310.00	\$69,410.00	\$69,410.00	\$69,410.00	\$69,410.00	\$69,410.00	\$69,410.00
FY15							\$30,100.00	\$2,250.00	\$32,350.00	\$32,350.00	\$32,350.00	\$32,350.00	\$32,350.00	\$32,350.00
FY16							\$6,000.00	\$600.00	\$6,600.00	\$6,600.00	\$6,600.00	\$6,600.00	\$6,600.00	\$6,600.00
FY17							\$6,000.00	\$300.00	\$6,300.00	\$6,300.00	\$6,300.00	\$6,300.00	\$6,300.00	\$6,300.00
	\$3,440,000.00	\$1,862,533.85			\$5,302,533.85	\$5,302,533.85	\$2,268,050.00	\$1,324,252.50	\$3,592,302.50	\$3,592,302.50	\$3,592,302.50	\$3,592,302.50	\$8,894,836.35	\$8,894,836.35

The outstanding principal associated with the multipurpose general obligation bonds and the 5 FHA sewer bonds as of 6/30/91			\$5,708,050.
Multipurpose Issued September 1, 1990			
Bond Description	Issue Amount	Years	
Police station	\$1,500,000.00	19	
Police planning	\$90,000.00	5	
Fire station	\$900,000.00	19	
Roads	\$250,000.00	9	
Fire Truck	\$160,000.00	4	
Gym floors	\$158,000.00	10	
School	\$50,000.00	10	
Paving	\$71,340.00	4	
Sidewalks	\$75,000.00	4	
Equipment	\$125,660.00	4	
DPS Garage	\$60,000.00	19	
Total	\$3,440,000.00		
FHA Sewer Obligations		Years remaining	
Issued 1/20/82	\$424,000.00	20	
Issued 3/1/84	\$299,250.00	21	
Issued 1/30/85	\$793,000.00	23	
Issued 10/7/85	\$579,800.00	24	
Issued 4/21/87	\$172,000.00	26	
	\$2,268,050.00		
Total	\$5,708,050.00		

The outstanding principal associated with the multipurpose obligation bonds and the 5 FHA sewer bonds as of 6/30/91			general totals
\$5,708,050.			
Multipurpose Issued September 1, 1990			
Bond Description	Issue Amount	Years	
Police station	\$1,500,000.00	19	
Police planning	\$90,000.00	5	
Fire station	\$900,000.00	19	
Roads	\$250,000.00	9	
Fire Truck	\$160,000.00	4	
Gym floors	\$158,000.00	10	
School	\$50,000.00	10	
Paving	\$71,340.00	4	
Sidewalks	\$75,000.00	4	
Equipment	\$125,660.00	4	
DPS Garage	\$60,000.00	19	
Total	\$3,440,000.00		
FHA Sewer Obligations			
		Years remaining	
Issued 1/20/82	\$424,000.00	20	
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Issued 10/7/85	\$579,800.00	24	
Issued 4/21/87	\$172,000.00	26	
	\$2,268,050.00		
Total	\$5,708,050.00		

Budgets for all Departments				
	FY91	FY92 Dept Req	FY92 No D/E	FY92 With D/E
DEPARTMENT				
54 Pol & Fire Com sal FT	\$82,092	\$82,092		\$82,092
54 Pol & Fire Com sal PT	\$3,875	\$3,875		\$3,875
54 Pol & Fire Com sal OT	\$7,078	\$7,078		\$7,078
54 Pol & Fire sal misc	\$6,705	\$6,705		\$6,705
54 Pol & Fire Stipend	\$520	\$520		\$500
Pol & Fire Total Sal	\$100,270	\$100,270	\$100,250	\$100,250
55 Pol & Fire expenses	\$2,830	\$2,830	\$1,330	\$2,830
56 Civil Defense	\$200	\$200	\$200	\$200
57 Sealer of W&M stipend	\$215	\$215	\$215	\$215
58 Sealer of W&M expense	\$50	\$50	\$50	\$50
59 Wire Insp stipend	\$150	\$150	\$0	\$0
60 Wire Insp expense	\$225	\$225	\$225	\$225
61 Wire Insp Fees	\$9,000	\$9,000	\$9,000	\$9,000
62 Gas Insp stipend	\$100	\$100	\$0	\$0
63 Gas Insp expense	\$150	\$150	\$150	\$150
64 Gas Insp Fees	\$1,200	\$1,200	\$1,200	\$1,200
65 Building Insp stipend	\$17,000	\$12,000	\$12,000	\$12,000
66 Building Insp expense	\$1,620	\$1,620	\$1,620	\$1,620
67 Building Insp Fees	\$4,000	\$4,000	\$4,000	\$4,000
68 Animal Cont stipend	\$7,900	\$7,900	\$7,900	\$7,900
69 Animal Cont expense	\$5,800	\$5,800	\$5,800	\$5,800
70 Bd of Health sal PT	\$3,444	\$3,444		\$2,125
70 Bd of Health stipend	\$519	\$519		\$0
70 Bd of Health stipend	\$800	\$800		\$0
71 Bd of Health expense	\$26,479	\$26,479	\$24,779	\$26,479
72 Bd of Health Fees	\$18,000	\$18,000	\$16,500	\$18,000
73 Highway salary FT	\$203,684	\$203,684		\$231,635
73 Highway salary PT	\$3,016	\$3,016		\$14,200
73 Highway salary OT	\$2,608	\$2,608		\$0
73 Highway salary Wk end	\$1,140	\$1,140		\$1,140
74 Highway expense	\$50,583	\$50,583		\$50,583
Highway Total	\$261,031	\$261,031	\$258,558	\$297,558
75 Moth expense	\$4,225	\$4,225	\$4,225	\$4,225
76 Tree expense	\$6,186	\$6,186	\$6,186	\$6,186
77 Road Repair	\$27,000	\$27,000	\$13,500	\$13,500
78 Snow Removal sal OT	\$18,292	\$18,292	\$18,000	\$18,000
79 Snow Removal expense	\$40,000	\$40,000	\$40,000	\$40,000
80 Street Lighting	\$90,000	\$90,000	\$80,000	\$80,000
81 Traffic Signs	\$3,500	\$3,500	\$3,500	\$3,500
82 Bd of Sewer sal FT	\$16,180	\$16,180	\$16,180	\$16,180
82 Bd of Sewer stipend	\$150	\$150	\$0	\$0
83 Bd of Sewer expense	\$200	\$100	\$100	\$100
84 Sewer Bonding	\$295,149	\$288,723	\$288,723	\$288,723

Budgets for all Departments				
	FY91	FY92 Dept Req	FY92 No D/E	FY92 With D/E
DEPARTMENT				
85 Sewer System Repair	\$1,500	\$1,000	\$1,000	\$1,000
86 New bonding & ST Int	\$222,000	\$542,229	\$542,229	\$542,229
86A One Year Note	\$0	\$104,554	\$104,554	\$104,554
87 Insurance	\$210,000	\$215,000	\$215,000	\$215,000
88 Municipal Prop Ins	\$5,000	\$5,000	\$5,000	\$5,000
89 Group Health Ins	\$600,000	\$720,000	\$720,000	\$720,000
90 Norfolk County Retire	\$305,000	\$335,000	\$335,000	\$335,000
91 Unemployment	\$20,000	\$40,000	\$40,000	\$40,000
92 CRPC District	\$167,030	\$169,530	\$169,530	\$169,530
93 Tri-County Reg Voc	\$314,844	\$357,416	\$357,416	\$357,416
94 School Dept salary	\$6,501,320	\$6,806,232		\$6,563,870
95 School Dept expense	\$1,446,680	\$1,465,283		\$1,384,130
School Dept Total	\$7,948,000	\$8,271,515	\$7,348,000	\$7,948,000
00 Special Articles	\$89,000	\$0	\$0	\$0
Stipends subtotal	\$56,785	\$53,185		\$46,425
Salary FT subtotal	\$1,270,082	\$1,299,586		\$1,260,836
Salary PT subtotal	\$241,117	\$251,362		\$251,232
Salary OT subtotal	\$59,118	\$60,518		\$55,718
Salary Misc subtotal	\$79,821	\$72,408		\$72,408
School salary	\$6,501,320	\$6,806,232		\$6,563,870
Inspection Fees subtotal	\$35,200	\$35,200		\$35,200
Dept expense subtotal	\$693,486	\$717,209		\$679,562
School expense	\$1,446,680	\$1,465,283		\$1,384,130
Other expenses	\$2,139,023	\$2,777,452	\$2,777,452	\$2,777,452
TOTAL	\$12,611,632	\$13,538,435	\$12,336,608	\$13,126,833
	\$12,611,632	\$13,538,435		\$13,126,833
97 Solid Waste salary PT	\$9,700	\$9,700		
98 Solid Waste expense	\$605,310	\$616,920		
100 Water Dept sal FT	\$121,520	\$121,520	\$121,520	\$121,520
100 Water Dept stipend	\$150	\$150	\$0	\$0
100 Water Dept sal OT	\$17,361	\$17,361	\$17,361	\$17,361
Water Dept Total Sal	\$139,031	\$139,031	\$138,881	\$138,881
101 Water Dept expense	\$118,030	\$120,660	\$120,660	\$120,660
102 Water Dept Debt Ser	\$11,590	\$126,046	\$127,459	\$127,459
Water Total	\$268,651	\$385,737	\$387,000	\$387,000

Budgets for all Departments

DEPARTMENT	FY91	FY92 Dept Req	FY92 No D/E	FY92 With D/E
85 Sewer System Repair	\$1,500	\$1,000	\$1,000	\$1,000
86 New bonding & ST Int	\$222,000	\$542,229	\$542,229	\$542,229
86A One Year Note	\$0	\$104,554	\$104,554	\$104,554
87 Insurance	\$210,000	\$215,000	\$215,000	\$215,000
88 Municipal Prop Ins	\$5,000	\$5,000	\$5,000	\$5,000
89 Group Health Ins	\$600,000	\$720,000	\$720,000	\$720,000
90 Norfolk County Retire	\$305,000	\$335,000	\$335,000	\$335,000
91 Unemployment	\$20,000	\$40,000	\$40,000	\$40,000
92 CRPC District	\$167,030	\$169,530	\$169,530	\$169,530
93 Tri-County Reg Voc	\$314,844	\$357,416	\$357,416	\$357,416
94 School Dept salary	\$6,501,320	\$6,806,232		\$6,563,870
95 School Dept expense	\$1,446,680	\$1,465,283		\$1,384,130
School Dept Total	\$7,948,000	\$8,271,515	\$7,348,000	\$7,948,000
00 Special Articles	\$89,000	\$0	\$0	\$0
Stipends subtotal	\$56,785	\$53,185		\$46,425
Salary FT subtotal	\$1,270,082	\$1,299,586		\$1,260,836
Salary PT subtotal	\$241,117	\$251,362		\$251,232
Salary OT subtotal	\$59,118	\$60,518		\$55,718
Salary Misc subtotal	\$79,821	\$72,408		\$72,408
School salary	\$6,501,320	\$6,806,232		\$6,563,870
Inpection Fees subtotal	\$35,200	\$35,200		\$35,200
Dept expense subtotal	\$693,486	\$717,209		\$679,562
School expense	\$1,446,680	\$1,465,283		\$1,384,130
Other expenses	\$2,139,023	\$2,777,452	\$2,777,452	\$2,777,452
TOTAL	\$12,611,632	\$13,538,435	\$12,336,608	\$13,126,833
	\$12,611,632	\$13,538,435		\$13,126,833
97 Solid Waste salary PT	\$9,700	\$9,700		
98 Solid Waste expense	\$605,310	\$616,920		
100 Water Dept sal FT	\$121,520	\$121,520	\$121,520	\$121,520
100 Water Dept stipend	\$150	\$150	\$0	\$0
100 Water Dept sal OT	\$17,361	\$17,361	\$17,361	\$17,361
Water Dept Total Sal	\$139,031	\$139,031	\$138,881	\$138,881
101 Water Dept expense	\$118,030	\$120,660	\$120,660	\$120,660
102 Watrer Dept Debt Ser	\$11,590	\$126,046	\$127,459	\$127,459
Water Total	\$268,651	\$385,737	\$387,000	\$387,000

Budgets for all Departments				
DEPARTMENT	FY91	FY92 Dept Req	FY92 No D/E	FY92 With D/E
26 CIPC salary PT				
27 CIPC expense	\$1	\$1	\$1	\$1
28 Planning Bd salary PT	\$1	\$1	\$1	\$1
29 Planning Bd expense	\$3,610	\$3,610	\$2,585	\$2,585
29 Planning Bd exp Cons Fees	\$9,450	\$9,450	\$9,450	\$9,450
30 ZBA salary PT	N/A	\$5,000	\$5,000	\$5,000
31 ZBA expense	\$3,550	\$3,550	\$2,125	\$2,125
32 Conservation sal PT	\$2,613	\$2,613	\$2,600	\$2,600
33 Conservation expense	\$1,872	\$2,122	\$1,965	\$1,965
33 Conservation expense	\$2,531	\$2,531	\$2,500	\$2,500
34 Historical Commission	N/A	\$4,500	\$4,500	\$4,500
35 Library salary FT	\$334	\$334	\$334	\$334
35 Library salary PT	\$75,177	\$78,230		\$75,177
36 Library expense	\$45,529	\$47,238		\$45,529
Library Total	\$62,280	\$71,176		\$62,280
37 Park Dept salary FT	\$182,986	\$196,644	\$170,986	\$182,986
37 Park Dept salary PT	\$47,113	\$50,713		\$0
38 Park Dept expense	\$37,362	\$35,562		\$35,562
Park Dept Total	\$13,902	\$12,102		\$12,100
39 Spec Needs Rec sal PT	\$98,377	\$98,377	\$42,662	\$47,662
40 Spec Needs Rec exp	\$11,857	\$11,857	\$11,857	\$11,857
41 Veterans salary PT	\$4,500	\$4,500	\$4,500	\$4,500
42 Veterans expense	\$4,717	\$4,858	\$4,717	\$4,717
43 Cemetery Commission	\$10,415	\$13,415	\$10,000	\$10,000
44 Memorial Committee	\$1,087	\$1,087	\$1,087	\$1,087
45 Coun on Aging sal PT	\$1,350	\$1,350	\$1,350	\$1,350
46 Coun on Aging exp	\$11,263	\$11,263	\$11,263	\$11,263
47 Fire Dept salary PT	\$13,972	\$13,972	\$13,972	\$13,972
47 Fire Dept stipend	\$41,549	\$41,549		\$41,549
48 Fire Dept expenses	\$17,156	\$17,156		\$17,110
Fire Dept Total	\$40,284	\$40,284		\$40,284
48A Fire Dept Insp Fees	\$98,989	\$98,989	\$88,943	\$98,943
49 Police Dept salary FT	\$3,000	\$3,000	\$3,000	\$3,000
49 Police Dept salary OT	\$533,554	\$543,454		\$543,454
49 Police Dept sal misc	\$29,500	\$30,900		\$29,500
49 Police Dept stipend	\$72,596	\$64,523		\$64,523
Police Dept Total Sal	\$1,500	\$1,500		\$0
50 Police Dept expense	\$637,150	\$640,377		\$637,477
51 Police Dept OS travel	\$59,444	\$59,444		\$59,444
Police Dept Total	\$1,000	\$1,000		\$1,000
52 Emer Med Ser sal PT	\$697,594	\$700,821	\$634,721	\$697,921
52 Emer Med Ser stipend	\$20,695	\$26,255	\$26,255	\$26,255
52 Emer Med Ser sal misc	\$6,400	\$7,800	\$7,800	\$7,800
53 Emer Med Ser expense	\$520	\$1,180	\$1,180	\$1,180
	\$4,750	\$7,950	\$7,950	\$7,950

Budgets for all Departments				
	FY91	FY92 Dept Req	FY92 No D/E	FY92 With D/E
DEPARTMENT				
1 Moderator stipend	\$100	\$100	\$0	\$0
2 Selectmen salary FT	\$56,394	\$56,410		\$56,410
2 Selectmen stipend	\$1,875	\$1,875		\$0
3 Selectmen expense	\$8,447	\$8,447		\$8,447
Selectmen Total	\$66,716	\$66,732	\$58,057	\$64,857
4 Town Report	\$2,000	\$2,000	\$2,000	\$2,000
5 Consultant Fees	\$2,000	\$1,500	\$1,500	\$1,500
6 Town Hall salary PT	\$14,359	\$14,359	\$14,359	\$14,359
7 Town Hall expense	\$16,679	\$16,679	\$16,679	\$16,679
Town Hall Total	\$31,038	\$31,038	\$31,038	\$31,038
8 Law salary misc	\$16,000	\$16,000	\$16,000	\$16,000
9 Law expense	\$3,000	\$3,000	\$3,000	\$3,000
Law Total	\$19,000	\$19,000	\$19,000	\$19,000
10 Town Clerk salary FT	\$19,823	\$20,418		\$19,823
10 Town Clerk salary EO	\$26,395	\$31,212		\$26,395
11 Town Clerk expense	\$1,770	\$1,770		\$1,770
Town Clerk Total	\$47,988	\$53,400	\$43,188	\$47,988
12 Registrars salary PT	\$900	\$300	\$300	\$300
12 Registrars stipends	\$900	\$900	\$900	\$900
13 Registrars expenses	\$3,303	\$3,903	\$3,900	\$3,900
Registrars Total	\$5,103	\$5,103	\$5,100	\$5,100
14 Elections salary PT	\$5,849	\$5,596	\$5,596	\$5,596
15 Elections expense	\$3,460	\$3,100	\$3,100	\$3,100
Elections Total	\$9,309	\$8,696	\$8,696	\$8,696
16 Accountant salary FT	\$60,840	\$62,666		\$60,840
16 Accountant salary PT	N/A	\$4,500		\$0
16 Accountant salary OT	\$500	\$500		\$0
17 Accountant expense	\$2,310	\$2,310		\$2,310
Accountant Total	\$63,650	\$69,976	\$57,050	\$63,150
18 In-House Computer	\$33,900	\$33,900	\$16,000	\$33,900
19 Treasurer salary FT	\$55,447	\$55,447		\$55,447
19 Treasurer salary PT	\$2,000	\$2,000		\$2,000
19 Treasurer salary EO	\$37,919	\$37,919		\$37,919
20 Treasurer expense	\$19,651	\$21,351		\$19,651
Treasurer Total	\$115,017	\$116,717	\$103,417	\$115,017
21 Assessors salary FT	\$55,464	\$61,161		\$55,464
21 Assessors salary PT	\$7,791	\$8,829		\$7,791
21 Assessors stipend	\$1,500	\$1,500		\$0
22 Assessors expense	\$4,580	\$4,667		\$4,580
Assessors Total	\$69,335	\$76,157	\$60,835	\$67,835
23 Finance Com salary PT	\$1,378	\$1,378	\$1,378	\$1,378
24 Finance Com expense	\$3,925	\$3,925	\$3,925	\$3,925
25 Reserve Fund	\$100,000	\$100,000	\$100,000	\$100,000
25A Job Class Rev Bd	\$500	\$200	\$200	\$200

Budgets for all Departments				
	FY91	FY92 Dept Req	FY92 No D/E	FY92 With D/E
DEPARTMENT				
26 CIPC salary PT	\$1	\$1		
27 CIPC expense	\$1	\$1	\$1	\$1
28 Planning Bd salary PT	\$3,610	\$3,610	\$1	\$1
29 Planning Bd expense	\$9,450	\$9,450	\$2,585	\$2,585
29 Planning Bd exp Cons Fees	N/A	\$5,000	\$9,450	\$9,450
30 ZBA salary PT	\$3,550	\$3,550	\$5,000	\$5,000
31 ZBA expense	\$2,613	\$2,613	\$2,125	\$2,125
32 Conservation sal PT	\$1,872	\$2,122	\$2,600	\$2,600
33 Conservation expense	\$2,531	\$2,531	\$1,965	\$1,965
33 Conservation expense	N/A	\$2,500	\$2,500	\$2,500
34 Historical Commission	\$334	\$4,500	\$4,500	\$4,500
35 Library salary FT	\$75,177	\$334	\$334	\$334
35 Library salary PT	\$45,529	\$78,230		\$75,177
36 Library expense	\$62,280	\$47,238		\$45,529
Library Total	\$182,986	\$71,176		\$62,280
37 Park Dept salary FT	\$47,113	\$196,644	\$170,986	\$182,986
37 Park Dept salary PT	\$37,362	\$50,713		\$0
38 Park Dept expense	\$13,902	\$35,562		\$35,562
Park Dept Total	\$98,377	\$12,102		\$12,100
39 Spec Needs Rec sal PT	\$11,857	\$98,377	\$42,662	\$47,662
40 Spec Needs Rec exp	\$4,500	\$11,857	\$11,857	\$11,857
41 Veterans salary PT	\$4,717	\$4,500	\$4,500	\$4,500
42 Veterans expense	\$10,415	\$4,858	\$4,717	\$4,717
43 Cemetery Commission	\$1,087	\$13,415	\$10,000	\$10,000
44 Memorial Committee	\$1,350	\$1,087	\$1,087	\$1,087
45 Coun on Aging sal PT	\$11,263	\$1,350	\$1,350	\$1,350
46 Coun on Aging exp	\$13,972	\$11,263	\$11,263	\$11,263
47 Fire Dept salary PT	\$41,549	\$13,972	\$13,972	\$13,972
47 Fire Dept stipend	\$17,156	\$41,549		\$41,549
48 Fire Dept expenses	\$40,284	\$17,156		\$17,110
Fire Dept Total	\$98,989	\$40,284		\$40,284
48A Fire Dept Insp Fees	\$3,000	\$98,989	\$88,943	\$98,943
49 Police Dept salary FT	\$533,554	\$3,000	\$3,000	\$3,000
49 Police Dept salary OT	\$29,500	\$543,454		\$543,454
49 Police Dept sal misc	\$72,596	\$30,900		\$29,500
49 Police Dept stipend	\$1,500	\$64,523		\$64,523
Police Dept Total Sal	\$637,150	\$1,500		\$0
50 Police Dept expense	\$59,444	\$640,377		\$637,477
51 Police Dept OS travel	\$1,000	\$59,444		\$59,444
Police Dept Total	\$697,594	\$1,000		\$1,000
52 Emer Med Ser sal PT	\$20,695	\$700,821	\$634,721	\$697,921
52 Emer Med Ser stipend	\$6,400	\$26,255	\$26,255	\$26,255
52 Emer Med Ser sal misc	\$520	\$7,800	\$7,800	\$7,800
53 Emer Med Ser expense	\$4,750	\$1,180	\$1,180	\$1,180
		\$7,950	\$7,950	\$7,950

mg

March 16, 1991

Memorandum to: Board of Selectmen
From: Finance Committee

Re: Financial Forum II, State Aid Update & Debt Exclusion

Financial Forum II

The Finance Committee will be conducting an open discussion regarding the fiscal year 92 budget recommendations on Tuesday, March 26 at 7:00 pm in the high school auditorium.

Time is running out for the FinCom to prepare this years annual town meeting report (due date to the printer is April 5). I have attached, for your review and comment, a draft copy of the preliminary budget recommendations along with an explanation of changes FinCom is recommending from budgets submitted by the departments. Every effort is being made to discuss changes with department representatives and to keep people informed. Anyone interested in discussing specific budget recommendations with the FinCom before the Financial Forum scheduled for March 26 is invited to attend the FinCom meeting on Wednesday, March 20 at 7:00 pm in Sanford Hall or call Dick Brown at 533-8555 to set up a more convenient time.

At the forum the FinCom will review the latest revenue estimates and explain both the procedure and the results of the FY92 budget reviews. Regretfully, FinCom has had to make some difficult choices and recommendations in order to balance the budget even under the assumption that the debt exclusion will be supported.

All town departments are invited to attend and participate in the March 26 forum. The following departments will are requested to send a representative to the forum prepared to discuss 1) the departments' budget request, 2) the impact of the FinCom budget recommendations assuming a debt exclusion and 3) the impact of the budget recommendations assuming the debt exclusion does not pass: Board of Selectmen, Town Clerk, Town Accountant, Computer Committee, Treasurer, Board of Assessors, Library, Park Commissioners, Fire Department, Police Department, Police and Fire Communications, Board of Health, DPS Highways, School Committee and School Administration.

Every voter has the right to know the short and long term effect these budget recommendations will have on town services, town property, public safety, real estate values, real estate taxes, education and the overall quality of life in Medway.

State Aid Update

Based on the information sent out by the Department of Revenue dated March 6, local aid for FY92 will be down \$208,124 from the FY91 level (down \$130,227 in receipts and up \$77,897 in additional assessments) and down more than \$777,000

from the amount received in FY89.

Debt Exclusion

The FinCom is recommending that one question be placed on the May election ballot for the multipurpose general obligation bonds (outstanding principal 6/30/91 - \$3,440,000) and for 5 FHA sewer bonds (outstanding principal 6/30/91 - \$2,268,050) with a total principal outstanding of \$5,708,050. I have attached a schedule detailing a description of the debt obligations and the principal and interest payments involved.

In FY92 this debt exclusion would provide the town with the ability to raise an additional \$756,176 in property taxes. This amount translates into a 9% increase in taxes, a \$1.20 increase in the tax rate, for every \$100,000 in property valuation a first year cost of \$120.

cc: All Town Boards
All Department Heads

from the amount received in FY89.

Debt Exclusion

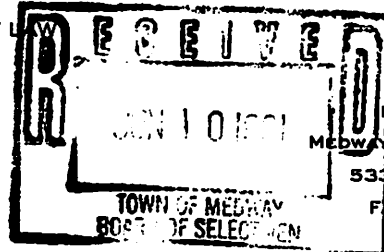
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In FY92 this debt exclusion would provide the town with the ability to raise an additional \$756,176 in property taxes. This amount translates into a 9% increase in taxes, a \$1.20 increase in the tax rate, for every \$100,000 in property valuation a first year cost of \$120.

cc: All Town Boards
All Department Heads

Kenney & Maciolek

ATTORNEYS AT LAW



131 VILLAGE STREET
MEDWAY, MASSACHUSETTS 02053
533-6711 AREA CODE 508
FAX: (508) 533-6904

P. JOSEPH KENNEY
RICHARD D. MACIOLEK
STEPHEN J. KENNEY
PAUL V. KENNEY
PETER J. KENNEY (1973-1980)

June 7, 1991

Charles W. Trombly, Jr., Recorder
Land Court Department
Old Courthouse, Room 408
Boston, MA 02108

Re: Docket No. 162850
Brenda J. Bosma, et al, vs.
Town of Medway

Dear Sir:

I enclose for filing in the above-captioned action the following:

1. Answer of the Defendant; and
2. Certificate of Service.

Please docket and file the said pleading in your customary manner.

Thank you for your cooperation.

Sincerely,

R. D. Maciolek

RDM/tc

encs.

cc: Richard A. Cody, Esq.

bcc: Town of Medway

cc: Selectman 6/10/91

COMMONWEALTH OF MASSACHUSETTS

SUFFOLK, SS.

LAND COURT
CIVIL ACTION
NO. 162850

BRENDA J. BOSMA, et al,
PLAINTIFFS

VS.

TOWN OF MEDWAY,
DEFENDANT

)
)
)
)
)
)
)

ANSWER

Now comes the defendant Town of Medway and answers the plaintiffs' complaint, as follows:

FIRST DEFENSE

PRELIMINARY STATEMENT

1. The allegations contained in paragraph 1 are not assertions of fact and are merely plaintiffs' description of what they will attempt to accomplish and therefore, no answer is required.

2. The defendant denies that there is a sufficient number of persons similarly situated so as to constitute a "class" of plaintiffs. The defendant further says that the allegations contained in paragraph 2 are not assertions of fact and are merely plaintiffs' description of what they will attempt to accomplish and therefore, no answer is required.

3. The defendant denies that the plaintiffs have suffered any harm. The defendant further says that the allegations contained in paragraph 3 are not assertions of fact and are merely plaintiffs' description of what they will attempt to accomplish and therefore, no answer is required.

PARTIES

4. The defendant denies the allegations contained in paragraph 4, except that it admits Kelley and Bosma reside at 294 Village Street in Medway.

5. The defendant denies the allegations contained in paragraph 5, except that it admits the Bissons reside at 4 Williams Street in Medway.

6. The defendant denies the allegations contained in paragraph 6, except that it admits Tenney resides at 15 Chestnut Street in Medway.

7. The defendant denies the allegations contained in paragraph 7, except that it admits the Tingleys and Staples reside at 3 Haven Street in Medway.

8. The defendant denies the allegations contained in paragraph 8, except that it admits the Zinchuks reside at 3 Fullbrook Lane in Medway.

9. The defendant denies the allegations contained in paragraph 9, except that it admits the McSwains reside at 284 Village Street in Medway.

10. The defendant denies the allegations contained in paragraph 10, except that it admits the Bacchiocchis reside at 288 Village Street in Medway.

11. The defendant denies the allegations contained in paragraph 11, except that it admits James R. Brundage resides at 264 Village Street in Medway.

12. The defendant denies the allegations contained in paragraph 12, except that it admits Wayne Brundage resides at 268 Village Street in Medway.

13. The defendant denies the allegations contained in paragraph 13, except that it admits the Osbornes reside at 24 Holliston Street in Medway.

14. The defendant denies the allegations contained in paragraph 14, except that it admits the Kramers reside at 231 Village Street in Medway.

15. The defendant admits the allegations contained in paragraph 15.

16. The defendant denies the allegations contained in paragraph 16.

17. The defendant admits the allegations contained in paragraph 17.

18. The defendant admits the allegations contained in paragraph 18.

19. The defendant admits the allegations contained in paragraph 19.

20. The defendant denies the allegations contained in paragraph 20.

21. The defendant admits the allegations contained in paragraph 21.

22. The defendant admits the allegations contained in paragraph 22.

23. The defendant admits the allegations contained in paragraph 23, but says that the said sewer line was authorized only in a small portion of the railroad bed.

21 (sic). The defendant denies the allegations contained in paragraph 21 (sic).

23 (sic). The defendant denies the allegations contained in paragraph 23 (sic).

24 (sic). The defendant denies the allegations contained in paragraph 24 (sic).

SECOND DEFENSE

The Town of Medway legally acquired the easement rights in the railroad bed and any rights of the plaintiffs are subject and subordinate to the rights of the Town of Medway.

THIRD DEFENSE

The plaintiffs cannot extinguish the rights of the Penn Central Railroad or the Town of Medway in the railroad bed by adverse possession.

FOURTH DEFENSE

The plaintiffs are not entitled to recover any damages as they have not sustained any actual damages.

FIFTH DEFENSE

The Town of Medway was the official and sole designee of the Commonwealth entitled to acquire the railroad right of way pursuant to G.L. c. 161C, §7.

SIXTH DEFENSE

The plaintiffs' complaint fails to state a claim against the Town of Medway upon which relief can be granted.

By its attorney,



R. D. Maciolek
Kenney & Maciolek
181 Village Street
Medway, MA 02053
(508) 533-6711

B.B.O. # 311240

CERTIFICATE OF SERVICE

I, R. D. Maciolek, attorney for the defendant, hereby certify that I served a copy of the foregoing Answer by mailing a copy thereof, postage prepaid, to Richard A. Cody, Esq., Cody, Lambert and Collins, 14 Third Street, Cambridge, MA 02141, this 7th day of June, 1991.



R. D. Maciolek, Esq.



BOARD OF SELECTMEN

155 VILLAGE STREET
MEDWAY, MASSACHUSETTS 02053

(508) 533-2013

AGENDA

MARCH 11, 1991

7:00 p.m.

Open meeting, sign warrants,
approve minutes of 3-5-91
meeting.

7:05

Board of Health and Recycling
Study Committee.

7:30

Robert Richard -
re: Support group for unemployed

Highway Supt.

Old business.

New business.

Present: Edward Borek, John Dronzek, Walter Johnson and Administrative Assistant Ruth Allen.

7:00 p.m.-The Board opened the meeting held in the Selectmen's Meeting Room 2 of the Town Hall. Mr. Johnson made a motion to accept the minutes of the March 4, 1991 meeting; Mr. Dronzek seconded; all aye. The warrants were signed.

7:01 -Richard Parrella and Philip Parchesky, Board of Health members; and Kathy Rehl, chairman of the Recycling Study Committee came before the Board. Mrs. Rehl began by asking where does the Recycling Committee belong and is there a need for a town warrant article for them?

Mr. Borek said the Board had concerns with the Highway Department doing some of the heavy work involving glass and recycling; the problems with inappropriate containers; should Recycling come under Board of Health or Selectmen; and if funds need to be appropriated, how is it to be budgeted? He stated the meeting that evening was called just to prompt some discussion - there were no decisions to be made.

Mr. Parrella thought the idea of the Recycling Committee coming under Board of Health might be the right thing to do, but again their Board needed to discuss this further. He felt that there should definitely be a sub-committee under the Board of Health specifically for recycling. Mr. Dronzek mentioned that there was a very active recycling committee already in place.

Mr. Parrella was also concerned with finances. They just do not have the extra funds, but would still like to see a budget proposal. He said offset receipt is how the trash is being done, but maybe an article on the warrant should be done. Again, this is one of the many things the Board of Health wants to talk to town counsel about, as well as revising rules and regulations, etc.

Mrs. Rehl said she could provide Mr. Parrella with some numbers and tonnage for the past two months. She also said that the present committee could be used for about 3 years, and maybe after that, once everything was in place, retain one member of the committee as a Board of Health member on recycling.

When asked about the Town's commitment to the Millis Consortium, Mr. Borek said just 5% has been committed so far.

Mrs. Rehl mentioned that Franklin is just looking into the idea of regional pick-up programs. Mr. Parrella said that about 7-8 years ago, the Town had looked into the idea of town-wide recycling pick-up programs; however, the savings comes at the disposal at Millbury because the cost was then \$1.00 more for recycling pick-up at \$85/ton, and at Millbury it was \$84/ton.

Mr. Parrella said that 43 tons has been saved in January and

30 tons in February with organic matter taken out - tonnage is definitely going down. Mr. Parrella also stated that he sent information to cable back in December to be put on cable, but it was not done, so the Town has not been able to see the current information.

Mr. Parrella stated again that they are open to hearing from the Recycling Study Committee, and would like to see some proposals.

Mr. Dronzek wondered if there should be an article put on the Town Meeting warrant to transfer the Recycling Study Committee from under the jurisdiction of the Board of Selectmen to the Board of Health; or at least, save a spot on the warrant for them.

Mr. Borek agreed that he would like to see something put in place for recycling under a specific department for the May town warrant, so if money does become available, then they can file for any grants. Mrs. Rehl said that they were not able to get the grant they filed for recycling containers because they weren't established by December 31.

Mr. Parrella reiterated that they would have to stay at offset receipt unless the Town makes the change. Maria Roberts, one of the members of the Recycling Study Committee, asked if they would still be a "study" committee or would they be permanent by the town meeting article?

Mr. Borek said the committee would still have no power - they would just be under the jurisdiction of a department. Mr. Borek said they would like to know how the Board of Health feels about an article by the 18th.

Again, Mr. Parrella asked Mrs. Rehl for an administrative proposal, not a budgetary proposal for their next Tuesday's (19th) meeting.

Mr. Parchesky told the Selectmen that he would like to see them adopt Chapter 40 Section 21D of the Mass. General Laws. He said if the Selectmen adopt it, all of the town can utilize it; if the Board of Health adopts it, only the Board of Health can use it. Mr. Parrella said, as it stands now, they cannot go to a violator and fine them.

Mr. Dronzek clarified that each Board would have to establish their own schedule of fines. Mr. Parrella told the Board that their Health Agent, Bill Cummings, is the one telling them this is the route they should follow - and it is being done in Franklin. Mr. Parrella said that Medway does not have rules and regulations on dumpsters, for example.

Mr. Borek said he would like the Board to review and discuss Chapter 40 Section 21D before deciding to adopt it, and maybe decide at the meeting of March 18 if they should adopt it. Mr. Johnson was under the impression that it could not be changed; however, Mr. Borek said you could change and/or add

to it. Mr. Parrella said it could be done as a by-law or an ordinance.

7:30

-Robert Richard, a resident of the Town, approached the Board about getting their support for his unemployment support group that has been formed. He said the present group that he is working with has been meeting for two months, and is growing, and expanding and is looking to get more information to help them, as well as others.

Mr. Dronzek asked him if he was looking for the Selectmen's endorsement? Mr. Richard said he was. He said the group is trying to set up workshops. He indicated everything was very competitive, and that these days, the unemployed are sending out 250-300 resumes. One of their goals is to set up a resume booklet to show others.

Mr. Dronzek made a motion to give the Selectmen's endorsement and moral support to the unemployment support group; Mr. Johnson seconded; all aye.

7:45

-Diarmuid Higgins, Highway Superintendent, was present. He said the meeting with the Norfolk County Engineers scheduled for March 14th was rescheduled to March 21 at 10 a.m. Mr. Borek mentioned to Mr. Higgins some branches he saw hanging low on Milford Street near Fisher Street. Mr. Higgins is still working on the crosswalk problem. He also said Mr. Younis of Priggens Steel is working on a proposed 2-bay unit garage. In response to Mr. Johnson's question of how many cars would the new garage hold - Mr. Higgins said 7, as well as a loader, and other equipment. Mrs. Allen will also check into insurance for the garage - if the vehicles are covered in case of a fire.

-Mr. Borek also brought up a letter that he had just gotten a copy of that evening in reference to drainage problems on Cottage Street. The letter was dated July 27, 1972 from then-chairman of the Board of Selectmen, Paul Wilson to Mr. Freeman, who was at that time, building the Mars shopping center. Mr. Wilson indicated in that letter that Mr. Freeman's people were on notice to have the drainage installation done and corrected with a target date of 8/15/72 and completed on 9/15/72; or the Town would have to seek legal counsel. Mr. Johnson recalled that as Building Inspector, he was told to hold up on issuing the permit to Mars until some of the drain work was figured out.

8:05

-Mr. Borek brought up the debt exclusion, and the desire to be able to put a dollar amount on it. He stated he was ready to take a motion and set the figures. This brought up a discussion as to what the actual amounts would be, and how the debt should be worded. The Board basically agreed that the amount was \$831,000 that should be debt excluded if all of it was used.

Mrs. Allen questioned if there should be "pre" and "post" prop 2-1/2 warrants? Two articles? Were the bonds taken out

prior to November 4, 1980? Which ones were the 40-year bonds? The Board decided that Mrs. Allen should check with Mrs. Shea to find out what the actual figures were before they went any further, and if there had to be two warrant articles.

8:40

-Mrs. Allen said that no response has been received yet from the Police Association or the School Committee concerning the Board's letter of 2/26/91 to have their bargaining units postpone their pay raises. Mr. Borek said to give them one more week to respond.

-Mrs. Allen asked the Board to please look at the pole behind the Town Hall with regard to Boston Edison's petition.

-Mrs. Allen went over with the Board the information she had gathered concerning the Veterans Grave Officer. It also stated in the documentation that the Veterans Grave Officer had to be a resident of the Town and a veteran. Mr. Dronzek suggested a letter be sent to Mr. Mastroianni telling him that he is not the Veterans Grave Officer. Mr. Borek said to just remind him that Allan Osborne is the Veterans Grave Officer.

-Mrs. Allen said she had spoken to the ABCC with regard to Police Chief Lambirth's letter and the Sgt.'s memo on the incident at the Golden Jade serving minors. She said she had learned that minors may go into a lounge area, and not be served, and also that a dart board can be in the lounge area.

Mr. Dronzek made a motion that there be a hearing set for alleged violations of ABCC regulations at the Golden Jade Restaurant on Main Street, and that it be publicly advertised, and sent certified, signed receipt; Mr. Johnson seconded; all aye. Mr. Borek asked Mrs. Allen to let Chief Lambirth be aware of this hearing. He also expressed concern about the minors that were drinking there.

-Mrs. Allen brought up the Town Accountant's budget which was submitted, but had not been approved.

Mr. Dronzek made a motion that the Town Accountant's budget be approved level-funded as submitted for:

salaries - \$61,340
expenses - \$2,310

Mr. Johnson seconded the motion; all aye.

-Mrs. Allen brought up the subject of the Building Inspector doing inspections and related inspection fees. Mr. Dronzek said he thought that the Building Inspector was hired to do administrative work, and as little inspections as possible; or, the Local Building Inspector was on vacation. Mr. Johnson explained how Mr. Speroni did safety inspections during February vacation. Mr. Dronzek stated that if Mr. Speroni did inspections, he should get paid for them; but

only one inspector to get paid for the inspection.

Mrs. Allen mentioned how 6 out of 10 inspections were for the Sanford Mill occupancy permits; and how Mr. Speroni was asked to do the inspections because of a personality conflict with the Local Building Inspector and Sanford Mill personnel.

Again, Mr. Dronzek said he was not against the Building Inspector getting paid for the inspections, but felt that he was to do primarily administrative work, be the zoning enforcement officer, come up with another building application, clean up the building department office, etc.

Mr. Dronzek, therefore, make a motion to send a letter to Mr. Speroni telling him he was hired to do administrative work, and to only do inspections when the Local Building Inspector was unavailable, or under special circumstances; Mr. Johnson seconded; all aye.

-Mrs. Allen went over the 2-year forecast from the Department of Local Services. She asked the Board if they would go along with Mrs. Shea's suggestion of getting together with the D.O.R., members of the Finance Committee, Treasurer/Collector, to discuss how they arrived at their figures. The Board agreed for Mrs. Allen to set up a tentative date, since we were the ones that asked them to come up with the forecast in the first place.

-Mrs. Allen discussed the jail visitation planned by Norfolk County Advisory Board members on March 16. Mr. Dronzek and Mr. Johnson agreed to go. Mrs. Allen will call in the reservations.

-Mrs. Allen went over the letter from the Executive Office of Public Safety concerning the enhanced 911 emergency telephone bill. Mr. Dronzek moved to put the warrant article calling for accepting the provisions of Chapter 291 of the Acts of 1990 on town meeting ballot; Mr. Johnson seconded; all aye.

-The articles for police cruisers were put on hold. The Board looked over Chief Lambirth's letter on the '92 budget and what would occur if the debt exclusion did not pass.

-There was some discussion on level-funding and level services with Douglas Counts of the Country Gazette. Mr. Dronzek was saying that if we wanted level services, the amount needed would have to be increased, and that would represent a 20% increase in residents' taxes.

-Mrs. Allen brought up the letter received from Mass Cablevision on cable operating billing practices, equipment notices, etc. As there were some complaints on what was not appearing on cable on the bulletin board, Mr. Borek asked Mrs. Allen to have Vern Robertson come to the Selectmen's meeting on March 25.

-Mrs. Allen went over the letter received from Senator Burke

saying he could not commit to level-funding local aid at the 1989 levels unless the Selectmen supported an increase in state taxes.

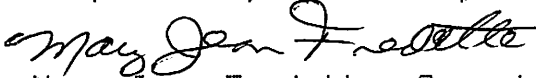
-Mr. Borek brought up the request of the Town of Millis to go through Medway property to tie into the C.R.F.C.D. Mrs. Allen said she had spoken to Bob MacRae and received their approval, and therefore, passed on to Mr. Aspinwall a request for the proper wording for the town warrant article.

-Mr. Dronzek had a question on the condition and mileage on existing police vehicles. Mrs. Allen said the monies could come out of stabilization instead of raising and appropriating the funds or transfers. She said the cars were 2 years old, and every year, they dispose of two cars and get two new ones for a total of four cruisers. Mrs. Allen will get the information on the condition and mileage of the four cruisers presently in use.

-Mrs. Allen reminded the Board that Joe Griffiths of Sabina Doyle's was coming before the Board on March 18 to discuss an entertainment license. Again, there have been complaints about the loud music there. Mrs. Allen also mentioned that Mr. Griffiths was trying to get Conservation to sign off on a building application for renovations at Sabina Doyle's, but they were not giving him their approval.

9:30 -The meeting was adjourned.

Respectfully submitted,


Mary Jean Fredette, Secretary

mj



BOARD OF SELECTMEN

155 VILLAGE STREET
MEDWAY, MASSACHUSETTS 02053
(508) 533-2013

AGENDA

MARCH 4, 1991

7:00 p.m.	Open meeting, sign warrants, approve minutes of 2-25-91 meeting.
7:05	Kathy Rehl - re: glass recycling.
7:30	Michael Flaherty - Holliston. re: solicitor's permit.
7:45	Paul Newton - re: limo license.
8:00	Vern Robertson - re: cable channel realignment.
-----	Open warrants - 5/13/91 - STM - 5/13/91 - ATM
-----	Finance Committee
-----	Old Business
-----	New Business

Present: Edward Borek, Walter Johnson and Administrative Assistant Ruth Allen. John Dronzek was absent.

7:00 p.m. - The Board opened the meeting held in the Selectmen's Meeting Room 2 of the Town Hall. Mr. Johnson made a motion to accept the minutes of February 25, 1991; Mr. Borek seconded; all aye. The warrants were signed.

7:01 - Kathy Rehl, chairman of the Recycling Study Committee, came before the Board. She said that during the month of February, 9.9 tons of newspaper had been recycled; 3.55 tons of glass; and 0.07 of aluminum; for a total of 13.52 tons.

There is a problem with the recycling of glass in that Foster Forbes is always full when our Highway Department goes to drop off glass (even with prior notification), and end up having to go to Harvey's in Westboro which only pays \$25/ton unlike Foster Forbes which pays \$50/ton.

Mr. Borek and Mrs. Rehl both expressed concern about the highway crew picking up the glass and its weight. Mrs. Rehl stated that Millis Used Auto could supply a container and pick up the glass, but there would be no cash. Mr. Borek said he had seen some recycled containers in New Hampshire, and he would check on them. Speaking of dumpsters, the Board was reminded about an old dumpster on Lincoln Street that has been there for approximately two years - Mrs. Allen will send a reminder letter to the Board of Health.

Mrs. Rehl mentioned that our present tip fee is \$57.23. Mr. Borek said that our payment to Wheelabrator should be reduced. Mrs. Allen said that recycling cannot be paid out of the trash budget. The trash budget would have to be reduced, and monies appropriated for recycling. In the meantime, they would have to do an emergency transfer to last them until the end of June, if their funds did not hold out.

Mr. Borek wanted to make sure the FinCom was aware of this.

Both the recycling committee and the Board of Health will be coming to the next Selectmen's meeting on March 11, so all this can be discussed further at that time. Mrs. Rehl mentioned that in January 255 cars came through the gate; and in February there were 418 - an excellent showing despite the weather.

Mrs. Rehl asked again about the glass situation, which really could not wait until the next meeting. Mr. Borek thought possibly the recycling committee could try using Millis Used Auto for the glass pickup on a temporary basis, and see how it works out. Mr. Johnson agreed. Millis has a 30-yd. roll-off container which would be used.

Mrs. Rehl also mentioned that April 18 has been designated Earth Day, and that there will be a fair at the high school, with it basically being an educational fair by

middle school students for the children of Medway.

Mr. Borek gave Mrs. Rehl a copy of a letter from the Massachusetts Municipal Association on recycling that he thought was interesting, and also wanted the Board of Health to get a copy.

7:25

- Michael Flaherty, and his wife Karen, came before the Board to discuss being denied a solicitor's permit by the Selectmen. He said, at this time, that only he would be going out soliciting in the Town of Medway instead of the 2-3 people he was going to use. He stated that he wanted to get about 10-15 people to work about 20 hours a week for about \$20,000. He did not understand why he was denied.

Mr. Johnson asked him if he planned on advertising. Mr. Flaherty said, yes, but that was not enough. He said he planned on being in Medway only one week or two. Mr. Borek asked Mr. Flaherty what he would say to him if he came to his door. Mr. Flaherty said he would be offering him an opportunity to make some money, and to come to another evening meeting to learn more about it. Mrs. Flaherty said there are many people out there looking for a job - this would help them. Mr. Flaherty said he would not go to every house - only middle-income neighborhoods, with 2-3 cars in the driveway.

Mr. Borek said he felt that this was a business, even though he was going door-to-door. He stated it was a practice of the Board to only give out permits to non-profit organizations, i.e. girl scouts, boy scouts, Greenpeace. He said he would have to say no again, because it was a business.

Mr. Flaherty felt the people in the Town had the right to decide for themselves if they wanted the opportunity to make money or not. Mr. Johnson said he would have to say no also.

Mr. Flaherty asked if he had any other options to appeal his case? Mr. Borek said he could call the Secretary of State and ask him if there was anything else he could do to get permission to solicit in the Town.

7:40

- Paul Newton, 40 Ellis Street, came before the Board to request a limousine license to operate out of Medway. In answer to the Board's questions, he said he would be the only operator on that one vehicle. He stated he had not had any infraction on his license. Mr. Borek said if anyone other than Mr. Newton is driving the limo, that the Board wants to know. On that basis, Mr. Borek said he had no objection to granting the license. Mr. Johnson made a motion that Paul Newton be granted a taxicab license for Preferred Limousine; Mr. Borek seconded; all aye. Mr. Newton said he needed a letter from the Selectmen's Office verifying the permit being granted - Mrs. Allen will take care of that.

7:50

- Diarmuid Higgins, who was present, said that the Highway Department was all through brush-cutting and patching; and chipping was done on all Christmas trees.

Mr. Borek asked Mr. Higgins about his meeting with the FinCom. Mr. Higgins said he told the FinCom that he had some monies left in the chip-sealing account because the bid came in lower than budgeted; but that the chip-sealing will continue. In reference to the monies left in the sidewalk account, Mr. Higgins said he would be contacting some people on this subject very soon, and the money will be utilized.

In reference to the highway addition, Mr. Higgins said he had met with a representative of Priggins Steel, and showed the Board the suggested plans. Mr. Borek advised Mr. Higgins that he would not be getting anymore money than the \$60,000 budgeted, and since Priggins' quote was somewhat over that amount, he advised him to go back to Priggins with an idea of eliminating one bay to reduce the cost. Mr. Higgins said he would still want the one lift in one of the bays for all police cars, ambulances, but no fire trucks. Mr. Borek suggested the name of Space Buildings in Lakeville as a possibility for getting a quote from. Mr. Johnson suggested Priggins Steel come back to Mr. Higgins with an individual price breakdown on the quote.

Mr. Johnson expressed concern about the soil around the garage, but Mr. Higgins said his highway crew would do the excavating, and filling in, would place stones there and do the compacting. Mr. Higgins also said that Holliston Oil Service has worked with the town, and would ensure it was done right. Concrete footing would be 4' below and 4' above.

Mr. Borek reminded Mr. Higgins that he could always add on later if monies were made available.

Mr. Higgins reminded the Board that the State D.P.W., District #6, and the Norfolk County Engineers were coming to Medway on March 14 between 9:00 and 10:00 a.m., if the Selectmen wished to meet with them.

8:05

- Vern Robertson of Medway Cable Access came before the Board to discuss a cable channel realignment. He said because of the problems with receiving channel 2 in Medway for the community bulletin board, Cable Access wanted to change the bulletin board to channel 7, their normal editing channel, and have the editing done on channel 2. Cablevision felt Mr. Robertson should bring this before the Selectmen since they are the licensing authority; and that he needed a letter stating that the Selectmen were not opposed to making the changes - then it could be done.

As an update, he felt the Town was doing quite well for being a small town; that they have the ability to put programming on both channel 6 and 8; that they have about

30 programs ready to put on; that they are at about 70% penetration of getting those who could have cable to subscribe; that many senior citizens watch school committee meetings, and those without children in the school system (about 2000 people watch those meetings). He stated they are trying to work on getting microphones to those in the audience so they can be heard.

Mr. Borek made a motion to allow Medway Cable Access to realign cable channels 2 and 7; Mr. Johnson seconded; all aye. Mrs. Allen will take care of the letter he requires.

Mr. Robertson also mentioned that they are now editing a Government Interns Newswatch broadcast to be entered nationally in competition.

8:30

- Mr. Borek made a motion to open the town meeting warrants on March 5th for the special and annual town meetings to be held on May 13th, and to close the warrant at 4:30 p.m. on March 18th; Mr. Johnson seconded; all aye. The special articles will only be for departmental transfers.

Mr. Borek made a motion to reconsider a previous vote taken at a Selectmen's meeting to post the warrant for a special town meeting on March 25th; Mr. Johnson seconded; all aye. Mr. Borek then made a motion to rescind the vote taken at that meeting to have the special town meeting to consider the single-issue warrant of a new elementary school and not to post a warrant; Mr. Johnson seconded; all aye.

- Mrs. Allen brought up a problem at the Golden Jade Restaurant with regard to minors. Mr. Borek asked Mrs. Allen to call the ABCC and check on the subject of minors in a bar - can they just walk in? can they be there and not get served? do they have to be with an adult?
- Mrs. Allen went over the letter from the Park Commissioners with the Board, which was requested at the last Selectmen's meeting.
- Mrs. Allen said no reply has been received yet from the School Committee or the Police Association in regard to postponing pay increases for their bargaining units.
- Mr. Borek made the comment that according to the Dept. of Revenue forecast for FY '92, Medway will be having a shortfall of \$1,216,000.
- Mrs. Allen said that the Norfolk County Selectmen's Association will be having their meeting on March 21 in Norwood. Mr. Borek and Mr. Johnson said they would go. Mrs. Allen will check with Mr. Dronzek.
- Mrs. Allen asked the Board, should the Building Inspector get paid for doing 11 safety inspections during vacation week. Mrs. Allen said she was not privy to what was actually discussed with him during their executive session when he was hired. The Board agreed to wait until Mr.

Dronzek was present to discuss this further on March 11.

- Mrs. Allen said that a document needed to be signed from the Dept. of Personnel Administration listing the 15 police officers under civil service - Mr. Borek signed the paper.
- Mr. Osborne asked if the Veterans Grave Officer was himself or Anthony Mastroianni. He said according to Mr. Mastroianni's annual report, he did everything that was required of that position. Mrs. Allen will check on this further.
- Mrs. Allen went over the Building Inspector's February report with the Board.
- Mrs. Allen said the Conservation Commission was presenting an emergency transfer to the Board to cover the salary of their part-time secretary. Mrs. Allen indicated that the appropriation was \$1,872, and they would require \$1,200 more.

She said that there are a lot of cease and desist orders required, as well as notices of intent and order of conditions to be done. She said that the Planning Board secretary has \$3,610 appropriated, and that the Zoning Board secretary has \$3,550 appropriated.

Mr. Borek said he would have liked a breakdown of why and in what areas the increase was for, and why there is more work this year than last year - were there more hearings? Mrs. Allen said they submitted a level-funded budget for FY'92, so this is just until the end of June. Mr. Johnson made a motion to allow the Conservation Commission to go to the Finance Committee for an emergency transfer; Mr. Borek seconded; all aye. The Board signed the transfer.

- Anthony Mastroianni, Veterans Agent, also submitted a request for an emergency transfer for veterans benefits. He had stated in his January letter that he anticipated a shortfall of \$3,000. He had then gone to the Finance Committee, but they had sent him back to the Board of Selectmen indicating that he needed the Board's approval. He had been budgeted \$10,000, and only \$445 was left in that account. Mr. Borek made a motion to allow Mr. Mastroianni to go to the Finance Committee for an emergency transfer of \$3,000; Mr. Johnson seconded; all aye. The Board signed the transfer.
- Mrs. Allen went over the letter received from the Town of Millis' Town Administrator, Charles Aspinwall, asking the Selectmen to place an article on our annual town meeting warrant to grant the Town of Millis an easement to go through some of Medway's conservation land adjacent to the Black Swamp interceptor to get into the Charles River Pollution Control Plant.

Mr. Borek asked Mrs. Allen to write to the C.R.P.C.D. and ask them if this is O.K. with them. If they indicate it

is, then Mrs. Allen can write to Mr. Aspinwall asking Millis to send more information and that a spot will be held in the warrant for them. Mr. Borek then asked for Town Counsel to review the wording in the article when it is received.

- Mrs. Allen went over the letter received from the Town of Bellingham's Executive Secretary/Administrator, Denis C. Fraine, regarding an up-coming meeting on the regionalization of town services. The Board felt since the Town of Medway was not involved in the regionalization, that no response was necessary.
- Mrs. Allen had a request from the Medway Lions asking to hang a banner across Main Street to announce the up-coming pancake breakfast. The banner would be up the week of March 17 through March 24. Mr. Borek wanted to make sure there were holes in the banner for airflow, and that it was securely tied down. Mr. Borek made a motion that the banner request be approved; Mr. Johnson seconded; all aye.
- Mrs. Allen went over the letter received from Independent Compressor Service Company with the Board. They were requesting a meeting with the Board to go over the bid contract to United Fire Service. Independent Compressor was advised to reach Town Counsel, but Counsel had referred them to the State. Mr. Borek asked Mrs. Allen to tell Chief Vinton to turn this over to Town Counsel, and that he has the Board's permission to do so.
- Mr. Borek said he would speak to the Chief to explain why the Board wrote a letter to the Chief about children being in town-owned vehicles; and that he did not want to pick on one department.
- Mrs. Allen brought up the subject of Sabina Doyle's and some of the complaints that have been registered against them. She stated that they had received a live entertainment license in February of 1990 for weekends only, which has not been renewed as yet. The Selectmen want to meet with Mr. Griffiths, especially since there is live entertainment on Thursdays, and that was not granted in the license. Mrs. Allen said he was on the March 18 agenda.

9:30

- The meeting was adjourned.

Respectfully submitted,



Mary Jean Fredette, Secretary

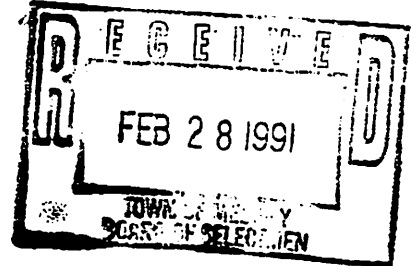


TOWN OF MILLIS

BOARD OF SELECTMEN

February 26, 1991

Board of Selectmen
Town Hall
Medway, MA 02053



Dear Members of the Board:

At the November 1990 Special Town Meeting funds were appropriated for a lateral sewer project in the Farm Street area adjacent to the Millis/Medway line. This sewer project is proposed to hook into the Black Swamp interceptor which flows into the Charles River Pollution Control District.

Our research indicates that the pipe flowing from the Flintlock Acres subdivision to the interceptor may have to pass through Medway property. The Town of Millis is currently requesting engineering RFP's which will specifically delineate the route and proposed sewer. Until such time that the design is finished, we will not be able to show you the exact route. We anticipate that the proposed route may be available by mid-April 1991.

The Town of Millis respectfully requests that you place an article on your 1991 Annual Town Meeting warrant authorizing the Medway Board of Selectmen to grant to the Town of Millis an easement through the town-owned property adjacent to the Black Swamp interceptor.

Our research also indicates that the property is deeded to the Town for conservation purposes and, therefore, we will have to file applications with the Conservation Commission and obtain approval from the State Legislature before any pipe is installed.

I will be in contact with you and/or your staff in the near future once we have an engineer on board to assist us. In the meantime, if you have any questions, please do not hesitate to contact me.

Sincerely,

Charles Aspinwall
Charles Aspinwall
Town Administrator

CA/s

Tons Collected

MATERIAL	JAN	FEB	TOTALS TO DATE	COST AVOIDED @ \$57.23 PER TON	COST	NET	
				INCOME		SAVINGS	
Newspaper		9.9	9.9	\$566.58	\$297.00		\$269.58
Glass		3.55	3.55	\$203.17	\$209.00	\$88.75	\$82.92
AL		0.07		\$4.01		\$28.00	\$32.01

=====
Total Tons 13.52

Cost Avoidance \$773.75

Total Costs \$506.00

Total Income \$116.75

Total Cost Savings \$384.50

Total Volunteer Hours 244

	Jan	Feb
===== Participation =====	255	418



BOARD OF SELECTMEN

155 VILLAGE STREET
MEDWAY, MASSACHUSETTS 02053
(508) 533-2013

AGENDA

FEBRUARY 25, 1991

7:00 p.m.	Open meeting, sign warrants, approve minutes of 2-11-91 meeting.
7:05	Mary Shea - re: Accountant's budget, first six months of year review.
7:20	Walter Blenkhorn - 6 Amelia Way - re: property.
7:30	Chief Lambirth - re: appointments and Lieutenant's exam.
7:45	Richard Brown and David Verdolino - re: finances.
8:00	C.R.P.C.D. re: budget for FY'92.
-----	Old business.
-----	New business.
	- open warrants: STM 3/25/91 STM 5/13/91 ATM 5/13/91

Present: John Dronzek, Walter Johnson, Edward Borek and Administrative Assistant Ruth Allen.

7:00 p.m. - The Board opened the meeting held in the Selectmen's Meeting Room 2 of the Town Hall. Mr. Johnson made a motion to accept the minutes of the February 11, 1991 meeting; Mr. Dronzek seconded; all aye.

7:01 - Mary Shea, Town Accountant, came before the Board to discuss the first six months of fiscal 1991. She talked about the multi-bond with an unexpended balance of \$1,230,891.48, which is earning interest for the general funds.

Mrs. Shea talked about the motor vehicle excise estimates, indicated that some commitments came in late from '87 and '88, but '89 and '90 were fairly consistent, so she estimated \$512,800 for '91.

On the levies, she stated that for the past two years, each of the levies has been shrinking, and it looks that way for '91 as well. The second commitment should be coming out in May. The levy balance forwarded in '91 was \$15,629.45.

On the subject of penalties and interest on taxes, Mrs. Shea said it looks about right at 53%.

On court fines, they are down. Mrs. Shea said she still receives a check each month from the State, but where the State and the Town used to split the fines evenly, now it's more 75% for the state and 25% for the town even with court fines increasing - we're still getting the same amount.

In reference to interest on deposits, Fred Lee agrees that the interest projected at \$206,000.

The Board agreed that they wanted to review the figures that Mrs. Shea had presented to them this evening. Mrs. Shea also mentioned that the Board should be aware of an increase in the Town's share for employees for medicare (1.45%) and FICA (7.65%) - Mr. Dronzek estimated the Town's portion could be \$38,000. Mrs. Shea stated not everyone is on retirement, which includes part time employees, call firemen, substitute teachers, etc. Mrs. Shea will be doing another evaluation and will try and get more accurate ideas of who is included.

Mr. Borek asked when these figures would be ready. Mrs. Shea said she would have a better idea mid-March. Mr. Borek said hopefully they would be having another meeting at the high school, and more accurate figures would be available by then. Mr. Dronzek suggested Mrs. Shea use the actual figures for 8 months. Mrs. Shea thought possibly 7 months.

Mr. Borek suggested postponing going over the Town Accountant's budget, possibly until the Selectmen's next

meeting. The rest of the Board agreed, as well as Mrs. Shea.

7:40

- Mr. and Mrs. Walter Blenkhorn of 6 Amelia Way came before the Board to discuss how a building permit could have been issued to residents of the Town on 26 Summer Street when the variance granted to those residents by the Zoning Board of Appeals was under appeal by Mr. and Mrs. Blenkhorn.

Mr. Dronzek asked when they had filed the appeal - Mrs. Blenkhorn said back in May, within the 20-day filing period. Mrs. Blenkhorn said their attorney has not heard from town counsel on this matter.

Mr. Johnson said he talked to Mr. Stearns, and learned that they had received a letter from Attorney Maciolek in this regard. The Stearns were granted an easement on their property to get to this other lot that they had purchased. As is stated in the zoning by-laws, the 150' frontage can be on a street or public way.

Mr. and Mrs. Stearns, who were present, stated that Mr. Maciolek's letter clarifies the frontage and easement questions. Mr. Borek could not understand how the property had frontage. Mr. Stearns stated that the zoning by-laws changed the requirements for frontage.

Mr. Borek asked when Amelia Way was established as a private way? -he was told in 1985. He then asked when was the Zoning By-law changed? Mr. Stearns stated that Mr. Maciolek was aware of the change, and when it occurred, around 1985 or 1986.

Mrs. Blenkhorn said that the Town taxes them as private land, not private road. Mr. Dronzek said no one could use Amelia Way except if they own the land or it is in the deed.

Mr. Johnson stated changing the by-law has prevented a lot of court cases from occurring. Mr. Dronzek said if the Stearns' have frontage, they can build on the land.

Mrs. Blenkhorn said, but it was under zoning board appeal.

Mr. Johnson said the variance was not necessary according to Mr. Maciolek, so there is no appeal.

Mrs. Blenkhorn stated that the information is not on the deed. Mr. Borek said the easement to the lot had to be in the deed before they could issue a building permit. Mr. Stearns said the language is in form, as per Mr. Maciolek's letter where it says, "a validly executed grant of an easement, in a form appropriate for recording in the Registry of Deeds, must also be presented when applying for the building permit". Mrs. Stearns said that was presented to Mr. Leone, the Building Inspector. They have a copy if the Board wants a copy. Mr. Stearns said they can't take

the easement because they own both properties.

Mr. Borek said the lot has to have the easement recorded.

Mrs. Allen said they don't have to when they own both properties. Mr. Johnson agreed. Mr. Dronzek said if he had been the building inspector, he would have approved the application based on all the information that was submitted.

Mr. Stearns said that all copies of all information was given to the Building Inspector, Mr. Leone.

Mrs. Blenkhorn said she had wished they had seen Mr. Maciolek's letter. Mr. Dronzek said the letter was addressed to the Stearns' attorney.

Mr. Borek said the Board has to get more information on this subject. Mr. Dronzek asked the Stearns to get the Board a copy of the easement. Mr. Borek said the Board should get the correct information on all this, and pass it on to the Blenkhorns.

Mr. Stearns said he understood it was alright to record the information on the deed later on. Mr. Borek said that Mrs. Allen will get all the answers to all their questions, and let both Mr. and Mrs. Stearns and Mr. and Mrs. Blenkhorn know the results.

- 8:05 - As Police Chief David Lambirth was coming before the Selectmen to discuss the permanent intermittent patrolmen, Mr. Dronzek excused himself from this portion of the meeting and left the meeting room.

Mr. Borek asked how many new appointments were being requested. The Chief said they are requesting 5 additional intermittent patrolmen; they have been groomed over the years. He also said that the department cannot use some of the names at all, and they want to call some forward for a hearing that presently work in Medway. The Chief checked off the 5 names on the list.

Mr. Borek had no objection to the names; Mr. Johnson had none either. Mr. Borek moved that the following be appointed permanent intermittent patrolmen: Jeffrey Watson, James Mill, John Rojee, John K. Dronzek, and Mark Tingley; Mr. Johnson seconded; all aye. The Selectmen signed the appointment slips.

The Chief also went over the Lieutenant's figures and the posting of the exam. The Board approved the document as submitted by the Chief for the Lieutenant's examination.

- 8:15 - Mr. Dronzek came back into the meeting room. Dave Verdolino and Dick Brown approached the Board, with many residents attending with them. Mr. Brown stated they had more comments as to why there is a need for more money.

The FinCom will be putting together an entire budget for

the Town in three categories:

1. the amount asked for by the department; 2. what the amount is needed to have budgets at level-funding with an override of \$600,000 - \$700,000; and 3. what the amount would be if the Town does not get an override and where the cuts will be and how to get the budgets down.

Mr. Verdolino then read a letter drafted by the FinCom (copy attached). Basically, they recommended an override question be placed on the next Town ballot. The FinCom felt that the decline in state aid was really crushing the Town. They felt that level-funding was as far as the Town should go in cutting; and that the Selectmen should not consider making Medway less than what it is. They asked the Selectmen to take the leadership role for the group of interested residents that want to pursue a prop 2-1/2 override. The FinCom asked for some time for financial discussion be set aside for all the upcoming Selectmen's meetings until the town election. The FinCom will be having a financial forum in March.

Mr. Johnson was upset at the mere mention of the copper roofing at the police facility by the FinCom. Mr. Borek concurred, saying that the buildings are now both built, and this is not the time to be bringing up the subject. He stated that this was the first time in all the years he had been in Medway that two massive structures had been built, and that the people had voted for it to be done. He said Article 5, giving local aid back to the Town, had been voted for by the people, and would have taken care of us, if the money had been given to us.

Regarding specific amounts for an override or debt exclusion, Mr. Borek said he did not know what the figure would be - it could be \$600,000, \$700,000, \$800,000, or even \$1 million if the Town wanted it. He said \$941,000 could be the debt exclusion amount. An override stays forever, it never comes off the books. He stated the Board would consider both choices, but he does want to hear more of Mrs. Shea's figures.

Jeff Nutting, who was present, asked Mr. Borek which he thought would pass. Mr. Borek felt the debt exclusion would pass before the override would. Mr. Dronzek said he was concerned about the \$600,000 - \$700,000 figure. He said the Town would not lose more than 10%, but he hears more is going to be taken from us. Mr. Brown said that the \$600,000 - \$700,000 was before any other cuts. Mr. Dronzek said it could be \$178,000 over the \$600,000 - \$700,000, based on what he was hearing.

Mr. Nutting said that he did not think the Town should exclude more than the Town needs. He suggested asking the Treasurer for the different amounts of the different bonds

so that they could be split out. Mr. Brown said there is only the sewer debt which is around \$300,000 over 27 years, and the multi-purpose bond, which is around \$500,000 over 20 years.

Mr. Borek said he felt some concern for older residents, such as retired teachers, who have worked hard and given alot to the Town, and are now finding it difficult to live in their own homes - he did not want to see additional burden placed on residents such as these.

Mr. Brown said in the past the FinCom has discouraged an override so funds could be stretched.

Allan Osborne, who was present, mentioned the sub-committee that had been formed from the Council on Aging to try and help the senior citizens who are facing that exact same problem of trying to keep their homes. The committee has met with Representative Barbara Gardner, and will be meeting again with her and Representative Dan Ranieri this coming Thursday morning. Mr. Osborne stated that there were at least six residents who were negotiating their mortgages at this time because they were having such a hard time. His taxes went up \$236 this year, and many people with small homes and small lots are resisting any more increases. He said the Council on Aging is not opposed to a debt exclusion or an override, but they want to see what the representatives can do to help them.

Mr. Dronzek said a shortfall of \$600,000 - \$700,000 that is being projected will only bring the Town up to level-funding; level services is an additional \$750,000. Even if the debt exclusion passes, local services will be cut without an additional \$750,000.

Mr. Nutting said if the Selectmen wait until March to make a decision, it will be too late. He said we need to have the topic discussed up front sooner than that - mid-March is too late.

Mr. Johnson said to Mr. Nutting, who is a member of the School Committee, that Sgt. Malo made mention of the Police Association agreeing to forego a raise during the next fiscal year - what about the Teachers' Association? Mr. Nutting said that that subject would be under collective bargaining and during executive session. Mr. Dronzek asked, however, if the Teachers' Association would be willing to forego the raise to save teachers' positions? He said that is not collective bargaining. Mr. Borek said he had intended to bring up that same question later on in the meeting this evening.

Upon hearing that, Mr. Dronzek made the motion to send a letter to the School Committee and to the Police Association asking that the bargaining units consider foregoing a year's increase in wages; Mr. Johnson seconded; all aye - this was unanimous.

Mr. Dronzek wondered about having both the debt exclusion and an override on the ballot at the same time? Could there be a multiple choice? Mr. Nutting said you could ask 25 questions. An amount needs to be decided for the debt exclusion or an override - could the Selectmen work with a date of March 25?

Mr. Dronzek made a motion to put an override question on town election ballot - since there was no second, the motion was not passed.

Mr. Borek said he did not want to decide anything this evening. He said he wants to know where the monies would be allocated before asking the Town to vote for anything. Everyone in the room this evening seemed to be pushing for an override or a debt exclusion. If every Town in the Commonwealth forced the legislature to change their position, we could get the local aid back to the Towns.

Gardner Rice, who was present, said that the State budget would be so out of line, it would hit us even harder. He shared a concern for those that were having financial problems, and hoped they were applying for abatements. He said we can't ask the State to go bankrupt to give us the money.

Mr. Borek again stated that they have always postponed making important decisions to the next meeting - they need time to look over the figures they were presented with this evening. Mr. Nutting inquired if they would make a decision in 2 weeks...1 week...? Mr. Rice said he felt the debt exclusion would pass, even though he would rather have an override. He said an override would help us down the road better - a debt exclusion would not be giving us anymore money. He said if the Town did not want to spend anymore money, they would vote for the debt exclusion.

Mr. Borek felt there was a change coming in the wording surrounding prop 2-1/2.

A resident in the audience stated she was a resident of the Town, but a teacher in a town that has gone for an override twice before. She felt that the Town cannot go into next year with the budget where it is - she said they need to know now where the Selectmen stand. Mr. Borek said the Board will consider deciding what to do at their meeting next week; and by March 11, a definite decision will be made and a motion made on that date or before.

Mr. Dronzek said he would not be at the next Selectmen's meeting on March 4; so he made a motion this evening to put a debt exclusion question article on the Town ballot, with specific amounts to be determined at a later date, in order to keep the Town going at a bare bones level. Mr. Nutting said that level depends on what the amount is. Mr. Brown said that the Town has up to \$840,000 this year. Mr. Johnson seconded Mr. Dronzek's motion with no specific

figures stated. Mr. Dronzek and Mr. Johnson voted in favor of the motion - Mr. Borek abstained.

A resident asked if the Town wanted prop 2-1/2, could it be changed later on? Mr. Nutting said the Town would have to come back at a town meeting and change it. He stated that there are indications of a loosening up, maybe to a cost-of-living level. Mr. Dronzek said the amount in question at this point would be \$840,000 - having minused \$103,000 for short-term interest. Mr. Brown said the FinCom has asked the Board of Assessors to look at options available for the elderly; and the Board of Health has already given a reduction to those over 65 and living alone.

Mr. Borek, at this time, for the record, told everyone that after 14 years he would not be seeking re-election to the Board of Selectmen. He indicated that his health has been a problem, however, he would still be attending town meetings and speaking his mind.

A resident brought up again that the Town could possibly have both an override and a debt exclusion. Mr. Brown said the debt exclusion is a prop 2-1/2 in the form of a debt exclusion. This resident was confirming that with the debt exclusion, everything would just be level-funded, and the cuts made in the school would be money not coming back to them. Mr. Dronzek said that the Town needs to balance across the board - we can't have a good education and terrible streets.

Mr. Borek said everything needs to be prioritized - school, water, police, fire; and suggested everyone decide where they feel the priorities lie.

- Mr. Nutting asked about the Medway Special Act he had submitted for the Board to review to be placed on the Town warrant. Mr. Dronzek made a motion that the Medway Special Act as submitted by Jeff Nutting be placed on the town warrant for a town reorganization government question; Mr. Johnson seconded; all aye.

9:25

- Diarmuid Higgins, who was present, stated that the County Engineers were coming in from Taunton on March 14 to discuss going out on bids for the Summer Street/Main Street/Village Street reconstruction project. Mr. Higgins said it would be valuable if the Selectmen were able to be present; and that a time would be set up with Mike Delaney of the State DPW.

9:30

- Paul Wilson and Paul DeSimone came before the Board to discuss their preliminary C.R.P.C.D. budget. Mr. DeSimone stated \$167,030 is the assessment for FY'91; and \$169,530 is the FY'92 assessment, as was indicated in the documents submitted to the Board. He said Robert McRae pretty much itemized everything, and the Board of Assessors and the Finance Committee got copies of the budget as well. Mr. Wilson said they might be making some changes, and the

amount may go down a little.

Mr. Borek asked when they figured out rates for other towns? Mr. Wilson said they were put into effect in July. Mr. Borek questioned the hauler's fees in that Medway pays \$35, and Sharon does also. Mr. Wilson indicated that they are making money on septics; and that there is no way that it can be made consistent for everyone.

Mr. Johnson asked how many homes in Medway were on septic? Mr. Wilson said more than 50%. He also said that according to Title 5 of the Board of Health, if the septic system fails, they have to tie in to town sewer.

Mr. DeSimone said the biggest item was electricity which runs \$190,000/year. Mr. Wilson said they have not had any complaints for 8-9 months. Mr. DeSimone said there should be lower auto insurance; and also no increase in the number of employees.

Mr. Borek told Mr. DeSimone and Mr. Wilson that the Board had decided at a previous meeting not to meet with Mr. Bauer of Franklin until the financial picture was more defined.

Mr. Wilson said 16% is Medway's share of all the assets. He gave the Board a copy of the audit that was done. He also said that they are carrying \$37,000 surplus from '89. Mr. DeSimone said that they are retiring the bond in 1995.

10:05

- Dick Brown and Dave Verdolino came back before the Board, and said that all departments should be working together for the good of the Town. Mr. Brown said that in going over some of the figures that they had in front of them, they had discovered a discrepancy. In the Park Department, there was a full-time budget for Fred Sibley and Jonathan Power, and a part-time budget for lifeguards, etc. for the summer. Payments were being made out of the part-time account for a full-time employee being paid \$6.25/hr. Mrs. Allen checked the computer printout which indicated a balance of approximately \$5,000 in the account at the end of January.

Mr. Dronzek said a letter should be sent to the Park Commission questioning why a person had been hired, and for what period of time? Mr. Brown felt that a stronger letter should be sent. When he asked Mr. Rombalski about this matter, Mr. Rombalski referred him to chairman, Mr. King. Mr. Brown told Mr. Rombalski that the Commission should go first to ask help from the Highway Department before going out to hire someone, especially with the tight budgets. A concern of that person getting hurt on the job was also brought up - what about insurance? Mrs. Allen said that he would be covered, but it would still go against the Town.

Mr. Borek said the hiring of this person was not approved by the Town. He made a motion that the Park Commission be

sent a letter telling them to cease this individual's employment immediately stating why the Board felt this action was necessary; Mr. Dronzek seconded; all aye.

Mr. Brown said the FinCom are in the process of formulating a plan to put the Park Department budget under the Highway Department budget.

Mr. Brown was also concerned about non-town employees riding in town-owned vehicles, and recommended the Police Chief be advised of this. Mr. Dronzek suggested a letter be sent to the Chief.

- Old Business; New Business

- Mrs. Allen reminded the Board she had given them information regarding the wording of prop 2-1/2 to review from the Division of Local Services.
- Mrs. Allen said she had a question from Paul Yorkis of the Conservation Commission as to the Board's terminology of 72 hours to complete an inspection. He wanted clarification if the 72 hours meant three business days. The Board agreed on this and asked Mrs. Allen to inform him that that was what the Board meant.
- Mrs. Allen said the Board had received a copy of correspondence from Chief Lambirth in reference to a damaged cruiser. She said this claim had been turned over to Middlesex Insurance.
- Mrs. Allen brought up a request by the Board of Health to go to Town Counsel for consultation on rules and regulations for the Board of Health as well as with the bid specs and contract with BFI on trash collection. Mr. Dronzek moved approval of the Board of Health's request; Mr. Johnson seconded; all aye.
- Mrs. Allen reminded the Board about an upcoming Norfolk County Selectmen's Association meeting on March 21.
- Mrs. Allen mentioned that the MAPC is applying for a grant with DEP, costing Medway nothing to be included in this. They were asking for a representative for the water supply committee. Mr. Dronzek suggested Gardner Rice. Mr. Dronzek then moved that someone representing the Town would be a member of this grant committee; Mr. Johnson seconded; all aye.
- Mrs. Allen said that on March 3rd, a support group for those with families in the Gulf was sponsoring an ecumenical town-wide service at the Community Church, with the support and involvement of the other 3 Medway Churches. The service would be at 2 p.m. with a march from the Community Church to the Town Common scheduled for after the service. Mrs. Allen mentioned that the Police Chief had okayed the march route. She said the Selectmen

were invited to speak if they wished, but they said they would be unavailable.

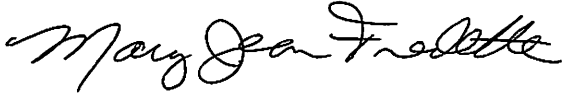
- Mrs. Allen gave the Board an application for a solicitor's permit for a Mike Flaherty for Primerica Financial Services for soliciting the Town for his financial company. Mr. Dronzek made a motion to deny the permit; Mr. Johnson seconded; all aye.
- Mrs. Allen discussed a letter received from Randy Marcus, 17 Paddock Lane, with the Board. Mr. Marcus was concerned about some graffiti that was appearing on a fence on West Street. Mr. Dronzek suggested a letter be sent to the owners of the fence to please paint the fence in response to a complaint. Mrs. Allen thought it might be best to call and ask them instead.
- Mrs. Allen brought up letters of complaint received from residents that lived in the vicinity of Sabina Doyle's. The letters had mentioned that they had heard live entertainment from the restaurant, and Mrs. Allen confirmed that they had never been issued an entertainment license, nor had ever applied for one when they came for a public hearing. Mr. Borek suggested Mrs. Allen ask the Police Chief to find out what form of music there was - was it recorded, or was it live. If it was live, then the Police were authorized to have him discontinue immediately.
- Mrs. Allen said a proposal had been received from Fraser Engineering to remove existing gas vents on the gas chain on the furnace at the Town Hall and repipe the gas pipes. The quote was for \$1,785. Mr. Dronzek suggested Mrs. Allen ask the Gas Inspector to check it out and get his opinion.
- Mrs. Allen said it was necessary to ask for an emergency transfer for the printing of the annual town report, since the cost was based on 150 pages, and it turned out to be 184 pages. The Board approved and signed the transfer in the amount of \$392.00 for submittal to the FinCom.
- Mrs. Allen said a phone call had been received from Greenpeace to solicit in the Town of Medway. She said a letter had been sent to them with the necessary solicitor's permit application to fill out.
- Mrs. Allen said that some confusion has arisen in who was the Town's legal counsel for the Planning Board on a matter involving builder, Lou Petrozzi. On January 15, the Planning Board had asked permission to use alternate Town Counsel on this matter, and the Board of Selectmen had approved this. Now, on February 12, they had sent a letter of apology to Attorney Maciolek; therefore - who is counsel on this? Mr. Dronzek suggested that the Board of Selectmen send a letter to the Planning Board asking them who they want to use for counsel on this Drybridge Estates case.
- The Board was in receipt of a letter from New England

Telephone asking to place a stub pole and guy wire behind the fire station next to the town hall to prevent the pole from leaning toward St. Joseph's Church. Mr. Borek suggested this be held over to another meeting until the Selectmen have had a chance to look at the location.

- The Board was in receipt of a letter from Parker, Coulter, Daley & White asking if the regulations on pools in Medway apply to all pools, or just to the ones installed after the regulations were set up in May of 1983. Mr. Borek said it was for all pools - the rest of the Board agreed.
- Mrs. Allen brought up the subject of a letter the Board sent to the Board of Assessors on the re-evaluation being done in the Town, and any discrepancies that we asked Mr. Thompson to record upon his visitations. She asked if he should bring the discrepancies to the Board's attention when he is completed with the re-val, or periodically. Mr. Dronzek said when Mr. Thompson found any discrepancies, the Board should be notified. Mr. Borek said that when the letter was written to the Assessors, we did not stress needing the discrepancies on a timely basis, and to ask if they could do so.
- Mrs. Allen brought up how the Board of Selectmen voted to allow the Medway Recycling Committee to join the Millis Consortium, and we did. However maybe now the Board should consider letting the Board of Health oversee the committee. Mr. Dronzek suggesting consulting with the Board of Health on this transfer at the March 11 Selectmen's meeting, along with the recycling committee. Mrs. Allen said she would follow up on this.
- Mrs. Rehl had mentioned to the Selectmen's office her concern of the Highway Department's lifting of the glass and putting them on the trucks. She was also concerned with when they would be delivering the glass to its destination. Mr. Dronzek said the highway duties should come first.
- The Board was in receipt of a letter from Shell Oil stating they did not have any correspondence relative to the concern of the Board's about conditions they had agreed to. Mr. Dronzek suggested getting a copy of the original design plans. Mr. Borek said there should be a copy showing the layout in the Drybridge Crossing site plan.
- Mr. Johnson said he would not mind being the Norfolk County advisory member instead of Mr. Dronzek until someone else would like to volunteer to be the representative. Mr. Dronzek made the motion to have Mr. Johnson be appointed to that position; Mr. Borek seconded; all aye.
- Mr. Borek said the Board should send a letter to the Board of Selectmen in Brookline agreeing with their position in regard to question 5 - the rest of the Board agreed.

11:30 - The meeting was adjourned.

Respectfully submitted,

A handwritten signature in cursive script, reading "Mary Jean Fredette".

Mary Jean Fredette, Secretary

mj

TOWN OF MEDWAY
BUILDING DEPARTMENT
APPLICATION FOR BUILDING PERMIT

Panel B Behind
ADDRESS: 26A Summer St. Medway, Ma

PERMIT IS FOR: One single family HOUSE, ADDITION, POOL, SHED, C

OWNER: Toffrey P. Stearns + Donna Stearns ADDRESS: 26 Summer St
PHONE: 533-11320 or 4823 CITY: Medway
BUILDER: Walter P. Stearns ADDRESS: 4 Farm St
PHONE: 883-1699 CITY: Bellingham
CONSTRUCTION LICENSE NUMBER: 011001

VARIANCE OR SPECIAL PERMIT: None USE GROUP: _____ ZONING: _____
SIZE OF LOT: 3.08 ac MAP: _____ PARCEL: _____

ESTIMATED COST OF CONSTRUCTION: 130,000

WATER DEPARTMENT

TOWN WATER: 2K TOWN SEWER: NA SIGNED [Signature] DATE 8-6-90

BOARD OF HEALTH

WELL WATER: NA WHEN REQUIRED BY BUILDING INSPECTOR
SEPTIC SYSTEM: NA SIGNED [Signature] DATE 8-2-90

HIGHWAY DEPARTMENT

APPROVED: ✓ DISAPPROVED: _____ SIGNED [Signature] DATE 8/6/90

CONSERVATION COMMISSION

APPROVED: ✓ DISAPPROVED: _____ SIGNED [Signature] DATE 8/6/90

BUILDING PERMITS ISSUED PURSUANT TO MASS STATE BUILDING CODE REQUIREMENTS

EARTH REMOVAL PERMITS MUST BE OBTAINED FROM THE BOARD OF SELECTMAN
RELATIVE TO MEDWAY TOWN BY-LAW, ARTICLE IX, SECTIONS 1-5

WOOD STOVES, POOLS, AND SIGNS REQUIRE ADDITIONAL INFORMATION

PLOT PLANS AND BLUE PRINTS ARE REQUIRED WITH APPLICATIONS

AS-BUILT PLANS ARE REQUIRED FOR NEW HOUSES

[Signature] [Signature] 26 Summer St
SIGNATURE OF APPLICANT ADDRESS
8/1/90 533-1320
DATE PHONE

BUILDING PERMIT NUMBER: _____ COST: 98,000 FEE: 324.00

PERCOLATION TEST CERTIFICATE
TOWN OF MEDWAY

TEST PERFORMED BY : NAME : GLM ENGINEERING CONSULTANTS, INC.
ADDRESS : 1150 WASHINGTON ST. HOLLISTON, MA. 01746
TELEPHONE : 429-1100
QUALIFICATIONS : REG. CIVIL ENG.

TEST PERFORMED FOR : NAME : DONNA STEARNS
ADDRESS : 26 SUMMER ST MEDWAY MA 02053
TELEPHONE :

PROPERTY DATA : OWNER : DONNA STEARNS
STREET LOCATION : REAR OF 26 SUMMER ST - NEXT TO AMELIA W.
ASSESSORS MAP # : 2-2 ASSESSORS LOT # : 2B/41
NEAREST UTILITY POLE # : _____ DISTANCE : _____

TEST DATE : 5 / 18 / 90

TEST HOLE # A TEST HOLE # B TEST HOLE # _____

DEPTH		SOIL TYPE		DEPTH		SOIL TYPE		DEPTH		SOIL TYPE	
0-24	TOP & SUB	0-24	TOP & SUB								
24-72	SANDY GRAVEL	24-72	SANDY GRAVEL								
72-144	SILTY GRAVEL	72-126	SILTY GRAVEL								
GROUNDWATER : 70"		GROUNDWATER : 75"		GROUNDWATER : _____		GROUNDWATER : _____		GROUNDWATER : _____		GROUNDWATER : _____	
LEDGE : NONE		LEDGE : 126"		LEDGE : _____		LEDGE : _____		LEDGE : _____		LEDGE : _____	
PERC. RATE : 5.0 MPI		PERC. RATE : 6.0 MPI		PERC. RATE : _____		PERC. RATE : _____		PERC. RATE : _____		PERC. RATE : _____	

I DECLARE THAT THE ABOVE TESTS WERE PERFORMED AS DESCRIBED IN 310 CMR 15 "THE STATE ENVIRONMENTAL CODE TITLE V : MINIMUM REQUIREMENTS FOR THE SUBSURFACE DISPOSAL OF SANITARY SEWAGE", AND THAT THE RESULTS ARE CORRECT.

BY : Mark A. Lohme
SIGNATURE OF PERSON PERFORMING TESTS

WITNESS : _____
HEALTH AGENT

Kenney & Maciolek

ATTORNEYS AT LAW

P. JOSEPH KENNEY
RICHARD D. MACIOLEK

STEPHEN J. KENNEY
PAUL V. KENNEY
PETER J. KENNEY (1973-1980)

181 VILLAGE STREET
MEDWAY, MASSACHUSETTS 02053
533-6711 AREA CODE 508
FAX: (508) 333-6904

July 13, 1990

Kevin Hern, Jr., Esq.
Rierner & Braunstein
3 Center Plaza
Boston, MA 02108

Re: Jeffrey and Donna Stearns

Dear Mr. Hern:

I have reviewed your letter dated June 26, 1990 and the two plans delivered to me by Mrs. Stearns.

Please be advised that I agree with your conclusion that the current state of the law will allow Mr. and Mrs. Stearns to use the frontage on Amelia Way for the parcel of land they recently acquired from Mr. and Mrs. Smith. This is so despite the fact that they will not be able to access that parcel of land over Amelia Way. Accordingly, the parcel of land recently acquired from Mr. and Mrs. Smith may be considered a "buildable lot" if appropriate access thereto can be obtained.

I understand further that Mr. and Mrs. Stearns intend to provide access to the above-captioned lot by the grant of an easement, no less than fifteen feet wide, over property presently owned by them at 26 Summer Street. It should be pointed out and understood by everyone that the existence of such an easement may diminish or adversely impact the value of the property located at 26 Summer Street. In addition, it must be recognized that any paving of the easement area would have to be done so as not to impact the remaining land area at 26 Summer Street and the abutting premises located at 24 Summer Street.

Kevin Hern, Jr., Esq.
July 13, 1990
Page 2

I suggest that the most expeditious way to proceed in this matter is to request a building permit for the property in question. Of course, Mr. and Mrs. Stearns will need to have the appropriate plans and test results available in order to secure such a permit. In addition, a validly executed grant of an easement, in a form appropriate for recording in the Registry of Deeds, must also be presented when applying for the building permit. If any questions should arise at that time they can either be referred to me or the building inspector can be given copies of our respective letters.

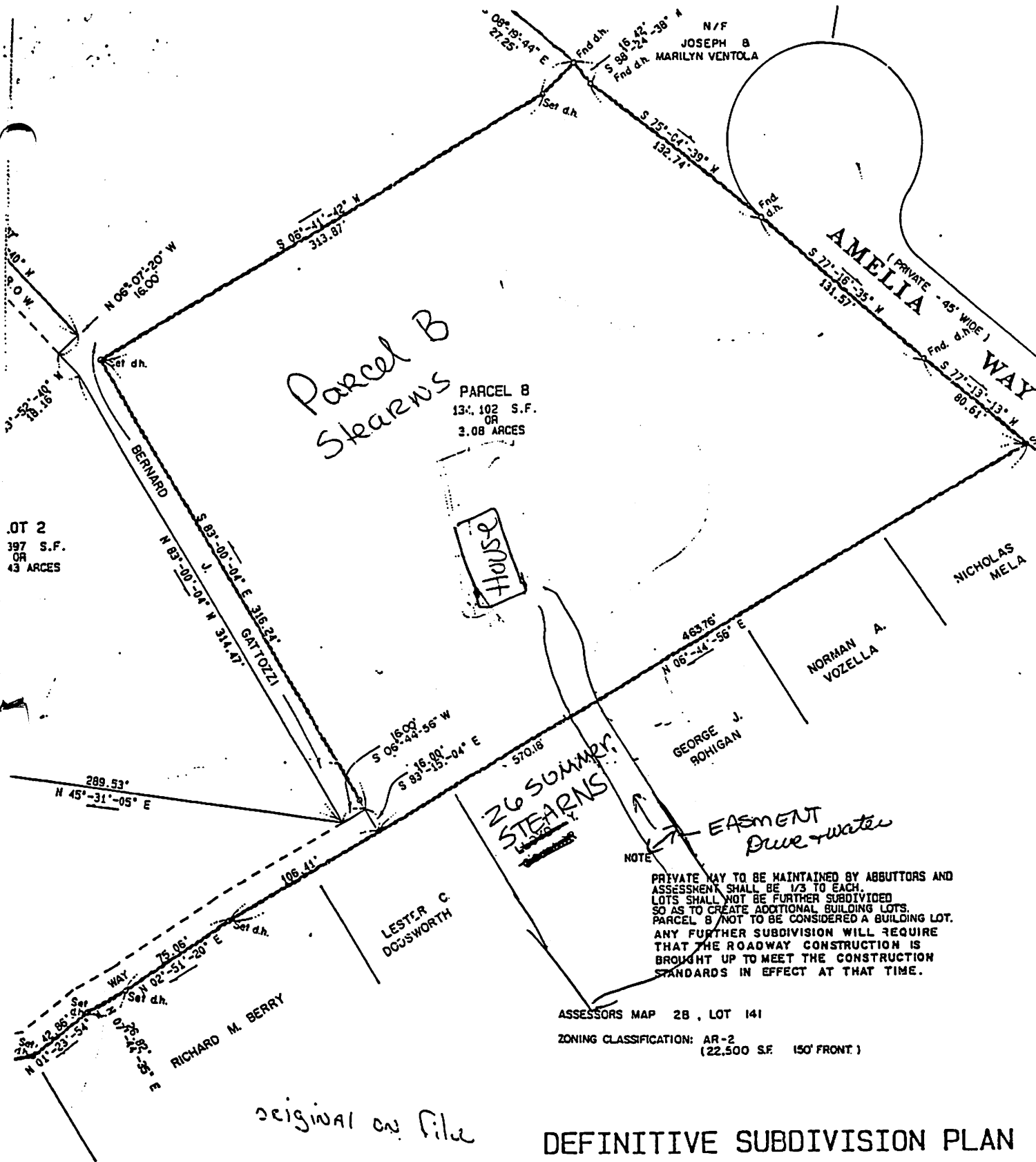
Please let me know if you have any further questions or require any information in this regard.

Sincerely,



R. D. Maciolek

RDM/tc



original on file

DEFINITIVE SUBDIVISION PLAN MEDWAY, MASS.

SCALE: 1" = 40' FEBRUARY 12, 1988
REV. AUGUST 22, 1988

OWNED BY: LEON J. & HAZEL SMITH
MILFORD STREET
MEDWAY, MA 02053

SURVEY BY:

GLM ENGINEERING CONSULTANTS INC.
1750 WASHINGTON ST. HOLLISTON, MA.

—●— DENOTES CONCRETE BOUND TO BE SET.

I CERTIFY THAT THIS PLAN CONFORMS TO THE RULES AND REGULATIONS OF THE REGISTERS OF DEEDS.

Philip D. Lukens 2-17-88
PHILIP D. LUKENS R.L.S. DATE

THIS SURVEY AND PLAN WERE PREPARED IN ACCORDANCE WITH THE PROCEDURAL AND TECHNICAL STANDARDS FOR THE PRACTICE OF LAND SURVEYING IN THE COMMONWEALTH OF MASSACHUSETTS.

Philip D. Lukens 2-17-88
PHILIP D. LUKENS R.L.S. DATE

MS
Stearns
26 Summer Street
Medway, MA 02053

February 20, 1991

Mr. Walter Johnson
Board of Selectmen
Town of Medway

Dear Mr. Johnson:

Pursuant to our conversation of Friday, February 15, 1991 please find enclosed a copy of the letter from town counsel to which I referred. A copy of this letter was submitted to Mr. Joseph Leone at the time of our application for a building permit. As you will find, we have complied with all aspects of Mr. Maciolek's letter as well as all relevant town laws, regulations and ordinances. In reliance upon this validly issued building permit, we have made considerable financial outlays toward the completion of our home. At all times we have acted in good faith in our dealings with the Town of Medway and will continue to so in the future.

Should you have any questions, please do not hesitate to contact me during business hours at (617) 261-8773 or at home at 533-4823.

Very Truly Yours,

Jeff and Donna Stearns

cc: selectmen 2/22/91

To: ✓ Board of Selectmen

From: Finance Committee

Date: February 20, 1991

The Finance Committee voted unanimously to recommend that the Board of Selectmen place an override question on the next Town ballot. The remainder of this correspondence sets forth, in general terms, why we feel that it is essential that the Board not only take that action without delay, but also wholeheartedly believe and publicly profess that it is a necessary undertaking for the Town of Medway at this time.

Town services, which determine the quality of life in Medway, are funded from three major sources: real estate taxes, local receipts and state aid. While the former two have continued to show steady growth, the annual level of state aid has decreased by \$600,000 since fiscal year 1989. Therefore, Medway must replace this loss of state aid with a combination of cuts in Town services and increases in local fees and real estate taxes.

The Finance Committee predicted difficulty (but not an impossibility) dealing with the revenue-raising limitations of Proposition 2-1/2 throughout the 1980's. Despite an economic slowdown, we nevertheless forecast (with tight, "no frills" operating budgets) our ability to finance without an override many long overdue capital improvements. However, the loss of state aid is without a doubt the crushing blow to Medway's financial security. In summary, we ought to be outraged at the performance of state government during the last three years.

All Town departments have done an outstanding job over the past several years keeping expenses down while maintaining essential services. The expense and salary budgets of each department are reviewed in great detail by the Finance Committee. Although we continue to explore ways to find small savings and efficiencies in operations, in general, Town departments are operated quite effectively on minimum budgets.

You ought to be outraged to hear stories, gossip and rumor about waste, inefficiency and mismanagement in financial management of government in Medway. A police station's copper roof, arguably a cost-effective extra to an overdue and widely supported capital project, is not the cause of Medway's financial problems. There are other such examples of hyperbole, half-truths and distortions of which you are aware that, if unchallenged, will for many residents justify a "no" vote on an override question and perpetuate the myth of local mismanagement.

The need is clear to restore the amount of aid unilaterally cut by the state since fiscal year 1989. We believe that a level-funded operating budget for fiscal year 1992 (i.e., expenditures equal to fiscal year 1991) would provide the rock bottom level of services to residents and students of Medway. You have heard and know of the severe budget cuts announced by the Superintendent, yet those measures have been accomplished with the barest minimum of adverse impact to the quality and delivery of basic educational services to Medway students. Further cuts cannot be made and achieve the same results; but unless an override is passed, further cuts will be made.

Shall we publicly paint a picture of the risks involved with cutting officers of our Police Department? It is testimony to the "team spirit" of the Police Chief that he has exhibited a willingness to cooperate in addressing Medway's financial dilemma. However, the protection of the lives and property of Town residents is of the utmost importance, and we feel deserves a better standing than "one of the team". Therefore, even a level-funded budget may not suffice to achieve public safety goals in 1992, and the Finance Committee is exploring ways to allocate to the Police Department additional available funds. If an override is voted down, there is virtually no way to avoid cuts in funds to the Police Department, and similarly no way for it to absorb such cuts without officer reductions.

Some cities and towns (and some Medway residents) talk cavalierly of solving financial problems by closing libraries, abandoning parks, eliminating interscholastic athletics, and the like. To those residents who have availed themselves of the wonderful benefits offered by our library, our parks, and our schools' athletic programs, such a "solution" is absurd. For those who fail to see or elect not to participate in the value (which greatly exceeds the related costs) inherent in those programs, such citizens should be educated not only in consideration of their override vote, but so that they can share in all the many good things Medway has going for itself.

The Finance Committee is in the process of exploring revenue-raising alternatives (e.g., quarterly tax billing) and will continue to do so. We are nearing the completion of our departmental budget hearings and will soon begin to formulate ways in which savings can be made. We will then prioritize available resources, and recommend areas where cuts can be made with minimum hardship to the overall quality of life in Medway. However, when our work is done, we know now that directly because of the state aid shortfall, Medway will require an additional \$600,000 or more to fund necessary services and programs in 1992. Therefore, passage of a Proposition 2-1/2 override ballot question is in the best interest of all citizens of Medway.

We cannot endorse this message alone! The members of the Finance Committee will make themselves available to any group in Town to provide and receive information, including meetings of the Board of Selectmen. We have discussed many of the foregoing issues, and general information regarding override initiatives, with concerned residents who may become active in urging passage of a Proposition 2-1/2 override. We believe it is up to the Board of Selectmen, as the highest elected officials in Town, to take a position of leadership on this issue and thereby foster the efforts of such a group.

Based on the importance of this Town-wide crisis, the Finance Committee requests that time be set aside during every meeting of the Board of Selectmen from now until the Town election to maximize public exposure of the ensuing debate. We will ensure that the Finance Committee Chairman and/or Vice-Chairman attends every such meeting for that purpose, and encourages similar attendance by our membership and by interested residents. Finally, during March the Finance Committee will host another financial forum and invite all Town departments, boards and citizens at large.

We hope that, either through this letter or in upcoming public discussion, we have sufficiently convinced you of our position. The Finance Committee believes that now is the appropriate time for the Selectmen to ask the citizens of Medway to work together in passing an override for the good of the community. We count on your dedication to Medway and sincerely wish to conduct a joint effort under your leadership to adequately provide for Medway's future.

TOWN OF MEDWAY
ACTUAL RECEIPTS 1/2 OF FY91--ESTIMATING FULL YEAR FY91

MOTOR VEHICLE EXCISE estimates are complicated by the Registry of Motor Vehicles billing patterns which differ from year to year. Although fiscal years 1987, 1988, and 1989 were severely affected by the late billings which were reflected in free cash certifications, our actual collections were not adjusted. Therefore, although we actually collected \$640,522.78 in FY89, we reduced that figure and estimated only \$520,800 for FY90. As the actual collections in FY90 were \$512,741.45, we used \$512,800 for the FY91 estimate.

During FY89 and FY90, the Registry issued TWO commitments on current year bills. The first big commitment, issued in February, has been shrinking. (FY89==\$381,715.25, FY90==\$353,627.50, FY91==\$306,478.75) The second commitment is not due until May and has been as high as \$47,000 and as low as \$8,600. In any event, at year end the balance forwarded to the next fiscal year has also been shrinking.

Each fiscal year we receive new commitments on two prior years levies. The bills of these commitments have been received by December 31st each year. On the one-year old levy these commitments totalled \$115,126.41 in FY89, \$123,988.29 in FY90, and \$87,926.65 in FY91. On the two-year old levy these commitments totalled \$8,715.62 in FY89, \$14,141.48 in FY90, and \$54,816.10 in FY91. Note that the virtually ALL of these are already in the first half of FY91.

The three-year old levies have had no new commitments, but do have some collections and are considered in the estimating. Those balances forwarded were \$12,191.69 in FY89, \$11,617.87 in FY90, and \$15,629.45 in FY91. Actual collections for those levies were \$1,091.63 in FY89, \$1,567.23 in FY90, and \$1,053.65 in the first half of FY91.

After reviewing all of these components, and noting \$141,880.18 was collected in the first half of 1991, I do NOT believe that we are going to match last year's collections...UNLESS the Registry bills an exceptional amount in the last half of FY91. Therefore, I will project the \$512,800 that we originally estimated.

PENALTIES & INTEREST ON TAXES is reasonable at last year's percentage, so I am projecting the \$53,300.

CHARGES FOR SERVICES--SEWER USAGE percentage will differ this year as the commitment for District 1 was billed a little earlier than last year. Therefore, we were able to collect more in the first half of this year than last year...and, the percentage would be affected. So, I am projecting a total for FY91 with a higher percentage collected in the first half of FY91...\$127,900.

OTHER CHARGES FOR SERVICES-AMBULANCE percentage will probably differ as Comstar was collecting OLD items in FY90 and the current billings do NOT justify the projection that a percentage would generate. I believe that a more reasonable estimate would be \$5,000 a month for the next 6 months added to the \$26,530.67 already collected for \$56,500.

FEES are difficult to correlate as the actual totals have gone up and down and the percentages collected first half of year have also varied. Although we collected a disproportionate share of these fees in the last

half of FY90, the total actual collections were over \$11,000 less than the previous year. Therefore, I would project the total for FY91 somewhere near our original estimate for FY91: \$32,100.

OTHER DEPARTMENTAL correlates directly with the Police Special Details. Since I believe that the Water construction will continue to affect this throughout the fiscal year, I am using the percentage projection from last year for \$5,000.

TOTAL LICENSES & PERMITS could be close, so I am using the percentage projection from last year for \$119,300.

SPECIAL ASSESSMENTS is affected by two factors: the amount added to real estate bills each year, and the amounts paid off when homes are sold. Therefore, the percentage projection would be reasonable at \$91,500.

COURT FINES are running less each month than they did last year; therefore, if they taper downward as they did last year we will probably not receive more than \$23,800 in FY91.

INTEREST ON DEPOSITS is impacted by the interest rates as well as the total funds that we have available. As you can see by the chart on the bond issue, our total available is shrinking right along with the rates. Because we temporarily borrowed a portion of the amount to be bonded in the previous fiscal year, FY90 interest earnings were impacted. However, when we bonded during this year, the first half of FY91 will have much higher interest earnings than the second half of FY91. Therefore, the percentage projection would not be reasonable. So, I reduced the amount expected in the second half of FY91 and am projecting \$206,000.

When we have the third quarter actuals, we will review these projections and modify the estimates for FY91 as well as FY92.

Prepared by Town Accountant, Mary J. Shea

Town of Medway: Multi-purpose Bond Issue

AS OF: February 21, 1991

Description	Amount Borrowed	Expended Prior Fiscal Years	Expended FY1991 thru: 02/21/91	TOTAL Expended thru: 02/21/91	BALANCE Unexpended
A8 ATM 87: Fire Station 010-220-5038-5800-698	900,000.00	376,240.81	500,247.99	876,488.80	23,511.20
A4 ATM 90: Streets Stone/Seal 030-422-5301-5800-901	100,000.00	0.00	73,216.45	73,216.45	26,783.55
A5 ATM 90: Streets Paving 030-422-5302-5800-902	250,000.00	89,978.55	69,343.54	159,322.09	90,677.91
A6 ATM 90: Sidewalks 030-422-5002-5400-903	100,000.00	0.00	778.60	778.60	99,221.40
A7 ATM 90: Highway Dept Trucks 030-422-5304-5810-904	85,950.00	83,034.64	2,915.36	85,950.00	0.00
A11 ATM 90: Park Dept Truck 060-650-5307-5810-907	23,000.00	23,000.00	0.00	23,000.00	0.00
A12 ATM 90: Park Equipment 060-650-5308-5810-908	23,600.00	22,396.30	1,203.70	23,600.00	0.00
A13 ATM 90: Park Tractor Mount 060-650-5309-5810-909	1,800.00	1,800.00	0.00	1,800.00	0.00
A10 ATM 90: Police Architect 010-201-5312-5200-912	90,000.00	70,325.93	19,674.07	90,000.00	0.00
A17 ATM 90: Police Facility 010-201-5313-5800-913	1,500,000.00	297,239.55	876,367.23	1,173,606.78	326,393.22
A18 ATM 90: Fire Dept Pumper 010-220-5314-5810-914	160,000.00	157,830.00	2,170.00	160,000.00	0.00
A19 ATM 90: EMS Ambulance 010-232-5315-5810-915	35,000.00	34,844.00	156.00	35,000.00	0.00
A30 ATM 90: School Gym Floors 020-600-5322-5810-922	158,000.00	142,909.75	0.00	142,909.75	15,090.25
A33 ATM 90: School Floors 020-600-5325-5810-925	50,000.00	34,484.00	10,220.64	44,704.64	5,295.36
A3 STM 6/26/89: Water Bonds 044-450-5229-5800-829	1,100,000.00	0.00	516,081.41	516,081.41	583,918.59
A28 ATM 91: Hwy Garage Adtn 30-422-5411-5810-751	60,000.00	0.00	0.00	0.00	60,000.00
TOTALS	4,637,350.00	1,334,083.53	2,072,374.99	3,406,458.52	1,230,891.48

The unexpended balance is earning interest
for the general fund estimated receipts.

ACTUAL RECEIPTS ANALYSIS at first-half FY91

	Actual FY1986	Actual FY1987	Actual FY1988	Actual FY1989	Actual FY1990	Estimate FY1991	FIRST 6 MOS FY91	EST TOTAL FY91	Estimate FY92
Motor Vehicle Excise	474,302.76	416,729.03	502,650.95	640,522.78	512,741.45	512,800.00	141,880.18	512,800.00	
Penalties & Interest/Taxes	33,293.84	24,508.72	30,574.29	32,452.53	55,447.23	55,500.00	28,692.75	53,300.00	
Chgs for Serv-Sewer Usage	90,751.73	87,893.77	117,252.88	131,375.87	127,891.66	127,900.00	59,537.32	127,900.00	
Other Charges for Services-Ambulance					32,272.41	32,300.00	26,530.67	56,500.00	
Fees:									
Town Clerk Fees									
Zoning Bd of Appeal Fees									
Planning Board Fees									
Sealer Weights/Measures									
Conservation Comm Fees									
Assessors Map Fees									
Other Fees									
Total Fees	19,648.43	36,160.09	31,983.55	42,326.55	32,123.23	32,100.00	15,564.87	32,100.00	
Other Departmental	4,970.19	2,959.68	5,092.89	8,991.12	7,656.47	7,700.00	2,574.05	5,000.00	
Licenses & Permits:									
Liquor Licenses									
Other Licenses									
Building Permits									
Gas Permits									
Plumbing Permits									
Wiring Permits									
Bd Health Permits									
Sewer Permits									
Other Permits									
Total Lic & Permits	91,411.93	92,757.25	107,912.00	102,478.00	117,168.00	117,200.00	56,718.00	119,300.00	
Special Assessments	195,954.58	205,204.98	129,334.93	122,230.79	95,470.09	95,500.00	76,663.96	91,500.00	
Court Fines	45,277.00	41,835.00	42,475.00	40,475.00	42,535.00	42,600.00	14,670.00	23,800.00	
Interest on Deposits	153,600.15	130,100.97	145,701.23	198,085.81	204,307.26	204,300.00	112,909.16	206,000.00	
	1,109,210.61	1,038,149.49	1,112,977.72	1,318,938.45	1,227,612.80	1,227,900.00	535,740.96	1,228,200.00	

TOWN OF MEDWAY

ACTUAL RECEIPTS ANALYSIS
FIRST HALF OF FISCAL YEAR

	FIRST HALF FY88	PERCENT OF TOTAL FY88	FIRST HALF FY89	PERCENT OF TOTAL FY89	FIRST HALF FY90	PERCENT OF TOTAL FY90	Estimate FY1991	FIRST 6 MOS FY91	USING LAST YR PERCENT	PERCENT BASED EST TOTAL FY91	INFORMATIONAL Estimate FY91
Motor Vehicle Excise	161,468.24 *	32.1230	249,069.45 *	38.8852	108,934.66 *	21.2455	512,800.00	141,880.18	21.2455	667,812.85	512,800.00
Penalties & Interest/Taxes	13,081.27	42.7852	13,511.48	41.6346	29,849.84	53.8347	55,500.00	28,692.75	53.8347	53,297.87	53,300.00
Chgs for Serv-Sewer Usage	55,080.57	46.9759	69,906.82	53.2113	51,280.09	40.0965	127,900.00	59,537.32	40.0965	148,485.08	127,900.00
Other Charges for Services-Ambulance	360.00	100.0000	0.00	0.0000	7,843.08	24.3027	32,300.00	26,530.67	24.3027	109,167.58	56,500.00
Fees:											
Town Clerk Fees											
Zoning Bd of Appeal Fees											
Planning Board Fees											
Sealer Weights/Measures											
Conservation Comm Fees											
Assessors Map Fees											
Other Fees	16,874.17	52.7589	20,615.27	48.7053	12,552.97	39.0775	32,100.00	15,564.87	39.0775	39,830.77	32,100.00
Total Fees	3,284.36	64.4891	4,442.22	49.4067	3,994.32	52.1692	7,700.00	2,574.05	52.1692	4,934.04	5,000.00
Other Departmental											
Licenses & Permits:											
Liquor Licenses											
Other Licenses											
Building Permits											
Gas Permits											
Plumbing Permits											
Wiring Permits											
Bd Health Permits											
Sewer Permits											
Other Permits											
Total Lic & Permits	50,234.00	46.5509	39,319.00	38.3682	55,666.00	47.5096	117,200.00	56,718.00	47.5096	119,382.19	119,300.00
Special Assessments	109,436.65	84.6149	106,112.07	86.8129	79,997.08	83.7928	95,500.00	76,663.96	83.7928	91,492.30	91,500.00
Court Fines	23,420.00	55.1383	19,580.00	48.3755	26,235.00	61.6786	42,600.00	14,670.00	61.6786	23,784.59	23,800.00
Interest on Deposits	64,177.69	44.0475	70,632.98	35.6578	86,931.45	42.5494	204,300.00	112,909.16	42.5494	265,360.17	206,000.00
	497,416.95	44.6601	593,189.29	44.9748	463,284.49	37.7386	1,227,900.00	535,740.96		1,523,547.45	1,228,200.00



BOARD OF SELECTMEN

155 VILLAGE STREET
MEDWAY, MASSACHUSETTS 02053

(508) 533-2013

AGENDA

FEBRUARY 11, 1991

7:00 p.m.

Open meeting, sign warrants, approve minutes of 2-4-91 meeting.

7:05

Kathy Rehl - Recycling
re: RFP for Consortium

7:45

Police Chief Lambirth
re: Budget for FY'92

8:00

Computer Budget;
Accountant's Budget and first 1/2 year review.

8:15

Ambulance Billing -
Fred Lee and Donald Grimes

Old business

New business

Present: John Dronzek, Walter Johnson and Administrative Assistant Ruth Allen. Edward Borek was absent.

7:00 p.m. - Mr. Dronzek opened the meeting held in the Selectmen's Meeting Room 2 of the Town Hall. Mr. Johnson made a motion to accept the minutes of the February 4, 1991 meeting; Mr. Dronzek seconded; all aye. The warrants were signed.

7:03 - Kathy Rehl, chairman of the Recycling Study Committee came before the Board to update them on where the committee is at. She said she had spoken to Dick Parrella of the Board of Health, and he had stated that there was 40 tons difference between last January's total and last month's total. Also, on calculations she had put together, it seems as if 15% of the Town is participating in recycling. She said many groups and/or boards are helping out at the Center on Saturdays, including the Selectmen, FinCom, Lions, Girl Scouts, North Home and School, and various individuals.

Mrs. Rehl talked about the weight of the barrels containing glass and that they weighed about 400 lbs. each according to Mr. Higgins. The question is how will they be lifted - no forklift available. She said that from now on, they probably won't break the glass, which contributed to the excess weight; however, according to Mr. Dronzek, they would need 8 times as many barrels. The other idea is to rent the containers from one of the trash companies. Safety precautions concerning glass were also discussed. Mrs. Rehl said she would talk to area towns to see how they handle the glass recycling.

Mrs. Rehl said they are planning to do some activity in connection with Earth Day on February 26. She also stated that plastic, aluminum and composting will be started in March.

Mrs. Rehl discussed the Request For Proposal for the Millis Consortium that she would be submitting to the Selectmen. There were many areas to be reviewed, including that Medway be responsible for their own collection, and then bring to a vendor for their disposal. The term for the Proposal would be 20 years starting in February of 1993.

Mr. Dronzek thought possibly the Recycling Study Committee should someday come under the Board of Health because of Wheelabrator's contract and the funds being

allocated. BFI's contract expires in June of 1991.

Mrs. Rehl continued to go over various parts of the proposal. She said each contract would be between the contractor and the community it serves. She is hoping to send proposals out on March 8, for service in February of 1993.

Mr. Dronzek suggested Town Counsel review the proposal first. Mrs. Rehl said Mrs. Allen should be receiving a copy of the Request For Proposal soon, and at the same time that the Selectmen get a copy, so can Town Counsel. Mrs. Allen will send it on with a cover letter.

Mrs. Rehl said there has been a hold-up on the grant; no news yet on its acceptance.

Mr. Dronzek felt the Recycling Study Committee should be strongly congratulated for the work done, as well as all the volunteers helping out. He felt they were doing much more in a faster time span. Mrs. Rehl said the Town should be congratulated also for increasing the amount of participation from an anticipated 5% to 15%.

Mrs. Rehl brought up the subject of composting, which will be discussed at the next recycling meeting on February 12. It was thought that maybe volunteers could help collect the bags for a fee, such as the Lions, suggested Dick Brown, who was present at the meeting. He said possibly residents could pay for the bag to bring in the revenue for those that would be picking up bags. Mrs. Rehl said there are various methods that need to be discussed.

Mr. Dronzek said that the Town cannot afford to fund anything. Mrs. Rehl said that some people are upset that the trash bill is high, and now by taking some of the trash out, they are still paying the same bill.

Mr. Dronzek said that a decrease in cost may still occur as it did before going from \$18 to \$15 a month. He said that maybe they cannot reduce the monthly fee, but at least it would prevent any future increase.

Mr. Johnson suggested a news release be issued, maybe by the Board of Health, letting residents know what is going on, especially for the older residents in town.

7:45

- Chief David Lambirth came before the Board to discuss his budget. Mr. Dronzek reminded the Chief that if the

budget involved police and fire communications, or E.M.S., he could not participate in the discussion; and with Mr. Borek absent, there would not be a majority. The Chief said his remarks involved neither department. He said his original budget was \$3200 over, and that he has met with the FinCom. That budget included a full complement, which would include Officer Spataro's replacement. The Chief said he would still like to leave the money in the budget for an officer, but then if they need the money in an emergency, then they could draw upon it. He wants the continued support of the Board on the \$637,000 budget, which is including \$3200 for salary.

Mr. Dronzek said he didn't want to be hypercritical, but everyone may have to cut. He hoped the forum on Wednesday would bring a lot of input.

In regard to the maintenance and running of the new police facility, he said it cannot be allowed to sit vacant. Mr. Brown said they have to get the \$35,000-\$40,000 from somewhere. Mr. Dronzek agreed that it has been approved by the Town, and it should now be utilized.

Chief Lambirth said they are still under budget, and invited the Selectmen to walk through the facility anytime.

In reference to the police intermittents, the Board agreed to wait until the 2/25 meeting when Mr. Borek would be present.

8:00

- Paul Yorkis stopped in, and in conversation with Dick Maciolek, will proceed with an injunction against the property at lot #1-Pond Street with the approval of the Board of Selectmen. He said many cease and desist orders have been issued; there have been problems with both the builder and the occupants; therefore the injunction needs to be issued because of the various violations. Mr. Johnson made a motion to approve the engaging of town counsel to issue an injunction for a cease and desist against the property known as lot #1-Pond Street for various violations against the Wetlands Protection Act; Mr. Dronzek seconded; all aye.

8:05

- Mary Shea, Computer Systems Manager, came before the Board to discuss the computer budget. She brought with her members of the committee, who introduced themselves and their areas of expertise with computer systems. Mrs. Shea said it was almost like having a cost-free corporate team as consultants. They were able to

accomplish a great deal with no extra funds. Mr. Johnson made a motion to approve the FY'92 budget for the in-house computer expenses level-funded at \$33,900; Mr. Dronzek seconded; all aye.

Mrs. Shea asked the Board if they had any objections to the direction they were heading in - they had none. Mrs. Shea also left with the Board the Town Accountant's budget to review, and other financial information. The Board set up to meet with Mrs. Shea on February 25 at 7:05 p.m., to review the budget.

8:20

- Officer Donald Grimes, Gerry Copeland, and Peggy Tighe (filling in for Fred Lee who was ill) came before the Board to discuss the ambulance billing account. Officer Grimes said E.M.S. would like to take over the billing, as they once had done. He did not feel it was adequately being handled at this time by Comstar of Ipswich. He referenced Jan., Feb., Mar. of 1989; Jan., Feb. May, Sept. of 1990 where figures they had differed from Comstar. Mrs. Allen pointed out that the final total figures did agree; it was the individual months that did not agree.

Mr. Dronzek stated that the Town has been using Comstar for 13 months, and the Board has not received one request for an abatement. He was also concerned with the outstanding bills going back to 1988, 1989 and 1990.

Officer Grimes stated that 1988 is a dead issue; but there is an outstanding balance of \$81,000 for 1988 and 1989. Comstar gets \$13.50 per customer, no matter how many payments that customer makes on the bill. He also said that they can't bill Blue Cross direct; and that there is an extended benefits form to be gotten from the Town. Mrs. Tighe said it's an out-of-state form.

Mr. Brown stated that back in 1990, Comstar had stated that there would be no need to bother the patient as information would be obtained from the computer; and yet Officer Grimes had a letter in hand sent to a patient demanding payment or their credit rating would be affected.

Mr. Dronzek said there should be a better record of collection on the part of Comstar. Mr. Copeland said he thought the insurance company would pay a portion, and the rest would be abated. He said he cares for the elderly, and wants to make sure they call when there is an emergency. He did not want them to worry about an outstanding bill, and that that would influence if

they called for an ambulance or not.

Mr. Dronzek suggested that they all meet again on February 25 at 7:30 p.m. with Comstar to discuss the whole billing issue (Officer Grimes, Mr. Copeland, Mr. Brown, Mr. Lee). Officer Grimes said he has discussed with the FinCom the idea of having E.M.S. do the billing, and that the \$3,000-\$4,000 paid to Comstar could come back to the Town for E.M.S.

Mr. Dronzek said he did not know how it can legally be done - it could possibly be done, but he did not know how. Mrs. Tighe said that the Town of Millis brings back their money to help fund their E.M.S. expenses. Mr. Dronzek said there are laws in Town that any money that comes to the Town goes to the Town Treasury. Mr. Brown said the situation is similar to the Water Dept. collecting the funds for their department, logging it in, and then handing the money over to the Treasurer. He suggested going to the outside auditor to find out how it could be done. Mr. Copeland, again, said that the situation was somehow set up in Millis, and they received permission to do it, and it was being funded through into the budget.

Officer Grimes said that the E.M.S. are now computerized and they could handle the billing, with some minor costs of postage and billing cards.

Mr. Dronzek said it was the auditors that raised the question of billing when no bills were being sent out and no money was being collected. He feels they have tried Comstar as suggested. Officer Grimes said their department can do quarterly statements and quarterly abatements.

Mr. Dronzek felt there was a 30-day cancellation notice clause in Comstar's contract, so to wait until the February 25 meeting.

Mrs. Tighe questioned Comstar's remark "no service rendered" on several billings. She said they had to have done the run if it was included on the list. Also, on Comstar's report, there was a note "can't pay balance" and "hardship" which obviously meant that Comstar had been in touch with the patient, which they were not supposed to do. Also, who determined the patient was a "hardship". According to the report Mrs. Tighe had received from Comstar, there were 30 abatements totalling \$2455 as the amount recommended from May 1988 to the present.

Mr. Copeland said that with patience and understanding, accounts can be resolved. Mr. Dronzek said that if Mr. Lee, Mrs. Tighe, Mr. Copeland and Officer Grimes could come up with a better plan within the next two weeks, before Comstar would be called in, then give it to the Board.

Mrs. Tighe asked Mrs. Shea, who was present, if a receipt reserve account could be set up. Mrs. Shea said that an account could be possibly set up for appropriation. Once the tax rate is set, however, the method can't be changed. Mr. Dronzek said he wanted to know the logical way to handle this for future discussions. Mrs. Shea suggested looking at this system for the FY'93 budget at the earliest.

Mrs. Tighe asked for documentation in writing from Officer Grimes and Mr. Copeland as to what the procedure would be that they would follow if they did do the billing so that Mrs. Shea, Mr. Lee, the Board of Selectmen, and the auditor, Mr. Cicoria would be able to review it.

Mr. Dronzek said Comstar doesn't even have to come to Board if they can resolve the problems in-house.

9:40

- Mr. Higgins provided his weekly update. He is working on the crosswalk signs for Rt. 109; the Highway Department is working on their equipment; they were able to retrieve their stolen plow; their mechanic is working out real well; they placed flags and bows in the barrels throughout town; the sidewalk plow is now working. (In reference to the yellow bows at town hall, Mr. Dronzek suggested a letter be sent to the 6th graders thanking them.) Mr. Dronzek inquired about the repairing of Village Street to Country Lane, which he felt was bad. Mr. Higgins said that when the repair work is started on 126/Main/Village Streets, they would put up guardrail, grind up the road, put in drain pipe the first year, and then following up the next year with the roadwork up to Franklin Street.

9:50

- New business.
- Mrs. Allen said that Town Counsel had informed her that from now on, he wants all requests in writing from the Board of Selectmen. This was prompted because of an area that was determined to be in conflict of interest.
- Mrs. Allen said that the Shell Station is going before the ZBA on January 20. It was suggested that Mrs. Allen write to the ZBA letting them know where the

Board of Selectmen stand with Shell.

- In reference to the letter received from MIIA about the health care program, Mrs. Allen told the Board that she and Mrs. Tighe would be going to Westwood on the 20th for the conference.
 - Mr. Dronzek signed the document concerning the street lighting that was changed near the new fire station on Milford and Summer Streets.
 - Mrs. Allen asked Mr. Dronzek to sign the two documents allowing two more companies to do surveys on our telephone system in Town Hall. Again, as in the other company we have authorized to do the same, there is no cost involved.
 - Mrs. Allen told the Board that a letter had been sent to the Golden Jade because two of their checks had bounced for real estate taxes and liquor license fees. Upon hearing that they would have to have a public hearing about their license because of these lack of funds, Golden Jade came in to the Treasurer and made good the amount due the Town.
 - Mr. Duggan of the Municipal Building Utilization Committee informed the Board that they are in agreement with the Fire Dept. letting the Park Dept. use the old fire station temporarily to store equipment.
 - Mr. Dronzek brought up the subject of occupancy permits, and he said he was concerned about the time constraint. He felt that perhaps getting a signoff from Conservation within 72 hours would be more reasonable, and if they did not sign off, they were to provide a reason in writing why they would not issue the permit.
- Mr. Dronzek made a motion that the Board reconsider the vote taken on this matter at a previous meeting; Mr. Johnson seconded; all aye.
- Mr. Dronzek made the motion that they amend their vote of requiring Conservation to sign off prior to receiving an occupancy permit to read no later than 72 hours upon notification of inspection; Mr. Johnson seconded; all aye.
- Mrs. Allen brought up Chief Lambirth's answer in regard to the towing services they use, and the Board felt that their question had been answered.

- Mrs. Allen brought up the Historic Commission's budget. Mr. Johnson made the motion that their budget be approved level-funded at \$334 for expenses; Mr. Dronzek seconded; all aye.

10:12 - The meeting was adjourned.

Respectfully submitted,



Mary Jean Fredette, Secretary

mj

February 11, 1991

To: Board of Selectmen

From: Computer System Manager

As you know, this fall our computer software support people separated from Shawmut Bank to become the independent company known as ARLINGTON DATA CORPORATION.

Arlington Data Corporation has converted our software to run on a pc-based system as well as on Data General hardware. This opened new hardware options to us. Therefore, we have delayed the planned swapout of our 147 meg disk on our Data General MV7800 computer.

Originally, we planned to swapout our 147 meg disk to a 322 meg disk in order to maintain our existing level of operations. (We are in a near-crisis situation on the available space remaining on this 147 meg disk.)

Instead of the planned swapout, it is now possible for us to add a second disk on a separate pc server--gaining the advantages of new technology as well as multiplying the available disk space for the same amount of money.

At the same time, the Board of Assessors have contacted the Computer Committee regarding a pc workstation for the Revaluation and Real Estate/Personal Property Tax Billing...as well as a pc for word processing, spreadsheets, etc.

We have had Ron Roy of Arlington Data Corporation out to two of our Computer Committee meetings so far to pursue the possibility of modifications to our original plans for modification of our computer hardware.

At this point, the consensus of the Computer Committee is to add the second disk on a separate pc server, whereby we can move all of the Assessors files from the MV7800's 147 meg disk over to the new server thereby relieving the available space problem.

We could add spreadsheet and word processing software to this new pc server, thereby making those programs available to all users--as was the original intention.

A migration path would thereby be established wherein the old Data General mini-system hardware would be phased over to the new pc server without interruption or change to any of our software. It would, again, mean that I will need to learn the new operating system as system manager; but, all users will see their programs operate as usual.

I am submitting a level-funded budget for FY92 as we will need to continue our service on the Data General until all programs and files can migrate over onto the new disk...we hope to see savings in the FY93 budget due to the hardware upgrading.

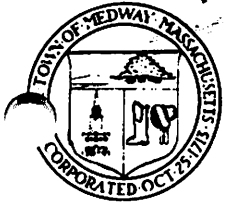
The Computer Committee is discussing all options with Ron Roy of Arlington Data Corporation. However, we need to act soon as our available space is critical.

Another space problem is also evident in the physical location in Town Hall. My request to make a "computer room" in the police station connecting to the Town Accountant's office would enable us to place the computer system, printer, copier, burster, decollator, and computer paper & supplies all in one room; and would help me tremendously. I would appreciate your consideration of this when the police move into their new facility.

Sincerely yours,



Mary J Shea
Computer System Manager



BOARD OF SELECTMEN

155 VILLAGE STREET
MEDWAY, MASSACHUSETTS 02053
(508) 533-2013

AGENDA

FEBRUARY 4, 1991

7:00 p.m.

Open meeting, sign warrants, approve minutes of 1-28-91 meeting.

Old business.

New business.

7:25

Adjourn to meeting at High School.

Present: Edward Borek, John Dronzek, Walter Johnson and Administrative Assistant Ruth Allen.

7:00 p.m. - The Board opened the meeting held in the Selectmen's Meeting Room 2 of the Town Hall. Mr. Johnson made a motion to accept the minutes of the 1-28-91 meeting; Mr. Dronzek seconded; all aye.

- Mrs. Allen said the wine and malt beverage license had approved for The Little Store; therefore, the Board signed the license.
- Mrs. Allen brought up the Police Department's change order #5. Mr. Dronzek made a motion that the change order be approved for \$10,916; Mr. Johnson seconded; all aye. The Board signed the four copies of the order.
- Mr. Borek brought up the subject of the three gentlemen requesting to be appointed constables. He said he was going to have to check with town counsel. Having checked with town counsel, and counsel indicated that the Town had voted to elect two constables for town business. Also, counsel had indicated that if there were over 3 elected constables, you need to stagger the elections over three years. Counsel did say, however, that additional constables could be appointed. Mr. Borek said he had also talked to the Town Clerk, and Mrs. Fallon had told him that constables used to be used for elections; now the police did elections and were the ballot clerks. Mr. Borek said if there is nothing new to add, he would be willing to appoint constables.

Mr. Dronzek said he still felt constables should be elected if they wanted the job. Also, he believed that the Board needed the subsequent approval of the Chief of Police for ratification. He was waiting for a confirming answer. He still was adamantly opposed.

Mr. Johnson said he felt originally constables were to do work for the town, but he would now be willing to appoint Paul Yorkis, Jan Morris, and Arthur Rice to a three year term as a constable; Mr. Borek seconded. As there was no more discussion, a vote was taken - Mr. Borek - yes; Mr. Johnson - yes; Mr. Dronzek - no; the motion carried and was approved on a 2-1 vote. Again, Mr. Dronzek said he felt it should be ratified by the Police Chief. Mr. Borek said he would check on this, and if it needed to be done, he would do it. The appointment slips were signed; and Mr. Morris and Mr. Rice, who were present, were told they would be notified as to the results of their findings.

- Mr. Borek brought up the letter received from Town Counsel concerning the landswap of Cassidy's land for town-owned land. This was interrupted for a discussion about occupancy permits and sign-off by Conservation Commission. Mrs. Allen said she had checked, and our permit booklet indicated that conservation had to sign-off prior to an occupancy permit being issued, and this dated back to 1983.

Mr. Dronzek said he would like to continue this discussion about occupancy permits and the conservation commission, and to include this on the next week's agenda. Mr. Borek agreed that there should be a time limit set up for sign-offs. Mr. Dronzek felt that if everything was in order for an occupancy, and conservation had nothing to do with the application, they could still hold off occupancy - that was a lot of power on their part. Mr. Borek asked what was the maximum number of days anyone has to sign-off on a building permit. Mrs. Allen felt it was two working days, or 48 hrs. from written notice to inspect

Mr. Dronzek said there have been problems with Conservation before, and he doesn't want an abuse of power now. Mr. Borek clarified that any of the five members on the commission can now sign-off on a card. Again, Mr. Dronzek said he would like the Board to review the subject.

Mr. Borek asked what would occur if one of the inspectors had a problem with an inspection. Mrs. Allen told him she assumes that he would go and do the inspection and let the homeowner know there was a problem within the 48 hr. time period. Mr. Dronzek said he just wants this all reviewed, and to have it brought up at next week's meeting.

Back to the subject of Cassidy's property. Mr. Borek said the land that was swapped was land that Cassidy owned near the landfill that the town had to go over to get to the landfill. If we had not swapped, it would have been a costly expense. The Town had some land near a brook that Cassidy agreed to swap for, and then the Town could cap the landfill.

Both Mr. Borek and Mrs. Allen thought this had all been approved in the past. Mrs. Allen said that a Notice of Intent needed to be filed by the Selectmen with the conservation commission; and so did Mr. Cassidy. Mr. Borek moved that this notice of intent be filed; Mr. Johnson seconded; all aye - this was unanimous.

- The meeting was adjourned at 7:27 p.m. to the high school auditorium for a symposium with Senator Barrett on the merits of a longer school year.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read "m j f redette".

Mary Jean Fredette, Secretary

mjf

Police Department
533-8211



mg
W. David Lambirth
Chief of Police

**Town of Medway
Massachusetts**

January 29, 1991

TO: Board of Selectmen
FROM: Permanent Police Building Committee
SUBJECT: Change Order(s) Approval

Gentlemen:

Attached please find a summary of Change Order No. 5, required for construction of the Town's Police Facility, for your approval.

You will note that this change encompasses ten items, each having been discussed and voted upon individually, during our last four Committee Meetings; they have been grouped together, by the Architect, for administrative reasons.

Additionally, included is a summary of all change orders to date.

You will notice that the total of change orders presently represents, approximately, 6% of the total construction cost, an exceptionally low percentage for a project of this magnitude. Of that figure, \$43,000 has been for the, unavoidable, need for common fill, which, in the original plans, was to be furnished and placed by the Town. Testing for quality and compactability, made the use of our fill, not feasible.

The Committee is exceptionally pleased with the overall performance, co-operation, and quality level of work, displayed by the general contractor; we hope you will share this same enthusiasm.

A final note: At our meeting of January 28, 1991, the Committee received, through the Architect, a request for an extension of time for final construction, to April 18, 1991; the request was approved. The reason cited, was to enable the contractor to continue with the present level of high quality finish, rather than to sacrifice that by rushing for completion.

That is not to say that substantial completion will not meet the March 19, 1991 deadline, but it gives the contractor some leeway.

cc: Selectmen 1/31/91

The Committee felt that this served to our advantage, not only for the quality, but even more so, the fact that there has yet to be any allocation for building operating expenses.

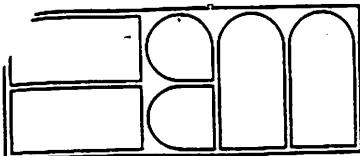
Hopefully, this update is helpful to the Board.

Sincerely,

A handwritten signature in cursive script, appearing to read "David Lambirth". The signature is written in dark ink and is somewhat stylized.

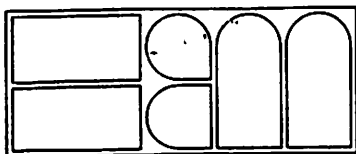
David Lambirth
For the Permanent Police Building Committee

DL:mv



Medway Police Headquarters

Change Order Summary	Credit	Extra
0.0 O.C.A. \$1,190,000		
1.1 Common Fill by G.C.		\$ 33,390.00
1.2 Structural Fill Credit	\$ 3,818.00	
1.3 Organic Subsoil Removal		2,760.00
0.0 R.C.A. \$1,222,332	3,818.00	36,150.00 ✓
2.1 MDC Gas Trap by GC		4,936.00 ✓
2.2 T&L soil testing credit	1,203.00	
0.0 R.C.A. \$1,226,065	5,021.00	41,086.00
3.1 Cell tour station		358.00
3.2 Comm. 108 track light		471.00
3.3 High lobby light cove		978.00
3.4 Parking area lights		7,673.00
3.5 Radio tower pad & fence		3,534.00
0.0 R.C.A. \$1,239,079	5,021.00	54,100.00
4.1 Common Fill by GC		6,442.00
5.1 Comm. 108 counters		3,530.00
5.2 Access Panels 204/5		150.00
5.3 Oak doors in 115		276.00
5.4 Window trim 2nd floor		2,134.00
5.5 Stone drainage swale		414.00
5.6 Raise condensate line		454.00
5.7 Delete conc. rubbing - basement	400.00	
5.8 Console electric interface		3,463.00
5.9 Common Fill by GC		510.00
5.10 Steel plates on cell beam		385.00
0.0 R.C.A. \$1,256,437	5,421.00	71,858.00

**CHANGE ORDER NO. 5**Medway Police HeadquartersMedway, Massachusetts

DATE 1/28/91 PAGE 1 OF 2 PAGES

CONTRACTORCastagna Construction Corporation65 Parker StreetNewburyport, MA 01950

PREVIOUS CON'T AM'T \$ *

AMOUNT THIS C.O. \$ *

TOTAL CONTRACT \$ *

* see page 2 of 2 pages

DESCRIPTION OF WORK	AMOUNT
5.1 Furnish and install counters in Communications 108 in accordance with Sketches 4a, 4b, 5a, 6a and 7a of 11/20/90. Add:	3,530.00
5.2 Furnish and install one 2' x 2' MDO plywood access panel in each of Rooms 204 & 205. Add:	150.00
5.3 Furnish and install sliding oak veneer doors at closet in Processing 115. Add:	276.00
5.4 Furnish and install additional wood trim, flashing and winter-guard under second floor windows in accordance with Sketch 3 of 9/18/90. Add:	2,134.00
5.5 Furnish and install concrete and stone swale (stone by Town) near public parking. Add:	414.00
5.6 Furnish and install condensate pump and raise condensate drain at air conditioning unit in Fitness 002 - (15A - \$413 & 10% GC). Add:	454.00
5.7 Delete rubbing of exposed concrete in basement except ceiling of 001, outside corner in 006, drywall cover in ST2 & completion of corrections in fitness 002. Credit:	(400.00)
5.8 Furnish and install dispatch console interface connections in accordance with ECE proposal of 1/4/91 (\$3149 - 16A + 10% GC). Add:	3,463.00
5.9 In place of the Common Fill to be supplied by the Owner under Addendum No.1, the Contractor shall supply Structural Fill at an agreed unit price of \$7.50 per cubic yard delivered to the site. This item covers 68 cubic yards delivered to the site from October 30, 1990 thru December 20, 1990 (68 c.y. @ \$7.50). Add:	510.00
THE WORK OF THIS CHANGE ORDER IS SUBJECT TO ALL TERMS AND CONDITIONS OF THE ORIGINAL CONTRACT. ALL CLAIMS WHICH ARE INCIDENTAL TO OR AS A CONSEQUENCE OF THE WORK OF THIS CHANGE ORDER ARE SATISFIED.	
THE CONTRACT TIME IS (INCREASED) (DECREASED) BY * DAYS WITH A RESULTING SUBSTANTIAL COMPLETION DATE OF *	

APPROVED: HUGHES AND MAC CARTHY, INC.

BY

DATE

*

APPROVED: Town of Medway

BY

*

DATE

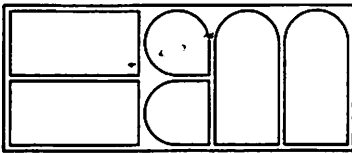
*

ACCEPTED: Castagna Construction Corporation

BY

DATE

*

**CHANGE ORDER NO. 5**Medway Police HeadquartersMedway, MassachusettsDATE 1/28/91 PAGE 2 OF 2 PAGES**CONTRACTOR**Castagna Construction Corporation95 Parker StreetNewburyport, MA 01950PREVIOUS CON'T AM'T \$ 1,245,521.AMOUNT THIS C.O. \$ 10,916TOTAL CONTRACT \$ 1,256,437

DESCRIPTION OF WORK	AMOUNT
5.10 Furnish and install 3/16" x 8.25" x 9'-4" steel plates on both sides of steel beam in Cell 122. Add:	385.00
<div>1,500,000. 1,261,858.00 w/change order thru #5 Console - 24,488.00 Furnishings - 47,055.41 Tel. Comm. System - 16,893.00 Tower - 15,890.20 <u>1,366,164.60</u> (219,050) bal \$ <u>1,338,354.40</u></div>	
THE WORK OF THIS CHANGE ORDER IS SUBJECT TO ALL TERMS AND CONDITIONS OF THE ORIGINAL CONTRACT. ALL CLAIMS WHICH ARE INCIDENTAL TO OR AS A CONSEQUENCE OF THE WORK OF THIS CHANGE ORDER ARE SATISFIED.	
THE CONTRACT TIME IS (INCREASED) (DECREASED) BY 30 DAYS WITH A RESULTING SUBSTANTIAL COMPLETION DATE OF April 18, 1991	

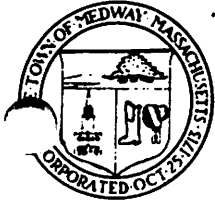
APPROVED: HUGHES AND MAC CARTHY, INC.

BY J. T. Hughes DATE 1/28/91

APPROVED: Town of Medway

BY _____ DATE _____

ACCEPTED: Castagna Construction CorporationBY H. Hecker DATE 1-29-91



BOARD OF SELECTMEN

155 VILLAGE STREET
MEDWAY, MASSACHUSETTS 02053
(508) 533-2013

REVISED AGENDA

JANUARY 28, 1991

7:00 p.m.	Open meeting, sign warrants, approve minutes of 1-14-91 meeting.
7:05	Robert Richard re: appointment to Job Classification Review Board.
7:15	Fred Lee re: ambulance billing.
7:30	Robert Speroni re: building department.
7:45	John DeSimone re: drainage - DeVita's on Lovering St.
7:55	Chief Wayne Vinton re: budget
8:15	Jeffrey Nutting re: Government Study article.
----	Highway Superintendent
----	Old business
----	New business

Present: Edward Borek, John Dronzek, Walter Johnson and Administrative Assistant Ruth Allen.

7:00 p.m.- The Board opened the meeting held in the Selectmen's Meeting Room 2 of the Town Hall. Mr. Dronzek made a motion to accept the minutes of the 1-14-91 meeting; Mr. Johnson seconded; all aye.

7:01 - Robert Richard came before the Board to speak about being appointed to the Job Classification Review Board. Mr. Borek explained to Mr. Richard that the town is looking into personnel by-law changes, and there would be a new group of people looking into that.

Mr. Dronzek moved the appointment of Mr. Richard to the Job Classification Review Board. Mrs. Allen suggested to the Board that possibly Mr. Richard might be considered as a member of the personnel by-law committee. Mr. Dronzek clarified that it was up to the Board of Selectmen to establish the by-laws, and the committee would review them; the draft is there. Mr. Borek suggested giving Mr. Richard a copy of the draft, and Mr. Dronzek gave him his copy, asking Mrs. Allen to get him another copy. At this time, Mr. Johnson seconded Mr. Dronzek's motion, all aye. Mrs. Allen reminded him to come in and get sworn in within 15 days.

7:10 - Mr. Dronzek made a motion that Sunday, February 3 be proclaimed Father William C. Burckhart Appreciation Day in the Town of Medway, in honor of his being pastor of St. Joseph's Parish for 12 years; Mr. Johnson seconded; all aye. Mr. Dronzek asked if some type of testimonial could be drawn up.

- Mrs. Allen gave the Board a resolution to sign where the Board would support an amendment prohibiting the desecration of the American Flag. Mr. Dronzek moved that the resolution be adopted by the Board of Selectmen as submitted by Joseph Roy of the American Legion, and to send copies of the resolution to the State Representatives and Senator to encourage the legislation; Mr. Johnson seconded; all aye - this was unanimous.

- Mr. Borek brought up the subject of a letter sent by Supt. Bettencourt inviting the Selectmen to a discussion on February 4 concerning a longer or more school days. Mr. Borek said he would like to attend some of the meeting; the Board agreed. Mr. Johnson made a motion that the Selectmen's meeting not be called until 8:30 p.m. so the Board could attend; Mr. Dronzek seconded; all aye. Mrs. Allen was asked to post the change in the start of the Selectmen's meeting with the Town Clerk.

7:15 - Robert Speroni, Building Inspector, came before the Board to discuss several matters in the Building Department. First of all, he wanted to thank the Board and everyone for all their support. He mentioned that he and Mr. Johnson had gotten together and gone over some matters, including the formatting of a new building permit application. He said he is looking at the applications of other towns.

Mr. Speroni said that in the past, two copies of plans were required; however, the Building Code stated that three sets are to be submitted. Mr. Dronzek said for new construction and large additions, he could see needing 3 sets. Mr. Speroni stated that for over 35,000 cu. ft., architectural plans are needed; but with smaller structures, it could be drawn, but to scale. He stated that with three sets of plans, one set should go to the Fire Chief, so he could note on the drawings where the smoke alarms should go. The Chief, who was present, clarified that hard wiring with battery back-up is required on new construction for smoke alarms.

On the subject of inspection of public buildings, Mr. Speroni said that there are about 25 buildings that have common victualler licenses that should be inspected. He further stated that they should be inspected on a yearly basis for a \$40 fee. He suggested a letter go out to all these license holders saying that the inspections would be held during such a period and would expire on 12/31/91; and secondly, that these inspections would be done prior to the issuance of the license at the end of the year.

Mr. Dronzek said he did not want to see the inspections all done in a two-week period. Mr. Borek agreed. Mr. Johnson suggested doing them during the fall. Mr. Speroni thought possibly during February or April vacation, and to do them during the day. Mr. Borek was concerned about the fees being paid, and didn't want to see an establishment pay twice during a short period of time - Mr. Dronzek suggested setting a fee per month or pro-rating. Mr. Speroni thought he could work together with the Fire Chief and get extinguishers checked, etc.

Mr. Speroni brought up the subject of building permit applications, and Mr. Borek told him to go ahead and change them if he wished. Mr. Dronzek suggested that Mr. Speroni come up with a system to keep applications in-house rather than having the applicant take them to everyone for sign-offs. Once the application is all signed, then he suggested the applicant come back to pick the permit up. Mr. Speroni said he would work that out with Mrs. Allen. Mr. Dronzek said, however, if the applicant wanted to take the application around himself to expedite, that was fine.

Mr. Dronzek said possibly the Board of Health and Conservation Commission could look over the applications. Mrs. Allen said when Conservation was required to do sign-offs, they would usually walk the property first. Mr. Borek asked Mr. Speroni to just look over the application process - he didn't want to demand 24-hour service from volunteers.

Mr. Borek brought up the subject of pro-rating licenses again. He made the motion that the Building Inspector charge \$40 for a year's inspection, and if not for a full year, that it be pro-rated with a minimum charge of \$17; Mr. Dronzek seconded; all aye - this was unanimous.

Mr. Speroni brought up the subject of alleged violations, and of those doing work without permits. He said the Building Code allows for those permit fees to be doubled. He felt if they are doing work by ignorance without permit, and promise to fill out a building permit application, he felt it should be left at the single rate. Mr. Johnson said that a builder has no excuses, but a homeowner may just not know. However, if a homeowner is warned, and does not stop working, then the fee should be doubled.

Discussion then went on to issuing cease and desist orders. Mr. Dronzek suggested a two-part form so it is put in writing, and the condition at the time of inspection would be indicated on the form at the time of the cease and desist, with something such as, failure to comply will result in applicable penalties. He was against setting policy on double fees. Mrs. Allen suggested an article be placed in the newspapers/cable saying what the procedure is, and if anyone had any questions on permits, to call the Building Inspector. Mr. Dronzek just asked Mr. Speroni to leave a note with the Selectmen as to how he wants to handle the procedure. Mr. Borek said the Building Inspector should know where the Selectmen stand, and what the Board requires of him. Any resident of the community, however,

has the right to come to the Board of Selectmen if they feel they have a problem with a decision of the Building Inspector. Mr. Dronzek said any job that is started is subject to the double fee if there is a safety violation involved.

On certain violations, Mr. Speroni said that if a shed is put up without a permit, he can see that from the street; however, if someone sees that someone has finished off a basement, he does not have the right to go in that basement to check it out. Chief Wayne Vinton told Mr. Speroni that he could go in anyone's home 24 hours a day, if there is a potential fire hazard involved. That would take care of the situation for Mr. Speroni.

Mr. Speroni discussed getting anonymous complaints. Mr. Borek suggested to the secretary that if a person calls to complain--fine, but they have to give their name and be told that it would be given to the Building Inspector, and no further. However, Mr. Borek said to tell people that the Building Inspector would not visit a site of a complaint with an anonymous call. However, if it was a serious violation, the Fire Chief should be contacted for safety. It is also advisable to pick up any names that appear on trucks on the site for some sort of violator's names.

Mr. Speroni said he talked to Mrs. Allen already about the possibility of carrying around credentials verifying who he is. He was told to get a hold of Chief Lambirth to set up having a picture taken for a photo I.D. card. Mrs. Allen suggested this for all the inspectors. Mr. Borek asked Mrs. Allen to coordinate this.

Chief Vinton said he was looking into getting I.D.'s for his department as well. Mr. Dronzek suggested a business on Village Street in Millis. Chief Vinton was asked to take care of this for our inspectors too.

Mr. Speroni said he would try and come up with a more in-depth monthly building department report for the Selectmen, to include more details and permit value.

Mr. Dronzek asked Mr. Speroni to please improve the permit booklet now available, and to review its contents.

- 8:00 - John DeSimone came before the Board to discuss the drainage situation at the DeVita's property, across from Paul Wilson, 81 Lovering Street. Conservation Commission wants a horizontal structure because of the soil content, and with this change, has approved the galley permit as long as the Board of Selectmen approve.

Mr. Dronzek asked if the cost was the same. Mr. DeSimone said it pretty much was. Mr. Dronzek moved the approval of the galley system for drainage on Mr. and Mrs. DeVita's property per the plan dated 12/14/90; Mr. Johnson seconded; all aye. Mr. DeSimone stated he needed a letter from the Selectmen on this. The Board dated the plan and signed it. Mrs. Allen will write the letter. Mr. DeSimone wanted to assure that Mr. Higgins receive the plan hand-delivered.

- 8:05 - Chief Vinton came before the Board to talk about his budget, but first, he wanted to inform the Board that Lt. Ken Heuklom is retiring from the fire department after 25 years. Mr. Dronzek made a motion to send a letter to Lt. Heuklom congratulating him on his 25 years, and to offer the Board's appreciation; Mr. Johnson seconded; all aye.

The Chief also stated that there would be an open house of the new Fire Station I on Sunday, February 24 from 1-4 p.m.

The Chief presented his level-funded budget. Mr. Borek apologized on behalf of the Board for their insensitivity in saying they did not want to meet with any of the boards and commissions about their budgets. He, of course, meant that anyone was welcome to come before the Board if they had a problem with their budgets.

Chief Vinton also came before the Board to ask that the department have a full-time fire chief, and submitted a budget reflecting that. He also submitted a job description, as well as a budget reflecting a part-time position for that capacity. Mr. Dronek said that all departments were welcome to come before the Board with such reports if they so desired. Mr. Osborne said the Board of Selectmen had said, even if departments were expanded, their budget was to be level-funded; and again, he was told that the Board welcomes anyone with concerns.

Jeff Nutting, who was present, said that he felt the Fire Chief should receive more monies than the dog officer, especially since the Chief has as much responsibility as the Building Inspector, and the Chief only gets \$3,000.

The Chief explained that this year's budget is in order, because last year's budget was increased to allow for the operating costs of the new fire station. The Chief said \$1500 is for usual repairs on buildings and trucks. Mr. Borek thought if someone maintained the police, fire, town hall and library, then we would have to hire someone full-time and give benefits, etc. He was informed that Mr. Mahoney works 30 hours for the town hall and 10 hours for the library, so he is full-time. Mrs. Allen said possibly a cleaning service.

On gas and oil bills, the Chief said they should be transferred to Mr. Higgins' DPS budget since Mr. Higgins keeps track of who uses what. Mr. Borek felt that every car should have their own card, and record on it.

On the subject of old fire station I, Mr. Sibley has come to him, and he is allowing him to store some equipment there.

On the full-time fire chief position, Mr. Borek said he could not see it at this time. The Chief asked if the Board would consider what he's doing under part-time; and when asked to clarify, the Chief said he is doing 20 hours a week now with paperwork and phone calls and inspections. When asked if he could bring the subject to the personnel board, Mr. Borek informed him there is none yet. Mr. Dronzek said he might be receptive to a change in line 102, part-time salaries - it would have to be an adjustment. The Chief said he can't by state law charge more than \$10 per inspection. On that, Mr. Dronzek said he could not see how it could be done with the figures presented. Mr. Johnson said at the maximum, it would still be less than what the Building Inspector is getting. Mr. Borek said the Board would review all the figures presented by the Chief.

8:30

- Jeff Nutting came before the Board to speak about the "Medway Special Act" he wanted to submit for the annual town meeting - a redraft of town government formation. He said he went over the redraft with the FinCom. He also went over the various additions he had made, such as the Board of

Selectmen could reject any appointment made by the Town Administrator, and if the Board did not reject the appointment in 15 days, the appointment was automatically accepted. Also that the park commissioners would come under recreation commissioners. He wanted the Board to consider putting the Special Act on the annual town meeting warrant, and wanted to know if the Board supported it or not, and if they did not, then it was not worth it to continue. Mrs. Allen said she would make copies of his redraft. Mr. Nutting continued in saying that the recreation people would be appointed, but the park maintenance would be under DPS. Mr. Borek said, at this point, he was in favor of putting it on, but said they should all read the redraft. Mr. Nutting explained it was a two-year process, having to go to the legislature, and then to the ballot at the following year's election, and then discuss salaries at another town meeting. Mr. Dronzek said town counsel should also get a copy of the redraft at the same time the selectmen do. The Board agreed to get back to Mr. Nutting in one month's time.

Mr. Nutting said that he and Doug Downing had met with Mary Shea the week before about the status of the town budget, and that there would have to be cuts of \$700,000 in the school budget to level fund, and that the town is \$600,000 in the hole if they level-fund. He believed it would be a \$900,000 cut when we get the 5-10% less from the state. He thought maybe an override is necessary, and suggested a forum with all town boards and committees. Mr. Dronzek said it has to be an open meeting. Mr. Borek said we've taken a stand, and may have to re-evaluate. Mr. Nutting felt we were close on revenue from what Mary Shea and the FinCom have put together.

Mr. Dronzek made a motion that the town have a forum on Wednesday, February 13 at 7:00 p.m. at the school - location to be determined. The Board would send a letter for discussion on 2½ override and debt exclusion - each department head will be requested to come. In reference to the school, Mr. Nutting said we're talking \$700,000 or 20-24 teachers and programs being eliminated. Mr. Borek said if it is stated that the money is just for "town government", he won't vote for it, but it has to be specific and specify the exact needs.

- 9:00 - Highway Superintendent, Diarmuid Higgins, gave his report. He said that the plowing has been taken care of at Redgate by Mr. Bruce each time we have had snow-we've received no complaints. Mr. Higgins informed the Board that Jonathan Bruce had received approval for a new subdivision. He said the gas pumps are coming in in a couple of weeks. He also stated the County is working on the easement on Lee Lane and Paul Newton's property and several other projects.
- 9:02 - Arthur Rice was present asking about the appointment as a constable. Mr. Borek said two additional applications had been received for the appointment of constable. Mr. Dronzek said he had spoken to the other two elected constables, and based on their conversation, he did not feel he could vote for their appointment, but suggested they run instead. He said both elected officials pay their own insurance; both are opposed to the appointments; and it is not a ceremonial position after all; and they are developing their own clients.

Mr. Borek said state law says the Board of Selectmen can appoint others. Paul Trufant, who was present, said as a constable he can't go out of Medway without going before a judge and getting a "foreseat petition". He also has to carry a \$5,000 bond. Mr. Trufant explained all he has to go through in being a constable.

Mr. Borek said he was now confused on this whole issue, after hearing what Mr. Trufant and Mr. Dronzek were stating, and from what Mr. Borek had known in the past about the constable's position. Mr. Dronzek felt that if these three people were appointed constables, they would be taking work away from the three we have now. Gardner Rice, who was present, said everyone should stop worrying about competition.

Mr. Borek said he wouldn't take a motion tonight, but wants to look into this further. He said as far as the law is concerned, the Board should take their applications. What is the purpose of a constable? Sounds like it is for work to be done in Medway. Mr. Borek said he wanted to check further on how it gets on the books and the duties and responsibilities, and what was the original intent.

Mr. Dronzek asked what is the need for the Town of Medway - it's just personal. There is a need if there is more papers to serve than the constables can handle. Gardner Rice said all is fair - any one of them could be called to do the serving.

- 9:55 - Paul Yorkis and Jan Morris stopped in and Mr. Yorkis read a letter signed by the members of the Conservation Commission. He said that two resignations from the Conservation Commission would be forthcoming. Mr. Yorkis' letter concerned getting a sign-off on all building cards prior to the issuance of a certificate of occupancy. He said the Selectmen can direct those who issue the "c of o" not to issue them if the Commission objects. He said the "c of o" has clout and holds leverage. He said they are trying to solve some problems that exist, and that this would be for all buildings. He stated that this is also a no-cost leverage.

Mr. Borek said he wanted to talk to the Building Inspector on this issue. Mr. Yorkis said he had spoken to the Inspector. He also had sent copies of the above-mentioned letter to the Building Inspector and the Assistant Building Inspector as well as the Selectmen.

- 10:05 - Gardner Rice commented on his meeting with Mr. Levy and Mr. Rivard to the Board, and believes he got the two of them talking. Mr. Chilson showed up later. He said that the Conservation Commission and the Water/Sewer Board were consistent at that meeting. He said the Planning Board did not show up.
- New business.
- 10:15 - The Board reviewed the police budget that was submitted, which was not level-funded as requested. Mr. Dronzek moved that the police budget be approved as follows:

Salaries	-	\$637,150
Expenses	-	59,444
Out-of-state travel	-	1,000

Mr. Johnson seconded his motion; all aye. Mrs. Allen was requested to send a letter to the police chief indicating that this is the budget that has been approved by the Board, and if he wished to discuss it further, to please contact her to be placed on the agenda for a future meeting.

- The Board reviewed the Board of Registrars budget that was submitted level-funded. Mr. Dronzek moved that the registrars budget be approved as follows:

Salaries	-	\$1,200
Expenses	-	3,903
Total	-	<u>\$5,103</u>

same as FY'91; Mr. Johnson seconded the motion; all aye.

- The Board reviewed the Zoning Board of Appeals budget, which was submitted level-funded. Mr. Dronzek moved that the ZBA budget be approved as follows:

Salaries	-	\$3,550
Expenses	-	2,613

Mr. Johnson seconded the motion; all aye.

- The Board reviewed the Council on Aging budget. Mr. Dronzek moved that the budget be approved as follows:

Salaries	-	\$11,263
Expenses	-	13,972

Mr. Johnson seconded the motion; all aye.

- The Board reviewed the budget as submitted by the Conservation Commission. Mrs. Allen said a law has been passed to cover the consultants' fees which have already been established. Mr. Borek changed the budget figures to be approved as follows:

Salaries	-	\$2,122
Expenses	-	2,281 (instead of 2,531)
Consultants	-	4,500

This was voted unanimously approved.

- Mrs. Allen presented the Board with the quotes as received for the printing of the annual town report. Received were quotes from:

Ad-Print	-	\$2,395
Wayside Press	-	1,989
Turley	-	1,950

Mrs. Allen said the low bidder, Turley, will be bringing to the office this week some samples of the work he has done.

- Mr. Borek was reminded that a report is needed from the Board of Selectmen for the town report.
- Mrs. Allen discussed the meeting with Franklin re: CRPCD. She stated per the Selectmen's minutes of 9/17/90, they have reviewed the formula, they now have meters, with one meter in Medway, and 7.6% is our share. Mr. Dronzek asked Mrs. Allen to send a letter to Town Administrator Wolfgang Bauer asking to postpone their joint meeting until the financial picture of Medway is clarified.
- Mrs. Allen presented the Board with a plan of the lots Mr. Swift, 133 Milford Street, is asking to buy from the Town of Medway on Milford Street. The Board agreed that they were not interested in selling at this time, and to so inform Mr. Swift.
- Mrs. Allen said she had written to the Shell Station asking for a meeting with the Board of Selectmen - she has not received a response yet.
- Old business.

- Mrs. Allen brought up the personnel by-laws committee. Mr. Dronzek noted so far they had Jeff Nutting, and now Robert Richard - they still needed a rep from the FinCom and a town employee.
- Mrs. Allen discussed with the Board the subject of quarterly billings. She suggested meeting with the Board of Assessors on February 5 at their monthly meeting with Fred Lee and Mary Shea also, and to discuss at this time also change in growth date from January to June. Mr. Lee and Mrs. Shea said they would attend - the Board has to make a decision. The Board agreed to meet.
- Mrs. Allen said the Zoning Board was asking for the use of Town Counsel on a case involving the Machados. They wanted to clarify if the ZBA could hear this case or not.
- Mrs. Allen said that Bob Coakley, Gas Inspector, was requesting an emergency transfer. Mr. Borek made the motion that it be approved; Mr. Dronzek seconded; all aye. The transfer was signed and approved for \$900.
- Mr. Dronzek moved the approval of three change orders for the fire department: #16 for an increase of \$360 for construction work; #18 for an increase of \$52 for the water line; and #19 for a decrease of \$3,200 for the deletion of the air compressor; Mr. Johnson seconded; all aye.
- Mrs. Allen said Attorney Greg Barnes had approved a portion of his letter to be sent to Mr. and Mrs. Mucci, representatives of the Lee Lane area re: water problems and Cassidy's field.
- Mrs. Allen had a request from Carolyn Piciarello for an entertainment license for West Street Hobbies, 114C Main Street. Mr. Borek was concerned about the 10 p.m. closing. Mr. Dronzek moved approval of the entertainment license and the amusement license with hours of 10 a.m. to 10 p.m. during the weekdays and 1 p.m. to 10 p.m. on Sunday; Mr. Johnson seconded; all aye.
- Mrs. Allen went over Chief Lambirth's letter to Andrew Nicely concerning the removal of a stranded vehicle. It was mentioned that the vehicle in question had been towed by Maxon's Garage out of Norfolk. Mr. Borek would like to know why local towers are not used?
- Mrs. Allen brought up three letters from individuals who had car damage because of potholes in the road, and wanted reimbursement from the Town. Mr. Borek said to send a letter to them that the Town is not responsible per M.G.L. Chapter 84, section 15.
- Mrs. Allen said that John Anderson has expressed a desire to still be on the Computer Committee, and that he has a different address than what we were given to receive his mail. Mr. Dronzek moved that he be re-appointed; Mr. Johnson seconded; all aye.
- Mrs. Allen brought up the request of Peggy Wickstrom to be on the Computer Committee also. Mr. Dronzek moved that she be appointed; Mr. Johnson seconded; all aye.
- Mrs. Allen said that the Council on Aging would like Col. Michael Matondi to be appointed an advisory member on the Council on Aging. Mr. Dronzek moved that he be appointed; Mr. Johnson seconded; all aye.

- Mrs. Allen presented the Board with another taxi license from Aoude to sign since they have a different vehicle. Mr. Dronzek signed the license.
- Mrs. Allen said the Board of Assessors is requesting an update on the assessors maps from Stone and Webster as of 1/1/90. The Board said to send a letter to the assessors advising them to go ahead.
- Mrs. Allen said an attorney has contacted her asking when the effective date of the fence law between the house and the swimming pool was established. The rules and regulations indicated they were approved in 1983, so they would say that the effective date was 1983.

The meeting was adjourned at 11:49 p.m.

Respectfully submitted,



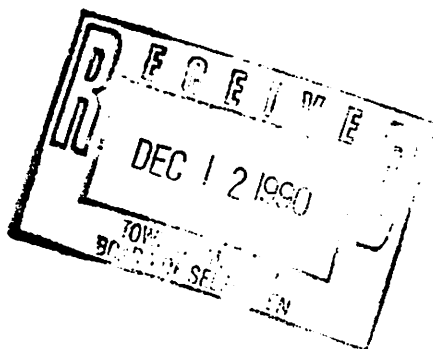
Mary Jean Fredette, Secretary

mjf

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Swift's Creative Landscape, Inc.

2B Airport Lane Extension
Hopedale, MA 01747
(508) 478-3768



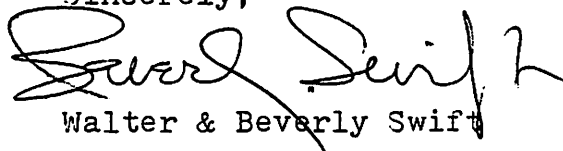
December 10, 1990

Town of Medway
Board of Selectman
Medway, MA 02053

Dear Sirs:

As new owners of property at 133 Milford Street, we are interested in purchasing 2 lots that border our property. These lots are owned by the Town of Medway. According to the assessors, in order for us to purchase these two pieces, we have to write a letter to you requesting the purchase. The two lots are lot 119 and lot 124 on the assessors map 3-1. These two lots are small and useless as individual lots, but when combined with our property they will add to the towns tax base. Could you please advise us on our next step. Thank you for your consideration.

Sincerely,


Walter & Beverly Swift

CC: Selectman 12/12



BOARD OF SELECTMEN

155 VILLAGE STREET
MEDWAY, MASSACHUSETTS 02053
(508) 533-2013

AGENDA

JANUARY 14, 1990

7:00 p.m.	Open meeting, sign warrants, approve minutes of 1-7-91 meeting.
7:03	Dunkin Donuts - Carlos Placido re: Drive-thru window open 24 hours.
7:30	Arthur Rice, 6 Fairway Lane re: appointment as constable.
8:00	Jeff Nutting re: personnel by-laws.
----	Old business.
----	New business.

Present: Edward Borek, John Dronzek, Walter Johnson and Administrative Assistant Ruth Allen.

7:00 p.m. - The Board opened the meeting held in the Selectmen's Meeting Room 2 of the Town Hall. Mr. Dronzek made a motion to accept the minutes of the 1-7-91 meeting; Mr. Johnson seconded; all aye.

7:03 - Carlos Placido, franchise owner of Dunkin Donuts on Main Street, came before the Board to request that his drive-up window be open 24 hours.

Mr. Dronzek inquired if there were people there 24 hours a day already? Mr. Placido; yes, he had a baker there at all times, and if the drive-thru for 24 hours was approved and worked, he would hire another person.

Mr. Johnson asked if such an operation was customary in other towns? Mr. Placido said there was a 24-hour Dunkin Donuts in Westwood and other towns; however, in this area, there was none. He said he is now open from 5 a.m. until 12 midnight, so the extra hours he was looking for was from midnight until 5 a.m. He said if this was granted, and there were any problems, he would shut it down.

Mr. Borek stated he was against any 24-hour operations, nothing against Mr. Placido personally, but if the Board allowed him to do it, it would lead the way for others. He did say he would go along with the majority of the Board vote.

Mr. Placido indicated he was hoping to assist the highway workers, police department, and truck drivers who might be up during the morning hours.

Mr. Dronzek asked Chief David Lambirth, who was present for part of this discussion, if the police ever had any problems with Dunkin Donuts?

Chief Lambirth said that Mr. Placido has always cooperated, and did not see that just the drive-thru being open would cause any problems.

Mr. Borek asked the Chief what were his feelings if other establishments wanted to open 24 hours, such as Shell, Burger King and Cumberland Farms?

The Chief felt that those businesses were different, and could be considered hangouts. He felt if Mr. Placido could pull this off successfully, then good for him.

Mr. Dronzek said he would consider the suggestion of moving for approval of his request on a 90-day trial basis.

Again, Mr. Placido said only his drive-thru would be open; the rest of the store would be closed with lights out, except for the main sign out front.

When asked about how he would advertise being open 24-hours-a-day, Mr. Placido said he was considering hanging a banner near the drive-thru window stating the change of hours. He said he would call the Police Department if any problems occurred.

Mr. Dronzek moved approval for a 90-day trial basis; Mr. Johnson said he could not second his motion because he felt it would set a precedent; Mr. Borek said he could not second it; therefore, the motion did not carry.

7:22

- While the Board and the Chief were on the subject of Main Street, a brief discussion about the traffic problems around the Shell Station was held. Mr. Borek said that the Board's original thoughts were of a berm near the gas station to direct the flow of traffic within the mall.

Mr. Borek asked Mrs. Allen to contact the Shell Station and ask what their intentions are at this point; and to let them know that the Board wants to discuss the original plan on file when Rt. 109 was being reconstructed. He also wanted to discuss with them the shutting off of the west driveway. The whole plan was to have been a joint effort between DFI and Shell.

Mr. Dronzek concurred and said that safety concerns exist, and they want to discuss the approval of the site plans as originally discussed.

Chief Lambirth stated that by eliminating some of the curb cuts, it would be easier for police officers to maintain traffic control in the mall.

7:30

- Prior to Arthur Rice coming before the Board to discuss his request to be appointed a constable, the Board discussed the number of constables the Town already had: Paul Trufant and Eleanor Ross elected, and Michael Mushnick appointed.

Mr. Dronzek asked Chief Lambirth if the constables were having difficulty in serving papers - he said, no, not that he knew of. He said that Paul Yorkis on the Conservation Commission had asked him to serve some papers, and he had suggested mailing them. He felt Mr. Yorkis and Jan Morris may also be requesting to be constables to help out the Commission. He honestly did not know why they were requesting to be constables.

Mr. Dronzek said that Mr. Yorkis and Mr. Morris have not filed applications with signatures as the law demands. They have to do more than just send a letter. The Board should send them a copy of the law, and also ask them why they want to be appointed.

Mr. Borek wondered if Mr. Maciolek should be contacted about the collection of constables' fees.

7:40

- Arthur Rice came before the Board and elaborated further on his request to be appointed a constable. He stated that 75% of all constables are appointed, and there are no limitations on the number that can be appointed. He said he needed to have free access to papers - he can do subpoenas, but not real estate problems and evictions. He said he would be doing this part time for the next few years. He had all the necessary signatures required, and did not request any payments at all for his services. He just wanted to have the freedom of access of a constable.

Mr. Dronzek verified with the Board that the existing constables don't receive any remunerations either, and suggested to Mr. Rice that he run for constable on an elected basis. Mr. Rice said he really wants to serve in the constable capacity to serve papers in other towns other than Medway.

Mr. Johnson said he had no objections. Mr. Borek said the constables really post warrants and just work elections. Chief Lambirth agreed.

Mr. Dronzek asked if a person ran for the elected position of constable, and didn't carry any insurance, could he be removed from office? He said, however, he would like to postpone any decision until he talks to the other constables.

Mr. Rice said Mr. Trufant doesn't serve papers. Mr. Borek said the constables are really just ceremonial - they are usually just for posting warrants. The Chief agreed saying it was a token position.

Mr. Dronzek was not aware of all this - he felt there were powers and duties that went with the position, otherwise, maybe it should be eliminated. Mr. Rice said all the information was in Chapter 44, Section 91.

Mr. Dronzek said he did not want to reduce the income of the two elected officials. Mr. Borek said the constable is almost like a notary public. Both Mr. Borek and Mr. Dronzek said they were notary publics.

Mr. Borek suggested postponing a decision until their next meeting on January 28. Mr. Rice said that was fine, and he would be back. Mr. Rice stated he had also applied for being a notary public, but it would help when serving divorce papers without a witness to be appointed a constable.

Mr. Dronzek still had problems with this subject - he said why run for constable when you could be appointed?

7:56

- Mr. Dronzek discussed attending the Selectmen's meeting with Barbara Gardner on January 9th. He felt it was a good meeting. Some of the points he brought back - it was suggested that whatever bank the Town deals with, that the deposits be collateralized - Mrs. Allen said that was done. He also said that the planning boards are not accepting anymore letters of credit - that they are requiring a bank book. In reference to quarterly tax billing, Mr. Dronzek said that Holliston and Southboro are on it, and are willing to come and discuss their experiences with it with the Town of Medway. He said both towns have not added on any extra personnel, but there are additional mailing fees, but they send out two quarterly billings at a time. He said the elderly would rather go with that than such a large bill. He said the first two payments are 25% of the previous tax bill; and the second half would be the balance with any increases. On grant applications, Mr. Dronzek said that the specific group or department should have a cover letter accompanying the applications, with a copy going to Representatives Gardner and Ranieri and Senator Burke for their information.

8:10

- Jeff Nutting came before the Board to speak about the draft he had submitted on personnel by-laws and policies for the Town of Medway. He stated that such an idea had been brought up many years ago at a MMA meeting. He said if the by-law was accepted by the Selectmen, then it would have to go to town meeting and be adopted.

The Board started looking over the by-laws, and Mr. Borek said he had a problem with Section 2 wherein it stated that these applied to everyone but elected officials and the school department.

Mr. Nutting said that everyone but three people are unionized in the school, but that this might be something to check out with Town Counsel.

Mr. Borek again said that when rules and positions are established, it's not right that the same criteria doesn't apply to all - that some are singled out, and others not. He did not like the inference in that section.

Mr. Nutting said that elected officials are not governed by this; but what is not covered by the unions could appear in this document as Town policy.

Mr. Nutting went on further - he said classification is not grievable. The Board would be the personnel board if they want to be. The Job Classification Review Board would be eliminated then under this. Where it is specified personnel director, the Board could put themselves there or whomever they would designate. Right now, there is no central personnel file; everyone has their own files. He defined classification as grade and step; and compensation as how much they earn. There would be limited flexibility on the grade and step of a person that is being hired.

Mr. Dronzek stated that the school department is basically immune from the by-law.

Mr. Nutting continued on elaborating where necessary, but told the Selectmen to feel free to mark up their copy with their own comments and corrections. He said if the Board then accepts the by-law, then it has to go to Town Meeting to be accepted; however, residents are going to have further questions, so that a document should be ready indicating the Town's policies to go along with the by-law. Mr. Nutting then went over the draft copy of the policies with the Board.

There was some concern over grade and step and salaries, and that will have to be discussed further.

Mr. Dronzek suggested getting a committee of three people, along with Mr. Nutting, including possibly an employee, a member of the FinCom, and a Selectman.

Mr. Borek suggested looking over the by-laws and policies again, and to have the Board come up with the names to possibly form this committee.

Mr. Nutting thought possibly this might be all ready in time for the fall special town meeting. Mr. Borek said the Board would try and come up with more specifics they want to get broken down.

9:05

- Some discussion about the Selectmen's letter to all departments to level-fund was held. It was stated that under certain circumstances, the Board would listen to different departments if their figures differ from the Board's. The Board is not saying that they won't discuss if need be.

Mr. Dronzek made the comment that years ago, residents accepted the FinCom's recommendations on the town meeting floor about 95-97% of the time; now it is different, the residents want more answers. Mr. Borek said, however, the more current FinCom seems to want to tell the Board what they should do, based on correspondence that was received by them.

Before Mr. Nutting left, he asked the Board to look over the re-draft of the Government Study Committee, and especially at the new changes on the town administrator position. The Board was in agreement - they would like to meet with Mr. Nutting in February and discuss further.

9:15

- Diarmuid Higgins was present and wanted to update the Board on his department. He said in reference to the salt bids, it appears Eastern Minerals can't supply the Town, so he called Morton Salt at a cost of \$30.70/ton.

Mr. Borek told him he should withdraw Eastern's bid, and go out to bid again. Mr. Higgins said he had asked a salesman to contact him, and he didn't. They signed a contract with Medfield and other area towns as well.

Mr. Borek told Mr. Higgins to write a letter to Eastern, telling them that they have not lived up to the contract, and that the contract is now null and void, and to send it by certified mail.

Mr. Higgins also mentioned that he is having somewhat of a problem with people plowing snow out in the middle of the road. He said he wants to send a letter to the Chief informing him of same, and to let him know that if any of the Highway Department employees see anyone plowing snow in the street, that they be fined \$100.

Mr. Borek commented to Mrs. Allen that a notation be made to change Section 12-5 of the by-laws at the annual town meeting because "snow" is not mentioned.

Mr. Dronzek inquired about establishing a fine now; but Mrs. Allen said it can only be done if it is part of the general by-laws. Mr. Borek asked Mrs. Allen to check with Town Counsel to see if anything appears in the state laws about this subject.

Mr. Dronzek made the motion that any citizen depositing snow in a public way or sidewalk, thereby causing a potential safety hazard, be fined a fee not to exceed \$100, subject to town counsel's approval.

Mr. Higgins further said that he wants all persons commercially plowing streets in the Town of Medway to be registered with the Chief of Police, indicating to him what properties they plow.

Mr. Borek asked Mr. Higgins to get more information from the Town of Hudson on both subjects; and in the meantime, he asked Mrs. Allen to check with Town Counsel on the same. He wanted to also know if the Town can issue citations, and if possible, Mr. Higgins could issue them as the Selectmen's representative.

9:30

- Paul Yorkis and Jan Morris stopped in about their letter requesting to be appointed constables. Mr. Borek said he had no objections, but to Mr. Yorkis, he said if he issued orders, he could not serve as chairman of the Conservation Commission. Mr. Yorkis said emergency service is provided by the police. He also informed them that their request to be constables was not related to the commission. They also know now what they need to do to apply. Mr. Morris also stated that they want to serve papers on civil service matters, and this was a business venture for the two of them.

Mr. Dronzek again commented as before that he wants to speak to the other constables before making a decision on the matter.

Mr. Yorkis said the Chief was supportive and said they were having problems serving. He said when they are appointed constables in Medway, they can serve papers in all of the Commonwealth of Mass.

Mr. Morris commented that Milford has five full-time deputies and six constables.

Mr. Borek again said that they are taken in the same vein as notary publics. Constables are usually appointed on a 3-year term basis.

9:45

- Old business.

- Mrs. Allen discussed with the Board the letter received from Chief Wayne Vinton in regard to the Park Department using the old Fire Station I.

Mr. Borek asked Mrs. Allen to send a letter to the Park Commissioners saying that after receiving Chief Vinton's letter, and their own information, the Board feels the decision should be left until the Municipal Building Utilization Committee gives a report. The Board suggested that the Park Commission meet with the M.B.U.C. and give them their ideas for the building.

- Mrs. Allen brought up the bids for the fuel pumps. Mr. Dronzek moved that the bid for replacement fuel pumps for the Highway Garage be awarded to Cary Construction for \$8,315.45; Mr. Johnson seconded; all aye. Mrs. Allen said they were also the low bidder.

- Mrs. Allen went over a letter on alternatives on quarterly tax billing from the Town of Franklin with the Board.

- Mrs. Allen went over the letter on the subject of a procurement officer received from town counsel.

Mr. Dronzek moved that an article be placed on the annual town meeting warrant that amends the bidding amount required from \$4,000 to \$10,000; Mr. Johnson seconded; all aye.

- Mrs. Allen went over the letter received from Special Town Counsel Greg Barnes in reference to the Cassidy farmland. Mr. Dronzek suggested sending a copy of the letter to Flo Mucci, and let the residents of Lee Lane decipher the contents. Mr. Borek said to get Mr. Barnes' permission first before copying the letter. He said we may have to write our own letter using his words instead.

- Mrs. Allen brought up the subject of meeting with Franklin to discuss CRPCD rates. Mr. Dronzek asked Mrs. Allen to send Bob MacRae a letter to get the information needed to be able to meet with Franklin. Again, he said if we use the meters, we will pay less. We do need some suggestions - the Board agreed.

- Mrs. Allen said she had spoken to Joe Bausk from New England Telephone about the two terminal boxes on poles on Holliston Street and Cottage Street, and he said he did not see any problem with them. He said he would do site inspections with the Board if desired. The Board said they would look at them.

- New business.
- Mrs. Allen brought up the letter received from John Boczanowski, chairman of the Permanent School Building & Site Selection Committee asking for a special town meeting. The Board agreed on March 25 at 7:00 p.m. at the high school. Therefore, Mr. Dronzek made the motion to have a special town meeting on March 25, 1991 at 7:00 p.m. in the high school auditorium on a single issue warrant article for the Permanent School Building & Site Selection Committee to take up the proposal for an elementary school; Mr. Johnson seconded; all aye - this was unanimous. Mr. Borek asked Mrs. Allen to send Mr. Boczanowski a letter informing him of same.
- Mr. Dronzek said possibly town counsel should be contacted about the possibility of a bond issue. Also, Mrs. Allen said the town should know how the school would be funded.
- Mrs. Allen brought up a letter received from the Norfolk County Sheriff's Office indicating a grant would be available for an officer from the Town of Medway to participate in the D.A.R.E. program. The Board felt one officer involved in the program was adequate.
- Mrs. Allen brought up an article received from Tri-County Regional School to be put on the warrant. The Board said to save the article for the annual town meeting.
- Mrs. Allen said she had been in touch with Kathy Rehl of the Recycling Committee and Mrs. Rehl had asked if it would be alright to have the whistle blown when there would be no one at the Recycling Center on Saturday mornings. The Board felt it would be OK to have the whistle blown at 8:30 a.m. (2-2), but to check with Chief Wayne Vinton on it.
- Mrs. Allen went over the letter received from the Hazardous Waste Coordinator and the information he wanted to pass on to residents.
- Mrs. Allen went over the letter received from Cablevision Industries informing the Town that the senate debates being held would be on cable.
- Mrs. Allen went over the letter received from Supt. Bettencourt in reference to the anticipated deficit for FY'91.
- With regard to the MIIA letter looking for Medway's vote on MIIA board members, Mr. Borek said the Board does not usually respond to the letter.
- Mrs. Allen brought up a letter Chief Lambirth sent to Town Accountant, Mary Shea with regard to the EMS budget. Mrs. Allen said there cannot be a revolving account, but they could have a receipt reserve account.

There has been no response from Treasurer/Collector Fred Lee yet as to the debits and credits on the ambulance billing account. Mrs. Allen was asked to send a follow-up letter. Mr. Borek also asked Mrs. Allen to send Officer Grimes a letter asking what was the commitment of the EMS Department for FY'90, and the first six months of FY'91. It was decided to hold off a response to Chief Lambirth until more information was gathered. Mrs. Allen was asked to tell Mr. Lee how urgent it was that this information get back to the Board.

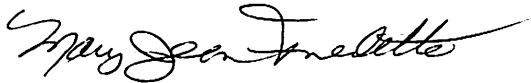
Also, it was noted that if any ambulance fees have to be abated, the Board of Selectmen are the ones authorized to do so. Mrs. Allen was asked to check with Mary Shea on who makes the commitment - the EMT's or Mr. Lee. Where are recent abatements - none have been seen.

Again, Mrs. Allen was asked to write to Officer Grimes and get the total amount of commitment of the EMS Department done in FY'90, and the first half of FY'91.

- Mrs. Allen passed on the letter of cable complaints received from Cablevision.
- Mrs. Allen was in receipt of a letter from the planning board asking to use special town counsel, Greg Barnes, in a matter involving Lou Petrozzi. Mr. Johnson made the motion that the planning board be allowed to do this; Mr. Dronzek seconded; all aye. Mrs. Allen was asked to send them a letter confirming this.
- The Board discussed the letters received from the FinCom. The Board will discuss them further at the January 28th meeting.

The meeting was adjourned at 11:05.

Respectfully submitted,



Mary Jean Fredette, Secretary

mjf



BOARD OF SELECTMEN

155 VILLAGE STREET
MEDWAY, MASSACHUSETTS 02053

(508) 533-2013

AGENDA

JANUARY 7, 1991

7:00 p.m.	Open meeting, sign warrants, approve minutes of 12-17-90 meeting.
7:05	Public Hearing - New England Telephone Co.: - Main Street east of Elm Street. - Holliston Street south of Meryl Street (west side). - Fisher Street at pole 52/61 across to private way.
7:30	Mr. Robinson - re: crosswalk signs.
7:30	Budget hearing - Cemetery Commission
7:35	" " - Memorial Committee
7:45	" " - Law
7:55	" " - Veterans Services
8:00	" " - Conservation Commission
----	Old business.
----	New business.

Present: Edward Borek, John Dronzek, Walter Johnson and Administrative Assistant Ruth Allen.

7:00 p.m. -The Board opened the meeting held in the Selectmen's Meeting Room 2 of the Town Hall. Mr. Johnson made a motion to accept the minutes of the 12-17-90 meeting; Mr. Dronzek seconded; all aye.

7:05 -Mr. Dronzek read the notice that appeared in the Milford Daily News concerning the public hearings to be held for New England Telephone Company petitions. Joe Bausk was present representing NET.

The first petition was for the placing of a terminal and pad on the west side of Holliston Street (which should have been stated east side), south of Meryl Street. Mr. Borek reminded those present that it was originally to be placed on Meryl Street when another representative of NET, Mike Bergeron, came before the Board. Jim Cassidy of 90 Holliston Street was present to voice his objections and suggested it be placed closer to North School, or in the woods on the opposite side of the street. He stated that he has already granted a 36" pipe easement to the town, and doesn't want to grant anything else.

Mr. Borek told Mr. Bausk that when Mr. Bergeron had come to the meeting, he was asked to look into placing the terminal and pad east and north of Meryl Street on Holliston Street.

Mr. Bausk said he would put this petition on hold pending further review. Mr. Dronzek moved that the petition be tabled; Mr. Johnson seconded; all aye.

The next petition was for the placing of conduit, wires and cables beginning on the southerly side of Main Street to private property at an existing pole. Mr. Dronzek moved the approval of this petition; Mr. Johnson seconded; all aye. The petition was signed.

The last petition to be considered was for the placing of conduit across Fisher Street to private property for service to new houses. Mr. Bausk explained that the conduit is already in when the street was opened in November 1990, just the wiring needed to be done. Mr. Johnson made a motion that the petition be approved; Mr. Dronzek seconded; all aye. The petition was signed.

Jim Brodeur, who was present, asked if NET could check into the boxes that have been placed on poles that are about 3½' off the ground on Holliston Street and Cottage Street, and he feels are an obstruction to pedestrians on the sidewalk and runners. Mr. Borek stated that the petitions had already been approved. Mr. Higgins said he would check for Mr. Bausk and let him know the pole numbers of the two boxes Mr. Brodeur was referring to.

7:30 -Mr. Melbourne Robinson of 31 Norfolk Avenue came before the Board to express his concern for the lack of signs on Rt. 109 at the crosswalks for pedestrians to safely cross. He stated there were only two signs posted for the whole area of Rt. 109, and felt that many did not see those two signs, and were not aware of the state law and the fines that could be imposed. Mr. Higgins mentioned that barrels had been placed in the crosswalks and they were either hit or stolen.

Mr. Johnson suggested painting lines between the crosswalks, but Mr. Higgins said there has to be warm weather of over 40° for that to be done. Mr. Higgins even suggested a footbridge over Rt. 109, but that would be difficult for the elderly according to Mr. Dronzek. Mr. Borek again stated that the law to allow pedestrians to cross is on the books, but there is a pedestrian problem and an enforcement problem. Mr. Higgins stated between 17,000 and 19,000 cars travel that road each day.

Mr. Borek suggested Mr. Higgins put another sign on Rt. 109, and then the Board would remind the police to enforce them. Mr. Dronzek said it was a 30 mile an hour zone on Rt. 109. Mr. Robinson again stated that more signs should be put up - that it will slow traffic down. Mr. Higgins stated that the post and sign would cost about \$60 each. Mrs. Allen said that nobody paid any attention to the crosswalks even when there were barrels. Mr. Dronzek felt we should put the signs up, as well as two near Pond Street, for a total of 8 signs. Mr. Johnson stated that the police should be enforcing the law. Mr. Borek again suggested two signs near Burger King, and also to send a letter to the Chief to enforce the law. Mr. Dronzek again said he would like eight signs, and a letter to the police. Mr. Borek reminded everyone that a pedestrian had to be standing in the crosswalk itself, not just on the curb, for a car to stop.

Mr. Dronzek made a motion to install the state law signs, for stopping for pedestrians to cross, on the north and south sides of Main Street at eight locations, starting at Elm/Main Streets east to Papa Gino's; Mr. Johnson seconded; Mr. Borek opposed - motion carried.

8:00

-Mr. Joe O'Brien representing the Cemetery Commission came before the Board to discuss his 1992 budget. He stated that he had received no complaints or requests. He suggested level-funding. Mr. Dronzek suggested his budget be level-funded.

-At this point, Mr. Borek stated that the town had no money. He said he wanted all budgets under the Selectmen's jurisdiction to be level-funded on salaries and expenses.

Mr. Dronzek said he would like a review of budgets if additional funds become available for a 3% increase in salaries for town employees. He just didn't want to vote on a policy, and have to change it later on. He said the Board does not know what is happening on question #5.

Mr. Borek said the Board should take a stand and tell everyone else they are serious. He felt this was creative, and to also tell the police department and the fire department to find ways to come up with the money they need in their budgets, regardless of any variations from FY'91.

Mr. Dronzek said he doesn't want any changes on the town meeting floor. Mr. Borek then made the motion to level fund (-0- increase) the budgets for salaries and expenses for all departments under the Selectmen's jurisdiction; Mr. Johnson seconded; all aye - this was unanimous.

-No one was present for the Memorial Committee, but it was agreed to level fund their budget.

-No one was present for Law and Moderator's budgets, but it was agreed to level fund the budgets.

-Anthony Mastroianni was present as the Veterans Agent to discuss his budget. He said his budget was a guesstimate, but he would level-fund; his figures can and will be changed. The Board's vote was unanimous on level-funding the Veterans Services budget at \$4,717 for salaries and \$10,415 on expenses.

-No one was present for the Conservation Commission, but it was agreed to level-fund their budget on Mr. Dronzek's motion; Mr. Johnson seconded; all aye.

-Mr. Borek added that the letter that is sent to all departments, including those present this evening, should be told to submit the budget form from the FinCom to the Board for their approval. Again, he stated that he wanted the figures at last year's level, regardless of any variations of conditions from FY'91.

-New Business.

-Mrs. Allen confirmed Mr. Johnson and Mr. Borek's reservations at the Mariott for the MMA annual meeting.

-Mrs. Allen indicated that the arbitration was scheduled still for January 9th at 10 a.m. in the Town Hall. She will confirm this. She also reminded the Board about Barbara Gardner's meeting with Selectmen at 7:30 at Holliston High School also on the 9th.

-Mr. Higgins gave his brief report: he stated the new mechanic was working out very well; the sidewalk tractor needs to be repaired; the Christmas trees were being chipped at the old landfill; there was unfortunately some furniture left by the gate with other trees; and he indicated that the "no dumping" sign is still there for residents to see.

-Mr. Dronzek mentioned that when he was there on Saturday helping out, they had filled four 55 gallon drums with glass.

-Mrs. Allen mentioned that a charitable foundation had donated \$4,650 for a new defibrillator for the other ambulance. She said that the Selectmen have to approve and accept the special gift. Mr. Dronzek made the motion to accept the gift of \$4,650 for a new defibrillator, Mr. Johnson seconded; all aye - this was unanimous.

Mr. Dronzek also moved acceptance of a future grant of up to \$500 for the promotion of third class family mailing for fundraising efforts for EMT association programs; Mr. Johnson seconded; all aye.

Mr. Borek suggested Mrs. Allen check with Mr. Maciolek if it is necessary to go by the state bid list for the defibrillator since the amount received was over \$4,000.

-Mrs. Allen said that the MAPC is asking the Board's permission to release the information to them that Stone and Webster has compiled about the mapping program, since it is our information. Mr. Dronzek moved release of the information to the MAPC; Mr. Johnson seconded; all aye.

-Mrs. Allen reminded the Selectmen that they should write their report for the annual town report.

- Mrs. Allen brought up the letter written by John King back in October of 1989 requesting permission for the Park Dept. to use the old Fire Station I on Main Street to house park equipment and to be used by park personnel. It is assumed this is for temporary use. Since the Fire Dept. is paying the heating bill at least through FY'91, Mr. Dronzek suggested Mr. King's letter be referred to Chief Wayne Vinton for his comments.
- Mr. Dronzek moved approval of Mr. Johnson being the Selectmen's representative on the Municipal Building Utilization Committee; Mr. Borek seconded; all aye.
- Mrs. Allen brought up two taxi licenses for renewal. Aoude had one license renewal; Mr. Dronzek moved approval of Aoude's license; Mr. Johnson seconded; all aye. Mr. Dronzek signed the license.
- Mrs. Allen brought up Millis-Medway's taxi license renewal; Mr. Dronzek moved approval of Marilyn Nolan's license; Mr. Johnson seconded; all aye. Mr. Dronzek signed the license.
- Mrs. Allen mentioned that it would cost \$4,600 to repair the sidewalk tractor and it would come out of the snow removal account.
- Selectman William Bissonnette wrote to the Board asking for their support in telling the legislature to regulate the cablevision industry. Mr. Dronzek made the motion to send a letter to Senators Kerry and Kennedy supporting the legislation; Mr. Johnson seconded; all aye - this was unanimous.
- Mr. Borek suggested we let Cablevision know every year how we stand with them, and our position with them that year. Mrs. Allen was not sure if the licensing fee had been received - she would check.
- Mrs. Allen gave the Board a report from the MIIA on selecting nominees for the MIIA Board for them to review.
- Mrs. Allen brought up Chief Lambirth's letter relative to the EMS budget. She was asked to check with Mary Shea to see about the legalities of setting up such a budget - it might have to be approved at town meeting.
- Mr. Dronzek asked Mrs. Allen to please get a report from Fred Lee on ambulance billing. He would like to know how much was billed, and how much was received (debits and credits).
- Mrs. Allen mentioned that Dave D'Amico had some information on Boston Edison and conservation savings that might be picked up for the town. He will check on this further and get back to the Board.
- Old Business.
- Mrs. Allen mentioned the costs as given by George Prior for the new lights on the corner of Summer and Milford Streets near the new fire station. Mr. Roth estimated that it would cost us \$7.00/month in the street lighting account. Bulbs would be gotten so that the light volume on two poles would be upped, and illumination would improve.
- Mrs. Allen mentioned receiving a certified letter from Stephen Reding, asking for the Board's comments about his application for Building

Inspector. Mr. Dronzek made the motion that no response was needed; Mr. Johnson seconded; all aye.

-Mrs. Allen brought up the subject of Boston Office Furniture's contract. Mrs. Shea had told her that she had no contract and was to be included with the documentation she had. Mr. Dronzek clarified the amount, as there were several figures given; the correct one being \$47,055.41. The contract was signed and initialed where the figures were changed.

-Mr. Dronzek mentioned going to the C.R.P.C.D. public hearing on the NPDES permit, and spoke to the fellow members of his opinion.

-Gardner Rice stopped in and mentioned that there was a meeting planned for January 28 that the Selectmen were invited to. He was trying to have the meeting between contractors/developers Greg Coras, Paul Rivard, Jim Chilson, Conservation Commission, Planning Board, Selectmen and Water/Sewer. The meeting was being held to try and find a way of working together when it comes to tying in lines when subdivisions touch one another.

-Mrs. Allen brought up the letter sent by Greg Barnes in reference to the Cassidy farmland and run-off of water. Mr. Borek mentioned he had no such letter, and then mentioned he had not received his packet. Mr. Johnson had received his that morning, and Mr. Dronzek had picked up his packet on the way home from work. Mr. Borek stated there were people at his house, but nothing was left with them. Mrs. Allen said forget it - we would get the packets to them. Back on the subject of Greg Barnes' letter - the Board decided not to discuss the letter until Mr. Borek had time to read it.

-Mrs. Allen brought up a pending discussion with Franklin's Wolfgang Bauer on matters between Franklin and Medway. Mr. Dronzek said he had met Mr. Bauer the other day and were casually discussing the bounds. The Board decided to let Mr. Borek read the information on the subject in his packet first.

Mr. Borek asked Mrs. Allen to check with Mr. Higgins and see if he could indicate the bounds on a piece of paper.

-Mr. Dronzek brought up the subject of the Medway Building Code, and the lack of such a code, except for the permit information booklet that is given out to people interested in building applications. Mr. Dronzek felt this was inadequate, and was not really much of a building code. Mr. Borek felt most information that would be needed was included in the zoning by-laws, but pertinent Medway information was in the pamphlet.

-The meeting was adjourned at 10:15.

Respectfully submitted,



Mary Jean Fredette, Secretary

mjf