

AGENDA
BOARD OF SELECTMEN
SANFORD HALL
DECEMBER 18, 2000

4:00 p.m. - *Open meeting.*
Reconvene Tax Classification hearing.

1. Sign warrant.
2. Approval of minutes. (none)
3. Public comments.
4. Town official updates. (none)
5. Committee reports.
6. Administrator's report.
7. Discussion items.
8. Action items.
- Refer Zoning Bylaw change to Planning Board
9. Communications/ Correspondence/ Informational items.

* all times approximate
cc: Town Clerk for posting.

ci, AUB

MINUTES OF THE SELECTMEN'S MEETING
DECEMBER 18, 2000

Present: Selectmen Harry Johnson, Raphaela Rozanski, John Williams, Joe Dzikczek, Richard Gildea, Town Administrator Michael Hartman. Administrative Services Assistant M. J. Fredette was not in attendance.

4:00 p.m. – Selectman Johnson called the meeting in Sanford Hall of Town Hall.

Warrant #25 was signed in the amount of \$824,137.64.

The tax classification hearing was reconvened with the Board of Assessors. Administrative Assessor Paul Keefe submitted revised documents (attached) indicating the residential factor of "1", FY2001 tax rate of \$16.31 per thousand, and corresponding residential and CIP rates.

Documentation included: the tax rate recapitulation form prepared by the Board of Assessors, along with the LA-7, two charts, and an LA-5 signed by the Board of Selectmen.

The Board referred to Attorney Miyares' correspondence recommending the zoning by-law change on electric generation and exhaust stacks height be referred to the Planning Board for a public hearing.

5:00 p.m. – The meeting was adjourned.

Respectfully submitted,

Michael Hartman
Town Administrator

APPROVED
2/26/01

TOWN OF MEDWAY

FISCAL 2001 CLASSIFICATION HEARING

December 11, 2000

Continued to: December 18, 2000

BOARD OF ASSESSORS

The Board of Assessors has received from the State the approval on the fiscal year 2001 new growth in the amount of \$27,473,600 in value, or \$477,760 in the tax levy. This includes the approval of the LA-4 (Assessment/Classification Report), and the LA-13 (Tax Base Levy Growth).

Based on the information included in the state approvals received to date the Assessors have prepared statistics for a Classification hearing. The following is a breakdown of the property classes by percentage:

<u>CLASS</u>	<u>PERCENTAGE</u>
RESIDENTIAL	85.5381 %
COMMERCIAL	4.1433 %
INDUSTRIAL	5.9652 %
PERSONAL PROP.	<u>4.3534 %</u>
TOTAL:	100.0000 %

The combined percentage for the Commercial, Industrial and Personal Property (CIP) Classes is 14.4619%, a decrease of 1.2369% from FY2000. This represents a continuation of a trend over the 5 year period from FY1997 through FY2001.

The percentages shown on the above chart represent the share of the Tax Levy to be borne by each class with a single tax rate, called a residential factor of one. The following describes the result of electing to split the tax rate into residential and CIP rates.

1. The **MAXIMUM** allowable shift of the Tax Levy to the CIP classes is 150%. This shift would result in the CIP classes paying 21.6929% of the Tax Levy.
2. As a result, the Minimum Residential Factor becomes 91.5465%. This means that shifting the Tax Levy to the CIP classes by the legal maximum will result in the Residential class paying 91.5465% of what would have been paid under a single tax rate.
3. For every decline in the residential tax rate of 2%, there is a corresponding increase in the CIP rate of 10%. The FY2001 tax rate is \$16.31 per thousand. The following shows the effects of incremental shifts up to the maximum allowed on the residential and the CIP rates, using the FY2000 tax rate.

RESIDENTIAL RATE

100% = \$16.31/m

98 % = \$16.03

96 % = \$15.76

94 % = \$15.48

92 % = \$15.21

91.5465% = \$14.93

CIP RATE (rounded)

100% = \$16.31/m

110 % = \$17.64

120 % = \$19.57

130 % = \$21.20

140 % = \$22.83

150 % (MAX.) - \$24.46

The Board of Assessors has prepared a Tax Rate Recapitulation form, a copy of which has been included. The Recap sheet calculations yield the Fiscal Year 2001 tax rate of \$16.31 per thousand dollars of assessed valuation.

There are four additional attachments:

1. LA-7, Minimum Residential Factor Computation

This form shows the breakdown by percentages of each Class of taxable property. It also shows the computation of the Maximum share of the tax levy for the CIP classes, as well as the computation of the Minimum Residential Factor.

2. Chart 1

This form illustrates the dual tax rates permitted, in steps of 2% decreases of the single rate of \$16.31 on the residential rate, with corresponding increases in the CIP Rates.

3. Chart 2

This form illustrates the impact in tax dollars for an average-valued single family dwelling versus a sample of commercial, industrial and personal property accounts. Single and dual rate calculations are included.

4. LA-5, signed by the Board of Selectmen.

THE COMMONWEALTH OF MASSACHUSETTS
DEPARTMENT OF REVENUE
TAX RATE RECAPITULATION

of
medway
City\Town\District

FISCAL 2001

I. TAX RATE SUMMARY

Ia. Total amount to be raised (from IIe)	\$ 27,577,788.27
Ib. Total estimated receipts and other revenue sources (from IIIe)	12,020,888.82
Ic. Tax levy (Ia minus Ib)	\$ 15,556,899.45
Id. Distribution of Tax Rates and levies	

CLASS	(b) Levy percentage (from LA-5)	(c) IC above times each percent in col (b)	(d) Valuation by class (from LA-5)	(e) Tax Rates (c) / (d) x 1000	(f) Levy by class (d) x (e) / 1000
Residential	85.5381%	13,307,076.21	815,884,663	16.31	13,307,078.85
Exempt					
Open Space	0.0000%	0.00	0		
Commercial	4.1433%	644,569.01	39,519,487	16.31	644,562.83
Exempt					
Industrial	5.9652%	928,000.17	56,897,500	16.31	927,998.23
SUBTOTAL	95.6466%		912,301,650		14,879,639.91
Personal	4.3534%	677,254.06	41,524,190	16.31	677,259.54
TOTAL	100.0000%		953,825,840		15,556,899.45

Board of Assessors of medway

City or Town

Dec. 12, 2000

Date

(508) 533-3203

Tel. No.

General W. Murray

John R. Knighton Jr.

Harry T. Johnson

Do Not Write Below This Line --- For Department of Revenue Use Only

Reviewed By _____

Date _____

Approved: _____

Director of Accounts

Date

DEPARTMENT OF REVENUE
MINIMUM RESIDENTIAL FACTOR COMPUTATION
FOR FY2001

medway
City/Town/District

A	B	C	
Class	Full and Fair Cash Valuation	Percentage Share	
1. Residential	815,884,663	85.5381%	85.5381%
2. Open Space	0	0.0000%	
3. Commercial	39,519,487	4.1433%	14.4619%
4. Industrial	56,897,500	5.9652%	
5. Personal Property	41,524,190	4.3534%	
TOTALS	953,825,840	100.0000%	

Maximum Share of Levy for Classes Three, Four and Personal Property; 150% X $\frac{14.4619\%}{\text{Lines 3C+4C+5C}} = \frac{21.6929\%}{\text{Max \% Share}}$

Minimum Share of Levy for Classes One and Two: 100% -- $\frac{21.6929\%}{\text{Max \% Share}} = \frac{78.3071\%}{\text{Min \% Share}}$

Minimum Residential Factor (MRF) $\frac{78.3071\%}{\text{Min \% Share}} \div \frac{85.5381\%}{\text{Lines 1C+2C}} = \frac{91.5465\%}{\text{Minimum Residential Factor}}$

MINIMUM RESIDENTIAL FACTOR
LA7 (6-94)

91.5465%

CHART 1

TOWN OF MEDWAY

TOWN OF MEDWAY FY2001 CLASSIFICATION TAX RATE SHIFT BASED ON A MINIMUM RESIDENTIAL FACTOR OF 91.5465%

*MINIMUM RESIDENTIAL FACTOR 91.5465%

PROPERTY CLASSES	VALUATION (\$)	PERCENTAGE SHARE (%)	SINGLE TAX RATE "1"	DUAL TAX RATE 98% OF MRF*	DUAL TAX RATE 96% OF MRF*	DUAL TAX RATE 94% OF MRF*	DUAL TAX RATE 92% OF MRF*	DUAL TAX RATE USING MAX. ALLOWED FOR C.I.P.
CLASS 1 RESIDENTIAL	\$815,884,663	85.5381%	\$16.31	\$16.03	\$15.76	\$15.48	\$15.21	\$14.93
CLASS 2 OPEN SPACE	\$0							
CLASS 3 COMMERCIAL	\$39,519,487	4.1433%	\$16.31	\$17.94	\$19.57	\$21.20	\$22.83	\$24.46
CLASS 4 INDUSTRIAL	\$56,897,500	5.9652%	\$16.31	\$17.94	\$19.57	\$21.20	\$22.83	\$24.46
CLASS 5 PERSONAL PROPERTY	\$41,524,190	4.3534%	\$16.31	\$17.94	\$19.57	\$21.20	\$22.83	\$24.46
TOTAL	\$953,825,840	100.0000%						

CHART 2

TOWN OF MEDWAY

FY2001 TAX SHIFT SHOWING TAX IMPACT ON AVERAGE SINGLE FAMILY DWELLING VERSUS COMMERCIAL INDUSTRIAL PROPERTIES

PROPERTY	ASSESSED VALUE FY2000	SINGLE TAX RATE FY2000	SINGLE TAX RATE FY2001	98% DUAL RATE RES. 16.03 C.I.P. 17.94	96% DUAL RATE RES. 15.76 C.I.P. 19.57	94% DUAL RATE RES. 15.48 C.I.P. 21.20	92% DUAL RATE RES. 15.21 C.I.P. 22.83	MAX. DUAL RATE RES. 14.93 C.I.P. 24.26
		\$17.39	\$16.31					
SITHE (JET SITE) 2-65A	\$24,128,100	\$419,588	\$393,529	\$432,858	\$472,187	\$511,516	\$550,845	\$585,348
ALGONQUIN GAS CO. PERSONAL PROPERTY 911100	\$5,006,100	\$83,922	\$81,649	\$92,319	\$100,717	\$109,114	\$117,511	\$125,908
BURGER KING 6-41X	\$943,400	\$16,406	\$15,385	\$18,047	\$19,689	\$21,330	\$22,972	\$24,613
SHELL OIL COMPANY 6-319	\$328,400	\$5,711	\$5,356	\$6,282	\$6,854	\$7,425	\$7,997	\$8,568
DUNKIN DONUTS 6-38B	\$445,300	\$8,025	\$7,263	\$8,519	\$9,293	\$10,068	\$10,843	\$11,618
AVERAGE SINGLE FAMILY HOME (ROUNDED)	\$218,100	\$3,438	\$3,557	\$3,496	\$3,437	\$3,376	\$3,317	\$3,256
AVERAGE CONDO UNIT	\$109,500	\$1,746	\$1,786	\$1,755	\$1,726	\$1,695	\$1,665	\$1,635
AVERAGE 2-3 FAMILY DWELLING	\$181,000	\$2,877	\$2,952					

**DEPARTMENT OF REVENUE
BUREAU OF ACCOUNTS
CLASSIFICATION TAX ALLOCATION**

medway
City/Town/District

Return to: Bureau of Accounts, Boston, Springfield, Worcester

1. The selected Residential Factor is ----- 1.000000

If you desire each class to maintain 100% of its full value tax share,
indicate a residential factor of "1" and go to question 3.

2. In computing your residential factor, was a discount granted to Open Space?

Yes _____ No X

If Yes, what is the percentage discount? _____

3. Was a residential exemption adopted?

Yes _____ No X

If Yes, please complete the following:

Class I Total Assessed Value _____

Class I Total Parcel Count* _____

=

X

Selected Res.
Exemption %

=

Residential
Exemption

* Include all parcels with a Mixed-Use Residential designation

Applicable number of parcels to receive exemption _____

4. Was a small commercial exemption adopted?

Yes _____ No X
% Selected _____

If Yes, please complete the following:

No. of parcels eligible _____

Total value of parcels _____

Total value to be exempted _____

5. The following information was derived from the LA-7. Please indicate in column D percentages (accurate to 4 digits to the right of the decimal point) which result from your selected residential factor. (If a residential factor of "1" has been selected, you may leave Column D blank.)

A	B	C	D
Class	Certified Full and Fair Cash Value	Percentage Full Value Shares of Total Tax Levy	New Percentage Shares of Total Tax
1. Residential	815,884,663	85.5381%	85.5381%
2. Open Space	0	0.0000%	0.0000%
3. Commercial	39,519,487	4.1433%	4.1433%
4. Industrial	56,897,500	5.9652%	5.9652%
5. Personal Property	41,524,190	4.3534%	4.3534%
Totals	953,825,840	100.0000%	100.0000%

6. I hereby attest that notice was given to taxpayers that a public hearing on the issue of adopting the tax levy percentages for fiscal year 2001 would be held on 12/11/00 (date), 6:45 PM (time), at Medway Town Hall (place), by Legal notice, Milford Daily News (describe type of notice).

Maryanne White
City/Town Clerk

7. We hereby attest that on 12/11/00 (date) 6:45 PM (time), at Medway Town Hall, 155 V (place) a public hearing was held on the issue of adopting the percentages for fiscal year 2001, that the Board of Assessors presented information and data relevant to making such determination and the fiscal effect of the available alternatives at the hearing and that the percentages set forth above were duly adopted in public session on 12/11/00 (date).

8. We have been informed by the Assessors of excess levy capacity \$12,450.55

For cities: City Councilors, Aldermen, Mayor

For towns: Board of Selectmen

For districts: Prudential Committee or Commissioners

Henry J. Boland Richard P. Boen John P. Wilt
Don H. Hight Richard P. Wilt
(LA-5)

TOWN OF MEDWAY

FISCAL 2001 CLASSIFICATION HEARING

December 11, 2000

BOARD OF ASSESSORS

The Board of Assessors has received from the State the approval on the fiscal year 2001 new growth in the amount of \$27,473,600 in value, or \$477,760 in the tax levy. This includes the approval of the LA-4 (Assessment/Classification Report), and the LA-13 (Tax Base Levy Growth).

Based on the information included in the state approvals received to date the Assessors have prepared preliminary statistics for a Classification hearing. The cited percentages may change slightly after final certification of a tax rate. The following is a breakdown of the property classes by percentage:

<u>CLASS</u>	<u>PERCENTAGE</u>
RESIDENTIAL	85.5381 %
COMMERCIAL	4.1433 %
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TOTAL:	100.0000 %

The combined percentage for the Commercial, Industrial and Personal Property (CIP) Classes is 14.4619%, a decrease of 1.2369% from FY2000. This represents a continuation of a trend over the 5 year period from FY1997 through FY2001.

The percentages shown on the above chart represent the share of the Tax Levy to be borne by each class with a single tax rate, called a residential factor of one. The following describes the result of electing to split the tax rate into residential and CIP rates.

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This shift would result in the CIP classes paying 21.6929% of the Tax Levy.
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that shifting the Tax Levy to the CIP classes by the legal maximum will result in
the Residential class paying 91.5465% of what would have been paid under a
single tax rate.
3. For every decline in the residential tax rate of 2%, there is a corresponding
increase in the CIP rate of 10%. The FY2000 tax rate was \$17.39 per thousand.
The following shows the effects of incremental shifts up to the maximum allowed
on the residential and the CIP rates, using the FY2000 tax rate.

RESIDENTIAL RATE

CIP RATE (rounded)

98 % = \$17.04/m

110 % = \$19.13/m

96 % = \$16.69

120 % = \$20.87

94 % = \$16.35

130 % = \$22.61

92 % = \$16.00

140 % = \$24.35

91.5465% = \$15.92

150 % (MAX.) - \$26.09

DEPARTMENT OF REVENUE
MINIMUM RESIDENTIAL FACTOR COMPUTATION
FOR FY2001

medway
City/Town/District

A	B	C	
Class	Full and Fair Cash Valuation	Percentage Share	
1. Residential	815,884,663	85.5381%	85.5381%
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TOTALS	953,825,840	100.0000%	

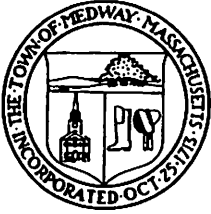
Maximum Share of Levy for Classes Three, Four and Personal Property; 150% X $\frac{14.4619\%}{\text{Lines 3C+4C+5C}} = \frac{21.6929\%}{\text{Max \% Share}}$

Minimum Share of Levy for Classes One and Two: 100% -- $\frac{21.6929\%}{\text{Max \% Share}} = \frac{78.3071\%}{\text{Min \% Share}}$

Minimum Residential Factor (MRF) $\frac{78.3071\%}{\text{Min \% Share}} \div \frac{85.5381\%}{\text{Lines 1C+2C}} = \frac{91.5465\%}{\text{Minimum Residential Factor}}$

MINIMUM RESIDENTIAL FACTOR
LA7 (6-94)

91.5465%



BOARD OF SELECTMEN
155 VILLAGE STREET
MEDWAY, MASSACHUSETTS 02053
(508) 533-3264 • Fax: (508) 533-3281

AGENDA
BOARD OF SELECTMEN
SANFORD HALL
DECEMBER 11, 2000

6:45 p.m. Tax Classification hearing.

7:00 p.m. - *Open meeting.*

1. Sign warrant.
2. Approval of minutes.
3. Public comments.
4. Town official updates.
5. Committee reports.
6. Administrator's report.
7. Discussion items.
8. Action items.
 - Sign licenses on list for calendar year 2001.
9. Communications/ Correspondence/ Informational items.

7:45 p.m. - *Robert Briggs*

Re: continuation of hearing on land taking by eminent domain.

10. Upcoming meetings.
 - December 18th (4:00 p.m.).
11. Executive session.
 - Reason #3.

* all times approximate
cc: Town Clerk for posting.

cc: AUB

MINUTES OF THE SELECTMEN'S MEETING
DECEMBER 11, 2000

Present: Selectmen Harry Johnson, Raphaela Rozanski, John Williams, Joe Dziczek, Richard Gildea, Town Administrator Michael Hartman. Administrative Services Assistant M. J. Fredette was not in attendance.

7:00 p.m. – Meeting opened in Sanford Hall of Town Hall.

- The notice of public hearing for Tax Classification as it appeared in local papers was read by Selectman Williams. Board of Assessors Chairman John Creighton turned the presentation over to Administrative Assessor Paul Keefe. Mr. Keefe had prepared a short synopsis (attached) identifying the five classes recognized by the State of residential, commercial, industrial, open space and personal property recommending a tax factor of one, single tax rate. He noted that the combined percentage for commercial, industrial and personal property had decreased again for the fifth time to 14.4619%. He believed at least a 75/25 split would need to happen for any shift to a dual tax rate for residential and commercial/industrial to be worthwhile. Motion was made and carried to accept the residential factor of one for all properties in Medway for fiscal year 2001. Motion was also made and carried to continue the hearing to December 18th at 4:00 p.m. in Sanford Hall.
- Warrant #24 was signed by the Board in the amount of \$807,751.10.
- There were no minutes to approve, however, the Board requested that they prepared as soon as possible.
- There were no public comments.
- There were no town official updates, but Selectman Dziczek had spoken to the Water/Sewer Commissioners, who would like to have questions posed ahead of time before meeting with the Selectmen. Selectman Johnson inquired as to why and when water rates were going up, and when would there be closure with DEP on the regulating of well sites?
- With regard to committee reports, Selectman Williams announced the business of the week as Old Colony Foods on Spruce Street. He had also received further information from the Framingham Selectmen and Town Manager about the Community Preservation Act and an organizing committee, and will be reporting his findings to the Board in a couple of weeks.
- Selectman Johnson attended the joint meeting with the Planning Board on the Community Preservation Act, and felt members from the same boards should be part of the group, suggesting Selectman Williams contact Planning Board chairman Diane Borgatti.

MINUTES OF THE SELECTMEN'S MEETING
DECEMBER 11, 2000

- Selectman Rozanski noted receipt of the Boston MPO draft with public comments being due by January 5th.
- There was no Administrator's report.
- On discussion items, Selectman Dziczek read a letter received from the Holiday Parade Committee denoting the eight annual parade a success with donations from Medway businesses and assistance from the Water/Sewer, Highway, Fire and Police Departments. Selectman Dziczek also expressed the desire to see house tours offered in Medway again, and will pursue that avenue further.
- Selectman Johnson announced the continuation of a hearing on land taking of Robert Briggs by eminent domain, offering hearing procedures for all to follow, explaining this was not a public hearing. He indicated there was a slight delay while negotiations continued between the applicant, the Town Administrator, Mr. Briggs' attorney, and the co-chairman of the Municipal Building Committee.
- While the Board waited for the hearing to begin, licenses for all Medway applicants for calendar year 2001 were signed by the Selectmen.
- After approximately a half-hour, Selectman Johnson called the meeting back to order. Mr. Hartman was asked if an agreement had been reached, and he replied in the negative. Mr. Briggs' attorney, Frank DeLuna, was the first to speak, citing Chapter 79S5B and the need for them to identify other lands not in agricultural use that were available for a high school site. With that in mind, he pointed to the Municipal Building Committee's report where several potential sites were listed, such as sites #1, #8 and #14, the last of which had not been investigated because they were not allowed on the property. He also referred to a site near the Charles River which he believed would have adequately handled the school.

Attorney DeLuna noted Mr. Briggs' willingness to sell 15 acres (61A land), regardless if it is used or not, along with four abutters, for a total of over 43 acres. He stated this acreage was not in agricultural use, nor was it occupied with buildings thereon, and available to the Town. This is all Mr. Briggs has to prove (that there is other land available) and should be exempt per Chapter 79S5B.

Mr. Hoodlet spoke next citing a different interpretation of the law between he and Attorney DeLuna. He felt that Mr. Briggs could have presented evidence before this, as they have been looking at site 12A since April 2000, and no objections have been raised until now. Mr. Hoodlet noted the Committee's thorough review of the other sites, along with all the wetland issues. He indicated that the Town and State have supported site 12A, and after 14

MINUTES OF THE SELECTMEN'S MEETING
DECEMBER 11, 2000

months, 50 meetings, 1000 hours, have found it to be the best site. To re-open the issue of another site now would probably assure the Town losing its 69% reimbursement. He asked the Selectmen to support site 12A, as ultimately, in referring to case law, it is the Selectmen's decision.

Mr. Hoodlet explained their original intent of trying to access the site across from Azalea Drive, but when the property was being flagged, were advised it would be unlikely they would get approval for the access, so they looked at the northern part of the property for that access. When finding endangered species on the property, turned to the eastern part of Mr. Briggs' property, but would have deferred that piece for the northern piece, especially when they realized they could not make the site work without the northern-most acreage. Unfortunately, no compromise was reached.

Town Counsel Richard Maciolek suggested the Board of Selectmen had discretion to act, with the leading case law being DelPrete vs the Town of Rockland, 1966 (attached). Attorney Maciolek stated the land is conveyed by three separate deeds to Mr. Briggs: the main 15 acres from the Carrolls; the upper part from the Gagitanos as two parcels, and the other 13 acres on the east came in a deed in 1990 from his mother into a trust. Mr. Briggs agreed he was the sole owner ^{except for} ~~one portion~~ of 13 acres on east.

Jim Brodeur reiterated that the Committee was careful when looking at parcels not to include those in active farming.

Mrs. Secord, an abutter, indicated she was just now hearing the specifics, and also found out that abutters do not have to be notified. She recommended looking elsewhere if at all possible. William Singleton of Summer Street noted that voters had not choice on the parcels. John Walsh of Adams Street said he had asked Mr. Hoodlet to enumerate on various sites, but had indicated to him it would take too much time; it seemed everyone was in a hurry. Anne Harris of Oakland Street felt Mr. Briggs' willingness to discuss did not mean yes. Wendy Rowe of Spruce Road supported the site, but not when it involved taking the Briggs' property.

Mr. Hoodlet reiterated everything has always been out in the open, and maintaining the character of the Town was a major consideration. They believed the action the Municipal Building Committee was proposing would not put Mr. Briggs out of business, and it was unfair to say this was sprung on the Town as they felt they had been honest with Mr. Briggs from the very beginning.

Attorney DeLuna differed with Town Counsel with the 1966 decision, stating that in 1972, the legislature changed the statute to give an agricultural landowner the opportunity to be heard and discretion to the Selectmen. He

MINUTES OF THE SELECTMEN'S MEETING
DECEMBER 11, 2000

was here to tell the Board there were other properties in Town, noting three pieces of evidence had been submitted:

townspeople testimony; assessors' map showing the Dunton property with no house thereon; and the Municipal Building Committee not looking at the subdivision plan of the Ennis property of 50 acres. Therefore, he felt they had met the requirement, and the Selectmen should determine that the Briggs property is exempt from taking.

Attorney Maciolek stated Attorney DeLuna was accurate that the statute changed in 1972, but he was not accurate in what he said. The DelPrete case states, "if such evidence is introduced and accepted as valid", the Board of Selectmen shall exempt. It is not saying that the Board of Selectmen *has* to accept or *believe* it is valid; absent that, the Board of Selectmen still has discretion. Finally, the assessors map is the least valid piece to look at.

Mr. Hoodlet had to provide clarification in that they had looked at the Ennis property, and it scored low at number six because of usable acreage and wetland issues.

Attorney DeLuna stated if the Board of Selectmen decided to exempt, they will still negotiate.

On behalf of the Municipal Building Committee, Mr. Hoodlet said they would be quite willing to look at an access across from Azalea Drive, and they have also stated that if Mr. Briggs drops objection to the 15 acres, would look at it again.

Attorney DeLuna indicated Mr. Briggs would like to continue negotiations with the Town and requested a one-week continuance.

Attorney Maciolek suggested to the Board of Selectmen that it would be appropriate to close the hearing and take the issue under advisement, but not make a decision tonight.

Selectman Johnson suggested meeting later on in the week, Wednesday or Thursday, with Mr. Hoodlet willing to meet with Mr. Briggs, Attorney DeLuna and Administrator Hartman the next morning. Attorney Maciolek stated continuing the hearing to another date did not require reposting. Motion was made and carried to continue the hearing to Wednesday, December 13th at 7:30 p.m., with negotiations on-going.

- On to other matters, Selectman Rozanski asked if anything new was happening with EO418 and the Planning Board and the Affordable Housing Committee? Mr. Hartman understood they had met and would check further.

MINUTES OF THE SELECTMEN'S MEETING
DECEMBER 11, 2000

- The Board questioned receipt of minutes of CRPCD meetings, which Mr. Hartman believed had been requested by a Board member, although the reference may have been implied for the hazardous waste consortium.
- It was noted if there was no meeting on December 13th, the next Selectmen's meeting would be on December 18th at 4:00 p.m. Mr. Hartman clarified if an agreement is reached, Mr. Briggs should withdraw his appeal, but finalization requires the Board of Selectmen signing the orders of taking.

10:00 p.m. – Mr. Williams moved the Board adjourn to executive session for reason #3, to discuss strategy with respect to negotiation with non-union personnel; Mrs. Rozanski seconded; all aye. The vote: Mr. Dziczek – yes; Mr. Williams – yes; Mrs. Rozanski – yes; Mr. Gildea – yes; Mr. Johnson – yes.

Respectfully submitted (via videotape),

M. J. Fredette
Administrative Services Assistant
mj

APPROVED

as amended
1/29/01



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

AGENDA
BOARD OF SELECTMEN
SANFORD HALL
DECEMBER 4, 2000

7:00 p.m. - *Open meeting.*

1. Sign warrant.
2. Approval of minutes.
 - None.
3. Public comments.

7:15 p.m. - *Dunkin Donuts*

Re: two sign applications denied by Building Inspector.

7:30 p.m. - *Michael Doyle*

Re: continuation of public hearing for a Class II license.

7:45 p.m. - *Robert Briggs*

Re: hearing on land taking by eminent domain.

4. Town official updates.
 - None.
5. Committee reports.
6. Administrator's report.
7. Discussion items.
 - Falun Dafa's request for proclamation of Falun Dafa Week from December 10-16, 2000?
 - Congressman McGovern's request for possible federal funding of local projects.
8. Action items.
 - None at this time.
9. Communications/ Correspondence/ Informational items.
 - Copies received in packet of SMOC's annual report, RR's letter in support of Bellingham's storm water assessment project, Medway Business Council's open house, Supt. Bettencourt's letter to School Building Assistance.
10. Upcoming meetings.
 - December 11th - 6:45 p.m. (tax classification hearing).
 - December 11th (7:00 p.m.), 18th (4:00 p.m.).
11. Executive session (if required).

* all times approximate
cc: Town Clerk for posting.

CC: AUB

MINUTES OF THE SELECTMEN'S MEETING
DECEMBER 4, 2000

Present: Selectmen Harry Johnson, Raphaela Rozanski, John Williams, Joe Dziczek, Richard Gildea, Town Administrator Michael Hartman, Administrative Services Assistant M. J. Fredette.

7:00 p.m. – Meeting opened in Sanford Hall of Town Hall.

Warrant #23 was signed for \$1,304,025.55.

There were no minutes for approval.

No public comments.

Selectman Williams took the discussion item of Falun Dafa's request for a proclamation out of order suggesting the subject be brought up again next year. Motion to remove from the agenda was made and carried.

Dunkin Donuts came to meet with the Board, represented by Louise and Arthur Placido. They had been denied two sign applications by the Building Inspector; therefore, their appeal is to the Board. Selectman Williams read the Building Inspector's letter indicating the denial was necessary because the signs exceeded six square feet. One sign on the building was for 53 sq. ft., and a menu board for 35 sq. ft. Motion to approve was made and carried. A request for the erection of a free-standing sign at the corner of Milford and Summer Streets was withdrawn after Mr. Hartman clarified the whole intersection is part of the Summer Street reconstruction project.

The amended ad for the continuation of a public hearing for Michael Doyle at 6 Kenart Road for a Class II license was read by Selectman Williams. There was no one present in opposition. Selectman Williams read a letter by the Zoning Enforcement Officer requesting restrictions be placed on the license as issuance of the license in a residential area would be in violation of the zoning by-law and would require a variance. It was suggested a formal policy be adopted by the Selectmen on this subject. Motion was made and carried to grant the license to Michael Doyle with the stipulation, "no vehicles for sale on the premises".

A hearing was being held under MGL Ch. 79§5B with Robert Briggs relating to land taking of 43 acres by eminent domain. Town Counsel Richard Maciolek was also in attendance. Mr. Briggs requested additional time to research the issue of Ch. 61A land as his attorney could not attend, and asked for a continuance to January 8th. It was noted the only remaining meeting dates in December were the 11th and the 18th, although a special meeting could be called.

Jim Hoodlet reiterated the process since April when site 12A was considered as "the site" for the new high school, the many meetings held, town meeting approval, and passage at the ballot. He noted the looming deadline of March 1st (just 13 weeks away) for submittal of the schematic design to remain eligible for the 69% reimbursement and \$7 million at stake. Mr. Hoodlet also clarified this hearing was to provide Mr. Briggs with

MINUTES OF THE SELECTMEN'S MEETING
DECEMBER 4, 2000

the opportunity to give evidence that other land in Town was available, not the reconsideration of votes.

Town Counsel Maciolek stated it was the Board's discretion to continue this hearing when they choose, and noted the Board had already voted to take the entire 80 acres on November 13th.

Mr. Briggs commented he had approved releasing 15 acres, but not the other 28 acres believing negotiations had not been completed.

A discussion of various dates for continuance were proposed by Board members, with the motion made and carried that the hearing be continued to December 11th at 7:45 p.m. All members in favor except Selectman Rozanski.

Mr. Hartman noted all landowners were on board at this time, but surveys had yet to be completed, and orders of taking signed by the Selectmen.

Supt. Bettencourt's letter to the SBA was noted, certifying the Town Meeting vote and the special election held approving the debt exclusion for funds required to pay for the bonds for land acquisition, surveying, site testing and other costs, initial architectural services including development of schematic design, surveying and project coordination for the new high school. His letter also confirmed that a needs conference with the SBA was held by December 30th as required.

No Town official updates, however, Selectman Dziczek will speak to the Water/Sewer Board about meeting with the Selectmen.

Under Committee Reports, Selectman Rozanski noted recent activities attended; Selectman Johnson spoke of the upcoming tax classification hearing to be held.

Under Administrator's Report, Mr. Hartman stated the center lane design for Route 109 as approved and adopted by the Selectmen was recently completed. He noted they will be doing additional work over the course of the year in accordance with traffic standards and as approved by Mass. Highway. Mr. Hartman will also look at options to make the general public more aware of the new design. Additionally, he was still looking into getting a delayed left turn for eastbound traffic turning onto Holliston Street with State funds.

Noting a report received from SMOC, Mr. Hartman suggested a process of initialing review of certain reports received in the office, rather than copying them for individual distribution.

Some discussion on IDC membership.

MINUTES OF THE SELECTMEN'S MEETING
DECEMBER 4, 2000

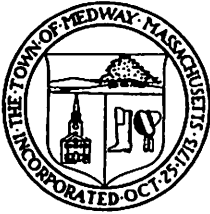
Ed Reardon gave the Board a Town officials picture dating back to 1968 and a 1920 valuation tax list. Mr. Hartman informed Mr. Reardon that the sign for Village Street should be arriving in two weeks.

8:45 p.m. – Meeting adjourned.

Respectfully submitted,

M. J. Fredette
Administrative Services Assistant
mj

APPROVED
1/8/01



BOARD OF SELECTMEN
155 VILLAGE STREET
MEDWAY, MASSACHUSETTS 02053
(508) 533-3264 • FAX: (508) 533-3281
AGENDA

BOARD OF SELECTMEN

SANFORD HALL

NOVEMBER 27, 2000

- 7:00 p.m. - Open meeting.
1. Sign warrant.
 2. Approval of minutes.
 - None.
 3. Public comments.
- 7:15 p.m. - Public Hearing – Michael Doyle.
Re: application for Class II license.
- 7:30 p.m. - Jim Hoodlet, Vice-Chairman.
Municipal Building Committee.
Re: update.
4. Town official updates.
 - Arti Mehta, Town Accountant.
Re: Further report on closing of books for FY'00.
 5. Committee reports.
 5. Administrator's report.
 - None.
 7. Discussion items.
 - Follow up on attendance at Norfolk County Selectmen's Association meeting – RR, JD, RG, JW – yes?; HJ - ?
 8. Action items.
 - Sign liquor license renewal applications for 2001.
 - Treasurer/Collector may submit form for abating of police details for Selectmen to sign.
 9. Communications/ Correspondence/ Informational items.
 - None.
 10. Upcoming meetings.
 - November 30th (Planning Board hosting joint meeting at 7:30 p.m. in Sanford Hall).
 - December 4th (7:00 p.m.), 11th (7:00 p.m.), 18th (4:00 p.m.).
 11. Executive session (if required).

cc: Town Clerk for posting.

Cc: ANB

MINUTES OF THE SELECTMEN'S MEETING
NOVEMBER 27, 2000

Present: Selectmen Harry Johnson, Raphaela Rozanski, John Williams, Joe Dziczek, Richard Gildea, Administrative Services Assistant M. J. Fredette. Town Administrator Michael Hartman was not in attendance.

7:00 p.m. – Meeting opened in Sanford Hall of Town Hall.

Warrant #22 was signed for \$537,563.95.

No minutes for approval.

Under Public Comments, Ed Reardon inquired on signs he suggested to the Selectmen be ordered/replaced. Ms. Fredette noted at least the Village Street had been ordered. He also inquired as to knowledge the Selectmen had of a tower on Populatic Street? They were not aware of any, but it confirmed their understanding that the State would be overriding Towns and take over on these issues anyway.

Taken out of order was the Treasurer/Collector's submittal of a form letter for abatement of 17 accounts of police details in the amount of \$7,853.77. Motion was made and carried for the abatement, with the understanding there were no other bills prior to 1995.

Selectman Williams read the ad for a public hearing for Michael Doyle requesting a Class II license. Selectman Williams questioned if the ad was correct as it did not state the license would include "selling", only "buying". The Selectmen suggested the hearing be continued to next week so an amended ad could be placed in the newspaper, but allowed Mr. Doyle to speak concerning his request tonight. Mr. Doyle explained this was a part-time venture for him by purchasing vehicles at auction and delivering them to dealers who authorized them. He clarified that not more than 1 or 2 cars would be on the premises with no display of signs. His home would be used as an office, still ensuring the neighborhood would remain as it is. The Selectmen had concerns if this was a ZBA issue, and will be clarified by next week. Motion was made and carried to continue the hearing to December 4th at 7:30 p.m.

Jim Hoodlet, Vice-Chairman of the Municipal Building Committee, came to meet with the Board for two reasons. First, to advise them the process followed for the selection of a design architect, with the three finalists being: Design Partnership, Tappe, and SMMA. Now the process is to begin negotiations and if they cannot come to terms with #1, they will then go on to #2, and then #3. Second, Mr. Hoodlet advised the need for the Board to proceed with the acquisition of land so the architect can be hired. It was confirmed Mr. Briggs was contesting the taking of 13 acres, and since the land is in agricultural use, it was incumbent upon the Selectmen to offer an objecting landowner a hearing as per MGL Ch. 79§5B. He, therefore, asked the Board to schedule a hearing for December 4th as bond counsel has stated the Town should own the land before they borrow the funds to award the design contract. Mr. Hoodlet reiterated time was of the essence for submittal of plans to the SBAB by March 1st. The Selectmen had some concerns over the Town's needs taking priority over a landowner's right not to be rushed to prepare. It was suggested then at least to schedule the hearing for December 4th, and

MINUTES OF THE SELECTMEN'S MEETING
NOVEMBER 27, 2000

then continue if need be. Motion was made and carried to schedule the hearing for December 4th at 7:45 p.m.

Town Accountant Arti Mehta stated she had spoken to the DOR this morning, and they should be able to certify free cash in three to four weeks; however, it was noted that the Town can't set the tax rate without the certification first, but she did not believe it would stop the Town from doing the recap sheet. Mrs. Mehta went over the FY'00 report (copy attached) specifically noting: local revenue exceeding projection by \$210,000; beginning FY'01 balance in health insurance trust fund of \$131,000; expenditures to date in FY'01 of \$905,000 in health insurance in five months vs. \$1,740,000 appropriated (+\$131,000 FY'00 balance); stabilization fund balance of \$516,602.65; free cash looking good at close to \$500,000. Mrs. Mehta said all employees now have internet access. Previously, they had an email package, but because they were getting internet free, recently changed to a new provider. She was hoping for complete setup by next week under Interland/Outlook. The Selectmen asked to be notified when addresses were active. Charlie Myers recommended an email policy, but was informed Mr. Hartman had already done that. Mrs. Mehta wished to tell the Board that there had been a great deal of bond authorization over the last five years, but if not used, should come back to the Board and Town Meeting to have the authorization rescinded. She also noted a fixed assets inventory could be due for the Town in FY'03. Lastly, she noted her term was coming up for expiration next month, and since she had not heard from the Selectmen, wanted to indicate her intent to start negotiations.

The Selectmen briefly discussed projections for future costs and anticipated bonds especially with the new school coming on board, wanting to know ahead of time what to expect and prepare for.

Under Committee Reports, Paul DeSimone asked to speak on behalf of the IDC as his last official act as Chair. He gave to the Selectmen a copy of an update on the ready resource grant sent to Mr. Hartman on November 16th. He believed everyone was not yet on board except for the Grant Administrator, and was concerned about the time frame. He thought he had received additional time for submittal, but Selectman Rozanski knew a report was due from him by October 10th, which did not happen, and was not aware of an extension being granted. She was also not aware of the Grant Administrator being allowed to receive funds in advance as the Committee would have to officially sign off on that; however, Mr. DeSimone believed if an initial estimate for cost for services was provided by the Grant Administrator, a check could be sent to him. Further discussion on this was postponed.

The Selectmen asked for some clarification on IDC appointments as they recommended names on November 13th, but a meeting on November 14th was held without anyone being officially sworn in, and as of today's date, the appointment slips were not with the Town Clerk. Ms. Fredette explained the Administrator wanted to speak to the appointees prior to signing the appointment slips, but ran out of time before leaving. Again, further discussion was postponed until the Administrator returned. Mr. DeSimone asked that this be resolved prior to the IDC's next meeting on December 12th. Selectman Gildea

MINUTES OF THE SELECTMEN'S MEETING
NOVEMBER 27, 2000

volunteered to speak to Joe Hoban who had withdrawn his name for consideration on the IDC.

Under Committee Reports, Selectman Rozanski reported on meetings attended; Selectman Williams presented his Community Preservation Act research (copy attached) as requested by the Board, outlining what it would provide and a potential time frame for possible adoption at an April 2, 2001 special town meeting. He noted that an article would have to be placed on the warrant for adoption of 44B, which would establish the community preservation fund, and another article would have to be placed on the warrant to establish a community preservation committee. Ms. Fredette will copy Selectman Williams' documentation prior to the joint meeting on November 30th. He was thanked by the Board for his in-depth study.

All Board members will be attending the Norfolk County Selectmen's Association meeting.

Motion was made and carried that the Board sign the liquor license renewal applications for 2001 (copies attached) as read.

The Mass. Municipal Meeting and Trade Show on January 12th and 13th will be attended by Selectmen Johnson and Rozanski.

9:55 p.m. – Meeting was adjourned.

Respectfully submitted,

M. J. Fredette
Administrative Services Assistant
mj

APPROVED
1/8/01

November 27, 2000

Fiscal Year 2000 Overview

- Balance sheet and related documents mailed to DOR for Free cash certification.
- Free Cash could be in excess of \$490,000.
 - ⇒ Local Revenue exceeded the projection by \$210,000.
 - ◆ Excise Revenue exceeded by 104,000 mainly due to FY 1999 commitment in FY 2000
 - ◆ Penalty and Interest higher by \$90,000 due to delinquent taxes collection
 - ⇒ Unused appropriations only \$95,000.
 - ⇒ Non-budgeted revenue collected - \$110,000.
- Health Insurance Trust fund balance \$131,000.
 - ⇒ Beginning Balance of \$86,592.70
 - ⇒ Total contribution (town & employees) \$2,272,543.53
 - ⇒ Total expenditure \$2,227,448.05
 - ⇒ FY - 2001 appr. 1, 740,000 and expenditure todate 905,000
- Stabilization Fund Balance \$516,602.65
- Technology - internet excess

Next:

- Web site development
 - town.medway.ma.us

**TOWN OF MEDWAY
FISCAL YEAR 2000 REVENUE**

LOCAL RECEIPT

DESCRIPTION	BUDGET	ACTUAL	VARIANCE
Motor Vehicle Excise	1,150,000.00	1,254,120.79	104,120.79
Farm Excise	0.00		0.00
Panelty & Interest	72,000.00	161,912.29	89,912.29
In Lieu of Taxes	22,000.00	25,395.92	3,395.92
Charges for Services - Sewer	260,000.00	261,279.09	1,279.09
Charges for Services - Ambulance	125,000.00	129,379.65	4,379.65
Fees	81,000.00	70,810.71	(10,189.29)
Licenses & Permits	240,000.00	249,748.75	9,748.75
Fines & Forfeits	30,000.00	30,390.00	390.00
Investment Income	225,000.00	219,428.17	(5,571.83)
Sp.Assessment (Sewer Betterments)	35,000.00	36,193.84	1,193.84
Misc Recurring	75,000.00	70,000.00	(5,000.00)
Misc Non Recurring-Additional Lottery	126,259.00	126,259.00	0.00
Misc Non Recurring-Library Bldg Grant	377,762.00	377,762.00	0.00
Misc Non Recurring-Other		19,048.10	19,048.10
Premium on Ban		1,804.04	1,804.04
Total Budgeted Revenue	2,819,021.00	3,033,532.35	214,511.35

Other Non Budgeted Revenue:

Tax Title		57,081.09	57,081.09
Deferred & Rollback Taxes		54,466.34	54,466.34
TOTAL	0.00	111,547.43	111,547.43

TOWN TOTAL	25,365,204.17	25,244,391.13	(120,813.04)
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Water Charges	582,403.00	686,592.55	104,189.55
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**TOWN OF MEDWAY
FISCAL YEAR 2000 REVENUE**

STATE RECEIPT

DESCRIPTION	BUDGET	ACTUAL	VARIANCE
<u>SCHOOL:</u>			
CH. 70	4,909,230.00	4,658,584.00	(250,646.00)
SCHOOL TRANSPORTATION	116,553.00	107,273.00	(9,280.00)
SCHOOL CONSTRUCTION	585,720.00	585,720.00	0.00
TUITION FOR STATE WARDS	0.00		0.00
<u>OTHER STATE RECEIPT:</u>			
LOTTERY, BEANO	895,603.00	895,603.00	0.00
ADDITIONAL ASSISTANCE	235,317.00	235,317.00	0.00
HIGHWAY	84,362.00	84,362.00	0.00
VETERANS' BENEFIT	1,083.00	544.50	(538.50)
ABATEMENT-VETS,BLIND,SP	13,034.00	11,575.00	(1,459.00)
ABATEMENT-ELDERLY	15,562.00	16,566.00	1,004.00
ONE TIME PYMT-OTHER GRANTS		1,433.46	1,433.46
MEDICAID		14,595.00	14,595.00
<u>DIRECT PAYMENT TO DEPT.</u>			
SCH.LUNCH	6,606.00	0.00	(6,606.00)
SCH. TUITION OF STATE WARD	20,686.00		(20,686.00)
LIBRARY	18,152.00	0.00	(18,152.00)
CHERRY SHEET TOTAL	6,901,908.00	6,611,572.96	(290,335.04)

From Tax Levy:

Real Estate	14,325,080.66	14,191,877.63	(133,203.03)
Personal Property	671,410.51	665,695.37	(5,715.14)

Offset Receipt:

Trash Fees	647,784.00	630,165.39	(17,618.61)
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Town of Medway
Fund Balance Analysis
Fiscal Year 2000

	UNRESERVE	FUND BALANCE	FUND BALANCE	SNOW & ICE	Appropriation	CHERRYSHEET	OTHER	TOTAL
	FUND BALANCE	ENCUMBRANCE	ARTICLE	DEFICIT	Deficit	CHARGES		
Beginning Balance 7/1/99	486,865.07	545,614.39	715,203.68	(140,517.00)		(8,097.00)	175,000.00	1,774,069.14
								-
Revenue	24,756,067.98							24,756,067.98
R&A Articles			110,561.15					110,561.15
Borrowed for Articles			857,400.00					857,400.00
Other Revenue	589,360.95							589,360.95
Tr. From Other FD to Article			11,500.00					11,500.00
Tr. From Other FD to Article			25,000.00					25,000.00
								-
Expenditures	(24,368,280.86)	(522,757.88)	(1,089,268.00)					(25,980,306.74)
Cherry Sheet Assessment	(102,663.00)							(102,663.00)
								-
To close-unused encumb.	22856.51	(22,856.51)						-
To close-unused Article	630,396.83		(630,396.83)					-
To close-pr yr snow & Ice	(140,517.00)			140,517.00				-
To close-cherry sheet over/Und	(8,097.00)					8,097.00		-
To close-2000 Levy Reserve	175,000.00						(175,000.00)	-
								-
Tr to Planning Bd Revolv.	(35,692.18)							(35,692.18)
Tr to Stabilization	(12,500.00)							(12,500.00)
								-
TO C/F- Snow & Ice Deficit	123,290.25			(104,328.65)	(18,961.60)			-
TO C/F Encumbrances	(377,715.76)	377,715.76						-
TO C/F Articles	(686,210.00)		686,210.00					-
								-
RES FOR EXP-from water							54,750.00	54,750.00
RES FOR EXP-from OL surplus	(65,700.00)						65,700.00	-
								-
Pr Yr Ban to Article	115,000.00							115,000.00
								-
Ending Balance 6/30/00	1,101,461.79	377,715.76	686,210.00	(104,328.65)	(18,961.60)	-	120,450.00	2,162,547.30

(h)

Medway Board of Selectmen

Community Preservation Act discussion

November 27, 2000

Mary Jean

Summary of Provisions and a Timeframe

Summary

Name of legislation

Massachusetts Community Preservation Act (CPA). MGL, Chapter 44B

Legislative authority

Added to MGL by Chapter 267 of the Acts of 2000 and approved on September 14, 2000.

Effective date

December 14, 2000

Adoption in Medway

The CPA must first be accepted by a majority of our "legislative body," the Town Meeting, and then by majority vote on a ballot at the next regular municipal or state election. The legislative body by its action (or citizens by initiative petition) chooses to put the question of adoption on the ballot. Adoption also establishes a municipal Community Preservation Fund. Subsequent to initial adoption and implementation, the legislative body, and then the voters, may change the amount of the property tax surcharge at any time. A community may opt out of the CPA after five years.

Funding: Local level

By a surcharge on real property of not more than 3% of the real estate tax levy against real property as determined annually by the board of assessors. The Town Meeting decides the percentage, which is then specified on the subsequent ballot question.

Exemptions, existing

All exemptions and abatement of real property authorized under MGL ch. 59 or any other law for which a taxpayer may qualify is not affected by the CPA. The surcharge to be paid by a taxpayer receiving an abatement of real property authorized by Ch.59 or any other law shall be reduced in proportion to the amount of such abatement.

Exemptions, optional

The legislative body may accept one or more of the following exemptions, which is/are then specified on the subsequent ballot question:

1. The first \$100,000 of value of each taxable parcel of **residential property**.
2. Class III and Class IV properties (commercial and industrial), in cities or towns with classified tax rates.
3. For property owned and occupied by a person who would qualify for low-income housing or low or moderate-income senior housing.

Funding: State level

State matching funds are generated by increased fees on Registry of Deeds transactions. The match could be from 5% to 100% of the local level funding. Initial State funding estimated to be available is \$25 million. The State fund is known as the Massachusetts Community Preservation Trust Fund.

Distribution of State Funding

Each participating city and town receives annually on October 15 from the State its share of the Massachusetts Community Preservation Fund. There are two (a third is possible) rounds of distributions each year (however, the city or town receives all rounds in one distribution on October 15th). The first portion of the distribution (80%) is determined by the amount of local level funding of the CPA but in relation to other participating communities. The second round of the distribution (20%) is determined by such factors as the community's economic base, EQV and population.

State Funding Caveat

For a community to be eligible to receive a part of the second round match (the 20% portion), it must have adopted the property surcharge at the full 3%.

Uses of CPA Funding

A minimum of 30% of the funds generated locally and from the State must be set aside with an even 10% distribution towards each of the following three areas:

Open Space: including but not limited to, existing and future well sites, aquifers, recharge areas, agricultural land, land for wildlife or nature preserve, etc. This does not include land for recreational use.

Historic Resources: buildings, structures, etc.

Community Housing: for individuals and families with annual income less than 100% of areawide median income. This includes low and moderate income housing for citizens older than 60.

The remaining 70% of the funds can be used for any of the above areas, in any proportion, including the creation and preservation of recreational lands.

Community Preservation Committee

Upon acceptance of the CPA, the community must establish a Community Preservation Committee through a bylaw. The bylaw will define the terms and selection of the committee which must have not less than five nor more than nine members. Members may be appointed or elected, but at least five (one from each) must be appointed by the following Commissions or Boards: Conservation Commission, Historical Commission, Planning Board, Park Commissioners and Housing Authority. The remaining four members may be chosen from the above Commissions or Boards and or from any other source, as determined by the bylaw. The Committee may from time to time make recommendations to a Town Meeting on expenditures for community preservation projects from the local Community Preservation Fund. Only the Town Meeting voters can approve and appropriate monies for any such project.

Medway's Timeframe

April 2, 2001

Special Town Meeting

(being 35 days prior to Town Election)

If it wishes to adopt the CPA for Fiscal 2002 and to receive state matching funds on October 15, 2002

Last date for an article on a Special Town Meeting warrant to **adopt** MGL, c.44B, sections 3-7 specifying surcharge percentage and exemptions, if any, thereby also placing adoption of the Special Town Meeting action on the next regular town or state election. A majority vote is required. Adoption of the Act also establishes a municipal Community Preservation Fund.

Another article on the Special Town Meeting warrant to **enact a bylaw** to establish a "Community Preservation Committee" and to define the terms, selection and makeup of its members.

May 7, 2001

Annual Town Election

Place on the ballot of the Annual Town Election a question as to the acceptance of MGL c.44B as adopted at the Special Town Meeting, with the percentage of surcharge to be imposed as voted at the Special Town Meeting. Any new bylaw establishing the Community Preservation Committee requires no further action beyond Town Meeting, notwithstanding any routine, required review of new bylaws by the Attorney General.

May 14, 2001

Annual Town Meeting

This date has no relevance to the process of accepting the Community Preservation Act. The Act must first be accepted at a Town Meeting and then accepted by ballot at the next regular or state election. The order of placing before the voters cannot be switched, unlike other override type questions.

October 15, 2002

If the CPA is adopted at Medway's Annual Town Meeting (FY02 business) on May 14, 2001, this is the first date Medway could receive state matching funds.

Medway Board of Selectmen
Community Preservation Act discussion
November 27, 2000

Summary of Annual Impact, using Fiscal 2000 Data

Property Tax Surcharge

1%

2%

3%

LOCAL LEVEL FUNDING

Additional Property Tax Levy

Assumes levy on all real property classes.

Does not reflect effect of abatements, if any.

or

**Additional Property Tax Levy but with a \$100,000
Exemption on Residential Parcels**

Residential parcels include Single-family,
Multi-family, Condos and Apartments.

from Page 4 →

\$143,251

\$286,502

\$429,752

\$79,864

\$159,728

\$239,592

STATE LEVEL FUNDING

First Round Distribution (80% of available State Level Funding)

Assumes half of State's communities (175) participate,
\$25,000,000 is available from State Level Funding (less up to 5%
for admin. costs) and each community receives an equal dollar
amount state match (not likely). Because of these loose
assumptions, the amount to the right is just a wild guess.

and

Second Round Distribution (20% of available State Level Funding)

Paid Oct 15th

\$108,571

Paid Oct 15th

???

Illustration of Impact on inflows into the town Community Preservation Fund

Class of Real Property	Present Tax Levy	Additional Levy with a Given Property Tax Surcharge			New Levy with Surcharge		
		1%	2%	3%	1%	2%	3%
Residential	\$12,651,912	126,519	253,038	379,557	12,778,431	12,904,950	13,031,469
Commercial	\$681,097	6,811	13,622	20,433	687,908	694,719	701,530
Industrial	\$992,072	9,921	19,841	29,762	1,001,993	1,011,913	1,021,834
Total Levy Now	\$14,325,081						
Additional Levy		\$143,251	\$286,502	\$429,752			
New Total Levy					\$14,468,332	\$14,611,583	\$14,754,833
or							
If a \$100,000 Residential Exemption is chosen:							
Additional Levy		\$79,864	\$159,728	\$239,592			
New Total Levy					\$14,404,945	\$14,484,809	\$14,564,673

Medway Board of Selectmen
Community Preservation Act discussion
November 27, 2000

Illustration of Impact on Single-Family House* Tax Bills

Example One: Surcharge on full value

Single-Family House Assessed Value	Present Tax Bill	Property Tax Surcharge			New Tax Bill w/Surcharge		
		1%	2%	3%	1%	2%	3%
\$150,000	\$2,609	\$26	\$52	\$78	\$2,635	\$2,661	\$2,687
197,700	3,438	34	69	103	3,472	3,507	3,541
300,000	5,217	52	104	157	5,269	5,321	5,374
400,000	6,956	70	139	209	7,026	7,095	7,165
500,000	8,695	87	174	261	8,782	8,869	8,956

Example Two: \$100,000 exemption

Single-Family House Assessed Value	Present Tax Bill	Property Tax Surcharge			New Tax Bill w/Surcharge		
		1%	2%	3%	1%	2%	3%
\$150,000	\$2,609	\$9	\$17	\$26	\$2,617	\$2,626	\$2,635
197,700	3,438	17	34	51	3,455	3,472	3,489
300,000	5,217	35	70	104	5,252	5,287	5,321
400,000	6,956	52	104	157	7,008	7,060	7,113
500,000	8,695	70	139	209	8,765	8,834	8,904

* This Illustration does not include other Residential Property.
Single-family dwelling average assessed value is \$197,700

Medway Board of Selectmen
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Fiscal 2000 Statistics

<u>TAX RATES BY CLASS:</u>	Residential	Open Space	Commercial	Industrial	Personal Property	Unclassified
	\$17.39		\$17.39	\$17.39	\$17.39	

<u>ASSESSED VALUES BY CLASS:</u>	Residential	Open Space	Commercial	Industrial	Personal Property	Total	As % of Total	
							RES & OS	C & I & P
	\$727,539,523		\$39,166,007	\$57,048,390	\$38,609,000	\$862,362,920	84.4	15.6

<u>TAX LEVIES BY CLASS:</u>	Residential	Open Space	Commercial	Industrial	Personal Property	Total	As % of Total	
							RES & OS	C & I & P
	\$12,651,912		\$681,097	\$992,072	\$671,411	\$14,996,492	84.4	15.6

<u>PARCELS BY PROPERTY TYPE:</u>	Single	Multi			Vacant	Open			Other	
	Family 3,338	Family 137	Condos 146	Apt 24	Land 424	Space	Commercial 87	Industrial 124	Usage 89	Total 4,369

<u>SINGLE FAMILY DATA:</u>	Assessed Value	Parcels	Average Value	Tax Rate	Single Family Tax Bill
	\$658,043,500	3,329	\$197,670	\$17.39	\$3,437

Source: Massachusetts Department of Revenue, Division of Local Services, for Medway, Fiscal 2000.

Massachusetts Community Preservation Act

Chapter 267 of the Acts of 2000

MGL Chapter 44B, Sections 1-3

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SECTION 1.

Section 1.

This chapter shall be known and may be cited as the Massachusetts Community Preservation Act.

Section 2.

As used in this chapter, the following words shall, unless the context clearly indicates a different meaning, have the following meanings:-

"Acquire", obtain by gift, purchase, devise, grant, rental, rental purchase, lease or otherwise. "Acquire" shall not include a taking by eminent domain, except as provided in this chapter.

"Annual income", a family's or person's gross annual income less such reasonable allowances for dependents, other than a spouse, and for medical expenses as the housing authority or, in the event that there is no housing authority, the department of housing and community development, determines.

"Community housing", low and moderate income housing for individuals and families, including low or moderate income senior housing.

"Community preservation", the acquisition, creation and preservation of open space, the acquisition, creation and preservation of historic structures and landscapes and the creation and preservation of community housing.

"Community preservation committee", the committee established by the legislative body of a city or town to make recommendations for community preservation, as provided in section 5.

"Community Preservation Fund", the municipal fund established under section 7.

"CP", community preservation.

"Historic structures and landscapes", a building, structure, vessel or real property that is listed or eligible for listing on the state register of historic places or has been determined by the local historic preservation commission to be significant in the history, archeology, architecture or culture of a city or town.

"Legislative body", the agency of municipal government which is empowered to enact ordinances or by-laws, adopt an annual budget and other spending authorizations, loan orders, bond authorizations and other financial matters and whether styled as a city council, board of aldermen, town council, town meeting or by any other title.

"Low income housing", housing for those persons and families whose annual income is less than 80 per cent of the areawide median income. The areawide median income shall be the areawide median income as determined by the United States Department of Housing and Urban Development.

"Low or moderate income senior housing", housing for those persons having reached the age of 60 or over who would qualify for low or moderate income housing.

"Maintenance", the upkeep of real or personal property.

"Moderate income housing", housing for those persons and families whose annual income is less than 100 per cent of the areawide median income. The areawide median income shall be the areawide median income as determined by the United States Department of Housing and Urban Development.

"Open space", shall include, but not be limited to, land to protect existing and future well fields, aquifers and recharge areas, watershed land, agricultural land, grasslands, fields, forest land, fresh and salt water marshes and other wetlands, ocean, river, stream, lake and pond frontage, beaches, dunes and other coastal lands, lands to protect scenic vistas, land for wildlife or nature preserve and land for recreational use.

"Preservation", protection of personal or real property from injury, harm or destruction, but not including maintenance.

"Real property", land, buildings, appurtenant structures and fixtures attached to buildings or land, including, where applicable, real property interests.

"Real property interest", a present or future legal or equitable interest in or to real property, including easements and restrictions, and any beneficial interest therein, including the interest of a beneficiary in a trust which holds a legal or equitable interest in real property, but shall not include an interest which is limited to the following: an estate at will or at

sufferance and any estate for years having a term of less than 30 years; the reversionary right, condition or right of entry for condition broken; the interest of a mortgagee or other secured party in a mortgage or security agreement.

"Recreational use", active or passive recreational use including, but not limited to, the use of land for community gardens, trails, and noncommercial youth and adult sports, and the use of land as a park, playground or athletic field. "Recreational use" shall not include horse or dog racing or the use of land for a stadium, gymnasium or similar structure.

Section 3.

(a) Sections 3 to 7, inclusive, shall take effect in any city or town upon the approval by the legislative body and their acceptance by the voters of a ballot question as set forth in this section.

(b) Notwithstanding the provisions of chapter 59 or any other general or special law to the contrary, the legislative body may vote to accept sections 3 to 7, inclusive, by approving a surcharge on real property of not more than 3 per cent of the real estate tax levy against real property, as determined annually by the board of assessors. The amount of the surcharge shall not be included in a calculation of total taxes assessed for purposes of section 21C of said chapter 59.

(c) All exemptions and abatements of real property authorized by said chapter 59 or any other law for which a taxpayer qualifies as eligible shall not be affected by this chapter. A taxpayer receiving an exemption of real property authorized by said chapter 59 or any other law shall be exempt from any surcharge on real property established under this section. The surcharge to be paid by a taxpayer receiving an abatement of real property authorized by said chapter 59 or any other law shall be reduced in proportion to the amount of such abatement.

(d) Any amount of the surcharge not paid by the due date shall bear interest at the rate per annum provided in section 57 of said chapter 59.

(e) The legislative body may also vote to accept one or more of the following exemptions:

(1) for property owned and occupied as a domicile by a person who would qualify for low income housing or low or moderate income senior housing in the city or town;

(2) for class three, commercial, and class four, industrial, properties as defined in section 2A of said chapter 59, in cities or towns with classified tax rates; or

(3) for \$100,000 of the value of each taxable parcel of residential real property.

(f) Upon approval by the legislative body, the actions of the body shall be submitted for acceptance to the voters of a city or town at the next regular municipal or state election. The city or town clerk or the state secretary shall place it on the ballot in the form of the following question:

"Shall this (city or town) accept sections 3 to 7, inclusive of chapter 44B of the General Laws, as approved by its legislative body, a summary of which appears below?"

(Set forth here a fair, concise summary and purpose of the law to be acted upon, as determined by the city solicitor or town counsel, including in said summary the percentage of the surcharge to be imposed.)

If a majority of the voters voting on said question vote in the affirmative, then its provisions shall take effect in the city or town, but not otherwise.

(g) The final date for notifying or filing a petition with the city or town clerk or the state secretary to place such a question on the ballot shall be 35 days before the city or town election or 60 days before the state election.

(h) If the legislative body does not vote to accept sections 3 to 7, inclusive, at least 90 days before a regular city or town election or 120 days before a state election, then a question seeking said acceptance through approval of a particular surcharge rate with exemption or exemptions, may be so placed on the ballot when a petition signed by at least 5 per cent of the registered voters of the city or town requesting such action is filed with the registrars, who shall have seven days after receipt of such petition to certify its signatures. Upon certification of the signatures, the city or town clerk or the state secretary shall cause the question to be placed on the ballot at the next regular city or town election held more than 35 days after such certification or at the next regular state election held more than 60 days after such certification.

Section 4.

(a) Upon acceptance of sections 3 to 7, inclusive, and upon the assessors' warrant to the tax collector, the accepted surcharge shall be imposed.

(b) After receipt of the warrant, the tax collector shall collect the surcharge in the amount and according to the computation specified in the warrant and shall pay the amounts so collected, quarterly or semi-annually, according to the schedule for collection of property taxes for the tax on real property, to the city's or town's treasurer. The tax collector shall cause appropriate books and accounts to be kept with respect to such surcharge, which shall be subject to public examination upon reasonable request from time to time.

(c) The remedies provided by chapter 60 for the collection of taxes upon real estate shall apply to the surcharge on real property pursuant to this chapter.

Section 5.

(a) A city or town that accepts sections 3 to 7, inclusive, shall establish by ordinance or by-law a community preservation committee. The committee shall consist of not less than five nor more than nine members. The ordinance or by-law shall determine the composition of the committee, the length of its term and the method of selecting its members, whether by election or appointment or by a combination thereof. The committee shall include, but not be limited to, one member of the conservation commission established under section 8C of chapter 40 as designated by the commission, one member of the historical commission established under section 8D of said chapter 40 as designated by the commission, one member of the planning board established under section 81A of chapter 41 as designated by the board, one member of the board of park commissioners established under section 2 of chapter 45 as designated by the board and one member of the housing authority established under section 3 of chapter 121B as designated by the authority, or persons, as determined by the ordinance or by-law, acting in the capacity of or performing like duties of the commissions, board or authority if they have not been established in the city or town. If there are no persons acting in the capacity of or performing like duties of any such commission, board or authority, the ordinance or by-law shall designate those persons.

(b)(1) The community preservation committee shall study the needs, possibilities and resources of the city or town regarding community preservation. The committee shall consult with existing municipal boards, including the conservation commission, the historical commission, the planning board, the board of park commissioners and the housing authority, or persons acting in those capacities or performing like duties, in conducting such studies. As part of its study, the committee shall hold one or more public informational hearings on the needs, possibilities and resources of the city or town regarding community preservation possibilities and resources, notice of which shall be posted publicly and published for each of two weeks preceding a hearing in a newspaper of general circulation in the city or town.

(2) The community preservation committee shall make recommendations to the legislative body for the acquisition, creation and preservation of open space, for the acquisition and preservation of historic resources, for the acquisition, creation and preservation of land for recreational use, for the creation, preservation and support of community housing and for rehabilitation or restoration of such open space, historic resources, land for recreational use and community housing that is acquired or created as provided in this section. With respect to community housing, the community preservation committee shall recommend, wherever possible, the reuse of existing buildings or construction of new buildings on previously developed sites.

(3) The community preservation committee may include in its recommendation to the legislative body a recommendation to set aside for later spending funds for specific purposes that are consistent with community preservation but for which sufficient revenues are not then available in the Community Preservation Fund to accomplish that specific purpose or to set aside for later spending funds for general purposes that are consistent with community preservation.

(c) The community preservation committee shall not meet or conduct business without the presence of a quorum. A majority of the members of the community preservation committee shall constitute a quorum. The community preservation committee shall approve its actions by majority vote. Recommendations to the legislative body shall include their anticipated costs.

(d) After receiving such recommendations from the community preservation committee, the legislative body shall then take such action and approve such appropriations from the Community Preservation Fund as set forth in section 8, and such additional appropriations as it deems appropriate to carry out the recommendations of the community preservation committee.

(e) For the purposes of community preservation and upon the recommendation of the community preservation committee, a city or town may take by eminent domain under chapter 79, the fee or any lesser interest in real property or waters located in such city or town if such taking has first been approved by a two-thirds vote of the legislative body. Upon a like recommendation and vote, a city or town may expend monies in the Community Preservation Fund, if any, for the purpose of paying, in whole or in part, any damages for which a city or town may be liable by reason of a taking for the purposes of community preservation.

Section 6.

In every fiscal year and upon the recommendation of the community preservation committee, the legislative body shall spend, or set aside for later spending, not less than 10 per cent of the annual revenues in the Community Preservation Fund for open space, but not including land for recreational use, not less than 10 per cent of the annual revenues for historic resources and not less than 10 per cent of the annual revenues for community housing. In each fiscal year, the legislative body shall make such appropriations from the Community Preservation Fund as it deems necessary for the administrative and operating expenses of the community preservation committee, but the appropriations shall not exceed 5 per cent of the annual revenues in the Community Preservation Fund. Funds that are set aside shall be held in the Community Preservation Fund and spent in that year or later years, but funds set aside for a specific purpose shall be spent only for the specific purpose. Any funds set aside may be expended in any city or town in the commonwealth. The community preservation funds shall not replace existing operating funds, only

augment them.

Section 7.

Notwithstanding the provisions of section 53 of chapter 44 or any other general or special law to the contrary, a city or town that accepts sections 3 to 7, inclusive, shall establish a separate account to be known as the Community Preservation Fund of which the municipal treasurer shall be the custodian. The authority to approve expenditures from the fund shall be limited to the legislative body and the municipal treasurer shall pay such expenses in accordance with chapter 41.

The following monies shall be deposited in the fund: (a) all funds collected from the real property surcharge or bond proceeds in anticipation of revenue pursuant to sections 4 and 11; (b) all funds received from the commonwealth or any other source for such purposes; and (c) proceeds from the disposal of real property acquired with funds from the Community Preservation Fund. The treasurer may deposit or invest the proceeds of the fund in savings banks, trust companies incorporated under the laws of the commonwealth, banking companies incorporated under the laws of the commonwealth which are members of the Federal Deposit Insurance Corporation or national banks, or may invest the proceeds in paid up shares and accounts of and in co-operative banks or in shares of savings and loan associations or in shares of federal savings and loan associations doing business in the commonwealth or in the manner authorized by section 54 of chapter 44, and any income therefrom shall be credited to the fund. The expenditure of revenues from the fund shall be limited to implementing the recommendations of the community preservation committee and providing administrative and operating expenses to the committee.

Section 8.

(a) The fees of the registers of deeds, except as otherwise provided, to be paid when the instrument is left for recording, filing or deposit shall be subject to a surcharge of \$20. The fees for so recording, filing or depositing a municipal lien certificate shall be subject to a surcharge of \$10. The surcharges shall be imposed for the purposes of community preservation. No surcharge shall apply to a declaration of homestead under chapter 188. No surcharge shall apply to the fees charged for additional pages, photostatic copies, abstract cards, additional square feet for the filing and recording of plans or for additional or required marginal references.

(b) The fees of the assistant recorder, except as otherwise provided, to be paid when the instrument is left for registering, filing or entering with respect to registered land shall be subject to a surcharge of \$20. The fees for so registering, filing or entering a municipal lien certificate shall be subject to a surcharge of \$10. The surcharges shall be imposed for the purposes of community preservation. No surcharge shall apply to a declaration of homestead of chapter 188. No surcharge shall apply to the fees charged for additional lots shown on plans, for indexing instruments

recorded while a petition for registering is pending, for additional certificates of sewer assessments, for old age assistance liens, for duplicates and for photocopies.

(c) All surcharges on fees collected pursuant to this section shall be forwarded to the Massachusetts Community Preservation Trust Fund, established in section 9.

Section 9.

(a) There shall be established and set up on the books of the commonwealth a separate fund, to be known as the Massachusetts Community Preservation Trust Fund, for the benefit of cities and towns that have accepted sections 3 to 7, inclusive, and pursuant to said sections 3 to 7, inclusive, have imposed a surcharge on their real property tax levy, subject to any exemptions adopted by a municipality. The fund shall consist of all revenues received by the commonwealth: (1) under the provisions of section 8; (2) from public and private sources as gifts, grants and donations to further community preservation programs; (3) from damages, penalties, costs or interest received on account of litigation or settlement thereof for a violation of section 15; or (4) all other monies credited to or transferred to from any other fund or source pursuant to law.

(b) The state treasurer shall deposit the fund in accordance with the provisions of section 10 in such manner as will secure the highest interest rate available consistent with the safety of the fund and with the requirement that all amounts on deposit be available for withdrawal without penalty for such withdrawal at any time. All interest accrued and earnings shall be deposited into the fund. The fund shall be expended solely for the administration and implementation of this chapter. Any unexpended balances shall be redeposited for future use consistent with the provisions of this chapter.

(c) The state treasurer shall make all disbursements and expenditures from the fund without further appropriation, as directed by the commissioner of revenue in accordance with said section 10. The department of revenue shall report by source all amounts credited to said fund and all expenditures from said fund. The commissioner of revenue shall assign personnel of the department as it may need to administer and manage the fund disbursements and any expense incurred by the department shall be deemed an operating and administrative expense of the program. The operating and administrative expenses shall not exceed 5 per cent of the annual total revenue received under the provisions of said section 10.

Section 10.

(a) The commissioner of revenue shall annually on October 15 disburse monies from the fund established in section 10 to cities and towns that have accepted sections 3 to 7, inclusive, and notified the commissioner of their

acceptance. The community shall notify the commissioner of the date and terms on which the voters accepted said sections 3 to 7, inclusive. The municipal tax collecting authority shall certify to the commissioner the amount the municipality has raised through June 30 by imposing a surcharge on its real property levy and shall certify the percentage of the surcharge applied.

(b) The commissioner shall multiply the amount in the fund by 80 per cent. This amount distributed in the first round distribution shall be known as the match distribution. The first round total shall be distributed to each city or town accepting said sections 3 to 7, inclusive, in an amount not less than 5 per cent but not greater than 100 per cent of the total amount raised by the additional surcharge on real property by each city or town. The percentage shall be the same for each city and town and shall be determined by the commissioner annually in a manner that distributes the maximum amount available to each participating city or town.

(c) The commissioner shall further divide the remaining 20 per cent of the fund in a second round distribution, known as the equity distribution. The commissioner shall determine the equity distribution in several steps. The first step shall be to divide the remaining 20 per cent of the fund by the number of cities and towns that have accepted said sections 3 to 7, inclusive. This dividend shall be known as the base figure for equity distribution. This base figure shall be determined solely for purposes of performing the calculation for equity distribution and shall not be added to the amount received by a participant.

(d) Each city and town in the commonwealth shall be assigned a community preservation rank for purposes of the equity distribution. The commissioner shall determine each community's rank by first determining the municipality's equalized property valuation per capita ranking, ranking municipalities from highest to lowest valuation. The commissioner shall also determine the population of each municipality and rank each from largest to smallest in population. The commissioner shall add each equalized property valuation rank and population rank, and divide the sum by two. The dividend is the community preservation raw score for that municipality.

(e) The commissioner shall then order each municipality by CP raw score, from the lowest raw score to the highest raw score. This order shall be the CP rank for each municipality. If more than one municipality has the same CP raw score, the municipality with the higher equalized valuation rank shall receive the higher CP rank.

(f) After determining the CP rank for each municipality in the commonwealth, the commissioner shall divide all municipalities into deciles according to their CP ranking, with approximately the same number of municipalities in each decile, and with the municipalities with the highest CP rank shall be placed in the lowest decile category, starting with decile 10. Percentages shall be assigned to each decile as follows:

decile 1 140 per cent of the base figure.

decile 2	130 per cent of the base figure.
decile 3	120 per cent of the base figure.
decile 4	110 per cent of the base figure.
decile 5	100 per cent of the base figure.
decile 6	90 per cent of the base figure.
decile 7	80 per cent of the base figure.
decile 8	70 per cent of the base figure.
decile 9	60 per cent of the base figure.
decile 10	50 per cent of the base figure.

After assigning each municipality to a decile according to their CP rank, the commissioner shall multiply the percentage assigned to that decile by the base figure to determine the second round equity distribution for each participant.

(f) Notwithstanding any other provision of this section, the total state contribution for each city or town shall not exceed the amount raised by the municipality's surcharge on its real property levy.

(g) When there are monies remaining in the trust fund after the first and second round distributions, and any necessary administrative expenses have been paid in accordance with section 6, the commissioner may conduct a third round surplus distribution. Any remaining surplus in the fund may be distributed by dividing the amount of the surplus by the number of cities and towns that have accepted this chapter. The resulting dividend shall be the surplus base figure. The commissioner shall then use the decile categories and percentages as defined in this section to determine a surplus equity distribution for each participant.

(h) The commissioner shall determine each participant's total state grant by adding the amount received in the first round distribution with the amounts received in any later round or rounds of distributions, with the exception of a city or town that has already received a grant equal to 100 per cent of the amount the community raised by its surcharge on its real property levy.

(1) Only those cities and towns that adopt the maximum surcharge allowed by this chapter shall be eligible to receive additional state monies through the equity and surplus distributions.

(2) If less than 10 per cent of the cities and towns in the commonwealth have accepted sections 3 to 7, inclusive, and

imposed and collected a surcharge on their real property levy, the commissioner may calculate the state grant with only one round of distributions, or in any other equitable manner.

(j) After distributing the trust fund in accordance with this section, the commissioner may keep any remaining funds in the trust for distribution in the following year.

Section 11.

A city or town that accepts sections 3 to 7, inclusive, may issue, from time to time, general obligation bonds or notes in anticipation of revenues to be raised pursuant to section 3, the proceeds of which shall be deposited in the Community Preservation Fund. Bonds or notes so issued may be at such rates of interest as shall be necessary and shall be repaid as soon after such revenues are collected as is expedient. Cities or towns that choose to issue bonds pursuant to this section shall make every effort to limit the administrative costs of issuing such bonds by cooperating among each other using methods including, but not limited to, common issuance of bonds or common retention of bond counsel. Except as otherwise provided in this chapter, bonds or notes issued pursuant to this section shall be subject to the applicable provisions of chapter 44. The maturities of each issue of bonds or notes issued under this chapter may be arranged so that for each issue the amounts payable in the several years for principal and interest combined shall be as nearly equal as practicable in the opinion of the officers authorized to issue bonds or notes or, in the alternative, in accordance with a schedule providing for a more rapid amortization of principal.

Section 12.

(a) A real property interest that is purchased with monies from the Community Preservation Fund shall be bound by a permanent deed restriction that meets the requirements of chapter 184, limiting the use of the interest to the purpose for which it was acquired. The deed restriction shall run with the land and shall be enforceable by the city or town or the commonwealth. The deed restriction may also run to the benefit of a nonprofit, charitable corporation or foundation selected by the city or town with the right to enforce the restriction.

(b) Real property interests acquired under this chapter shall be owned and managed by the city or town, but the legislative body may delegate management of such property to the conservation commission, the historical commission, the board of park commissioners or the housing authority, or, in the case of interests to acquire sites for future wellhead development by a water district, a water supply district or a fire district. The legislative body may also delegate management of such property to a nonprofit organization created under chapter 180 or chapter 203.

Section 13.

The community preservation committee shall keep a full and accurate account of all of its actions, including its recommendations and the action taken on them and records of all appropriations or expenditures made from the Community Preservation Fund. The committee shall also keep records of any real property interests acquired, disposed of or improved by the city or town upon its recommendation, including the names and addresses of the grantors or grantees and the nature of the consideration. The records and accounts shall be public records.

Section 14.

Notwithstanding the provisions of any general or special law to the contrary, every city and town may accept sections 3 to 7, inclusive, and may thereupon receive state grants under section 10. A city or town that accepts said sections 3 to 7, inclusive, shall not be precluded from participating in state grant programs.

State grant programs may include local adoption of this chapter among the criteria for selection of grant recipients. Funds in the Community Preservation Fund may be made available and used by the city or town as the local share for state or federal grants upon recommendation of the community preservation committee and the legislative body, as provided for in section 5, if such grants and such local share are used in a manner consistent with the recommendations of the community preservation committee.

Section 15.

(a) A person who, without permission, knowingly carries away or steals, mutilates, destroys, damages, causes to be damaged or cuts any tree, shrub, grass or any other portion of real property purchased by a city or town with funds derived from this chapter shall be liable to the city or town in tort for such actions.

(b) Damages, including punitive damages for willful or wanton violation of this chapter or any rule or regulation issued or adopted hereunder, may be recovered in a civil action brought by the city or town or, upon request of the city or town, by the attorney general. The city or town or, upon request of the city or town, the attorney general, may bring an action for injunctive relief against any person violating this chapter or any rule or regulation issued hereunder. The superior court shall have jurisdiction to enjoin violations, to award damages and to grant such further relief as it may deem appropriate.

(c) Any damages, penalties, costs or interest thereon recovered pursuant to this section shall be deposited into the Community Preservation Fund of the city or town in which the violation occurred.

Section 16.

(a) At any time after imposition of the surcharge, the legislative body may approve and the voters may accept an amendment to the amount and computation of the surcharge, or to the amount of exemption or exemptions, in the same manner and within the limitations set forth in this chapter.

(b) At any time after the expiration of five years after the date on which sections 3 to 7, inclusive, have been accepted in a city or town, said sections may be revoked in the same manner as they were accepted by such city or town, but the surcharge imposed under section 3 shall remain in effect in any such city or town, with respect to unpaid taxes on past transactions and with respect to taxes due on future transactions, until all contractual obligations incurred by the city or town prior to such termination shall have been fully discharged.

Section 17.

The commissioner of revenue shall have the authority to promulgate rules and regulations to effect the purposes of this chapter.

SECTION 2.

Section 38 of chapter 262 of the General Laws, as appearing in the 1998 Official Edition, is hereby amended by adding the following paragraph:-

The fees of the registers of deeds, except as otherwise provided, to be paid when the instrument is left for recording, filing or deposit shall be subject to a surcharge under section 8 of chapter 44B.

SECTION 3.

Section 39 of said chapter 262, as so appearing, is hereby amended by adding the following paragraph:-

The fees of the assistant recorder, except as otherwise provided, to be paid when the instrument is left for registering, filing or entering with respect to registered land shall be subject to a surcharge under section 8 of chapter 44B.

Approved September 14, 2000. Chapter 267 of the Acts of 2000



Frederick A. Laskey, Commissioner
Joseph J. Chessey, Jr., Deputy Commissioner

CITY & TOWN

A Publication of the Massachusetts Department of Revenue's Division of Local Services

Community Preservation Act

written by Joe Markarian

A local option to fund the creation and preservation of community housing, open space and historic resources is now available to cities and towns. On September 14, 2000, Governor Cellucci signed legislation creating the Massachusetts Community Preservation Act.¹ Few communities had pursued special legislation to create land banks before the Cape Cod Open Space and Acquisition Program was created in 1999. Encouraged by the prospect of sharing in a one-time state contribution of \$15 million, all 15 Cape Cod communities adopted the program, agreeing to raise local funding through a three percent surtax on property tax bills. The Community Preservation Act closely mirrors the Cape Cod program in structure; however, its focus is much broader. The Cape program's emphasis on land conservation had little appeal to densely developed and urban communities. Provisions to fund new housing development, as well as historic preservation, were added to preservation efforts, combining in a single program what might otherwise be competing interests in a community.

The goals of the Community Preservation program are summarized in *Figure 1* on page 6. The emphasis on new initiatives is paramount. As a result, program funds may not be expended on properties already owned or controlled by the community. Instead, a city or town may acquire real property using community preservation funds by purchase, lease, gift, grant, rental or devise, and under certain circumstances by way of eminent domain.

A community qualifies for participation in the program though local accep-

tance of Sections 3 through 7 of Chapter 44B. After approval by town meeting or the city council, voters must accept the Community Preservation provisions in the next regular municipal or state election. Once local acceptance is achieved, the community must remain in the program for a minimum of five years.

After acceptance, the city or town must establish a community preservation committee as well as a special fund through town by-law or city ordinance. The community preservation committee must include five to nine elected or appointed members. A minimum of one member each has to come from the conservation commission, the local historical society, the planning board, the park commission and the housing authority. There are no restrictions on the remaining one to four members.

The initial task of the committee is to complete a study of local needs, possibilities and potential. Such a study would draw upon the knowledge of committee members and might involve an inventory of historic buildings including buildings that might qualify for historic designation, of open space and recreational land, and of existing housing units for low and moderate income persons or families. As part of the study process, the committee is obligated to conduct at least one public hearing.

At the completion of its initial study and each year thereafter, the committee must present its recommendations to the town meeting or city council. The legislative body has the option to spend in accordance with committee recommendations or to set money aside for

later expenditure. However, each year at least 10 percent of the annual revenue collected must be expended or set aside for open space preservation, 10 percent for historic preservation and 10 percent for community housing development. Subject to program goals, there is no restriction on how the remainder of the fund revenues are spent. In addition, five percent of annual revenues may be directed to cover the administrative and operating costs of the community preservation committee. A municipality may issue bonds or notes in anticipation of preservation revenue. Fund balances may be invested and appropriations from the local general fund may be made to support committee recommendations. The community preservation fund must be set up as a separate account under the control of the municipal treasurer.

The Massachusetts Community Preservation Act has both local and state funding components:

continued on page six ➡

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Community Preservation Act
 ➔ continued from page one

Community Preservation Goals

- Acquisition, creation and preservation of open space, land for recreational use.
- Acquisition and preservation of historic places.
- Creation, preservation and support of community housing.
- Rehabilitation and restoration of properties acquired or created under the community preservation program for open space, historic resources, recreational use, and community housing.

Figure 1

1) Local: Up to a three percent surcharge on local property tax bills. Communities retain all amounts collected in the Community Preservation Fund.

2) State: \$10 and \$20 surcharges on certain Registry of Deed's filings. A projected pool of \$26 million will be deposited to the Community Preservation Trust Fund and distributed annually among participating communities by formula.

If the local option is accepted, the community is obligated to impose a surcharge of not more than three percent on real estate bills. Taxpayers, such as the elderly or veterans, who already receive an exemption are not subject to the new surcharge. At its option, a community can also exempt from the surcharge \$100,000 of the value of each taxable residential parcel; commercial and industrial properties in communities with classified tax rates; and residential property of qualified low and moderate income owner-occupants. The surcharge is subject to the commitment process and is otherwise treated as a tax bill subject to collection procedures.

The state community preservation trust fund, initially estimated at \$26 million per year, will be disbursed in three rounds. Round one is the so-called "match distribution" which allocates 80 percent of the state pool to participating communities. Each city or town will

receive an identical percentage share of the amount raised locally. The distribution will be no less than 5 percent and no more than 100 percent of the amount raised by each respective city or town. Round two, the equity round, distributes most or all of the remaining 20 percent of the pool by a formula that incorporates EQV per capita, population, and assigned deciles. Any trust fund balance is allocated as part of an optional round three surplus distribution, also based on an equity formula. However, in order to qualify for the second and third round distributions, a participating community must impose the maximum three percent local tax surcharge.

The Community Preservation Act (Chapter 267) becomes effective on December 13, 2000. The most rapid sequence of approvals for achieving local acceptance makes FY2002 the earliest year a local surtax can be imposed in towns and FY2003 in cities, and October 15, 2002, the earliest date state preservation funds can be distributed. The Division of Local Services will administer the program. An Informational Guideline Release explaining to local officials the requirements, policies and procedures for implementing the Community Preservation Program will be sent to each city and town. ■

1. Chapter 267 of the Acts of 2000.

New Website

➔ continued from page three

in the body of the message. Once on the list you will receive e-mail directly to your account to alert you to any significant changes made to BSBC. Please note: DOR will not share your e-mail address with any third party for any reason. If you have questions or comments about BSBC (or are having trouble subscribing to the list), please send an e-mail to: bsbcfeedback@massdor.com. ■

written by Betsy Brill

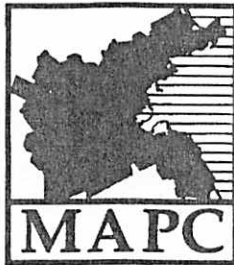
1. MGL Chapter 62E, sec. 2 and 42 U.S.C. 653Ab.

Facts About "The Commonwealth"

- Massachusetts is home to the world's most highly educated and highest paid workforce:
- One-third of all heads of household have a college degree.
- High tech average wages are almost twice the national average.
- Half of all engineering graduates from Massachusetts colleges and universities remain in the state.
- There are 121 institutions of higher learning, public and private, in Massachusetts.
- In 1998 the Corporation for Enterprise Development gave Massachusetts its highest ranking for development capacity and business, and ranked Massachusetts number one in the nation in technological resources.
- Total Research and Development expenditures in the Commonwealth are nearly three times greater than the national average. ■

From the Bay State Business Connection

A MUNICIPAL GUIDE FOR IMPLEMENTATION OF THE COMMUNITY PRESERVATION ACT



The Metropolitan Area Planning Council
October 2000

THE COMMUNITY PRESERVATION ACT

Chapter 267 of the Acts of 2000

A new tool for communities to preserve open space, historic sites, and community housing was recently added to the local option toolbox. Over a decade of work has gone into the Community Preservation Act legislation which was signed by Governor Cellucci and Lieutenant Governor Swift on September 14, 2000. MAPC has compiled this summary to help municipal officials and citizens understand the legislation as well as provide a timeline for successful implementation for the upcoming fiscal year.

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Summary

The Community Preservation Act (CPA) is a local option. It enables communities to establish a municipal Community Preservation Fund by local referendum. Monies collected for this fund are from a surcharge of up to 3% on local property taxes. The state will offer matching grants from the Community Preservation Trust Fund. Monies in the Community Preservation Fund may only be spent on open space, historic preservation, and community housing.

Funding Collection

Local Level: Communities raise money for the creation and preservation of open space, historic sites, and community housing through a property tax surcharge of up to 3%. A community must vote to accept the provisions of the Community Preservation Act through a majority vote in a regular election. Properties are exempt from the CPA surcharge authorized under M.G.L. c.59. Abatements authorized under c.59 will result in a reduction of the surcharge in the same proportion. In addition, other exemptions may be considered thorough acceptance on the ballot. These exemptions are as follows:

- a) for the first \$100,000 value of each taxable parcel of residential property;
- b) class three and class four properties (commercial or industrial); and
- c) for property owned and occupied by a person who would qualify for low-income housing or low or moderate-income senior housing.*

State Level: A state match is generated from an increase in certain fees at the Registry of Deeds. Currently, these fees are estimated to generate around \$25 million per year.

**For seniors, the requirement is age 60 and over and having an income fall under 100% of the areawide median. Low income is income which falls under 80% of the areawide median. The areawide median income is defined by the US Department of Housing and Urban Development. (Executive Order 418 packets has the dollar figures for the Boston area.)*

Funding Allocation from State to Municipalities

Distributions will be made to communities on October 15 for the previous fiscal year collections in the Community Preservation Trust Fund. The percentage of the state match (ranging from 5% a possible 100%) is determined by the number of communities participating in the Community Preservation Act for that year. All funds generated by the Commonwealth will be split 80/20 for two grant round distributions.

First Round Distribution: The 80% will be used for the first round distribution, which is based upon the number of communities participating in the program. All communities adopting the CPA are eligible for this round. For example, if \$25 million is collected by the state, \$20 million (80%) would be divided among the communities who have opted to participate in the CPA for that year. Communities will receive the same percentage, however the dollar amounts will be different depending upon the dollar amounts raised in each community. If less than 10% (35) of the communities in the Commonwealth adopt the CPA, this will be the only grant round; this distribution will be close to 100% match.

Second Round Distribution: The remaining 20% would be used for a second round match known as the "equity distribution" for communities having a lower economic base and/or a small population. This distribution reflects the Community Preservation Rank assigned to all municipalities. For a community to be eligible to receive the second round match, the community must have adopted the property surcharge at the full 3%.

Should there be any additional monies left in the Massachusetts Community Preservation Trust Fund, a third round (surplus) distribution will be granted on the same criteria as the second round distribution. *Note: A community will not receive more than a 100% match grant.*

Community Preservation Project Funding

A community must set aside a minimum of 30% of all funds generated; with even 10% allocation towards open space, historic resources, and community housing. Definitions of the three areas are as follows:

Open Space: including but not limited to land to protect existing and future well fields, aquifers and recharge areas, watershed land, agricultural land, grasslands, fields, forest land, fresh and salt water marshes and other wetlands, ocean, river, stream, lake and pond frontage, beaches, dunes and other coastal lands, lands to protect scenic vistas, land for wildlife or nature preserve *but not land for recreational use*.

Historic Resources: buildings, structures, vessels, or real property listed or eligible for listing on the state register of historic places or has been determined by the local historic commission to be significant in the history, archeology, architecture or culture of a municipality.

Community Housing: housing for individuals and families whose annual income is less than 100% of the areawide median income (including low and moderate income housing for citizens above age 60). *The areawide median income is determined by the US Dept. of Housing and Urban Development.*

The remaining 70% of the funds can be allocated to any of the above-defined areas including the creation and preservation of recreational lands without a percentage restriction. Technical note: if property is acquired using monies in the Community Preservation Fund, the property must be owned by the municipality. Management may be assigned to a non-profit.

Community Preservation Committee

Once the CPA is accepted, the community must establish an ordinance or by-law for the Community Preservation Committee. The terms and selection (appointment, election, or combination) as well as the exact number of its 5-9 members are determined by the ordinance or by-law. The Committee shall include, but is not limited to, the following members appointed by their respective Commissions or Boards:

- One member from the Conservation Commission
- One member from the Historical Commission
- One member of the Planning Board
- One member of the Board of Park Commissioners
- One member of the Housing Authority

The Commission is charged with studying all aspects of community preservation in its respective municipality. This shall be accomplished in consultation with municipal boards, with a minimum of one or more public informational hearings regarding preservation possibilities. The Community Preservation Commission is charged with reporting recommendations to the legislative body on projects that would acquire, create and preserve open space and community housing; and on the acquire and preserve historic resources. Each recommendation must be accompanied by the anticipated costs of each project. Up to 5% of the annual funds in the Community Preservation Fund may be authorized by the local legislative body for administrative fees of the Committee.

A quorum is necessary for the Committee to conduct a meeting. A majority of the members constitutes a quorum. All actions need a majority vote.

Local Adoption and Implementation

The Community Preservation Act does not become law until December 14, 2000. Technically, this means a community cannot formally act on this legislation until then. Once the Community Preservation Act becomes law, a community has one of two options to place the CPA on the ballot of a regular election.

1. The municipal legislative body may place the CPA on the ballot. The petition must be submitted to the clerk a minimum of 35 days prior a municipal election or to the Secretary of State at least 60 days before a state election.
2. If the local legislative body has not adopted the CPA language at least 90 days before a municipal election or 120 days before a state election, a petition maybe filed by the voters with a minimum of 5% of the signatures from registered voters of that city or town. This petition must be filed with the clerk a minimum of 42 days prior to the municipal election and to the Secretary of State a minimum of 67 days before the state election which allows for the required 7 days to verify signatures.

Before being placed on the ballot, the legislative body or individuals/groups petitioning must first determine:

a) The percentage at which property taxes will be surcharged.

This percentage is exempt from proposition 2 ½ and can be up to 3%.

Remember, if your community would like to be eligible for the second round state match, adoption at the full 3% is necessary.

b) The exemptions, if any, for the above surcharge.

Official language for the referendum is in section 3(f) of the legislation.

Although a community's legislative body may change the property tax surcharge at any time, a community may not vote out of the CPA for five years.

FY 2002 Municipal Timetable

This timetable is based on 2001 municipal elections. The dates in this table reflect the next municipal election. Should a community want to implement the Community Preservation Act for Fiscal Year 2002, to receive the state matching grant on October 15, 2002, the CPA would need to be on the ballot for these elections.

Community	Begin Signature Petition	Signature Petition Due	Last Day for Governing Body Action	Election
Hingham	February 4, 2001	March 24, 2001	March 31, 2001	May 5, 2001
Hinsdale	February 18, 2001	April 7, 2001	April 14, 2001	May 19, 2001
Holbrook	January 2, 2001	February 19, 2001	February 26, 2001	April 2, 2001
Holden	February 13, 2001	April 2, 2001	April 9, 2001	May 14, 2001
Holland	March 13, 2001	April 29, 2001	May 6, 2001	June 11, 2001
Holliston	February 21, 2001	April 10, 2001	April 17, 2001	May 22, 2001
Holyoke	August 8, 2001	September 25, 2001	October 2, 2001	November 6, 2001
Hopedale	February 7, 2001	March 27, 2001	April 3, 2001	May 8, 2001
Hopkinton	February 20, 2001	April 9, 2001	April 16, 2001	May 21, 2001
Hubbardston	February 7, 2001	March 27, 2001	April 3, 2001	May 8, 2001
Hudson	February 13, 2001	April 2, 2001	April 9, 2001	May 14, 2001
Hull	February 20, 2001	April 9, 2001	April 16, 2001	May 21, 2001
Huntington	February 18, 2001	April 7, 2001	April 14, 2001	May 19, 2001
Ipswich	January 10, 2001	February 27, 2001	March 6, 2001	April 10, 2001
Kingston	February 11, 2001	March 31, 2001	April 7, 2001	May 12, 2001
Lakeville	December 14, 2000	January 23, 2001	January 30, 2001	March 5, 2001
Lancaster	February 13, 2001	April 2, 2001	April 9, 2001	May 14, 2001
Lanesborough	February 20, 2001	April 9, 2001	April 16, 2001	May 21, 2001
Lawrence	August 8, 2001	September 25, 2001	October 2, 2001	November 6, 2001
Lee	February 13, 2001	April 2, 2001	April 9, 2001	May 14, 2001
Leicester	January 2, 2001	February 19, 2001	February 26, 2001	April 2, 2001
Lenox	February 6, 2001	March 26, 2001	April 2, 2001	May 7, 2001
Leominster	August 8, 2001	September 25, 2001	October 2, 2001	November 6, 2001
Leverett	January 28, 2001	March 17, 2001	March 24, 2001	April 28, 2001
Lexington	December 14, 2000	January 23, 2001	January 30, 2001	March 5, 2001
Leyden	February 20, 2001	April 9, 2001	April 16, 2001	May 21, 2001
Lincoln	December 24, 2000	February 10, 2001	February 17, 2001	March 24, 2001
Littleton	February 4, 2001	March 24, 2001	March 31, 2001	May 5, 2001
Longmeadow				Not available
Lowell	August 8, 2001	September 25, 2001	October 2, 2001	November 6, 2001
Ludlow	December 26, 2000	February 12, 2001	February 19, 2001	March 26, 2001
Lunenburg	February 4, 2001	March 24, 2001	March 31, 2001	May 5, 2001
Lynn	August 8, 2001	September 25, 2001	October 2, 2001	November 6, 2001
Lynnfield	January 9, 2001	February 26, 2001	March 5, 2001	April 9, 2001
Malden	August 8, 2001	September 25, 2001	October 2, 2001	November 6, 2001
Manchester-by-the-sea	February 13, 2001	April 2, 2001	April 9, 2001	May 14, 2001
Mansfield	February 7, 2001	March 27, 2001	April 3, 2001	May 8, 2001
Marblehead	February 13, 2001	April 2, 2001	April 9, 2001	May 14, 2001
Marion	January 27, 2001	March 16, 2001	March 23, 2001	April 27, 2001
Marlborough	August 8, 2001	September 25, 2001	October 2, 2001	November 6, 2001
Marshfield	January 28, 2001	March 17, 2001	March 24, 2001	April 28, 2001
Mashpee	February 6, 2001	March 26, 2001	April 2, 2001	May 7, 2001
Mattapoisett	January 3, 2001	February 20, 2001	February 27, 2001	April 3, 2001
Maynard	February 6, 2001	March 26, 2001	April 2, 2001	May 7, 2001
Medfield	December 26, 2000	February 12, 2001	February 19, 2001	March 26, 2001
Medford	August 8, 2001	September 25, 2001	October 2, 2001	November 6, 2001
Medway	February 6, 2001	March 26, 2001	April 2, 2001	May 7, 2001
Melrose	August 8, 2001	September 25, 2001	October 2, 2001	November 6, 2001



LICENSE RENEWAL APPLICATION FOR 2001

068400004
LICENSE NUMBER

MEDWAY
CITY OR TOWN

APPLICATION FOR RENEWAL OF ANNUAL LICENSE FOR 2001
CLASS YEAR

GOLDEN TIGER, INC. RESTAURANT
NAME ON LICENSE TYPE OF LICENSE

GOLDEN JADE RESTAURANT ALL ALCOHOLIC
DOING BUSINESS AS CATEGORY

75 MAIN ST. 02053 WEI KWONG (DAVID) NGO
NUMBER STREET ZIP CODE MANAGER

DESCRIPTION OF LICENSED PREMISES

MAIN FLOOR, KITCHEN, BAR AND DINING ROOM. CELLAR AND ATTIC FOR STORAGE. TWO ENTRANCES AND EXITS, REAR ENTRANCE.

I hereby certify and swear under penalties of perjury that

1. The renewed license will be of the same type for the same premises now licensed.
2. The licensee has complied with all laws of the Commonwealth relating to taxes.
3. The premises are now open for business. (If not explain below)

Signed by:

Wei Kwong David Ngo
Individual, Partner or Authorized Corporate Officer

11-7-00
DATE

533-4321
TELEPHONE NO.

023-60-1041 023-60-1928
Social Security or Federal Identification Number

The space below will be completed by the local licensing authority

APPROVED



DISAPPROVED



(If disapproved explain)

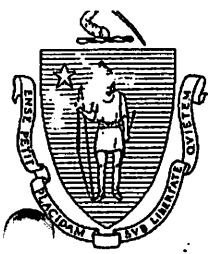
The Local Licensing Authority

By

[Signatures of Local Licensing Authority members]

11/27/00
DATE

APPLICATION FOR RENEWAL MUST BE FILED BY LICENSEES DURING THE MONTH OF NOVEMBER (SEE M.G.L. Ch. 138 s16A)



LICENSE RENEWAL APPLICATION FOR 2001

068400001
LICENSE NUMBER

MEDWAY

CITY OR TOWN

APPLICATION FOR RENEWAL OF ANNUAL LICENSE FOR 2001
CLASS YEAR

TRUSTEES MEDWAY LEGION BLDG.COMMITTEE

NAME ON LICENSE

CLUB

TYPE OF LICENSE

ALL ALCOHOLIC

DOING BUSINESS AS

CATEGORY

6 CUTLER ST.

02053

~~ROBERT WATSON~~ CAROL

NUMBER

STREET

ZIP CODE

MANAGER

MUNROE

DESCRIPTION OF LICENSED PREMISES

FIRST FLOOR: LOBBY RESTROOM, SERVICE BAR, FUNCTION ROOM, STORAGE AREA AND KITCHEN. CELLAR FOR STORAGE AND HEATING, SIDE AND REAR DOORS FOR EMERGENCY EXITS. SECOND FLOOR: REAR ROOM FOR STORAGE, BAR CLUBROOM, RESTROOM AND SIDE EMERGENCY DOOR.

I hereby certify and swear under penalties of perjury that:

1. The renewed license will be of the same type for the same premises now licensed.
2. The licensee has complied with all laws of the Commonwealth relating to taxes.
3. The premises are now open for business. (If not explain below)

Signed by:

Carol Munroe

Individual, Partner or Authorized Corporate Officer

11/21/00

DATE

533 2379

TELEPHONE NO.

020-24-2210

Social Security or Federal Identification Number

The space below will be completed by the local licensing authority

APPROVED



DISAPPROVED



(If disapproved explain)

The Local Licensing Authority

By

Harry J. Borden
Joseph P. Borden
Joseph P. Borden
Joseph P. Borden
Joseph P. Borden

11/27/00

DATE

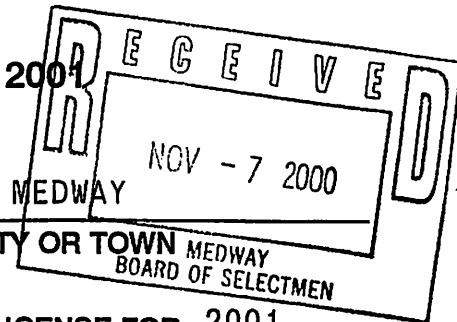
APPLICATION FOR RENEWAL MUST BE FILED BY LICENSEES DURING THE MONTH OF NOVEMBER (SEE M.G.L. Ch. 138 s16A)



LICENSE RENEWAL APPLICATION FOR 2001

068400003

LICENSE NUMBER



APPLICATION FOR RENEWAL OF ANNUAL
CLASS

LICENSE FOR 2001
YEAR

V.F.W. POST #1526 INC.

NAME ON LICENSE

VETERANS CLUB

TYPE OF LICENSE

MEDWAY VETERANS BLDG. ASSOC, INC

ALL ALCOHOLIC

DOING BUSINESS AS

CATEGORY

123 125 HOLLISTON ST.

02053

LAWRENCE LANDRY

NUMBER

STREET

ZIP CODE

MANAGER

DESCRIPTION OF LICENSED PREMISES

2 STORY WOOD FRAME BLDG., BRICK BLDG. UPPER LEVEL FRONT ENTRY W/COAT ROOM & REST ROOMS, BANQUET HALL, KITCHEN, BAR, TWO STORGE AREAS, SIDE EXIT FOR EMERGENCY. REAR EXIT LEADING TO LOWER LEVEL WHICH CONTAINS TWO BARS, STORAGE AREA, TWO LOUNGES. TWO EXITS.

I hereby certify and swear under penalties of perjury that:

1. The renewed license will be of the same type for the same premises now licensed.
2. The licensee has complied with all laws of the Commonwealth relating to taxes.
3. The premises are now open for business. (If not explain below)

Signed by: Lawrence Landry

Individual, Partner or Authorized Corporate Officer

11/7/00
DATE

533 2575
TELEPHONE NO.

042-43-1559

Social Security or Federal Identification
Number

The space below will be completed by the local licensing authority

APPROVED ☒

DISAPPROVED ☐

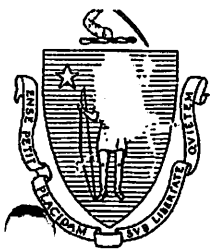
(If disapproved explain)

The Local Licensing Authority

By Henry J. Johnson

11/8/00
DATE

APPLICATION FOR RENEWAL MUST BE FILED BY LICENSEES DURING THE MONTH OF NOVEMBER (SEE M.G.L. Ch. 138 s16A)



LICENSE RENEWAL APPLICATION FOR 2001

068400014
LICENSE NUMBER

MEDWAY
CITY OR TOWN

APPLICATION FOR RENEWAL OF

LICENSE FOR 2001
YEAR

PAPA GINO'S INC

NAME ON LICENSE

RESTAURANT

TYPE OF LICENSE

WINE AND MALT

CATEGORY

DOING BUSINESS AS

74 MAIN ST.

02053

JOSEPH SANTOS

NUMBER

STREET

ZIP CODE

MANAGER

DESCRIPTION OF LICENSED PREMISES

82 MAIN ST, ONE STORY BLDG. DINING ROOM, SERVING AREA
PREP AREA, ONE OFFICE AND STORAGE AREA. 5500 SQ. FT. WITH AN ENTRANCE IN THE
FRONT TWO EXITS ON SIDE AND A SERVICE EXIT IN REAR

I hereby certify and swear under penalties of perjury that:

1. The renewed license will be of the same type for the same premises now licensed.
2. The licensee has complied with all laws of the Commonwealth relating to taxes.
3. The premises are now open for business. (If not explain below)

Signed by:

Christine E. McCarthy

Individual, Partner or Authorized Corporate Officer

11-27-00

DATE

781-461-1200

TELEPHONE NO.

330-49-1264

Social Security or Federal Identification
Number

The space below will be completed by the local licensing authority

APPROVED



DISAPPROVED



(If disapproved explain)

The Local Licensing Authority

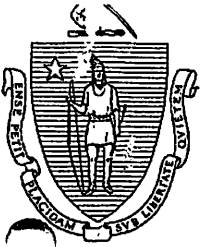
By

Harry E. Johnson
Robert P. Bunker
John P. Bunker
John P. Bunker
John P. Bunker

11/27/00

DATE

APPLICATION FOR RENEWAL MUST BE FILED BY LICENSEES DURING THE MONTH
OF NOVEMBER (SEE M.G.L. Ch. 138 s16A)



LICENSE RENEWAL APPLICATION FOR 2001

068400009
LICENSE NUMBER

MEDWAY
CITY OR TOWN

APPLICATION FOR RENEWAL OF ANNUAL CLASS LICENSE FOR 2001 YEAR
JANL CORPORATION PACKAGE STORE
NAME ON LICENSE
THE LITTLE STORE TYPE OF LICENSE
DOING BUSINESS AS WINE AND MALT
76 HOLLISTON ST CATEGORY
NUMBER STREET ZIP CODE 02053
STEPHEN T. LAWTON
MANAGER

DESCRIPTION OF LICENSED
PREMISES

ONE SALES ROOM, REAR ROOM FOR STORAGE AND CELLAR
FOR STORAGE.

I hereby certify and swear under penalties of perjury that:

1. The renewed license will be of the same type for the same premises now licensed.
2. The licensee has complied with all laws of the Commonwealth relating to taxes.
3. The premises are now open for business. (If not explain below)

Signed by:

Individual, Partner or Authorized Corporate Officer

11/17/00
DATE

508-533-2372
TELEPHONE NO.

043-443-421
Social Security or Federal Identification
Number

The space below will be completed by the local licensing authority

APPROVED



DISAPPROVED



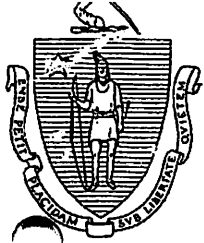
(If disapproved explain)

The Local Licensing Authority

By

11/27/00
DATE

APPLICATION FOR RENEWAL MUST BE FILED BY LICENSEES DURING THE MONTH
OF NOVEMBER (SEE M.G.L. Ch. 138 s16A)



LICENSE RENEWAL APPLICATION FOR 2001

068400006
LICENSE NUMBER

MEDWAY
CITY OR TOWN

APPLICATION FOR RENEWAL OF ANNUAL
CLASS

LICENSE FOR 2001
YEAR

MEDWAY LOTUS, INC.

NAME ON LICENSE

RESTAURANT

TYPE OF LICENSE

ALL ALCOHOLIC

CATEGORY

DOING BUSINESS AS

128 MILFORD ST.

02053

BING LEONG

NUMBER

STREET

ZIP CODE

MANAGER

DESCRIPTION OF LICENSED
PREMISES

ENTIRE FIRST FLOOR OF APPROX. 5700 SQ. FT. AND
BASEMENT FOR STORAGE OF APPROX. 1000 SQ. FT.

I hereby certify and swear under penalties of perjury that:

1. The renewed license will be of the same type for the same premises now licensed.
2. The licensee has complied with all laws of the Commonwealth relating to taxes.
3. The premises are now open for business. (If not explain below)

✓ Signed by: Susan K. Leong

Individual, Partner or Authorized Corporate Officer

11-14-2000 508-473-4600

DATE

TELEPHONE NO.

042-70-0777

Social Security or Federal Identification
Number

The space below will be completed by the local licensing authority

APPROVED



DISAPPROVED



(If disapproved explain)

The Local Licensing Authority

By

11/27/00
DATE

APPLICATION FOR RENEWAL MUST BE FILED BY LICENSEES DURING THE MONTH
OF NOVEMBER (SEE M.G.L. Ch. 138 s16A)



LICENSE RENEWAL APPLICATION FOR 2001

068400013
LICENSE NUMBER

MEDWAY
CITY OR TOWN

APPLICATION FOR RENEWAL OF ANNUAL LICENSE FOR 2001
CLASS YEAR

E.I.R.E., INC
NAME ON LICENSE RESTAURANT
SABINA DOYLE'S
TYPE OF LICENSE
DOING BUSINESS AS ALL ALCOHOLIC
CATEGORY

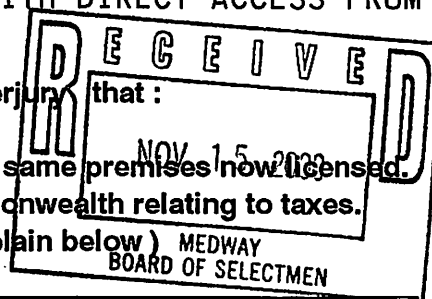
116 MAIN ST 02053 JOSEPH W. GRIFFITHS, JR
NUMBER STREET ZIP CODE MANAGER

DESCRIPTION OF LICENSED PREMISES

KITCHEN AND BATHROOMS, 900 SQ FT. RESTAURANT IS 2500 SQ FTL LOUNGE ON FIRST FLOOR. GAME ROOM WITH DIRECT ACCESS FROM THE LICENSED PREMISE ON SECOND FLOOR

I hereby certify and swear under penalties of perjury that:

1. The renewed license will be of the same type for the same premises now licensed.
2. The licensee has complied with all laws of the Commonwealth relating to taxes.
3. The premises are now open for business. (If not explain below)



Signed by:

Individual, Partner or Authorized Corporate Officer
043-25-5419

11/15/00
DATE

533-1343
TELEPHONE NO.

Social Security or Federal Identification Number

The space below will be completed by the local licensing authority

APPROVED



DISAPPROVED



(If disapproved explain)

The Local Licensing Authority

By

11/27/00
DATE

APPLICATION FOR RENEWAL MUST BE FILED BY LICENSEES DURING THE MONTH OF NOVEMBER (SEE M.G.L. Ch. 138 s16A)



LICENSE RENEWAL APPLICATION FOR 2001

068400007
LICENSE NUMBER

MEDWAY
CITY OR TOWN

APPLICATION FOR RENEWAL OF ANNUAL
CLASS

LICENSE FOR 2001
YEAR

ELM SOCIAL CLUB OF MEDWAY INC

CLUB

NAME ON LICENSE

TYPE OF LICENSE

ALL ALCOHOLIC

DOING BUSINESS AS

CATEGORY

2-4 SANFORD ST.

02053

BARBARA JUNKINS

NUMBER

STREET

ZIP CODE

MANAGER

DESCRIPTION OF LICENSED
PREMISES

TWO ROOMS AND KITCHEN WITH A BACK ROOM FOR STORAGE.
TWO ENTRANCES AND EXITS ON SANFORD ST.

I hereby certify and swear under penalties of perjury that:

1. The renewed license will be of the same type for the same premises now licensed.
2. The licensee has complied with all laws of the Commonwealth relating to taxes.
3. The premises are now open for business. (If not explain below)

Signed by:

Individual, Partner or Authorized Corporate Officer

11/6/00 (508) 533 7135

042-20-9667

DATE

TELEPHONE NO.

Social Security or Federal Identification
Number

The space below will be completed by the local licensing authority

APPROVED



DISAPPROVED



(If disapproved explain)

The Local Licensing Authority

By

11/27/00
DATE

APPLICATION FOR RENEWAL MUST BE FILED BY LICENSEES DURING THE MONTH
OF NOVEMBER (SEE M.G.L. Ch. 138 s16A)



LICENSE RENEWAL APPLICATION FOR 2001

068400015
LICENSE NUMBER

MEDWAY
CITY OR TOWN

APPLICATION FOR RENEWAL OF ANNUAL LICENSE FOR 2001
CLASS YEAR
MEDWAY ASSOCIATES RESTAURANT
NAME ON LICENSE
MEDWAY RESTAURANT TYPE OF LICENSE
DOING BUSINESS AS WINE AND MALT
102 MAIN ST CATEGORY
NUMBER STREET ZIP CODE 02053 MEDWAY DONNA GALE
ADMINISTRATOR MANAGER

DESCRIPTION OF LICENSED PREMISES

KITCHEN, STORAGE, RESTROOMS AND DINING AREA. FRONT AND REAR DOORS

I hereby certify and swear under penalties of perjury that:

1. The renewed license will be of the same type for the same premises now licensed.
2. The licensee has complied with all laws of the Commonwealth relating to taxes.
3. The premises are now open for business. (If not explain below)

Signed by: [Signature]

Individual, Partner or Authorized Corporate Officer

1/22/02
DATE

617-943-10669
TELEPHONE NO.

030-54-7826

Social Security or Federal Identification Number

The space below will be completed by the local licensing authority

APPROVED ☒

DISAPPROVED ☐

(If disapproved explain)

The Local Licensing Authority

By [Signature]

11/27/02
DATE

APPLICATION FOR RENEWAL MUST BE FILED BY LICENSEES DURING THE MONTH OF NOVEMBER (SEE M.G.L. Ch. 138 s16A)



LICENSE RENEWAL APPLICATION FOR 2001

068400011
LICENSE NUMBER

MEDWAY
CITY OR TOWN

APPLICATION FOR RENEWAL OF ANNUAL LICENSE FOR 2001
CLASS YEAR

WEST MEDWAY LIQUORS INC PACKAGE STORE
NAME ON LICENSE TYPE OF LICENSE

WEST MEDWAY LIQUORS ALL ALCOHOLIC
DOING BUSINESS AS CATEGORY

175 MAIN STREET 02053
NUMBER STREET ZIP CODE

DEBORAH L. DOVENO
MANAGER

DESCRIPTION OF LICENSED PREMISES

ENTRANCE AND EXIT ON MAIN STREET, STREET FLOOR IS
TWO ROOMS 1200 SQ. FT. FOR STORAGE ROOM AND 1400 SQ. FT. AS SALES ROOM.

I hereby certify and swear under penalties of perjury that:

1. The renewed license will be of the same type for the same premises now licensed.
2. The licensee has complied with all laws of the Commonwealth relating to taxes.
3. The premises are now open for business. (If not explain below)

Signed by:

Deborah L. Dovenos

Individual, Partner or Authorized Corporate Officer

11/14/00 533-2100
DATE TELEPHONE NO.

042-66-1853

Social Security or Federal Identification
Number

The space below will be completed by the local licensing authority

APPROVED



DISAPPROVED



(If disapproved explain)

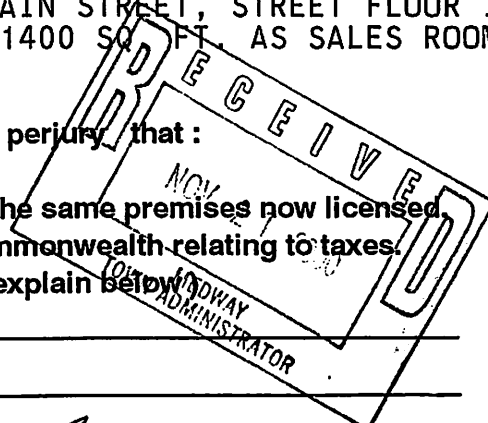
The Local Licensing Authority

By

James E. Johnson
Deborah L. Dovenos
Deborah L. Dovenos

11/27/00
DATE

APPLICATION FOR RENEWAL MUST BE FILED BY LICENSEES DURING THE MONTH
OF NOVEMBER (SEE M.G.L. Ch. 138 s16A)





LICENSE RENEWAL APPLICATION FOR 2001

068400012
LICENSE NUMBER

MEDWAY
CITY OR TOWN

APPLICATION FOR RENEWAL OF ANNUAL LICENSE FOR 2001
CLASS YEAR

LIQUID ASSETS, INC.

NAME ON LICENSE

PACKAGE STORE
TYPE OF LICENSE

ALL ALCOHOLIC

DOING BUSINESS AS

CATEGORY

116 VILLAGE ST 02053
NUMBER STREET ZIP CODE

DIANE FRUCI
MANAGER

DESCRIPTION OF LICENSED PREMISES

ONE FLOOR, TWO ROOMS, ONE ROOM FOR DISPLAY AND ONE ROOM FOR STORAGE.

I hereby certify and swear under penalties of perjury that:

1. The renewed license will be of the same type for the same premises now licensed.
2. The licensee has complied with all laws of the Commonwealth relating to taxes.
3. The premises are now open for business. (If not explain below)

Signed by:

Individual, Partner or Authorized Corporate Officer
043-27-2730

DATE

TELEPHONE NO.

Social Security or Federal Identification
Number

The space below will be completed by the local licensing authority

APPROVED



DISAPPROVED



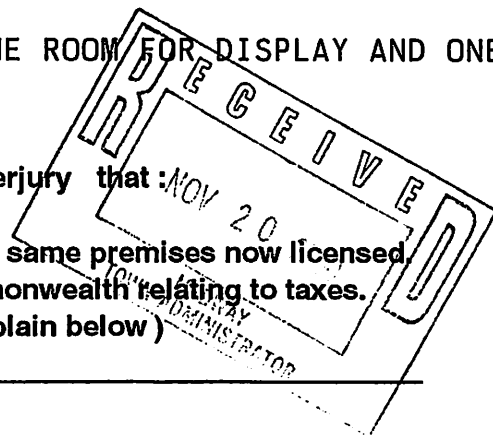
(If disapproved explain)

The Local Licensing Authority

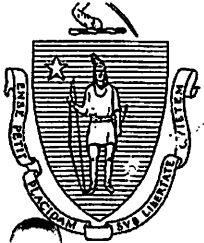
By

11/27/00
DATE

APPLICATION FOR RENEWAL MUST BE FILED BY LICENSEES DURING THE MONTH OF NOVEMBER (SEE M.G.L. Ch. 138 s16A)



Harry Johnson
Richard P. Hildner
John Will
Don Zucchi



LICENSE RENEWAL APPLICATION FOR 2001

068400018
LICENSE NUMBER

MEDWAY
CITY OR TOWN

APPLICATION FOR RENEWAL OF ANNUAL
CLASS

LICENSE FOR 2001
YEAR

CORMAR INC.

RESTAURANT

NAME ON LICENSE

TYPE OF LICENSE

MAIN STREET CAFE

ALL ALCOHOLIC

DOING BUSINESS AS

CATEGORY

74 MAIN STREET

02053

SCOTT M. CORVI

NUMBER

STREET

ZIP CODE

MANAGER

DESCRIPTION OF LICENSED
PREMISES

APPROXIMATELY 60X80, FRONT ENTRANCE & REAR EXIT, AND
RESTAURANT AND LOUNGE AREAS.

I hereby certify and swear under penalties of perjury that:

1. The renewed license will be of the same type for the same premises now licensed.
2. The licensee has complied with all laws of the Commonwealth relating to taxes.
3. The premises are now open for business. (If not explain below)

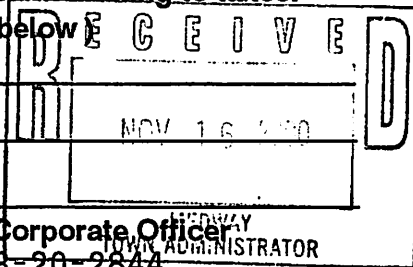
Signed by:

Individual, Partner or Authorized Corporate Officer

11/13/00
DATE

508-533-2888
TELEPHONE NO.

043-20-2844
Social Security or Federal Identification
Number



The space below will be completed by the local licensing authority

APPROVED



DISAPPROVED



(If disapproved explain)

The Local Licensing Authority

By

Handwritten signatures of the Local Licensing Authority members.

11/27/00
DATE

APPLICATION FOR RENEWAL MUST BE FILED BY LICENSEES DURING THE MONTH
OF NOVEMBER (SEE M.G.L. Ch. 138 s16A)



LICENSE RENEWAL APPLICATION FOR 2001

068400010
LICENSE NUMBER

MEDWAY
CITY OR TOWN

APPLICATION FOR RENEWAL OF ANNUAL LICENSE FOR 2001
CLASS YEAR

MEDWAY LIQUORS, INC.

PACKAGE STORE

NAME ON LICENSE

TYPE OF LICENSE

KEYSTONE LIQUORS

ALL ALCOHOLIC

DOING BUSINESS AS

CATEGORY

88 MAIN ST

02053

MICHAEL AYZENBERG

NUMBER

STREET

ZIP CODE

MANAGER

DESCRIPTION OF LICENSED
PREMISES

GROUND FLOOR SALES ROOM AND

REAR STORAGE ROOM

NOV 13 2001

I hereby certify and swear under penalties of perjury

that: MEDWAY
BOARD OF SELECTMEN

1. The renewed license will be of the same type for the same premises now licensed.
2. The licensee has complied with all laws of the Commonwealth relating to taxes.
3. The premises are now open for business. (If not explain below)

Signed by:

Individual, Partner or Authorized Corporate Officer

11.8.2000 (508) 533-7111

025-70-9554

DATE

TELEPHONE NO.

Social Security or Federal Identification
Number

The space below will be completed by the local licensing authority

APPROVED



The Local Licensing Authority

DISAPPROVED



By

(If disapproved explain)

11/27/00
DATE

APPLICATION FOR RENEWAL MUST BE FILED BY LICENSEES DURING THE MONTH
OF NOVEMBER (SEE M.G.L. Ch. 138 s16A)



LICENSE RENEWAL APPLICATION FOR 2001

068400016
LICENSE NUMBER

APPLICATION FOR RENEWAL OF

MEDWAY SZECHAUN GARDEN, INC
NAME ON LICENSE

DOING BUSINESS AS

106B MAIN ST
NUMBER STREET

02053
ZIP CODE

YU LING CHIANG
MANAGER

DESCRIPTION OF LICENSED
PREMISES

LOCATED IN APPROX 4000 SQ FT OF SPACE. THERE WILL BE
A DOUBLE DOOR ENTRANCE AND A SINGLE DOOR EXIT FROM THE KITCHEN

I hereby certify and swear under penalties of perjury that:

1. The renewed license will be of the same type for the same premises now licensed.
2. The licensee has complied with all laws of the Commonwealth relating to taxes.
3. The premises are now open for business. (If not explain below)

Signed by:

X *Yu Ling Chiang*

Individual, Partner or Authorized Corporate Officer

DATE

11/10/00

TELEPHONE NO.

X *508 533-8888*

Social Security or Federal Identification
Number

043-19-0347

The space below will be completed by the local licensing authority

APPROVED



DISAPPROVED



(If disapproved explain)

The Local Licensing Authority

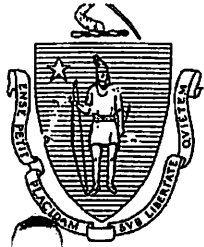
By

Harry E. Johnson
Robert L. Brown
John P. Allen
John W. Allen
John W. Allen

DATE

11/27/00

APPLICATION FOR RENEWAL MUST BE FILED BY LICENSEES DURING THE MONTH
OF NOVEMBER (SEE M.G.L. Ch. 138 s16A)



LICENSE RENEWAL APPLICATION FOR 2001

068400005
LICENSE NUMBER

MEDWAY
CITY OR TOWN

APPLICATION FOR RENEWAL OF ANNUAL LICENSE FOR 2001
CLASS YEAR
SPERONI'S INC. RESTAURANT
NAME ON LICENSE TYPE OF LICENSE
DOING BUSINESS AS ALL ALCOHOLIC
45 MILFORD ST. 02053 PETER F. SPERONI
NUMBER STREET ZIP CODE MANAGER

DESCRIPTION OF LICENSED
PREMISES

THREE ROOMS ON FIRST FLOOR, KITCHEN AND CELLAR FOR
STORAGE.

I hereby certify and swear under penalties of perjury that:

1. The renewed license will be of the same type for the same premises now licensed.
2. The licensee has complied with all laws of the Commonwealth relating to taxes.
3. The premises are now open for business. (If not explain below)

Signed by

Individual, Partner or Authorized Corporate Officer
042-26-6135

DATE

TELEPHONE NO.

Social Security or Federal Identification
Number

The space below will be completed by the local licensing authority

APPROVED ☒

DISAPPROVED ☐

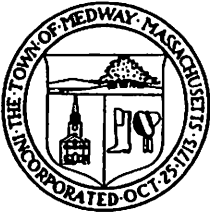
(If disapproved explain)

The Local Licensing Authority

By

11/37/00
DATE

APPLICATION FOR RENEWAL MUST BE FILED BY LICENSEES DURING THE MONTH
OF NOVEMBER (SEE M.G.L. Ch. 138 s16A)



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

AGENDA

BOARD OF SELECTMEN

SANFORD HALL

NOVEMBER 20, 2000

7:00 p.m. -

Open meeting.

1. Sign warrant.
2. Approval of minutes.
 - Regular meeting minutes of October 30th.
 - Regular meeting minutes of November 6th.
 - Executive session minutes of November 13th.
 - Regular meeting minutes of November 13th.
3. Public comments.
4. Town official updates.
 - Arti Mehta, Town Accountant.
Re: closing of books for FY'00.
5. Committee reports.
6. Administrator's report.
7. Discussion items.
 - Selectman Williams' request for sponsorship on behalf of the Good Government Association.
 - Senior volunteers work rate.
8. Action items.
 - Approve and sign one-day entertainment license for Sabina Doyle's for November 22nd.
9. Communications/ Correspondence/ Informational items.
 - None.
10. Upcoming meetings.
 - November 27th, 30th (joint meeting at 7:30).
11. Executive session.

cc: Town Clerk for posting.

Ci. ARB

MINUTES OF THE SELECTMEN'S MEETING
NOVEMBER 20, 2000

Present: Selectmen Harry Johnson, Raphaela Rozanski, John Williams, Joe Dziczek, Richard Gildea, Town Administrator Michael Hartman, Administrative Services Assistant M. J. Fredette.

7:03 p.m. – Meeting opened in Sanford Hall of Town Hall.

Warrant #21 was signed for \$936,876.51.

Motion made and carried to approve the minutes of October 30th, with Selectman Dziczek abstaining. Motion made and carried to approve the minutes of November 6th as amended. Motion made and carried to approve the minutes of November 13th as amended. Motion made and carried to approve the executive session minutes of November 13th but not to be released.

As there was some question on whether the Town should be receiving additional funds from the Town of Dover annually for septage, Mr. Hartman indicated he would check further.

There were no public comments.

As promised last week, Mrs. Mehta stated she had sent the balance sheet with supporting documents for FY'00 to the DOR today, believing the main reason for the delay was the conversion and the linked accounts not connecting. She did not have all the documents for the Board to review tonight and was not prepared to answer all their questions, but could come back next week. Selectman Williams wanted to go on record as not being able to accept excuses for a delay of 4-5 months, but Mrs. Mehta said this was the first time she was late. She went on to state she did not feel expenditures was a problem between her and the Treasurer/Collector, but rather revenue-reporting. Regardless, Selectman Johnson expected a report every thirty days.

Under Committee Reports, Selectman Dziczek reported on the school championship teams; Selectman Williams asked the Board to consider a policy on the naming of buildings and spaces, which Mr. Hartman said could be researched, along with any statutes. Selectman Williams also reminded residents of the upcoming holiday parade on Saturday, and that his "mangled" word of the week belonged to Cable Access – "governmnet". He was still working on a primer of the Community Preservation Act and its impact on the Town and the average household for their November 27th meeting. Selectman Rozanski inquired about the annual audit and if the audit committee had all its members. She also reminded Board members about the upcoming Norfolk County Selectmen's Association Meeting on December 18th. Mr. Hartman suggested the Board meet earlier at 4:00 p.m. so all could attend that meeting. Motion made and carried to do so.

Under Administrator's Report, Mr. Hartman provided a brief update on his meeting with Affordable Housing Committee Chairman, Mary O'Leary relative to #418. In order for the Town to become certified in the first year, they would have to meet 7 out of 23

MINUTES OF THE SELECTMEN'S MEETING
NOVEMBER 20, 2000

criteria; they have met 3, maybe 5 without doing anything. He will next with the ZBA Chairman when he returns. Secondly, the Municipal Building Committee met on Saturday to interview 5 out of the 7 architects that submitted proposals for the new high school. Pending the outcome of today's election, they will then come up with a short ranked list of 3 or 4 on Wednesday. Negotiations would then commence with the #1 ranked firm. The MBC was surprised and gratified with the outstanding and highly competent proposals to review.

Selectman Johnson inquired if Selectman Williams had three items to bring up with the Administrator this evening. Selectman Williams noted that 1) was the naming of buildings; 2) was a recommendation to develop a policy for the day after Thanksgiving, and how many employees could take the day off, but Mr. Hartman clarified it is up to each department utilizing the parameters of the union contract; and 3) were Town Hall renovations which he had already discussed with the Administrator.

Under discussion items, Selectman Williams brought up the senior citizen volunteer work rate. At the time of discussion on May 22nd, he noted the rate was set at \$5.45 per hour, which is the federal rate, but he said the law dictates that the State rate cannot be exceeded which is \$6.00, and soon to be \$6.75. He passed out a chart indicating the number of hours that can be worked at varied rates. Selectman Williams believed the seniors should not be working for any less than what they could receive; therefore, he proposed the maximum amount be allowed which is \$6.00, not \$5.45, and on January 1st, would jump to \$6.75 (except for the ten additional volunteers approved last week). His proposal was subsequently amended to be for the balance of FY'00. Although a bit confusing, Mr. Hartman felt it could be administered. The proposal as amended was moved and carried. Mr. Hartman also noted that by having accepted the statute, Ch. 59§5K, the Selectmen must annually review the program. (Final copy of the contract for services attached.)

Selectman Williams' request for sponsorship by the Town for use of a Town building on behalf of the Good Government Association was brought up as outlined in a letter he read to the Board. Motion made and carried as proposed that the Good Government Association would be Town-sponsored, with Selectmen Dziczek and Gildea voting opposed. Other civic/non-partisan groups in nature will have to approach the Board as well. Selectman Rozanski agreed to promulgate policies and bring them back to the Board. Further discussion among Board member as to rationale behind the necessity of the above action for groups that may not be considered "bodies" of the Town, and other groups that cannot be sponsored necessitating payment of an insurance premium to cover liability.

Under action items, the motion was made and carried to approve a one-day entertainment license for Sabina Doyle's on November 22nd from 8 p.m. to midnight.

Also, the motion was made and carried to approve the request of Richard Cassidy to sell Christmas trees on the site of Brook's Longshot on Holliston Street.

MINUTES OF THE SELECTMEN'S MEETING
NOVEMBER 20, 2000

8:40 p.m. – Meeting adjourned.

Respectfully submitted,

M. J. Fredette
Administrative Services Assistant
mj

APPROVED
1/8/01

TOWN OF MEDWAY
CONTRACT FOR SERVICES

The Town of Medway, a municipal corporation with offices at 155 Village Street, Medway, Norfolk County, Massachusetts, hereafter called the "Town", and _____ of _____ hereafter called the "Taxpayer", agree as follows:

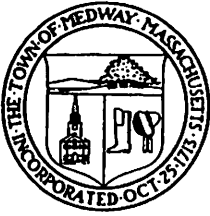
1. The Taxpayer will provide services as a Temporary Senior Associate at a rate of six dollars (\$6.00) per hour for services performed in November and December 2000 and at a rate of six dollars and seventy-five cents (\$6.75) for services performed from January 1st through June 30th, 2001. Said assignments will be made on a week-to-week basis.
2. The nature of the services will vary with the Department assignment, which shall be made by the Department Head.
3. The Taxpayer shall not be deemed to be an employee of the Town, and shall not be entitled to benefits under the regular employee benefit schedule.
4. This contract will terminate at the end of June 30, 2001 for Fiscal Year 2002 tax bills, but may be terminated sooner at the discretion of the Medway Council on Aging, provided that seven (7) days written notice of termination is given to, or mailed to, the residential address of the Contractor listed above.
5. The Board of Assessors shall grant an abatement on his/her/their property taxes for Fiscal Year. 2002. The final abatement shall not exceed five hundred (\$500) dollars.
6. Taxpayers may receive abatements under the work-off program in addition to any property tax exemptions they may be eligible for under other statutes, such as personal exemptions under G.L. Ch. 59 §5. They may also defer the balance of their taxes under G.L. Ch. 59 §5 (41A) if they are eligible to do so. In the case of parcels with multiple owners, all of the assessed owners of a parcel may receive abatements under the program if they otherwise qualify.
7. If, for any reason, you cannot complete this contract, please notify us.
8. This is to certify that the taxpayer is at least 60 years of age, and owns and lives in his/her own home.

Fred Tingley, Chairman
Council on Aging

Missy Dziczek, Director
Council on Aging

Temporary Service Contract Accepted

Date: _____



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

AGENDA

**BOARD OF SELECTMEN
SANFORD HALL
NOVEMBER 13, 2000**

- 6:30 p.m. – Open meeting.
- Adjourn to executive session – reason #6.
- 7:00 p.m. - Reconvene meeting.
1. Sign warrant.
 2. Approval of minutes.
 - None this week.
 3. Public comments.
 4. Town official updates.
 - None this week.
- 7:15 p.m. - Public Hearing.
- Sunday package store openings.
- 7:30 p.m. - Open Space Committee candidates.
John Ehrmanntraut, Marcy Thomas, Paul Clark(?).
- 7:45 p.m. - Missy Dziczek, Senior Center Director.
Re: increasing senior volunteers participants for FY'02.
- 8:00 p.m. - Industrial Development Commission candidates.
Joe Hoban, Jim Reardon, Bill Wright, Glenn Trindade(?), Michael Blanchette(?).
5. Committee reports.
 6. Administrator's report.
 7. Discussion items.
 - None this week.
 8. Action items.
 - Sign World AIDS Day proclamation.
 - Accept resignation of Nancy Lundy.
 9. Communications/ Correspondence/ Informational items.
 - None this week.
 10. Upcoming meetings.
 - November 20th (special election), 27th, 30th (joint meeting at 7:30).
- 9:00 p.m. - 11. Executive session – reason #6.
cc: Town Clerk for posting.

cc: AUB

MINUTES OF THE SELECTMEN'S MEETING
NOVEMBER 13, 3000

Present: Selectmen Harry Johnson, Raphaela Rozanski, John Williams, Joe Dziczek, Richard Gildea,
Town Administrator Michael Hartman, Administrative Services Assistant M. J. Fredette.

6:30 p.m. – *Open meeting.*

- Mr. Johnson opened the meeting in Sanford Hall of Town Hall. Meeting was adjourned to executive session for reason #6, to consider the purchase, exchange, lease or value of real property, if such discussions may have a detrimental effect on the negotiating position of the governmental body and a person, firm or corporation.

7:15 p.m. – *The meeting was reconvened.*

- Since it was 7:15 p.m., the Board went immediately to the public hearing on Sunday package store openings. Mr. Williams read the ad as it appeared in local papers. There was no one in the audience to speak for or against the Sunday openings.

Mrs. Rozanski moved to grant permission to Liquid Assets, West Medway Liquors, Keystone Liquor and The Little Store to open from 12 Noon to 9:00 p.m. beginning on the Sunday before Thanksgiving, November 19th through the Sunday before New Years, December 31st; Mr. Williams seconded; all aye. It was noted that this license is traditionally granted annually. Mr. Williams read the six conditions under which permission is granted by the Selectmen as the local licensing authority.

1. *Sign warrant.*

- It was moved and seconded that warrant #20 in the amount of \$282,505.59 be approved and signed by the Board.

2. *Approval of minutes.*

- None.

3. *Public comments.*

- Ed Reardon stopped in to determine what action had been taken on various signs he brought to the Board's attention back in July that he believed needed to be looked at. Mr. Hartman noted the green state sign for the intersection of Main, Summer and Village Streets had been ordered, but had he known Mr. Reardon was coming in this evening, he would have gotten an update on the status of the other signs other than they were being reviewed, and suggested that Mr. Reardon contact him in the future.
- Charlie Myers asked if the Board would be discussing the cause of the previous resignations from the IDC so it did not happen again, and if the financial books have not closed yet, when would they be closed since the free cash could be in jeopardy? Mr. Hartman stated the Treasurer had turned everything over to the Accountant. Since the Accountant was in the building, she was asked to talk to the Board, and she was asked if the books had been balanced yet? Mrs. Mehta said the work was going on heavily at this time. She was ready; the Treasurer was not; but they should be ready go to out to Boston by the end of the week.

7:30 p.m. – *Open Space candidates John Ehrmanntraut and Marcy Thomas came to meet with the Board concerning a recommendation to the Town Administrator for appointment deferred from last week.*

Mr. Ehrmanntraut was interested in acquiring more open space for the town and getting involved, and as he was getting disheartened with recent progress, felt this was the time to be on the committee. Mrs. Rozanski moved to recommend appointment of John Ehrmanntraut to

MINUTES OF THE SELECTMEN'S MEETING
NOVEMBER 13, 3000

the Town Administrator for the Open Space Committee through June 30, 2001; Mr. Dziczek seconded; all aye.

Ms. Thomas had previously been on the Conservation Commission; however, not feeling they were getting things done as quickly as she hoped on open space, felt being on the Open Space Committee would. She noted they could use additional help on the sub-committees. When she commented needing copies of the open space plan, Mr. Hartman said they were available in the office and on Cdrom. Mr. Johnson voiced his concern that everyone should be operating within the structure of the town as working independently could impact other boards. He did say he appreciated those who went out and got things done. Ms. Thomas felt the problem was communication as much of what she has done in the past was information gathering independently and outside of any committees. Mr. Dziczek moved to recommend appointment of Marcy Thomas to the Town Administrator for the Open Space Committee through June 30, 2001; Mrs. Rozanski seconded; all aye. Paul Clark will be contacted to meet with the Board at a future date.

7:45 p.m. – Missy Dziczek, Senior Center Director, came to meet with the Board to request increasing the number of senior volunteers for FY'02 from 55 to 65.

Ms. Dziczek said that out of the 55 seniors, 40 are already employed, 10 more have plans to be employed, and 5 are on the waiting list. Mr. Johnson wanted to be assured this was not an entitlement program. Ms. Dziczek assured him it was not as they were involved in all aspects of the town. Mr. Gildea moved to increase the number of seniors for FY'02 from 55 to 65; Mr. Williams seconded; all aye. Mr. Hartman added that the Assessors will have to set aside additional funds in overlay, with Paul Keefe indicating \$27,500 has been set aside, and that will have to be increased to \$32,500. Mr. Gildea recalled starting the program with 30, and it continues to expand. With regard to the rate, Ms. Dziczek said they go by the federal rate, but it was being reported that rate was being discussed at this time. Mr. Williams noted they cannot exceed the Commonwealth's minimum wage, but they could equal the state. Mr. Keefe recalled the federal rate was \$5.15 while the state is \$6.00, and they were using \$5.45. Mr. Johnson reminded everyone they were voting on the increase in number, not the rate this evening, and suggested the rate be an action item on next week's agenda. Mrs. Rozanski asked for a spreadsheet of the work being done.

8:00 p.m. – IDC candidates Joe Hoban, Jim Reardon and Glenn Trindade came to meet with the Board concerning a recommendation to the Town Administrator for appointment.

All three were not really aware of what their duties would be so a summary was passed out to each. All three felt they could help the town in some way with the time they had available. Mr. Hoban felt his expertise would come from having been a Selectman; Mr. Trindade from being on the FinCom; and Mr. Reardon from his father who served on the IDC years ago. They were all interested in bringing more industry to the town to help reduce the tax rate by promoting the advantages of the town. Mr. Johnson reminded all of them if there was a business conflict, they had to let the other members know. Mr. Hartman reminded the Board this was his appointment per Town Counsel's ruling, but Mr. Johnson commented he does not write the laws. Mr. Hartman reiterated the Selectmen have the power to delegate that authority and Town Counsel's letter so stated that. Mr. Williams read 23.5 of the Town's by laws, powers of appointment. Mrs. Rozanski had a concern with this, stating the statute only refers to a town manager form of government, and suggested going to another authority. Mr. Hartman stated, for the record, that this matter has been resolved more than two years ago, per the Town Counsel's letter in July 1998, and consequently as far as the Town Administrator is concerned, the appointments are his. Mr. Johnson stated he would entertain a motion to appoint the three individuals by the appropriate authority of the Town of Medway; Mrs. Rozanski so moved; Mr. Gildea seconded. Mr. Dziczek, Mr. Johnson, Mr. Gildea, Mrs. Rozanski in favor; Mr. Williams opposed. Michael Blanchette and Bill Wright will be contacted by Ms. Fredette..

MINUTES OF THE SELECTMEN'S MEETING
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4. *Town official updates.*

- None.

5. *Committee reports.*

- Mr. Williams announced his business of the week was Brooke's Long Shot.
- Mr. Williams recalled the Medway Lions requesting permission to sell Christmas trees, and wondering if Mr. Cassidy had contacted the town for permission to do the same? He had not, and will be called.
- Mr. Williams reminded the viewing audience of the special election on Monday, November 20th, from 8:00 a.m. to 8:00 p.m. for the two debt exclusion questions on the ballot for the high school.
- Mrs. Rozanski asked about the clarification on posting of the town meeting warrant? Ms. Fredette recalled it was Chapter 50, but Town Counsel had stated that the constable's return of service for the posting is the determining factor.
- Mrs. Rozanski commented on the Governor's policy report and concerns about affordable housing, with the possible recommendation of streamlining zoning.
- Mrs. Rozanski noted the MMA executive board of directors meeting the next day.
- Mr. Johnson reported attending the MBTA meeting in Boston at which time they passed on the extended budget, while going into a new form of financing.
- Mr. Johnson noted an upcoming meeting with Norfolk County.
- Mr. Johnson stated the recent election held brought in a new State Representative for the Town of Medway, Paul LoSoccco.
- Mr. Johnson commented he would be doing a study on the circuit breaker tax.

6. *Administrator's report.*

- Mr. Hartman asked the Board to certify the election of the Registrar of Deeds and the County Commissioner for the Town Clerk. Mr. Williams read the certifications which the Board voted to sign.

7. *Discussion items.*

- None.

8. *Action items.*

- Mr. Williams read the World AIDS Day proclamation which the Board voted to sign.
- Mrs. Rozanski moved to accept with regret and grateful appreciation the resignation of Nancy Lundy from the Medway Pride Day Committee; Mr. Dziczek seconded; all aye. Mr. Johnson asked that she be sent a thank you note.

9. *Communications/ Correspondence/ Informational items.*

MINUTES OF THE SELECTMEN'S MEETING
NOVEMBER 13, 3000

- None.

10. *Upcoming meetings.*

- November 20th (special election) 27th, 30th (joint meeting with Planning Board at 7:30 p.m.)

11. *Executive session.*

- Mr. Hartman explained that, originally, an executive session had been requested by the Municipal Building Committee with Town Counsel and the Selectmen for reason #6, but Town Counsel has indicated that the discussion was not an appropriate reason for the executive session; therefore, it would be held in open session.

8:30 p.m. – *Since the Municipal Building Committee was scheduled for 9:00 p.m., a brief recess was agreed to.*

8:50 p.m. – *The Selectmen began the discussion with the members of the Municipal Building Committee that were present. Present from the MBC were Jim Hoodlet, Jim Brodeur, Kelly O'Rourke, Robin St. Pere and Frank Varrichione, along with Town Counsel Richard Maciolek.*

Reference was made to Mr. Hartman's letter to the Selectmen in his role as staff to the MBC noting their concerns and worry of staying on schedule to get the project grandfathered. It was also indicated that funds for design services cannot be borrowed until the Town owns the building site; therefore, asking that consideration be given to taking the land through eminent domain following a successful debt exclusion election.

Mr. Hoodlet requested the Board's guidance on the land known as site 12A. They need to proceed with eminent domain taking, and it may not be a friendly taking. There are eight parcels and four landowners. The fourth landowner, Mr. Briggs, has raised some objection on thirteen acres. The Board of Selectmen may then have to have a public hearing under Chapter 79 to take the land as it is considered agricultural due to it being included under Chapter 61.

Mr. Hoodlet continued on stating they have gone out for IFP's which they will start to review on Thursday of this week, hoping to interview firms on Saturday of this week, so they could finish up by the first week in December and hire an architectural firm. Failure to award the design contract in December will put the timeline in jeopardy.

Mr. Johnson believed the major subject being discussed here was the thirteen acres, which Mr. Hoodlet explained were two parcels along the east side of the eighty-acre parcels. He asked if it was necessary to have these parcels to have the site adequate for the school? Mr. Hoodlet explained the parcels were included in the total concept of site 12A, were part of the review, and did not do a utilization study without those acres being included. He stated he was not in a position to state whether or not the rest of the site would meet the state-mandated requirements and be adequate. Mr. Johnson expounded that, to acquire that property, they have to have a very good case as it was under 61A. Again, Mr. Hoodlet stated the acreage was necessary for the development of the site as outlined for the residents and at town meeting, and upon which their vote was based at that time, and at the upcoming election on Monday.

Mr. Hartman stated there were two issues here: 1) the thirteen acres; and 2) if the debt exclusion election is successful, the committee would like the Selectmen to take the property by eminent domain so the town can award the design contract

Mr. Maciolek stated they can get a clear title if Mr. Briggs wants to sell the property, but under Chapter 79, any land under 61A, the owner has the right to contest the taking after a public hearing.

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Mr. Brodeur further noted that the thirteen acres has always been in the plan, and agreed with Mr. Hoodlet, that the voters saw this as part of site 12A at town meeting. The land has not been in farming use, and was confused as to why now, it is being contested.

Mr. Johnson stated Mr. Briggs was told, the town would not take the land until they came back to him. He recalled how others broke ground with Mr. Briggs so the Town Administrator could speak to him.

Again, Mr. Hoodlet reiterated they had been consistent from day one with site 12A, even though he had not been a party to any discussions with Mr. Briggs. Now they stand one month after town meeting with an election coming up, and a new question to deal with: this might possibly be a material change, and if so, would it have to come back to the town?

Mr. Hartman commented when he met with Mr. Briggs before town meeting, he had a map of his 43.3 acres, and knew what was being presented.

Mr. Hoodlet commented that there were wetland constraints noted with the National Heritage Foundation, and the thirteen acres are upland. He was not sure they could make the site work without those acres.

Mr. Varrichione recalled how the various parcels were eventually put together with Briggs, Whelan, Boczanowski and Dunton, and when more wetlands were discovered, Mr. Briggs said they could go further east on his property. Mr. Varrichione said everyone was on board at this time up until a few weeks ago, when Mr. Briggs contacted Mr. Johnson and said he had second thoughts. Again, Mr. Johnson reiterated that Mr. Briggs was not interested in selling that acreage unless they really needed it. Mr. Hoodlet believed the burden was on the property owner to show other land is more suitable, but again went back to what the people voted for and understanding as being the size and scope of the parcels.

At this point, Mr. Johnson polled the Board. Mr. Dziczek had no questions. Mr. Williams was in support of the taking. Mrs. Rozanski asked, if the thirteen acres was subtracted from the approximate 65 acres of upland, leaving 52, could they go on? Without a site utilization study in place on just those acres, Mr. Hoodlet could not say. She added they were taking on an issue that may be difficult. Just because the vote was favorable does not mean a purchase.

Mr. Hoodlet reiterated the town meeting vote on October 16th directed the Board of Selectmen to pursue the eighty-plus acres, but felt that 65 acres would be a material change to the project.

Charlie Myers state that, at the building needs conference on August 29th, documents were shown to that board for a decision; the entrance to the site was from the thirteen acres being discussed.

Mr. Varrichione noted that Mr. Briggs was not happy about the access, so a nearby homeowner, whose property could provide an alternate access, was asked if he would sell or relocate, and the answer was no.

For the record, Mr. Johnson said he was not opposed to the taking of Mr. Briggs' land, but noted there might be a problem. Mr. Maciolek reminded the committee that giving the authorization to the Selectmen allows for some leeway.

Mr. Dziczek agreed there was a short timeframe to make a decision, and they want to win this. Mr. Hoodlet concurred they can't lose time, and need to act now. They have been open to everyone, including Mr. Briggs. Now, the Board needs to: 1) consider voting to take all of the parcels making up site 12A by eminent domain; and 2) set a date for a public hearing to acquire those parcels in active agricultural use. Mr. Maciolek clarified if Mr. Briggs consents

MINUTES OF THE SELECTMEN'S MEETING
NOVEMBER 13, 3000

to the acquiring of the land, they don't have to have a public hearing; if he opposes, then they have to have one.

Resident Tracy Wilkinson noted that some of the concern of a timeline also centers around money. If they fall off track, they could lose \$7 million.

Mr. Williams moved that the Town acquire all the parcels known as site 12A by eminent domain; Mr. Dziczek seconded; all aye unanimously.

Mr. Johnson said they would hold a public hearing if there is any opposition, and they cannot set a date until that is known. Mr. Maciolek suggested if the vote at the election is successful, and Mr. Briggs opposes the acquisition, then the Selectmen can schedule a date for a public hearing. Mr. Johnson asked if abutters need to be notified since the site would be for a municipal use? Mr. Maciolek said no.

Ms. O'Rourke suggested finding out how Mr. Briggs feels after the 20th. Mrs. Rozanski asked who gives notice to Mr. Briggs? It was believed it should be either the Town Administrator or Town Counsel.

Mr. Hoodlet asked about other parcels under Chapter 79? Mr. Hartman stated that all 43 acres are in 61A, and only those are under Chapter 79.

Mr. Hoodlet asked Mr. Maciolek if they would be able to award the design contract? Mr. Maciolek said Mr. Briggs has stated he would not contest the other thirty acres; stop there.

Ms. O'Rourke inquired if the vote is successful on the 20th, can they go ahead and start to spend the \$450,000? Mr. Hartman explained it depends on how quickly they can enter the orders of taking.

Mary O'Leary, who was in the audience, thanked the Selectmen for pursuing the eighty acres. She felt, having possible additional land for the future was a smart move.

Katie Tortarello, who was also in the audience, appreciated having a buffer zone all around the proposed site, and wished Mr. Briggs was there tonight so they could personally thank him.

Mr. Johnson said it would be a nice gesture if people sent Mr. Briggs a thank you card, or personally stopped by to see him, and jokingly, suggested buying some milk.

Mr. Hoodlet thanked the Board on behalf of the committee for their vote this evening.

Mr. Varrichione asked if he could poll the Board on the second article, but Mr. Johnson did not feel there was a need to do so.

9:40 p.m. – The meeting was adjourned.

Respectfully submitted,

M. J. Fredette
Administrative Services Assistant
mj

APPROVED

11/20/2020
as amended

MINUTES OF THE SELECTMEN'S MEETING
NOVEMBER 6, 2000

authority. She also noted the Mass. recycling incentive program would not release the grant monies if they do not have six collection days per year included in the schedule.

- Mrs. Rozanski asked Mr. Hartman about executive order 418, which he said he has started on, and will be getting the affordable housing committee working on as well.
- Mrs. Rozanski also noted that MAPC was offering services to communities on joint purchasing which Mr. Hartman stated he had agreed to participate in as chief procurement officer. The first year is free, and an analysis will be done later on about joining for a second year at a cost then to the town, at which time Mr. Hartman will report to the Board of Selectmen.
- Mrs. Rozanski noted that MAPC has undertaken a wastewater management study with Bellingham being the lead town. They would need to see the proposal since Medway borders along the Charles River.
- Mrs. Rozanski said she had been nominated for vice president of the Mass. Selectman's Association and has accepted.
- Mr. Johnson requested Mr. Williams work on obtaining initial comments for the community preservation act on whether Medway should accept it at the May 2001 annual town meeting. He also stated he would like him to form a group to see what a 3% tax on the property tax would affect residents.

6. *Administrator's report.*

- None.

7. *Discussion items.*

- None.

8. *Action items.*

- Mr. Williams moved the Board approve and sign the one-day liquor license for St. Joseph Parish for the soccer group; Mrs. Rozanski seconded; all aye.
- Mr. Dziczek moved the Board approve and sign the one-day liquor license for St. Joseph Parish for the Italian night; Mrs. Rozanski seconded; all aye.
- The contract for the Medway Historic Documents Initiative grant funding was presented to the Board for their signature. Since it is a contract between the town and the state, the chairman has to be authorized to sign it. Mrs. Rozanski moved to authorize the chairman to sign the contract for the \$4,000 in grant funding; Mr. Gildea seconded; all aye. Mr. Williams was wondering if there was an expense in matching funds? Mrs. Rozanski stated that the Historical Commission was paying the \$250, with Mr. Johnson adding the in-kind services would provide the rest of the funding.

9. *Communications/ Correspondence/ Informational items.*

- Mr. Williams read the three letters sent by the Police Department indicating that Medway had been awarded the state community policing grant in the amount of \$40,000, and the state drug abuse resistance education grant in the amount of \$9,700, as well as Norfolk County Sheriff's Office award of \$1,000 in grant money for the DARE program. Mr. Dziczek noted that these grant monies do not replace any existing funding that may be in place, with Mr. Hartman adding that most of the grants preclude being applied to any services cut by the town.

MINUTES OF THE SELECTMEN'S MEETING
NOVEMBER 6, 2000

- Mr. Johnson noted, as a member of the MBTA Advisory Board, for people to bring any concerns they may have to him, with the next meeting being held later on in the week.

8:45 p.m. – Mrs. Rozanski moved the meeting be adjourned; Mr. Gildea seconded; all aye.

Respectfully submitted,

M. J. Fredette
Administrative Services Assistant
mj

APPROVED
11/20/00
as amended

Sithe DEP Public Hearing

Run by Lee Adams (lee.adams@state.ma.us 508-767-2775) and Tom Cusson (who is the permit chief).

Several Medway residents and one Bellingham resident were there. No Medway officials were present.

Challenge to the Medway Board of Selectmen

Create a vision, a plan for the town of Medway. We have the Master plan there is no follow-up. There are no vision timetables. There are no priority lists against which issues and situations are evaluated against.

So my challenge to the board of selectmen is that you create this vision, document it and use it. Set aside annual review update discussion items.

Suggested goals might be increasing the amount of open space (so when have you met with that committee to review charge, issues, funding, etc to see how YOU can help them).

Another would be the Route 109 Main street issue and resolution of the traffic problem.

Annual review of a technology plan which I'm not even sure exists and should exist.

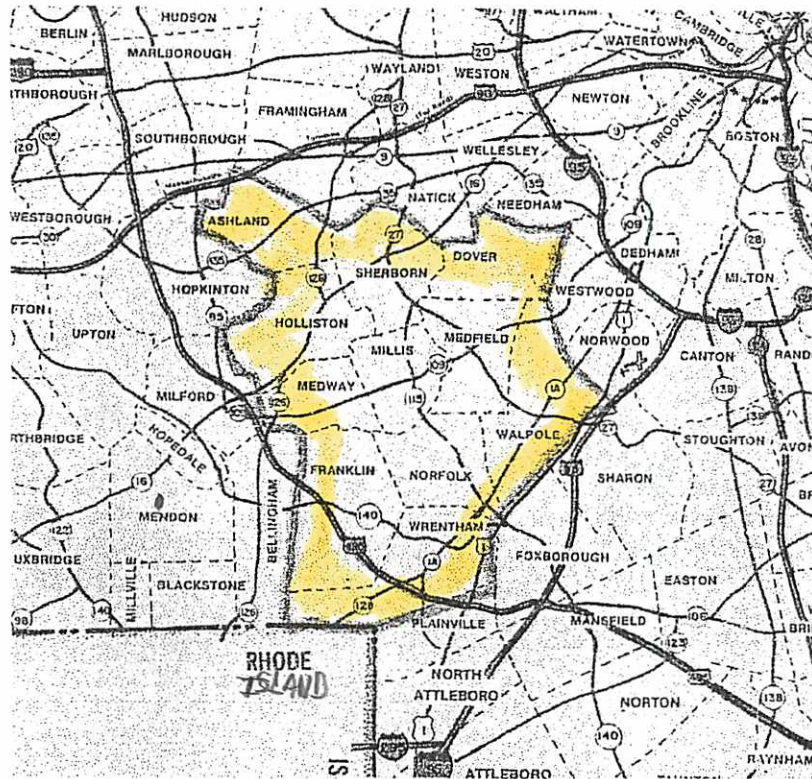
Consolidation of town services such as park & rec and maintenance.

Calendar Agenda

John Williams suggested creating a yearlong calendar of agenda items. I can site these as good examples having attended virtually all of the Selectmens meetings over the past several years.

The first one is easy – build in a calendar for budget discussions,
add in CIPC discussions,
the tax rates are set during the year (build that activity in),
restaurant, business, liquor licenses renew annually (build that activity in),
the town has an audit every year that should be easy to predict,
add in when you want to review the annual goals against vision,
there are performance reviews to build in (including that of the Town Administrator),
Annual Town Meeting – no reason the date can't be set as part of the annual calendar,
long in advance warrant article timelines,
the same can be done for the year end special town meeting and activity around it.

Draft: One-Day Events Pending Permanent Site Location



To temporarily deal with HHW regionally, we are considering one-day events to which all CRHHWC member towns will be able to attend. This could be run essentially the way we intended at the permanent facility, open two Saturdays per month (one for July and August since people are away). Materials collected should be consistent. Each town will pay on a per car basis as discussed, so RFPs should specifically indicate no set up fees. We could rotate all member towns.

April 28, 2001	Medway
May 12, 2001	Walpole
May 26, 2001	Ashland
June 9, 2001	Medfield
June 23, 2001	Hopkinton
July 14, 2001	Sherborn
August 11, 2001	Dover
September 8, 2001	Millis
September 22, 2001	Holliston
October 13, 2001	Wrentham
October 27, 2001	Franklin

-OR-

We could rotate amongst the "core" towns. If we still intend to find a permanent site, it might be better to train the residents from outlying towns to travel a distance rather than wait for their town to be host. There would only be three sites to find, and they would be more central for everyone.

April 14, 2001	Medway
April 28, 2001	Millis
May 12, 2001	Medfield
May 26, 2001	Medway
June 9, 2001	Millis
June 23, 2001	Medfield
July 14, 2001	Medway
August 11, 2001	Millis
September 8, 2001	Medfield
September 22, 2001	Medway
October 13, 2001	Millis
October 27, 2001	Medfield

Both options ensure that towns will meet the MRIP requirement of six HHW collections per year. The second option helps us move forward regionally in dealing with HHW collection, and encourages residents to begin to "think regionally" instead of locally.

SOUTH SHORE
RECYCLING
COOPERATIVE



103 Farm Street
Dover, MA 02030
(508) 785-8318
fax (508) 785-2296
ssrcclaire@aol.com

**HOUSEHOLD HAZARDOUS WASTE
RECIPROCAL AGREEMENT
VISITOR AUTHORIZATION FORM**

As residents of the SSRC Member town of _____, the household located at _____ has the permission of the Town's Community Coordinator to attend the regional hazardous waste collection event listed below:

Town of _____ Collection Event

Date: _____ Time: _____

INFORMATION: 1-508-785-8318

Directions:

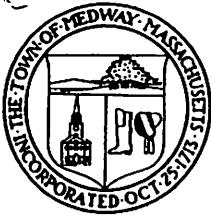
Waste Limit: You may bring no more than 30 pounds or 15 gallons of listed hazardous waste materials to this event unless specifically approved by your Community Coordinator. Over-limit visitors will be charged \$33 for each additional 30 lbs or 15 gal. over the limit. Ask your Community Coordinator for a list of acceptable household items, or call 508-785-8318.

Community Coordinator Name _____

Comm. Coord. Signature _____ DATE _____
(sign at issuance)

Visitor Name (print) _____

Visitor Signature _____ DATE _____
(sign at event)



BOARD OF SELECTMEN
155 VILLAGE STREET
MEDWAY, MASSACHUSETTS 02053
(508) 533-3264 • Fax: (508) 533-3281

AGENDA

BOARD OF SELECTMEN

SANFORD HALL

OCTOBER 30, 2000

7:00 p.m. -

Open meeting.

1. Sign warrant.
2. Approval of minutes.
 - None, but to release executive session minutes of June 5, 2000.
3. Public comments.
4. Town official updates (new agenda item per Board request).
Treasurer/Collector Marjorie Sanford.
 - Abatement of police details.
 - General info.
5. Committee reports.
6. Administrator's report.
7. Discussion items.
 - None this week.
8. Action items.
 - Sign two proclamations.
 - Recommend appointment to Town Administrator of Marcy Thomas, John Ehrmantraut and Paul Clark to Open Space Committee.
 - Acknowledge site plan for Conroy Development at 51 Alder Street.
9. Communications/ Correspondence/ Informational items.
 - Planning Board and Community Preservation Act.
 - Receipt of grant by Medway Historic Documents Initiative Collaborative.
10. Upcoming meetings.
 - November 6th, 13th, 20th, 27th.
11. Executive session (if required).

cc: Town Clerk for posting.

cc: ARB

MINUTES OF THE SELECTMEN'S MEETING
OCTOBER 30, 2000

Present: Selectmen Harry Johnson, Raphaela Rozanski, John Williams, Richard Gildea, Town Administrator Michael Hartman, Administrative Services Assistant M. J. Fredette. Selectman Joe Dzikczek was not in attendance.

7:03 p.m. – *Open meeting.*

- Mr. Johnson called the meeting in Sanford Hall of Town Hall.
- 1. *Sign warrant.*
- Mrs. Rozanski moved approval of warrant #18 in the amount of \$527,660.34; Mr. Gildea seconded; all aye.
- 2. *Approval of minutes.*
- None; however, Mr. Williams moved the release of previously approved executive session minutes of June 5, 2000; Mrs. Rozanski seconded; all aye.
- 3. *Public comments.*
- There were none.
- Mr. Johnson noted the proclamations prepared in recognition of the services of Bob Goode and Fred Tingley to the Town, which Mr. Williams read for the viewing audience and the Board signed.
- Mr. Johnson noted the proclamation prepared in recognition of Veterans Day, which Mr. Williams also read and the Board signed.

7:15 p.m.

- 4. *Town Official updates.*
- Treasurer/Collector Marjorie Sanford came to meet with the Board. She, first of all, brought to their attention outstanding police details that she requested the Selectmen abate. She noted they went back to '92 and '93, and it was her sense that they were paid but the receivables were never applied or taken off the books. Mrs. Rozanski suggested this be an action item for next week, with Mr. Johnson agreeing. She also asked if they could still collect on them? Mrs. Sanford stated the Deputy Collector did collect from some of them, and she has receipts from those that did pay, noting there are no receivables over 90 days. Mr. Johnson suggested Mrs. Sanford send a letter to the Board asking that the Selectmen abate that amount in police details, with Mr. Hartman adding the Town Accountant needed a signed copy as well.

Mr. Johnson asked what amount was outstanding for FY'00? Mrs. Sanford said about \$260,000, and they would try and do the takings by the end of the year.

Mr. Williams inquired as to types of phone calls her office received? Mrs. Sanford stated mainly complaints concerning excise tax bills or taxes in general.

Mr. Johnson brought up the circuit breaker tax bill, and suggested the Town put together a paper on the subject for the residents, as well as bringing some people together to talk on property and income tax deferments.

Mr. Johnson brought up the Community Preservation Act, with Mrs. Rozanski noting there were three steps involved in the process of acceptance: town meeting; amending the by-laws,

MINUTES OF THE SELECTMEN'S MEETING
OCTOBER 30, 2000

and a ballot question. Mr. Johnson suggested Mrs. Sanford be involved in that issue along with the Planning Board.

Mrs. Sanford stated some checks had been submitted by residents with the last tax bills for the educational fund, which funds Mr. Johnson added, goes directly to the schools.

Mr. Johnson asked when the books would be balanced? Mrs. Sanford believed the Accountant's report was due the next day, but Mr. Hartman said it was September 15th. Mr. Johnson disagreed indicating it was August 31st; however, Mr. Hartman noted she had indicated she had received a two-week extension. Mrs. Sanford thought they were close, but did not think there was much in free cash.

5. *Committee reports.*

- Mr. Williams announced his business of the week as being Medway Oil.
- Mr. Williams again inquired about the financial spreadsheet from the Medway Pride Day Committee.
- Mr. Williams brought up the application documentation submitted to the DEP on the household hazardous waste facility, in particular, noting two items under "matching funds". Specifically, 1) that Medway's Department of Public Works would be conducting site preparation including the installation of gravel and asphalt; and 2) that 160 hours would be provided by Medway's Health Agent for meetings, etc. Mr. Hartman clarified the Town was asked to provide those services; we never agreed. Mr. Johnson stipulated no one should be entering into an agreement outside of the Board of Selectmen. He felt limitations should be placed on what is allowed to be done, and any suggested agreements should be marked "draft", along with a mission statement. Mr. Hartman again stated there is no intermunicipal agreement yet and no special enabling legislation establishing this formal body. Nonetheless, Mr. Johnson believed everyone still needs to be aware of what they are doing logically and in a legal manner.

Mrs. Rozanski noted that Senator Magnani would be willing to arrange a meeting with DEP and the various towns involved, and that there was another meeting the next day in Millis. Mr. Johnson asked that she relay to the Consortium members what was discussed tonight, and that the Board does not appreciate their being included as part of the group when they have not agreed to be.

- Mr. Johnson noted Mr. Dzikczek had attended a recent Water/Sewer Board meeting where an individual on behalf of a developer had requested some of our excess capacity at CRPCD. He felt before this was discussed, they should know what excess capacity existed, if any. Mr. Hartman reminded him that Millis has also requested to purchase 50,000 gallons of excess capacity from the town. With reference to the developer that Mr. Johnson mentioned, Mr. Hartman believed the proposal was to utilize 100,000 gallons. He has asked for advice from Town Counsel and might possibly meet with the individual after that. Mr. Hartman was aware a study was done but did not know how complete it was.

Mr. Johnson asked about an I & I report? Mr. Hartman believed a recommendation needed to be received from the Water/Sewer Board before it came to the Selectmen. The same individual has stated his proposal will create enough capacity to solve the I & I dilemma. At this point, Mr. Hartman thought the town had 285,000 gallons of extra capacity. He will continue to ask the Water/Sewer Board for a copy of the sewer master plan, and CRPCD for a copy of the I & I study.

Since more questions were being raised by the Board, Mr. Hartman suggested Bob McRae be asked to come in and meet with the Board.

MINUTES OF THE SELECTMEN'S MEETING
OCTOBER 30, 2000

- Mrs. Rozanski attended the MAPC Council meeting discussing affordable housing and planning and executive order 418, noting Medway would receive discretionary funding. She noted there was a 23-point checklist which has to come from the Board even if it gets passed on to other boards. She stated 151 cities and towns have been certified so far. Mr. Hartman added that the first year is the best year, and the sewer plan in the industrial park is one of the discretionary funds we are applying for.
- Mrs. Rozanski brought up street opening fees, understanding there was a meeting held with DPS and Mr. Hartman. Mr. Hartman clarified the purpose of the meeting was to gather information and ask for input on how we assess fees to possibly adopt a new schedule in January or February. He went on to say that the average fee is \$760, with only 9 in excess of that amount, and 14 less. One was in excess of \$10,000 because of the length of the opening in linear feet, but they will recommend a change that it not be in linear feet. Mr. Hartman further noted there had only been one person that complained.
- Mrs. Rozanski brought up the IDC, and that Paul DeSimone reminded her that afternoon that their deadline was coming. She passed around a letter she received from Mr. DeSimone to Board members, with Mr. Johnson wondering why the letter was not turned in to the Town Administrator? Mrs. Rozanski said she did not know, but got the letter at 5:00 p.m. The letter indicated Mr. DeSimone was submitting three names for appointment to the IDC: Joe Hoban, Mike Blanchette and James Reardon. Mr. Johnson noted he also had two names for consideration. Mr. Hartman reminded Board members it was their recommendation to him for appointment.

6. *Administrator's report.*

- Mr. Hartman stated the town lost their payroll clerk, Lynda Pastore, to the school department. They are advertising internally, and if no response, will advertise externally.
- Mr. Hartman noted the first of three barcode classes to be held on November 4th as part of the Board's new liquor policy.

7. *Discussion items.*

- Mr. Johnson asked Mrs. Rozanski if there was anything to report on Sithe? She stated there was a negotiations subcommittee, with Mr. Hartman adding that any briefings should be in executive session. She felt the rest of the Board members needed to be in the loop and suggested a summary report or minutes to the Board from Attorney Miyares would be helpful.

8. *Action items.*

- The two proclamations were already discussed.
- The appointments to the Open Space Committee were brought up, and Mr. Williams suggested the candidates meet with the Board.
- Mr. Williams read the questions to appear on the special election ballot for November 20th. Mrs. Rozanski moved to formally accept those questions as read; Mr. Gildea seconded; all aye.
- The Conroy Development site plan for 51 Alder Street was brought up. Mr. Williams read the application as submitted by Conroy. Mrs. Rozanski moved to acknowledge receipt of the site plan; Mr. Gildea seconded; all aye. Mr. Hartman brought up the filing fee indicating the Planning Board was recommending to the Selectmen that they recommend a fee of \$1,000. Mrs. Rozanski made this another separate motion by recommending to the Planning Board that the filing fee for Conroy Development be \$1,000; Mr. Williams seconded; all aye.

MINUTES OF THE SELECTMEN'S MEETING
OCTOBER 30, 2000

Mr. Hartman stated that he has passed on to the Planning Board the Selectmen's concerns on the ten cents a square foot assessment. He further added that the acceptance of chapter 22F legislation now allows the Planning Board to charge in excess of the filing fee for consultant review. They are limited in the filing fee, but not the consultant fee.

9. *Communications/ Correspondence/ Informational items.*

- Mr. Williams read the letter received from Wendy Rowe on behalf of the Medway Historic Documents Initiative indicating receipt of the grant for \$4,000. Mr. Johnson thought this was a great step forward in historical record-keeping.
- With reference to the Community Preservation Act, Mr. Johnson suggested a joint meeting be set up with the Planning Board, and any other interested committees. He agreed they should promote discussion and understanding of the issue.

10. *Upcoming meetings.*

- November 6th, 13th, 20th, 27th.

11. *Executive session.*

- None required.

9:15 p.m. – Mrs. Rozanski moved the meeting be adjourned; Mr. Gildea seconded; all aye.

Respectfully submitted,

M. J. Fredette
Administrative Services Assistant
mj

APPROVED

11/20/00



BOARD OF SELECTMEN
155 VILLAGE STREET
MEDWAY, MASSACHUSETTS 02053
(508) 533-3264 • FAX: (508) 533-3281
AGENDA

BOARD OF SELECTMEN

SANFORD HALL

OCTOBER 23, 2000

7:00 p.m. -

Open meeting.

1. Sign warrant.
2. Approval of minutes.
 - Regular meeting minutes of October 16, 2000.
3. Public comments.
4. Town official updates (new agenda item per Board request).
Animal Control Officer Brenda Hamelin
 - Coyote situation
 - Chemical immobilization and capture.
 - Choate Pond animals.
5. Committee reports.
6. Administrator's report.
7. Discussion items.
 - MMA's letter on opposition to questions 4 and 6 on the November 7th ballot.
8. Action items.
 - Formally vote on ballot questions for special election on November 20th.
 - Approve permit for Medway Lions' Christmas Tree Sale Medway Shopping Center from November 24th to December 18th.
 - Approve one-day entertainment license for Sabina Doyles on November 8th from 8:00 p.m. to midnight.
9. Communications/ Correspondence/ Informational items.
 - Notes from Technology/Computer meeting of September 14th.
 - Letter from Office of Inspector General designating the Town Administrator MCPPO status.
10. Upcoming meetings.
 - October 30th.
 - November 6th, 13th, 20th, 27th.
11. Executive session (if required).

cc: Town Clerk for posting.

cc: AUB

MINUTES OF THE SELECTMEN'S MEETING
OCTOBER 23, 2000

Present: Selectmen Harry Johnson, Raphaela Rozanski, John Williams, Joe Dziczek, Richard Gildea,
Town Administrator Michael Hartmam, Administrative Services Assistant M. J. Fredette.

7:05 p.m. – Open meeting.

- Mr. Johnson called the meeting in Sanford Hall of Town Hall.

1. Sign warrant.

- Mr. Dziczek moved the Board approve and sign warrant #17 in the amount of \$851,976.81; Mrs. Rozanski seconded; all aye.

2. Approval of minutes.

- Mrs. Rozanski moved approval of the regular meeting minutes of October 16th noting that she arrived at the meeting after the vote was taken on Medway being included in discussions with the Charles River Household Hazardous Waste Consortium concerning agreements, and that the grant had been filed by Millis on behalf of the various boards and committees of the area towns; all aye as amended.

3. Public comments.

- There were none.

4. Town official updates.

- Animal Control Officer Brenda Hamelin came to speak to the Board about several issues, first of which was the coyote situation in Medway which has existed in the Town for around a year and half. She noted it was not a strange phenomenon to see them during the day, but to take precautions with small pet animals. Ms. Hamelin stated that the barring of leghole traps has allowed the coyotes to exist more easily in residential areas, but will only attack humans when rabid or sick or injured.

She also noted she has taken a 16-hour course in chemical immobilization and capture which allows her to use a gun as a last resort capture technique. She would be utilizing drugs as well when required but did not carry them on her person or vehicle.

Ms. Hamelin explained that some animals have been caught in fishing lines at Choate Park including a blue heron, and have had to be put to sleep.

The rabies epidemic seems to come in 3-4 year cycles, and possible rabid animals are tested if the testing area is intact.

On the West Nile situation, Holliston had 14 reported cases of dead birds; Medway 2, both negative. It might appear again once Spring arrives.

Deer ticks are still out there, and she advised residents to take precautions. If residents wish to have ticks tested, they are to call her.

With regard to deterring skunks and raccoons, mothballs in sacks could help.

Mr. Williams reminded the audience that the Animal Control Officer is shared with Millis.

Ms. Hamelin noted a statewide rabies clinic on April 7th of next year.

MINUTES OF THE SELECTMEN'S MEETING
OCTOBER 23, 2000

Hours to reach the Animal Control Office are 8-4, with deputies assisting when she was not on duty, and messages are checked every ninety minutes until 8 p.m.

Mr. Johnson reminded the audience of the leash law, and for owners to pick up after their dogs. He also noted Ms. Hamelin was hired to enforce the law, not to take abuse from residents.

7:50 - *Mr. Dzikzek left the meeting to go to a Water/Sewer Board meeting.*

5. *Committee reports.*

- Mr. Williams announced his business of the week was Keystone Barber Shop.
- He congratulated Mr. Hartman on receiving the MCPPO designation, that being his designation in the Mass. Certified Public Purchasing Official program.
- Mr. Williams acknowledged receipt of a report on Medway from Senator Magnani, but felt there were errors portrayed in some of the statements made.
- He reminded residents that absentee ballots needed to be in the Town Clerk's office by Noon on November 6th. Mr. Williams also reminded everyone of the eight ballot questions, and to research the points on each so that you know how you are going to vote when you get to the polls.
- Mr. Johnson thanked the School staff, Dr. Bettencourt, Town staff and Mr. Hartman for their efforts in completing the handicapped accessibility area near the polling location at the high school. Mr. Hartman noted the area would be inspected on Monday, October 30th.
- Mrs. Rozanski asked Mr. Hartman to check with Town Counsel further as to which statute required the posting time for a warrant to be midnight.
- She asked that a copy of the grant application on the household hazardous waste facility be made available to Board members.
- Mrs. Rozanski commented she liked the columns in the crosswalks, and inquired about the designing of Route 109 for a center lane? Mr. Hartman said it was still being worked on and then has to be approved by Mass. Highway.
- Mr. Johnson thanked and recognized Fred Tingley and Bob Goode for their efforts in displaying the American flag in various locations in Medway. Mr. Hartman explained they would be up for all the recognized holidays.
- Mr. Johnson thanked Ms. Fredette for the copy of the CRPCD agreement, but when it was realized all Board members had not received a copy, Mr. Hartman said it would be in their next packet.
- With reference to members for the IDC, Mr. Williams said he had not found any interested applicants, but Mr. Johnson indicated he had two interested people.
- Mr. Williams inquired about the spreadsheet from the Medway Pride Day Committee he had asked for. ~~Ms. Williams will contact the chairman again.~~

6. *Administrator's report.*

- Mr. Hartman had none.

7. *Discussion items.*

- There were none.

MINUTES OF THE SELECTMEN'S MEETING
OCTOBER 23, 2000

8. *Action items.*

- With reference to the two debt exclusion ballot questions for the November 20th special election, Mr. Johnson asked if the board should decide first how they should go forward. Mr. Hartman was not the contracting officer even though he was the procurement officer, but he was active in pursuing a full appraisal of the land. Mr. Johnson was assured Mr. Hartman had not entered into a purchase and sales agreement.

Mr. Hartman, however, did recommend that they commence with negotiations of the land before the vote on the 20th, so they were in a position to go if successful. He believed they would not be successful in getting the application grandfathered if time was lost, since they have to own the land prior to architectural services being acquired. He reiterated instructions to him were that he could have conversations with landowners but not to negotiate until after town meeting. He needed to continue coordinating with the building committee but the ads for design services were out, and they would like to recommend an architect by their December 4th meeting.

Mr. Johnson asked about the present consulting architect's potential conflict of interest. Mr. Hartman stated that the design laws have changed effective July 1st, and you can now have the same firm do a feasibility study and an architectural design. They had also had an independent peer review study done, and the project will be competitively bid. There will also be two contractors, and one firm cannot do both – one for design and one for construction management. Mr. Hartman reiterated the committee would like people to understand – they are not doing any of this in a hap-hazard manner, but they need to stay on schedule.

Mr. Hartman noted negotiations could continue contingent upon a successful election. He believed a project coordinator would be helpful in keeping the committee on schedule and on tasks, and would speak to the FinCom about the funding. He noted money was appropriated at town meeting to include a project coordinator, but it was suggested that the money come out of the Selectmen's consulting account, with the funding being replaced when borrowed. He would have to check into that possibility further.

Mr. Johnson asked that the Board come up with suggestions, indicating that the money could come out of the Selectmen's salary account of what was recently appropriated for a new staff person. Mr. Hartman noted he would not be considering a new hire until after the first of the year, and was more than willing to ~~do~~ use those funds if the Board desired.

When asked what a project coordinator would do, Mr. Hartman explained the person would do primarily clerical functions utilizing microsoft project, minutes, basically being a taskmaster, doing coordination and liaison work between committee members and others, keeping them focused, possibly 10-12 hours per week. He said he would be speaking to Art Bettencourt to see if there was something they could do jointly, but at this time, he was more concerned about the land issue.

Mr. Williams was not supportive of bring another person forward, but would rather look at existing resources, i.e. a night-time board secretary, such as the Planning Board secretary. Mr. Hartman said he was willing to explore that, but the position in his office was for a grade 4; the position for the committee would be a 5, a grade above.

Mr. Johnson asked that he and Mr. Hartman try and get the land issue settled by Thursday.

Mrs. Rozanski asked if the Board could vote formally on the two debt exclusion questions.

Mr. Hartman reiterated how phone calls were made to a majority of Board members for approval on the wording of the questions, after Bond Counsel approved the wording, so the ballot questions could get prepared by the Town Clerk as soon as possible.

MINUTES OF THE SELECTMEN'S MEETING
OCTOBER 23, 2000

Mrs. Rozanski formally made a motion to place the two debt exclusion questions on the ballot: one for acquiring the land and one for initial architectural services; Mr. Williams seconded; all aye, (copy attached). Mr. Hartman clarified Bond Counsel specifically did not want dollars specified in the questions.

Mrs. Rozanski asked if only so much money is appropriated and more is needed, can more be spent? Mr. Hartman believed they would not need another ballot question, but they would have to go back to town meeting if more than \$2.4 million is needed. Money was appropriated for a specific purpose; a debt exclusion question would be needed if it was for a different purpose.

Mr. Johnson questioned the wording of the articles believing they were not leaving their options open so that the school could be a middle or a high school. Charlie Myers, who was in attendance, said that the SBAB specified the understanding of a high school being undertaken.

- At this point, Mr. Hartman asked that the Board review the proposed contract for the ready resource grant administrator to vote on for next week, noting he was highly recommended by Franklin.

Mrs. Rozanski thought a report was due on October 10th, but Mr. Hartman stated that an extension had been given.

Mr. Williams moved, however, that the Board approve the contract from October 1, 2000 through June 30, 2001 not to exceed \$2,000; Mr. Dziczek seconded; all aye.

- At this point, Mr. Dziczek reported on the Water/Sewer meeting he attended earlier in the evening stating they had been approached by someone who wants to develop land in Holliston and wants to receive capacity at CRPCD offering to resolve the I&I situation by doing so. He wishes to take care of the I&I problem in town and receive one-third of all that he saves. He would be doing the same in Franklin. Mr. Dziczek indicated the individual wants 100,000 gallons of capacity per day, noting he owns a pumping station.

Mr. Hartman clarified with reference to the property involved, there is one undeveloped lot there, and the developer would keep the pumping station until the lots are all sold, but he wants to build an industrial park.

This brought the conversation to capacity, with Mr. Johnson saying Medway has capacity to sell, but Franklin is full. Mr. Hartman added that Millis has already approached the Board about wanting some of that capacity.

Mr. Dziczek believed if we gave that individual the capacity, it was permanent. More research will be conducted on this.

- The permit for the Medway Lions to sell Christmas trees at the shopping center from November 24th to December 18th was brought up. Mr. Dziczek moved that approval be given; Mr. Gildea seconded; Mrs. Rozanski abstained as a member; aye.
- The one-day entertainment license on November 8th from 8:00 p.m. to midnight for Sabina Doyle's was brought up. Mr. Williams moved that approval be given; Mrs. Rozanski seconded; all aye. Mr. Hartman noted that the Police are always notified on special one-day licenses.

9. *Communications/ Correspondence/ Informational items.*

- Mrs. Rozanski brought up the Technology/Computer notes of September 14th, and since it was a posted meeting, suggested formal approval. She, therefore, moved their approval; Mr. Gildea seconded; all aye.

MINUTES OF THE SELECTMEN'S MEETING
OCTOBER 23, 2000

- Mr. Johnson brought up the Town Accountant's letter, and Mr. Hartman's follow-up letter on the report from Pioneer Consulting. Mr. Hartman thought this might be best discussed in executive session under #2, but Mr. Williams did not see the need for that.

Mr. Hartman explained as the Department Head and Procurement Officer, he was satisfied and has certified that the goods as ordered had been delivered by Pioneer. He, has, however, been waiting over 12 weeks to be paid.

Mrs. Rozanski felt that they were only hearing Mr. Hartman's position, and Ms. Mehta needed to be there.

Mr. Hartman needed to clarify, and understood that the individual might have the right to be there, but his intent was to discipline that employee, and he did not want the Board of Selectmen to interfere with that process as her appeal would be to the Board. He expects her to pay the invoice, or follow the law by filing a reason for non-payment with the Treasurer. If she fails to do so, he intends to follow through on the discipline, and then that could possibly lead to that appeal under the personnel policies.

Mr. Hartman explained he has had discussions with Ms. Mehta on more than one occasion on the issue of the report, but Mr. Gardner has said he has no intention of changing his report, most recently as a conversation with him today.

Mr. Johnson stated he was not aware of a conflict in existence, as he believed Ms. Mehta was not where when Mr. Gardner was here.

At this point, Mr. Johnson reiterated his belief that the Town Accountant was the Board's appointment, even though Mr. Hartman again stated that Town Counsel has ruled it was his. Mr. Johnson said they could go to town meeting to determine that. Mr. Hartman continued that, in the interim, he would be operating under what Town Counsel has said and will proceed as he has indicated. Mrs. Rozanski felt they should go back to Mass. General Laws, while Mr. Johnson did not recall seeing that appointment in Article 23 of the Town by-laws.

Mr. Johnson stated he understood the Town Accountant has certain responsibilities. Mr. Williams felt that Ms. Mehta disagrees with the content of the report. Mr. Johnson did not necessarily think that was true. Mrs. Rozanski agreed that Ms. Mehta has to fully comply with the law, while Mr. Johnson said she has to be correct in her action.

Mr. Hartman asked the Board to remember that it is a system of checks and balances. He asked that they look over her memo of the 20th. She disagrees with the conclusion of the report, and has not cited a "legal" reason for not paying. Mrs. Rozanski believed Ms. Mehta had to choose one of three reasons as to why she would not pay the invoice: it was fraudulent, illegal or excessive.

When Mr. Johnson asked the Board how it should be handled, Mr. Williams suggested seeing if the invoice appears on the warrant of the 30th as Mr. Hartman as specified. Mr. Gildea agreed.

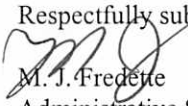
- Mr. Dzikzek brought forward a dangling comment by a School Committee member wondering how the Town could receive funding for Town Hall renovations without having the request go through CIPC? He felt it could possibly leave the wrong impression.

Mr. Hartman explained a capital item is to be an asset and at least \$5,000. No item with any building request has ever been given to CIPC, except for minor renovation projects. The Memorial School, the Senior Center, Idylbrook, Police Station, Fire Station did not go through CIPC. Mrs. Rozanski agreed saying CIPC never wanted those projects because they were so big. They may have asked for their opinion and discussed it with a recommendation. Mr. Hartman added any renovations to the schools will not go through CIPC.

MINUTES OF THE SELECTMEN'S MEETING
OCTOBER 23, 2000

9:50 p.m. – Mr. Gildea moved the meeting be adjourned; Mr. Dziczek seconded; all aye.

Respectfully submitted,


M. J. Fredette
Administrative Services Assistant
mj

APPROVED

as amended
11/6/00.

APPROVED

mj

Listed below are the two ballot questions that on Monday you have to vote on.
Town Counsel has approved the wording. mj

BALLOT QUESTIONS

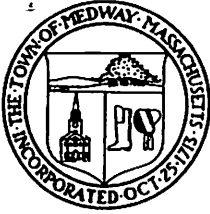
SHALL THE TOWN OF MEDWAY BE ALLOWED TO EXEMPT FROM THE PROVISIONS OF PROPOSITION TWO AND ONE-HALF, SO CALLED, THE AMOUNTS REQUIRED TO PAY FOR THE BOND TO BE ISSUED IN ORDER TO ACQUIRE THE LAND, CONTAINING 80 ACRES MORE OR LESS OFF OF SUMMER STREET, FOR THE LOCATION OF A NEW HIGH SCHOOL?

YES _____ NO _____

SHALL THE TOWN OF MEDWAY BE ALLOWED TO EXEMPT FROM THE PROVISIONS OF PROPOSITION TWO AND ONE-HALF, SO CALLED, THE AMOUNTS REQUIRED TO PAY FOR THE BOND TO BE ISSUED TO PROVIDE INITIAL ARCHITECTURAL SERVICES, INCLUDING DEVELOPMENT OF SCHEMATIC DRAWINGS AND LAND SURVEY FOR THE CONSTRUCTION OF A NEW HIGH SCHOOL ON LAND TO BE PURCHASED BY THE TOWN?

YES _____ NO _____

*******SELECTMEN: PLEASE NOTE: TOWN COUNSEL'S REVISED CHANGES AS OF TODAY'S DATE, 9/18.**



BOARD OF SELECTMEN
155 VILLAGE STREET
MEDWAY, MASSACHUSETTS 02053
(508) 533-3264 • Fax: (508) 533-3281

AGENDA

BOARD OF SELECTMEN
ROOM 111 – MEDWAY HIGH SCHOOL

OCTOBER 16, 2000

6:30 p.m. – Open meeting.

1. Sign warrant.
2. Approval of minutes.
 - Regular meeting minutes of September 25, 2000.
 - Regular meeting minutes of October 2, 2000.
 - All Boards notes of September 23, 2000.
3. Any discussion of special town meeting articles.

7:00 p.m. – Adjourn to special town meeting in auditorium.

cc. ALB

MINUTES OF THE SELECTMEN'S MEETING
OCTOBER 16, 2000

Present: Selectmen Harry Johnson, Raphaela Rozanski, John Williams, Joe Dzikczek, Richard Gildea,
Town Administrator Michael Hartman, Administrative Services Assistant M. J. Fredette.

6:35 p.m. – Mr. Johnson opened the meeting in Room 111 of Medway High School.

There were no warrants to sign at this time.

Mr. Williams moved approval of the regular meeting minutes of September 25th with a minor correction;
Mr. Gildea seconded; all aye as amended.

Mr. Williams moved approval of the regular meeting minutes of October 2nd; Mr. Dzikczek seconded; all
aye.

Mr. Johnson did not feel formal Board approval was needed on the notes of the All Boards meeting on
September 23rd.

Mr. Johnson confirmed with Mr. Hartman that the Board has not taken a formal vote to join the Charles
River Household Hazardous Waste Consortium, and suggested that the Board do so now.

Mr. Williams moved the Board of Selectmen vote that Medway be included in discussions with the Charles
River Household Hazardous Waste Consortium for purposes of reviewing any charter or intermunicipal
agreement that may be proposed for household hazardous waste collection; Mr. Dzikczek seconded; all aye.

after the vote was taken
Mrs. Rozanski came into the meeting at this time and clarified with Mr. Hartman that the agreement would
be considered an intermunicipal financing agreement, and that all the towns would be expected to fund a
portion of the expenses. She felt the Board should have been informed about this issue long ago, especially
after understanding from Millis that this would commit the Town for five years to the program. She stated
that DEP has informed her that this proposal came from local boards, but *could* not identify those boards, *but note Millis*
In speaking with Lori Segal of DEP, they would not run the facility; they just fund the construction of the
building.

*has submitted
the grant*
Mr. Hartman explained some of the host town's responsibilities, and that we would be administratively
responsible to collecting monies similar to offset receipts involving the Treasurer/Collector, Town
Accountant, and himself. The issue was not who would be hosting the facility physically, but the host town
would supervise operations. Mrs. Rozanski believed if the citizens' petition gets reversed, then it can be
resubmitted.

Mr. Johnson asked if each Board member should be prepared to speak on individual articles, the consensus
was that it was not necessary.

Mr. Johnson asked if the Board would approve setting the date of a special election for the school land
issue? Mr. Williams moved that the Board of Selectmen set the date of November 20th for a special
election; Mrs. Rozanski seconded; all aye.

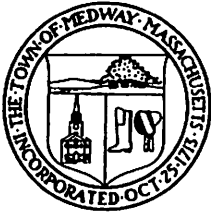
6:55 p.m. – The meeting was adjourned to the special town meeting in the auditorium.

Respectfully submitted,

MJ
M. J. Fredette
Administrative Services Assistant
mj

APPROVED

10/23/00
as amended



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

AGENDA

BOARD OF SELECTMEN

SANFORD HALL

OCTOBER 2, 2000

6:30 p.m. - Open meeting.

- Vote to re-open the Special Town Meeting warrant of October 16, 2000.
- Vote on the insertion and/or changes of articles for the Special Town Meeting warrant of October 16, 2000.
- Vote to re-close the Special Town Meeting warrant of October 16, 2000.

7:00 p.m. - Regular meeting agenda.

1. Sign warrant.
2. Approval of minutes.
 - Regular meeting minutes of September ~~18~~¹¹, 2000.
 - Regular meeting minutes of September ~~25~~¹⁸, 2000.

3. Public comments.

4. Town official updates (new item).

7:15 p.m. - Animal Control Officer Brenda Hamelin.

7:30 p.m. - Town Clerk Maryjane White, Treasurer/Collector Marjorie Sanford, School Superintendent Arthur Bettencourt.

- November 7th election.

4. Back to Town official updates (new item).

8:00 p.m. - Board of Health and/or Health Agent Bill Fisher.

5. Committee reports.

6. Administrator's report.

7. Discussion items.

- Preliminary plans for Granite Woods.

8. Action items.

- a. Vote on quarterly ambulance abatements.

9. Communications/ Correspondence/ Informational items.

10. Upcoming meetings..

- (no meeting on October 9th - Columbus Day).
- October 16th, Special Town Meeting, 7:00 p.m., High School Auditorium.
- October 23rd, 30th.

11. Executive session (if required).

cc: Town Clerk for posting.

cc: AMB

MINUTES OF THE SELECTMEN'S MEETING
OCTOBER 2, 2000

Present: Selectmen Harry Johnson, Raphaela Rozanski, John Williams, Joe Dziczek, Richard Gildea,
Town Administrator Michael Hartman, Administrative Services Assistant M. J. Fredette.

6:35 p.m. – *Open meeting.*

- Mr. Dziczek moved the earlier meeting be opened; Mr. Williams seconded; all aye. It was noted this was not to be an executive session as previously scheduled. Mr. Johnson stated this part of the meeting was to discuss the re-opening of the warrant of October 16th for possible inclusion of several articles. Mr. Dziczek moved to re-open the warrant of October 16th; Mr. Johnson seconded; all aye.

Mrs. Rozanski voiced her objection to re-opening the warrant at this late date feeling it was giving the wrong impression. She believed this was not the way to put things forward. The warrant was already opened and closed, and unless it was a serious emergency, she objected. Mr. Johnson felt the reasons had to be of a serious or exceptional nature. Mrs. Rozanski clarified she meant only of an emergency nature and which cannot be handled any other way.

Mr. Williams agreed with Mrs. Rozanski if the situation was serious or extraordinary. He knew there were no hard and fast rules for posting, but in the future, there might be a proviso that any Board member would be allowed to do the same. Mr. Johnson explained that even though this was not an emergency, the results outweigh going to court, etc. It was our fault involving Town officials, and even though it happened a long time ago, should be corrected. He would agree with Mrs. Rozanski under normal circumstances, and hoped they weren't establishing a precedent by re-opening the warrant, but, felt they should at this time. Mr. Johnson clarified that they need to appropriate the funds by the end of the year, and the Town Administrator and the School Superintendent have agreed this was the only way to handle it. Mr. Hartman added that Town Counsel agrees in light of the letter from Attorney Kaplan.

On the vote to re-open the warrant: Mr. Dziczek, Mr. Williams, Mr. Johnson – yes; Mr. Gildea, Mrs. Rozanski – no; motion carries.

Mr. Johnson read the article as would be presented on the warrant, and asked for a vote for its inclusion: Mr. Dziczek, Mr. Williams, Mr. Johnson – yes; Mr. Gildea, Mrs. Rozanski – note; article is included on the warrant.

Mr. Johnson read an article as being presented by the Board of Health for inclusion on the warrant since it was being re-opened. Mike Heavey, Chairman of the Board of Health, and Health Agent Bill Fisher were present to provide more information on the article.

Mr. Heavey stated there was a need for additional inspectional services on septic systems with Title V and food services, which was necessitating the Health Agent taking time away from the office. They would be looking at hiring a part-time inspector and restructuring their fees in the future to aid in the funding source, i.e. charging on a "per inspection" basis, or placing the fees in a revolving account.

Mr. Johnson asked Mr. Hartman if this would be a new position? Mr. Hartman stated that Bill Fisher has informally approached him, but because there was no funding source yet, has not made the formal request. However, Mr. Hartman believed that the individual would be an employee and not a consultant as the position would meet the criteria established by the IRS to be an employee.

Mrs. Rozanski felt there were two issues: adding a position; and the fee for services without a revolving fund, and did not think this was the right process. Mr. Heavey stated they do have a revolving account for larger permit applications for consulting with Title V, so if they hire an inspector on a consulting basis, this would not be the only source of income. He asked that the Board consider this article for inclusion on the warrant.

MINUTES OF THE SELECTMEN'S MEETING
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Mr. Williams did not want to hear this, but since the Board of Health is a duly elected Board, and the warrant was open, they can make their case for this article on October 16th. Mr. Dziczek said he spoke to FinCom, and would be meeting with them again on October 11th.

Mr. Johnson felt he needed to see a comparison from last year to this year, and what causes this difference in need. Mr. Heavey explained there was a new sanitary code for restaurants, additional inspections and more Title V inspections, and this was causing a detriment to the office. Mr. Fisher agreed indicating, due to the new developments, those on septic require a great amount of review. He added that the new sanitary code now cites 115 inspection areas vs. 12 they now presently account for, which requires additional training, as well as being involved in the solid waste and recycling end as well.

Mrs. Rozanski stated it was back to setting up an account and/or hiring a new employee; the Board of Selectmen has to approve a spending plan for a revolving account; the time was awful.

Mr. Dziczek asked who constituted the Board of Health staff? Mr. Heavey explained the Health Agent and the Secretary who was not full time. He said they saw an opportunity to get on the warrant and jumped at it.

Mr. Dziczek moved to place the Board of Health article on the warrant; Mr. Williams seconded. The vote: Mr. Dziczek, Mr. Williams, Mr. Gildea, Mr. Johnson – yes; Mrs. Rozanski – no; motion carries.

- The Board proceeded to go over the changes to the first three articles involving the school site. Mr. Williams said he would have liked the wording of the articles ahead of time; Ms. Fredette left the meeting to make copies at this time. Upon returning, the Board moved to approve the three articles as written. Ms. Fredette left the meeting to proceed with the posting process of the approved warrant.
- *Regular meeting agenda.*
- 1. *Sign warrant.*
- Mr. Williams moved approval of warrant #14 in the amount of \$590,034.63; Mr. Dziczek seconded; all aye.
- The Board discussed the pros and cons of two ballots on November 7th with Town Clerk Maryjane White, Treasurer/Collector Marjorie Sanford, School Committee Chairman Charlie Myers.

8:15 p.m. – Ms. Fredette returned to the meeting. Mr. Williams moved to make a motion not to have the debt exclusion question for the new school on the same day as the Presidential election 2000; Mr. Gildea seconded. Mr. Johnson stated he would not be recognizing the motion. Mr. Gildea told Mr. Johnson he couldn't do that, and he had to listen to the Board members. Mr. Johnson acknowledged there was a motion and second and no further discussion. The vote: Mr. Williams, Mr. Gildea, Mr. Dziczek, Mrs. Rozanski – yes; Mr. Johnson – no; motion carries.

- It was noted that Disability Committee Chairman Sue Bouchard had hand-delivered a letter to School Director of Operations & Finance David Verdolino today regarding the striping for handicapped parking at the high school. The Selectmen and Charlie Myers got their copy this evening.

2. *Approval of minutes.*

MINUTES OF THE SELECTMEN'S MEETING
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- Mrs. Rozanski moved approval of the regular meeting minutes of September 11th; Mr. Williams seconded; all aye.
- Mrs. Rozanski moved approval of the regular meeting minutes of September 18th; Mr. Gildea seconded; all aye.
- 3. *Public comments.*
- There were none.

8:20 p.m. – Mr. Johnson declared the meeting was adjourned. Mrs. Rozanski realizing this was done in error, as Vice-Chairman, reconvened the meeting and declared a five-minute recess.

- 4. *Town official updates.*
- As part of the Board's new agenda item of receiving periodic updates from various boards and committees, Animal Control Officer Brenda Hamelin had been requested to meet with the Board. Because the Board's other appointment had run later than expected, Ms. Hamelin told Ms. Fredette she would meet with the Board another time.
- 5. *Committee reports.*
- Mr. Johnson and Mrs. Rozanski stated they had attended the DOR seminars.
- Mr. Johnson went to the recent MBTA Meeting noting different sources of funds would be coming in to the towns. Mr. Hartman noted, at the present time, he believed the amount should be just under \$14,000 with a peak of \$64,000 being phased in. Mr. Dziczek said he was aware rebates were given to employees in Boston as incentives to ride the MBTA.

- 4. *Back to Town official updates.*
- Another Board responding to the Selectmen's request of receiving periodic updates, Board of Health member Jeff Comeau and Health Agent Bill Fisher came to meet with the Board.

Mr. Fisher began with an update on the Charles River Consortium and finding a location for the Household Hazardous Waste facility. He stated he had gone to the MAPC meeting, while Butch Vito (also present from Norfolk) had gone to the SWAP meeting. Mr. Fisher stated, because of a lack of staff, MAPC would not be able to conduct a site search for them. Mr. Vito explained this consisted of getting a map of State-owned land for the eleven communities. However, Mr. Fisher stated they met with the Charles River Watershed Association and they do have the maps and expertise and will assist them.

Mr. Fisher continued on saying they were still working on local support and organizing the citizen advisory groups from the towns where the facility might be sited.

Board members had a series of questions:

Mr. Johnson asked about a timeline? Mr. Vito responded they hope to have the site selection process completed before April as everything needs to be decided before the end of June or they lose the grant money.

Mr. Johnson asked if they approached Norfolk County Engineers for engineering maps, etc.? Mr. Vito stated they did call them for traffic surveys.

Mr. Gildea asked if they anticipated problems with any other towns? Mr. Vito hoped not as it was a residential collection facility.

MINUTES OF THE SELECTMEN'S MEETING
OCTOBER 2, 2000

Mrs. Rozanski asked about a grant administrator? Mr. Vito stated the Town of Millis has the grant, therefore, it is their responsibility.

Mr. Johnson asked if there was any consideration if Medway wanted to be in the Consortium but not sited here in Medway? Mr. Vito stated that was something the Consortium would have to discuss, but once they do the site search, they hope to get a better picture. Mr. Vito again wanted to clarify that this facility would be a collection/transfer facility.

Mrs. Rozanski asked if other towns would be doing a ballot question? Mr. Vito stated each town will have to decide for themselves.

At this point, Mr. Dziczek stated the Board of Health was here for other reasons, and as part of their update, would be willing to answer any questions on the trash and recycling program, the pay-as-you-throw system, NEED, etc.

Mr. Johnson noted it was prudent of the Board of Health to charge a base fee for residents to cover the cost of the trash program.

With reference to the recycling area, Mr. Fisher noted there are now new signs and steps leading to the recycling bins. They are also getting the brush pile chipped and leaves are being collected. He noted it was good that there are not as many complaints about the trash and recycling programs as there were in the beginning. With regard to the pay-as-you-throw system, the Board would be provided information on that at a later date.

A reminder by Mr. Dziczek and Mrs. Rozanski that the first pickup day of the month is the time to put out leaves, white goods, etc.

Mr. Comeau, Mr. Fisher and Mr. Vito were thanked for meeting with the Board.

- Mr. Heavey, as Constable, stopped in to say that the warrant had been posted.

6. *Administrator's report.*

- Mr. Hartman noted the Board had received a copy of the letter from then Selectmen Chairman Doug Downing to Town Counsel reiterating a conversation they had relative to the two IDC members who might have been in a conflict of interest by joining the IDC, along with IDC Chairman Paul Desimone's response to Mr. Downing. Mrs. Rozanski stated Mr. Downing took that action on his own; she was on the Board at the time.

7. *Discussion items.*

- As the Board has requested in the past, preliminary plans for subdivision are presented to them for any comments. Mr. Hartman explained that the four houses would be built at the end of the road in Granite Estates, which eliminates the fear that residents had that there would be 10-15 houses built there. He noted that the roads are proposed to be town streets.

8. *Action items.*

- The Board was presented with the next quarterly ambulance abatements from the Fire Chief. Mrs. Rozanski moved to abate \$29,147.24 in ambulance receivables; Mr. Dziczek seconded but noted all but one of the amounts shown as being abated were not due to hardship or uncollectable, but were Medicare or Medicaid balances. Mr. Hartman stated they were abating anything over three years old, but even though they were being abated, it did not mean they could not still be collected. They were just following the process which is now a standard procedure as adopted by the Board and as requested by the auditors in their management letter. All aye on the motion.

MINUTES OF THE SELECTMEN'S MEETING
OCTOBER 2, 2000

9. *Communications/ correspondence/ informational items.*

- Mr. Johnson noted receipt of the Community Preservation Act summary from Senator Magnani's Office, copies of which had been distributed to appropriate departments. A hard copy of the entire act will be forthcoming in the near future.
- Mr. Williams noted receipt and read Town Counsel's written opinion dated September 26th to various questions the Board had concerning siting the Household Hazardous Waste facility at the CRPCD plant at 66 Village Street, copies of both letters attached. It appeared that this issue was not a matter of local control as they were an entity unto themselves. Mr. Williams believed that the only thing left for the town to do was enter into the Consortium; however, Mr. Johnson did not believe you had to be a member of the Consortium to allow the facility to be in Medway.

Mr. Hartman stated, what was also relevant, was that the Consortium was willing to do what was the "will of the town", and not force it to be situated here if the residents did not want it here. Mrs. Rozanski did not believe the HHW would be allowed within one-half mile of the well. Mr. Hartman stated that DEM and DEP have said it is not an issue, and that Mr. Vito has commented it was consistent in zone two. Mrs. Rozanski felt it didn't matter and DEP would have to waive the restriction. Mr. Hartman said he would try and locate the letter from DEP for the Board where it is stated that the HHW is a permitted use.

10. *Upcoming meetings.*

- No meeting on October 9th (Columbus Day);
- October 16th (Special Town Meeting), 7:00 p.m., High School Auditorium;
- October 23rd;
- October 30th.

11. *Executive session.*

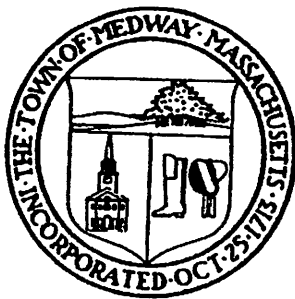
- None required.

9:30 p.m. – *The meeting was adjourned.*

Respectfully submitted,

M. J. Fredette
Administrative Services Assistant
mj

APPROVED
10/16/00



BOARD OF SELECTMEN
155 VILLAGE STREET
MEDWAY, MASSACHUSETTS 02053
(508) 533-3200 • FAX: (508) 533-3201

MEMORANDUM

Date: September 20, 2000

To: Richard Maciolek
Town Counsel

From: M. J. Fredette *mj*
Administrative Services Assistant

Re: C.R.P.C.D.

At their meeting on September 11th, the Board of Selectmen discussed the possible location of the Household Hazardous Waste facility at the C.R.P.C.D. location on Village Street, and requested a written opinion from you on a number of questions:

- Is the siting of the HHW allowable under the present Agreement the Town of Medway has with C.R.P.C.D.?
- What would be the process the Consortium would have to follow with Town Boards?
- Would a special permit be required from the Zoning Board of Appeals?
- Is the Board correct in assuming the issue of location ultimately comes back to them for a final decision?
- What role and/or decision does the Town of Franklin have in this?

I apologize for the delay in getting this memo to you. For your information, the Consortium will be meeting next on September 26th, and the Board of Health is tentatively scheduled to meet with the Selectmen on October 2nd.

Thanks.

mj

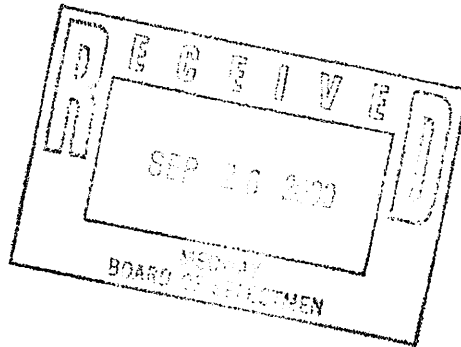
*cc: Fin Com (PJT)
10/13/00*

Kenney & Maciolek
ATTORNEYS AT LAW

RICHARD D. MACIOLEK
STEPHEN J. KENNEY
PAUL V. KENNEY

OF COUNSEL
P. JOSEPH KENNEY
PETER J. KENNEY (1973-1980)

181 VILLAGE STREET
MEDWAY, MASSACHUSETTS 02053
533-6711 AREA CODE 508
FAX: (508) 533-6904



September 26, 2000

Board of Selectmen
Town of Medway
Medway, MA 02053

RE: Household Hazardous Waste Facility
Charles River Pollution Control District

Gentlemen:

This letter will respond to the inquiry set forth in the memorandum to me dated September 20, 2000 regarding the above captioned matter. The issue of siting a household hazardous waste facility (HHW) on the property owned by the Charles River Pollution Control District (CRPCD), although somewhat contentious, provides for little local oversight. As indicated in my answers to your specific questions, as set forth herein below, the location of a collection center for HHW is not a matter of local control.

The creation of the CRPCD, its functions and authorities, are set forth in G.L. c.21, §§28 through 37, inclusive. By way of background, I should remind you that the CRPCD was established in March, 1973 by a vote of the Town of Medway at the Annual Town Meeting in March 1973. The Town of Franklin, at or about the same time, also voted to establish and become a part of that District. Once established the District became "a body politic and corporate" pursuant to §29 and is thus an entity unto itself. As such, in May, 1975, it exercised its authority to take land by eminent domain and to construct the treatment plant off lower Village Street in Medway. The District then entered into separate agreements with the Towns of Medway and Franklin whereby it agreed to accept, treat and dispose of wastewater from the Towns according to certain

cc: [unclear] 9/29/00

conditions and restrictions. The CRPCD, based on the agreements with the Towns, apportions its capital and operating costs between the Towns of Franklin and Medway. Finally, it should be noted that once a District has been established it can be dissolved only by an act of the state legislature. See §28(c).

You first ask whether the siting of the HHW is allowable under the present agreement that the Town has with CRPCD. The answer is that there is nothing in the agreement that either allows or prohibits the HHW facility to be sited at that location. The agreement essentially defines the obligations of each of the parties with respect to the volume and content of the wastewater to be sent to and accepted by the CRPCD and the manner in which it will treat and dispose of that wastewater. It also goes into some detail with respect to the payment to be made by the Town to the District for that service.

The next question is what process the consortium would have to follow with Town Boards in order to establish an HHW facility. The only process would be to obtain a building permit from the Building Inspector. There are no other Boards in Town that would have any impact on the siting of the facility on the District property. The only Board with any involvement is the Board of Health whose agent is the Town's representative to the consortium.

Would a special permit be required from the Zoning Board of Appeals? The answer is no. The proposed use is a valid municipal use and, therefore, is an allowed use under our zoning by-law. The site is located in Agricultural/Residential District II which provides in Section V, Paragraph F.1 that "buildings, structures and premises may be used for lawful" municipal purposes.

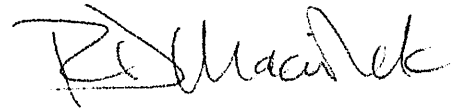
Does the Board correctly assume that the issue of the location would come back to them for a final decision? No that is not correct. The Board of Selectmen do not have any authority in this matter. The Board of Selectmen's only involvement is an indirect one in that it appoints the two members from the Town of Medway that are part of the CRPCD Commission.

What role does the Town of Franklin have in this issue? The short answer is that it has no role. Again, its influence is only indirect in that the Town of Franklin appoints three members to the CRPCD Commission.

The decision of whether to allow the siting of an HHW facility on the grounds of the CRPCD is essentially in the hands of the District Commissioners. So long as the precise location meets the Department of Environmental Protection Guidelines and Requirements, there is little or no involvement on the part of the Town of Medway.

I trust that the foregoing is sufficient for the purposes for which it was requested. If you have any further questions or require any additional information, please feel free to contact me.

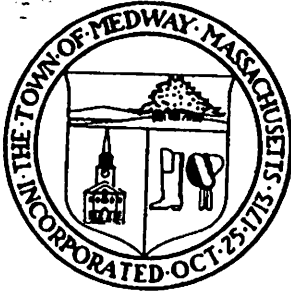
Sincerely,

A handwritten signature in dark ink, appearing to read "R.D. Maciolek". The signature is fluid and cursive, with a large initial "R" and "M".

R.D. Maciolek
Town Counsel

RDM:lc

cc: Board of Health



BOARD OF SELECTMEN

155 VILLAGE STREET
MEDWAY, MASSACHUSETTS 02053
(508) 533-3200 • FAX: (508) 533-3201

AGENDA

BOARD OF SELECTMEN

SANFORD HALL

SEPTEMBER 25, 2000

- 7:00 p.m. - Open meeting.
1. Sign warrant.
 2. Approval of minutes.
 - None.
 3. Public comments.
- 7:15 p.m. - Police Chief David Lambirth.
Re: School Resource Officer and grant money.
- 7:30 p.m. - Industrial Development Commission.
4. Committee reports.
 5. Administrator's report.
 6. Discussion items.
 7. Action items.
 - Decide on the allocation of Chapter 70 funds.
 - Approve and sign Special Town Meeting warrant of October 16th.
 8. For your information.
 9. Communications and correspondence.
 - High School Principal David Driscoll re: November 7th election polls.
 - Passing of Community Preservation Act.
 10. Future agenda items.
 11. Upcoming meetings.
 - October 2nd, 23rd, 30th (no meeting on October 9th-Columbus Day).
 12. Executive session.

cc: Town Clerk for posting.

cc: AUB

MINUTES OF THE SELECTMEN'S MEETING
SEPTEMBER 25, 2000

Present: Selectmen Harry Johnson, Raphaela Rozanski, John Williams, Joe Dziczek, Richard Gildea,
Town Administrator Michael Hartman, Administrative Services Assistant M. J. Fredette.

7:05 p.m. – *Open meeting.*

- Mr. Johnson opened the meeting in Sanford Hall of Town Hall.
- 1. *Sign warrant.*
- Mrs. Rozanski moved the Board approve and sign warrant #13 in the amount of \$924,888.50; Mr. Dziczek seconded; all aye.
- 2. *Approval of minutes.*
- None.
- 3. *Public comments.*
- Mr. Dziczek stated he was approached by a resident of the Lee Lane, Richard Road, Coffee Street area with reference to drainage issues. Thinking that person might attend the Selectmen's meeting tonight, he had contacted the Town Administrator's Office to alert him to that possibility. Mr. Hartman added, with that issue potentially being discussed, he had asked DPS Director Lee Henry to attend tonight's meeting.

Mr. Henry said that that area had problems regularly about two years ago with water flooding out Richard Road, going down Route 109 and into Lee Lane. Finally, the twelve-inch pipe was opened up and cleaned out of many roots with a high-pressure hose, and the catch basins as well were cleaned out. In addition, as part of the 109 Corridor project, Norfolk County Mosquito Control came and cleaned up around the Black Swamp. Even with these improvements, Mr. Henry stated that the twelve-inch pipe should be increased in size in certain areas. Mr. Hartman added that had been no flooding and no complaints during the last two years.

Mrs. Rozanski asked Mr. Henry if he was collecting data of drainage systems? Mr. Henry stated he had actually been doing that for three and one-half years. Adding the new systems to the list was not a problem, but researching the old systems was hard. He stated that repairing the existing drainage has to go along with the federal stormwater regulations. He noted there was still additional work to do on them, but they are monitored closely. He added that catch basins will be installed in three areas (Cutler Street, Evergreen Street, and near Galante's) to put drainage in, but they would not pave until the drainage was complete.

7:15 p.m. – *Police Chief David Lambirth and Lt. Dick Malo came to speak to the Board concerning the School Resource Officer and grant money they received.*

The Chief said he was glad he could stand corrected that the funds would not be coming to Medway when he had heard a week ago they were receiving the money. He deferred to Lt. Malo who would make the presentation.

The Lieutenant stated they applied for a part-time officer through the Cops and School federal grant through the Department of Justice and received \$53,292. He indicated the Town does not have to match the amount and it was a three-year program of 20 hours per week for an entire year effective September 1st, so the program could begin immediately. The only requirement is that the Town has to retain this position for one year after the grant at the Town's expense. Lt. Malo said the grant was specific, and must be used to supplement, substitute, for law enforcement activities.

MINUTES OF THE SELECTMEN'S MEETING
SEPTEMBER 25, 2000

Mrs. Rozanski asked what would happen if the Town did not follow through on the fourth year? Lt. Malo was not sure if there was a penalty, but again stated, it was a requirement in the acceptance of the grant. He noted the grant was designed to put more officers on the street.

Mr. Dziczek asked if this could pose a potential impact to the Department if an officer was needed on the street? Lt. Malo stated this would not impact the shifts, and the grant allows them to pay to replace that person, adding twenty hours a week will not be missing.

Chief Lambirth said the officer must attend a training seminar which is paid for by the federal government in addition to the grant. They have to find out if the same officer needs to be retrained, but the seminar is held sometime between January and July and lasts for several days. They also need an administrator to go along with the training.

Mrs. Rozanski moved to approve the School Resource Officer grant for the three years; Mr. Dziczek seconded. When Mr. Johnson noted they were just committing to three years, Mr. Williams amended the motion to be ^{four} years subject to funding at Town Meeting; Mr. Dziczek seconded the amendment. Mr. Hartman clarified for the Board that if this motion passes, it is telling the Chief he needs to plan for it in his budget. With that, Mr. Johnson wanted assurance from the Chief and the Lieutenant that the Board would be provided with a report. All aye on the motion.

7:30 p.m. – The Industrial Development Commission and their Secretary came to meet with the Board.

Mr. Johnson stated that all members of the IDC were here with reference to their letter of September 6th addressed to the Chairman of the Board of Selectmen, which among other things, included their resignation from the IDC effective September 8th. Mr. Johnson said that the letter was sent to the Town Clerk as well. The Board had, in turn, sent a letter to the IDC members asking them to stay on until others were appointed in their place. Mr. Johnson also referenced Mr. Hartman's letter dated September 21st wherein it is noted that, because of the individuals contacted, the rumor referred to in the IDC's letter of September 6th is not valid. Mr. Johnson stated he did not want the Town to be held liable. He also did not want to specifically mention the business being referenced as it appeared to be erroneous, but did say it concerned a large manufacturing company's consideration to locate part of their facilities in Medway.

Mr. DeSimone stated they had received the letter from the Secretary asking the IDC to meet with the Board tonight. They were not here to discuss the letter dated September 6th to the Chairman. When Mr. Johnson said he did not know what exactly was stated in that letter, a copy was provided to him. In reviewing that letter, Mr. Johnson noted the Secretary had stated, upon receipt of the September 6th letter, the Board had tabled discussion of the contents of that letter to this evening.

Mr. DeSimone stated they were not there for any other reason except for discussion of their resignations. He would not discuss that letter at a public meeting.

Mr. Johnson felt, because of the nature of the letter, the meeting should be in executive session. Mr. Hartman stated he did not believe there was a valid reason to discuss the issue in executive session. Mr. Johnson asked for comments from the other Selectmen.

Mrs. Rozanski would agree that would not be the way they should go, except for Mr. Hartman's comment in his letter stating, "As you will recall, the IDC cited the notorious EMC rumor in their recent resignation letter. Normally, I would not waste my time on such a matter, but as you well know, this rumor has been continually evoked to bring discredit to certain Town employees." She felt that would be reason for an executive session and not for a public session.

Mr. Williams believed you had to get permission from the employees to go into executive session, and if they agree, then you can. Mr. Gildea agreed with Mr. Williams.

MINUTES OF THE SELECTMEN'S MEETING
SEPTEMBER 25, 2000

Mr. Johnson asked Mr. Hartman if he had spoken to Town Counsel? Mr. Hartman said he had, and Town Counsel had advised him to advise the Board, since it was all speculation and since there was no basis for the names mentioned in the rumor, to mention any names could be slanderous.

Mr. Johnson said he would want any people mentioned to be at the meeting, to then go into executive session, and if the Board desires, to release the executive session minutes after that. Mr. Hartman noted any employees involved can bring their own Counsel and have a right to open session. Mr. Johnson suggested Monday, October 2nd, at 6:30 p.m. for the executive session prior to the regular meeting.

Mr. Williams stated there were no specific names mentioned in the September 6th letter, and he would like to know the names. Mr. Johnson said he was privy to that information, as is the IDC liaison, Mr. Hartman and Mr. DeSimone.

Mr. DeSimone stated, in discussion with his other Board members, they have agreed to stay on under one condition. He felt that the present way of approaching people to serve on a committee by advertising in the paper and cable is not going to bring in new members. A time limit has to be placed on this since their resignation was effective September 8th to the Town Clerk. He felt the only way to fill their places is if all the Selectmen aggressively pursue getting one new member each. This is the only way they will stay on until the end of October. If the Board was able to find three new members, possibly the younger two members of the IDC would stay on.

Mrs. Rozanski said she had enjoyed working with them over the last 4-5 years, whether the rumors were founded or unfounded, and how they approached things and bonded together. She asked that the Board take them seriously, noting that their work has been for the good of the Town and they have been successful.

Mr. Johnson also thanked them and believed their request could be fulfilled. He knew they had a good industrial base now and will try to resolve the issues with honesty and truth.

Mr. Dzikczek was considering the possibility that the members would not stay on until the October 2nd meeting. Mr. Johnson noted he could not answer for the IDC, but if the situation occurred, the Board would act accordingly. Mr. Hartman noted if there is an executive session, it would have to be for reason #1.

Marion Cole stated it was her understanding that since the Town Clerk has accepted their resignations, they are resigned. If their resignations have been accepted, how can they be asked to continue fulfilling their duties? If any of them wanted to continue on, she thought they would have to be re-appointed. Mr. Hartman felt the Town Clerk could be notified formally of the intent to stay on until the end of the month.

Mr. DeSimone believed they were still on the IDC, but what bothered him was that he recruited the two young men and they never received an answer from Town Counsel after they were accused of being in a conflict of interest situation. At that time, they went to the Chair of the Board of Selectmen even though the name was never given to the IDC of the inquirer of the possible conflict and they never received a letter. Mr. Johnson asked Mr. Hartman to research this.

Mr. DeSimone went on to say that it has been assumed that the primary reason for their resignation was EMC; that was not the only reason.

4. *Committee Reports.*

- Mr. Dzikczek noted receipt of the letter from the Central Massachusetts Resource Recovery Committee relative to an upcoming meeting on October 5th for towns that have contracts with

MINUTES OF THE SELECTMEN'S MEETING
SEPTEMBER 25, 2000

Wheelabrator and possible grant money that might be available to offset costs. Mr. Hartman clarified that the plant has to be retrofitted and Wheelabrator has a problem with that since they have to carry 45% of the cost with municipalities picking up the balance of 55% in tipping fees.

- Mr. Williams picked out his business of the week, The Little Store, and noted it was not an endorsement, just a recognition.
- Mrs. Rozanski recently attended a MPAO and a MPO meeting. She said she had put forward the concept of continuing the Route 109 project to Holliston Street, also suggesting a "park and ride" location, hopefully getting review comments in six weeks.
- Mr. Johnson noted receipt of the Norfolk County budget of \$4 million, with Medway's assessment being \$63,685. He also stated he had received a check for \$500 made out to the Medway Food Pantry from the Norfolk County Advisory Board, which he was happy to turn over to them with his own check for \$50.
- Mr. Johnson noted receipt of the memo from the Town Clerk indicating the Attorney General had approved the Zoning by-law change for Commercial District VI.
- Mr. Johnson acknowledged AT&T Broadband's most recent filing dated September 18th, but noted that Medway was not listed.

9. *Communications and correspondence (the other categories were skipped over for now).*

- Mr. Johnson brought up the Community Preservation Act. He acknowledged receipt of the copy of the community preservation act that was received passed by the legislature. He asked that copies be made for the Historical Commission and Affordable Housing, but hoped all committees would eventually get a copy so that he could solicit comments and a recommendation before sending it forward to Town Meeting for adoption and then to the ballot if it passed.
- Mr. Johnson noted a copy of the Superintendent's letter to AT&T Broadband concerning receiving Cable in the Classroom in the public schools, which had the Board's support.

5. *Administrator's report.*

- Nothing.

6. *Discussion items.*

- Nothing.

7. *Action items.*

- Mr. Johnson referred to the request from the School Committee and FinCom to recommend that the Chapter 70 money be transferred to the School Department. Mrs. Rozanski began to move to approve the transfer of the Chapter 70 money to the School Department, but Mr. Williams noted the Board has to remove that from the table first. Mrs. Rozanski moved to remove the issue of the Chapter 70 from the table; Mr. Williams seconded; all aye.

Mr. Williams read the motion that he made the previous week: "that the Town of Medway make \$231,904 available to the School Committee for expenditure, in addition to the appropriation voted at the Annual Town Meeting on May 8, 2000 of \$15,315,000, the increase representing additional Chapter 70 aid, so-called, in the final Cherry Sheets for FY2001."

MINUTES OF THE SELECTMEN'S MEETING
SEPTEMBER 25, 2000

Mrs. Rozanski stated, in light of the letter received from the FinCom supporting the whole amount going to the School Department, and Dr. Bettencourt's letter indicating where the funds would go (approximately \$86,000 to cover the deficit and approximately \$146,000 for teacher paraprofessional positions), she amended Mr. Williams' motion to include the intent of the School Committee's vote as indicated in their September 22nd letter; Mr. Dziczek seconded. Mr. Johnson noted this does not change anything; it just shows how the funds would be expended if and when made available. Mr. Williams disagreed as they had already committed the use of the funds. The vote on the amendment: Mr. Johnson, Mrs. Rozanski, Mr. Dziczek, Mr. Gildea – aye; Mr. Williams – no. All aye on the transfer of funds. Again, it was reiterated that this transfer does not have to go to Town Meeting.

8. *For your information.*

- Nothing.

9. *Back to communications and correspondence.*

- Mr. Johnson brought up High School Principal David Driscoll's letter dated September 19th relative to the polling site, and asked that Board members give serious thought to it as he felt it was not just a matter of convenience, but safety too.

Mr. Williams thought the letter reflected Mr. Driscoll's personal opinion, but noted that people could carpool or park elsewhere. Additional polling locations would require more election workers and more police. Mr. Johnson had thought of the VFW or St. Joseph's Parish Center, but did understand that voters would have to be notified of additional polling locations. Mr. Williams said he has spoken to the Town Clerk many times over the last eighteen months as liaison about the increased number of voters, and that consideration may have to be given to re-precincting or a fourth precinct, but at this point, she does not feel there should be any changes.

Mr. Johnson said he would like to hold two elections on November 7th, but they would need two ballot boxes. He believed they should try and commit as many voters as possible on election day. Mrs. Rozanski and Mr. Gildea agreed with Mr. Williams that holding two election or two polling places would cause too much confusion. Mr. Dziczek asked why they were still discussing the issue when they all agreed it shouldn't be done?

Chairman of the School Committee Charlie Myers stated he appreciated Mr. Driscoll's comments but this has not gone to the School Committee yet, and Mr. Driscoll and the Superintendent will look at the situation with the Police Department in the future to see what can be done.

Mr. Gildea moved to keep the election at the high school; Mrs. Rozanski seconded. Mr. Williams said no, why vote? Mr. Johnson stated they choose the election site. He also remembered that about a year and a half ago, the Town set aside funds to improve the landing in front of the doorway so the entrance would be handicapped accessible and all were in agreement with Sue Bouchard, Chairman of the Disability Commission, that this be done. Little has been done, and Mr. Johnson asked Mr. Myers to check on it.

Mr. Johnson went back to asking Board members if they should try and have the override election on the same day as the National election? Mrs. Rozanski felt there would be a little problem with this after speaking to the Treasurer/Collector, as normally, you wait until the Town Meeting and then vote. Mr. Johnson stated there does not have to be a Town Meeting. Mr. Hartman clarified this is a debt exclusion, not an override. Mrs. Rozanski continued that Bond Counsel likes to get the wording from Town Meeting first, but asked if they still had time to do a ballot question? Mr. Johnson said they need thirty-five days, while Mr. Williams believed it was thirty days.

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SEPTEMBER 25, 2000

it was just an issue of funding. He said that the School Committee has also added new positions as well as restoring. They are both trying to address needs as appropriate. Mr. Dziczek moved to approve new article 17; Mr. Gildea seconded. The vote: Mr. Dziczek, Mr. Johnson, Mr. Gildea – yes; Mr. Williams, Mrs. Rozanski – no.

New Articles 18 and 19 – Mr. Hartman explained the Town had accepted the statutes but not the funding as part of the non-contingent budget, same for New Article 19. Mr. Dziczek moved to include Articles 18 and 19; all aye.

New Article 20 – Mr. Hartman said FinCom put \$50,000 into the health fund appropriation for unemployment. They have unemployment claims on over 90% of the employees laid off and 40% of the paraprofessionals had health coverage. He added at the first FinCom meeting after the override failed, they voted to submit all three of these articles. In conversation with the FinCom Chair, he feels they will take the balance of the lottery money and place it in the reserve fund, and dismiss the stabilization and health articles. Mr. Hartman noted the health trust fund appropriation has not been put in the fund yet. The amount requested was changed from \$52,000 to \$50,000.

New Article 21 – Mr. Hartman said there was an argument between the DPS Director and the Town Accountant. Mr. Henry has the money to pay the electric bill, but he got the bill in July, and since the bill is for usage in June, the Town Accountant will not pay it.

New Article 22 – OK.

New Article 23 – OK

New Article 24 – OK.

Old Article 25 was removed as the Chapter 70 money will be transferred.

New Articles 25 and 26 – Again, Mr. Hartman believed these would get dismissed since the FinCom originally thought the Town would be receiving \$350,000 instead of \$123,999.

New Article 27 – OK.

New Articles 28 and 29 – Mr. Hartman explained the members of the Consortium were acting as an informal group for eighteen months, and a proposed agreement has been sent to Town Counsel several times.

Article 1 – Mr. Hartman clarified that Town Counsel has stated you must name the specific purpose for eminent domain.

Article 2 – Mr. Hartman said the amount will not exceed \$2.4 million.

Article 3 – Mr. Hartman said the amount will not exceed \$450,000. He added there is no construction estimate until the schematic drawings are completed. According to the State Division of Assets Management table, this represents approximately 15% of the total cost of all design services.

Article 4 – Mr. Hartman stated this solves the problem on Granite Street, and the Planning Board will accept the new easement.

Article 5 – Mr. Hartman stated this was relative to any Town project. If you establish a fee, and not accept this, you cannot charge more than that fee, regardless of actual costs.

Article 6 – OK.

MINUTES OF THE SELECTMEN'S MEETING
SEPTEMBER 25, 2000

Article 7 – OK.

Article 8 – OK.

Article 9 – OK.

Article 10 – Mr. Hartman noted that the Household Hazardous Waste site was not subject to site plan review by the Board of Selectmen.

Article 11 – Mr. Hartman stated a “new” use can’t be waived even if it is a “permitted” use.

Articles 12 and 13 – Mr. Williams summarized both.

All aye on the Board signing the warrant with corrections being made.

10. *Future agenda items.*

- Nothing.

11. *Upcoming meetings.*

- October 2nd, 23rd, 30th (no meeting on October 9th – Columbus Day).

12. *Executive session.*

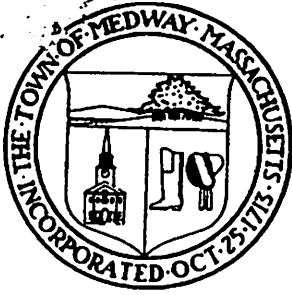
- None required.

10:35 p.m. – Mrs. Rozanski moved the meeting be adjourned; Mr. Dziczek seconded; all aye.

Respectfully submitted,

M. J. Fredette
Administrative Services Assistant
mj

APPROVED
as amended
10/16/00



BOARD OF SELECTMEN

155 VILLAGE STREET
MEDWAY, MASSACHUSETTS 02053
(508) 533-3200 • FAX: (508) 533-3201

ALL BOARDS MEETING

SEPTEMBER 23, 2000
SANFORD HALL

JOINTLY SPONSORED BY:

BOARD OF SELECTMEN

TOWN ADMINISTRATOR

FINANCE COMMITTEE

CAPITAL IMPROVEMENT PROGRAM COMMITTEE

PLANNING BOARD

MUNICIPAL BUILDING COMMITTEE

- 9:00 a.m. - Open meeting.
- Discussion on new budget process adopted at Annual Town Meeting – Finance Committee, Board of Selectmen and Town Administrator.
- Discussion on new budget timetable – Finance Committee, Board of Selectmen and Town Administrator.
- Emergency transfer policy – Finance Committee.
- 10:00 a.m. - Capital Improvement Program guidelines – Capital Improvement Program Committee and Town Administrator.
- 10:15 a.m. - Discussion of Medway growth – Planning Board.
- 11:00 a.m. - Site 12A for proposed school – Municipal Building Committee
- 11:45 a.m. - Wrap-up.
- 12:00 Noon - Adjournment.

* Times tentative depending upon length of presentations.

cc: all bds

**NOTES FROM ALL BOARDS MEETING
SEPTEMBER 23, 2000**

9:00 a.m. – The All Boards meeting was called to order by Selectmen Chairman Harry Johnson. Members of other boards and the general public were in attendance including:

Selectmen: Harry Johnson, Raphaela Rozanski, John Williams.
Town Administrator: Michael Hartman.
Finance Committee: Carla Cataldo, Jay Leader, Steve Forbes, Allan Fraser, Barry Heller.
Planning Board: Jim Wieler, Dan Hooper, Don Springer.
CIPC: JoAnne Muench.
Municipal Building Committee: Jim Hoodlet, Frank Varrichione, Kelly O'Rourke.
Library Trustees: Wendy Rowe.
Police: David Lambirth, Bob Saleski.
Town Accountant: Arti Mehta.
Treasurer/Collector: Marjorie Sanford.
Administrative Assessor: Paul Keefe.
Administrative Services Assistant: M. J. Fredette.

Selectmen Chairman Harry Johnson acted as moderator, introducing Ms. Cataldo.

Finance Committee:

Carla Cataldo, Vice-Chairman: new budget timetable.

As adopted at the May Annual Town Meeting, Ms. Cataldo went over the FinCom calendar outlining some of the important dates to keep in mind. She advised boards to let FinCom be aware of any articles that may appear on a warrant ahead of time. Ms. Cataldo stated they were trying for a more organized process this year, as well as looking at long-range planning and capital items. Mr. Leader stated the process this year is not as traditional, realizing this will involve more work on the part of the Town Administrator and the School Superintendent as the management team, but feel they will now be acting more as a Board of Directors. Ms. Cataldo also asked for feedback on the idea of having one line item for salary and expenses so there would not be the need to transfer from those line items at a special town meeting

Steve Forbes: emergency transfers.

Mr. Forbes went over the FinCom's ETR policy restating the FinCom's reserve fund has been reduced dramatically and to keep in touch with the Town Administrator on the status of their budgets. Ms. Rowe noted some concern when using some of their existing funds for an emergency situation, which might result in their being short at the end of the year.

Allan Fraser: new budget process.

Mr. Fraser stated he was acting as a coordinator for the new format process. He acknowledged this format was not cast in stone, but was to be used as a tool to get started on the new format. He indicated the budget sheets for each department will be coming from the Town Administrator. Indicating that the FinCom's job was to recommend the Town's budget, he tried to show the importance of determining revenues. This was the reason that the FinCom was asking for information on fees from departments to assist in that revenue calculation. Revenue coupled with expenses becomes the planning tool for the FinCom in building the budget. The budget sheets as presented become that planning tool. He asked that departments not panic when they are preparing the sheets, but to work with the FinCom and the Town Administrator in filling them out as best as they can. Once the initial information is inputted, it does not have to be done again as calculations will then be formulated from that. Getting such detail will show the FinCom what each department intended as they prepared their budget. He reiterated that departments should first go to the Town Administrator with any problems or concerns, and then to the FinCom. Sgt. Saleski voiced some concern on overtime calculations and part-time people with different shifts, but Mr. Fraser felt it would all work out.

10:00 a.m. – Mr. Johnson thanked the FinCom and introduced JoAnne Muench.

Capital Improvement Program Committee:

NOTES FROM ALL BOARDS MEETING
SEPTEMBER 23, 2000

JoAnne Muench, Chairman: guidelines.

Ms. Muench stated they were asking for a five-year plan from everyone as per the Town's by-law; next year, they will be asking for a six-year plan. Receiving a plan from everyone will assist them in anticipating what long-range planning they need to do. Per the FinCom's calendar, budget requests for the next fiscal year and five-year plans should be submitted to the Town Administrator in October. After that, the Town Administrator will meet with CIPC in November to present his recommendations. Ultimately, the FinCom will get the final list from CIPC by the end of December. Ms. Muench reiterated the CIPC's intent to receive a percentage of the Town's budget dedicated to CIPC items, and with plans in place, there was merit in its pursuit.

10:15 a.m. – Mr. Johnson thanked Ms. Muench and introduced Jim Wieler.

Planning Board:

Jim Wieler, Vice-Chairman: growth rate.

Mr. Wieler apologized for Chairman Diane Borgatti who could not be in attendance and had a better presentation to make. However, he noted the Planning Board was trying to pursue the objectives of the Master Plan and correct some of the areas of the by-law that needed to be addressed by including them as some of the warrant articles. The longest article on the warrant was the ARCPUD, but stated that this was being more consistent with Mass. General Laws. It had been modeled after the by-laws of other area towns, which allow a builder to build on a smaller parcel and allowing for open space at the same time. The Planning Board felt there was a demand for this kind of housing for people over 55. They had taken input from residents and other interested people and incorporated their comments and suggestions. They were working with the DPS Director in determining what was needed to get more of the streets in town accepted as public ways. The Planning Board was also trying to ensure that there would be sufficient funds in the contingency account to complete a road, even if it meant increasing their fees. When asked about the trend of the growth rate in Town, Mr. Springer stated they had one new subdivision under review and the rest of the subdivisions were already under construction. Completing these new homes under ARCPUD will hopefully free up some of the older homes in Town for first-time buyers. Mr. Wieler noted they had approved over 100 building lots in the past 1-1/2 years, turning down one subdivision plan for 47 homes since it did not meet specs. When asked about approved but undeveloped lots, Mr. Wieler was not able to give an answer, but a developer has 7 years to build. He guesstimated around 100. Mr. Hooper told everyone present they welcome written comments on any Planning Board issues.

10:35 a.m. – Mr. Johnson thanked the Planning Board and announced a short break.

Mr. Johnson introduced Jim Hoodlet.

Municipal Building Committee:

Jim Hoodlet, Vice-Chairman: new school site.

Mr. Hoodlet explained the Committee was originally looking for a 35-acre site. With the feedback they received, they went back and reviewed their information and developed a worksheet to analyze properties. From this, they determined they needed to do more in-depth review of sites. They then spent the summer scoring the various sites, and then ended up incorporating some properties to come up with site 12A of approximately 80 acres. Aerial photos were taken and a potential layout for the school, parking area, etc. was drawn up indicating everything would fit on the site. Some concern was raised from Mr. Wieler as to possible water problems that existed when the Azalea and Summer Hill subdivisions went in; a dip in the road near the proposed access; traffic problems; existing gas main; power lines. Mr. Hoodlet said the engineers questioned placing the access across from Azalea because of the wetland area and ultimately chose the access further up Summer Street. Mr. Hoodlet explained how beautiful the whole site was especially since it bordered Choate Park and the Idylbrook property. When asked about any downsides to the site, Mr. Hoodlet said it would be costly to develop the 2100 feet for the access, but could possibly be a reimbursable expense. Ms. O'Rourke added the only other downside she was aware of was that the Police would have to go up the driveway to do a security check on the building. Mr. Leader said, as far as he knew, no one in the neighborhood area seemed to be against this site. Ms. O'Rourke also noted that the

NOTES FROM ALL BOARDS MEETING
SEPTEMBER 23, 2000

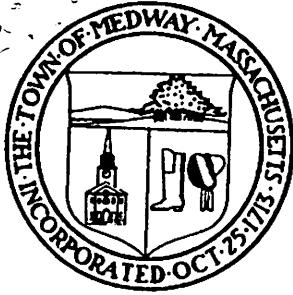
renovation of Route 126 is a plus for this project. Mr. Hartman stated there would be sidewalks going on the west side of Summer Street and bike paths on both sides of the street. Mr. Hoodlet added the little benefit of Dunkin Donuts going in at the corner of Summer and Milford Streets as part of Route 126 improvements. Insofar as lighting was concerned, Mr. Hartman said the area would be made safe. The proposed plan has been reviewed by the group that is designing Route 126, and as it is a state-numbered road, will have to be worked out with the State. However, there is not much that can be done until the final design is done. Mrs. Rozanski suggested calling it an entrance road, not an access road. With regard to the road, Mr. Hartman stated it will be designed as a 60-foot right of way with sidewalks on both sides and would look like a regular street. Mr. Wieler applauded the Committee's efforts and believed they had the beginning of an eco-corridor. He also like the idea of paths existing in the surrounding areas of Idylbrook, Choate Park and Adams Street. Mr. Hoodlet stated they would be making a presentation at the special town meeting on October 16th relative to getting approval of the site, to receive funding to acquire the site, to do a survey, and to hire an architect for schematic drawings. He also noted the public informational meeting would be held on September 27th, and if it is passed at the STM, they would be looking for a debt exclusion question at a special election. If all is approved, the Committee would then come back with a project plan and design. Mr. Hoodlet said the deadline for submittal is June 30, 2001, and at this time, is reimbursable at 69%. Based on average incomes which have increased, the rate has gone down to 57.31%. Schematic designs have to be in by the end of this year, and what is being proposed is a 1000 student school. He also reminded everyone that the proposed tasks started with a new high school, then renovations at McGovern, Middle School and then Burke. Ms. O'Rourke commented if they were to build on the present high school campus, they would have needed 26 more acres. She asked boards to send any comments to their Committee.

11:35 a.m. – In a wrap-up, Mr. Johnson thanked the Municipal Building Committee and tried to summarize the presentations of the different committees.

11:45 a.m. – The meeting was adjourned.

Respectfully submitted,

M. J. Fredette
Administrative Services Assistant
mj



BOARD OF SELECTMEN

155 VILLAGE STREET
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(508) 533-3200 • FAX: (508) 533-3201

AGENDA

BOARD OF SELECTMEN

SANFORD HALL

SEPTEMBER 18, 2000

7:00 p.m. - Open meeting.

1. Sign warrant.
2. Approval of minutes.
3. Public comments.

7:15 p.m. - Nancy Honey-Lundy, Chair Medway Pride Day Committee.
Re: Synopsis of Pride Day 2000 and Projection for Pride Day 2001.

4. Committee reports.
5. Administrator's report.
6. Discussion items.
7. Action items.
 - Approve and sign Sumaria Systems agreement.
 - Approve and sign Memorandum of Agreement with Cumberland Farms for retail sale of Medway trash bags.
 - Vote the two debt exclusion questions for the November ballot.
8. For your information.
9. Communications and correspondence.
10. Future agenda items.
11. Upcoming meetings.
 - All Boards – September 23rd
 - September 25th
12. Executive session.

cc: Town Clerk for posting.

CC: ARD

MINUTES OF THE SELECTMEN'S MEETING
SEPTEMBER 18, 2000

Present: Selectmen Harry Johnson, Raphaela Rozanski, John Williams, Joe Dziczek, Administrative Services Assistant M. J. Fredette. Selectman Richard Gildea and Town Administrator Michael Hartman were not in attendance.

7:05 p.m. – Open meeting.

- Mr. Johnson opened the meeting in Sanford Hall of Town Hall.
- 1. Sign warrant.
- Mrs. Rozanski moved the Board approve and sign warrant #12 in the amount of \$504,075.40; Mr. Dziczek seconded; all aye.
- 2. Approval of minutes.
- None.
- 3. Public comments.
- Mr. Johnson brought up the Technology meeting held on September 14th, and as a result of that meeting, the approval and signing of the Sumaria Systems agreement was one of the Action Items on tonight's agenda. Mr. Williams moved the Board approve and sign the Sumaria agreement; Mrs. Rozanski seconded; all aye. Mrs. Rozanski noted that Data National is not charging the Town the \$125/month during the time they work on revamping the accounting package. Mr. Johnson said this allows the Town to go forward with budgetary requirements so they can begin on the new system on July 1st.

7:15 p.m. – Nancy Honey-Lundy, Chair of the Medway Pride Day Committee came to meet with the Board and give them a brief synopsis of Pride Day 2000 and a projection for Pride Day 2001.

Ms. Lundy noted that Pride Day 2000 was a success for all, and thanked last year's committee for all their efforts. It was obvious that many took pride in Medway with the flower barrels placed around Town, and from which a permanent committee has now been formed. Many residents spruced up their yards in preparation for the Big Day. MYCO sponsored a road race that day, and there was a lip sync contest held that day, as well as pictures taken of competitors and residents alike. She thanked Charlie Myers for notices placed on his website.

Ms. Lundy stated they were starting the next Pride Day with over \$7,000. She said once they hit \$10,000, they allow for a cushion and then try to beautify Medway with some of the remaining funds.

Next year, Pride Day is on May 19, 2001. At this time, there was the possibility of a re-enactment of the Revolutionary War, which needs State and Town permission of using black powder. She also hoped they could sponsor two dances.

Mr. Dziczek asked if there were any leftover tee-shirts for sale, and Ms. Lundy said there were. She also noted their meetings are held at 14 Gray Squirrel Road every other Monday at 6:30 p.m. starting September 25th.

When asked by Mr. Williams what they took in last year, Ms. Lundy said they started at \$3,636 and ended at \$7,400. He asked for a further breakdown for informational purposes to include the beginning balance, income, expenses and total. Ms. Lundy will give that information to Ms. Fredette in a month's time.

Mrs. Rozanski suggested a new clock for Town Hall to replace the inaccurate one presently there. Mr. Dziczek agreed if the Town can contribute in any way to let the Board know. Ms. Lundy

MINUTES OF THE SELECTMEN'S MEETING
SEPTEMBER 18, 2000

noted the assistance they received from Town employees including the providing of sawhorses and trash receptacles.

Mr. Johnson asked about the members of her committee. Ms. Lundy stated she had a nice balance of the business community and private citizens, and thanked the Board for their cooperation.

4. Committee reports.

- Mr. Johnson congratulated the teachers who attended classes during the summer indicating the partnership pays big dividends.
- Mr. Dziczek noted that the recycling center had been cleaned up and looked really nice. He also noted most of the Board's attendance at the Technology Committee meeting and that he believed it was a good discussion.
- Mr. Johnson agreed and hoped all would be better next year. Speaking of technology, Mr. Johnson noted the Town Hall still had no internet. He knew it was coming down from the schools and Steve Amrock was working on it.
- Mr. Williams agreed that the exchange at the technology meeting was good, and asked that a close eye be kept on it. Mr. Williams noted that the Lovering Street sidewalk was looking good and knew that we were working on the grant for trees for replication. He asked about the SRO and wondered if that subject would be deferred to next week? Mr. Johnson agreed it should be on next week's agenda. Mr. Williams said he was starting a new thing – a business of the week, and this week it was the Elm Club and thanked Barbara Junkins.
- Mrs. Rozanski noted that leaves will be picked up during the months of September, October and November on the first pick up day of the month. She noted that the ZBA night secretary had explained to her that the monitor was taken from the file room and so she could not use that work station. Ms. Fredette explained when her monitor stopped functioning, the Town Accountant was kind enough to let her use the one at the work station until hers could be replaced. She was asked to pursue getting that work station up and running again. Mrs. Rozanski noted attending the recent SWAP meeting, and that there was a MPO meeting in Framingham on Wednesday, at which time officials were being asked to voice their opinions on how well the MPO structure is working.
- Mr. Johnson noted a new law being implemented in 2001 addresses run-off water, and that in order for Medway to be in compliance with DEP, water cannot cross a Town boundary. Mr. Johnson noted that the Town still does not have GIS with DeLauriens. Ms. Fredette noted that Mr. Hartman was meeting with them at the beginning of October, so some progress was being made.

5. Administrator's report.

- None.

6. Discussion items.

- Mr. Williams brought up the Chapter 70 money and action required by the Selectmen vs. Town Meeting. Mr. Dziczek noted he had attended the FinCom meeting, and they were taking the funding under consideration; no recommendation was made at that time.

Mr. Johnson asked if it was the intention of the Board to approve transfer of those funds to the School Department at this time? He said that the SPED requirements are not being met and parents are looking to place their kids out of district. On that, Mr. Williams began to move that the Selectmen vote to approve the transfer, but Mrs. Rozanski said they should not do it

MINUTES OF THE SELECTMEN'S MEETING
SEPTEMBER 18, 2000

as that was not following the process. Mr. Johnson said he would like to adhere to the DOR's recommendation and give those funds to the School Committee without going to Town Meeting; therefore, the Selectmen could transfer the funds immediately or allow the funds to go to general revenue. Again, Mrs. Rozanski stated everyone was given the procedure and they should wait for the outcome, but felt the School Committee's article on the warrant was inappropriate as the Board was inclined to transfer the funds, and would not have to go to Town Meeting.

Mr. Dzikczek stated there was discussion at the FinCom meeting relative to the Chapter 70 money as well as the lottery money coming in from the State. Both the Town Administrator and the School Superintendent were queried about the available funding, and both seemed amicable to sharing those funds. As the meeting ended, the FinCom asked that the two administrators converse and try to come to a joint solution, and let the FinCom know what transpires from their conversation. The FinCom should be making a recommendation to the Board by the All Boards Meeting.

Mrs. Rozanski agreed they were all following protocol; therefore, for the record, Mr. Williams moved that the Town of Medway make \$231,904 available to the School Committee for expenditure, in addition to the appropriation voted at the Annual Town Meeting on May 8, 2000, of \$15,315,000, the increase representing additional Chapter 70 aid, so-called, in the final Cherry Sheets for FY2001; Mr. Johnson seconded, and asked that this motion be brought forward to Saturday at which time they would get the recommendation of the Finance Committee. With that, Mrs. Rozanski moved that the motion be tabled until that time; Mr. Williams seconded; all aye. Mr. Johnson agreed they can take or ignore the recommendation of the FinCom, and then vote on Monday.

7. Action items.

- The Sumaria Systems agreement was already signed.
- Approve and sign Memorandum of Agreement with Cumberland Farms. Mr. Williams moved that the Board approve and sign the Memorandum of Agreement with Cumberland Farms for retail sale of Medway trash bags; Mr. Dzikczek seconded; all aye.
- Vote the two debt exclusion questions for the November ballot. Mr. Johnson stated they were a dollar late and a dollar short on this, as the questions should have been submitted to the Secretary of State's Office for certification by the first Wednesday in August preceding the election. At this point, the Board would have to agree on holding a Special Election, which he was not ready to do at this time, and suggested they discuss this at a future date.

Mr. Williams agreed it would have been good to do both in November, but the Town Clerk said she can set up a special election in thirty-five days. Mr. Johnson noted there could be two ballot boxes, and it may be confusing, but it could possibly be done. Mr. Williams was aware time was of the essence, but thought the two ballot boxes would be horrendous. Mrs. Rozanski thought the Treasurer would have to be brought into the discussion since she would be the one talking to Bond Counsel.

- Mr. Williams said the Town Clerk asked him to remind the audience of the Primary hours on Tuesday which would be from 7:00 a.m. to 8 p.m., but a low turnout was expected.
- Mr. Dzikczek brought the Board back to previous discussions of having various committees coming in to talk to the Selectmen. Mr. Johnson thought the Board of Health could be invited in to give an update on the consortium and a possible question on the ballot. Mr. Dzikczek noted the Office was open late on Monday night, so that might be a convenient time for them. Mr. Johnson added an update on the new trash hauler, NEED, and the pay-as-you-throw program would also be good.

MINUTES OF THE SELECTMEN'S MEETING
SEPTEMBER 18, 2000

Mr. Dziczek also suggested asking the Animal Control Officer to come in as she could provide a current report on skunks, rabies, etc.

Mr. Johnson said he would like a status report on the consent order for Water/Sewer he was not in receipt of any letter since October 1999 which indicated the Town was not in compliance.

Ms. Fredette will speak to the three above-named.

- Mrs. Rozanski brought up the letter sent by Mr. and Mrs. Graham, which Mr. Williams read into the minutes, copy attached. Mrs. Rozanski asked if it was appropriate to revisit this issue and have a hearing. She noted she would like Mr. Hartman to get the history on this. Mr. Johnson stated there have been hearings and the area has been serviced. The Board of Selectmen at that time entered into an agreement for that intersection and that information is available. Insofar as the buses are concerned, the Transportation Committee decided it was not safe to go up Granite Street. Mr. Williams disagreed with this because the residents are still concerned about their area so the issue is still there. Mr. Johnson asked Ms. Fredette what history she recalled. She noted the intersection was reconstructed with Chapter 90 funds initiated with concerns from the Police Department that this area needed to be addressed.

Mr. Williams stated they could not set policy because of the "complaint of the month". They need a policy, that being then that they close off all 45 degree angle streets. He asked what led the Selectmen to that decision? Mrs. Rozanski felt it was similar to when the Ellis Street intersection was reconstructed. Mr. Dziczek recalled the craziest intersection being the Main, Village, Summer Street intersection.

Mr. Johnson felt that most of the questions had been answered, but if that is not enough, the Board of Selectmen can provide written answers. He felt the new construction and development going up in that area is causing the interest now, as they did not hear much before this. He also believed they had come to some conclusion as the sidewalk issue has been resolved. Mr. Williams said he would research the Selectmen's minutes.

- Mr. Johnson noted the Medway Business Council's BBQ on October 4th. He also complimented them on the recent debate held for State Representative that they sponsored.
- At this point, Mr. Johnson said he would like to close the meeting, and go to a working session on the warrant articles. Mrs. Rozanski noted they did not have to close the meeting and could continue in live format.

8:20 p.m. – The Board discussed the warrant articles with Town Counsel's comments and corrections inserted in the text. Ms. Fredette indicated this was still a rough draft.

1. & 2. Ms. Fredette explained the articles were written by Mr. Hartman and Town Counsel.
3. Ms. Fredette believed the information contained therein was correct.
4. OK.
5. OK.
6. OK.
7. OK.
8. OK.
9. OK.
10. OK.
11. OK.
12. Mr. Johnson explained some of the previous Planning Board articles were on the last town meeting warrant, but there was not a quorum so they could not be voted upon. He recommended that residents attend the Planning Board public hearings on these issues so if they have any questions, they could be answered prior to the town meeting.

MINUTES OF THE SELECTMEN'S MEETING
SEPTEMBER 18, 2000

13. Mrs. Rozanski noted the outcry on this issue, and felt it should be one of their priorities. She said she would contact the Police Chief and get the numbers. Mr. Johnson also wanted an explanation since one of our officers has since left and gone to Franklin; therefore, there should be extra funds.
 14. Mrs. Rozanski said she spoke to the Treasurer and indicated that the interest had not been accounted for. This prompted Mr. Williams to suggest a standard form for submitting articles, wherein an area for reasons for the article could be detailed.
 15. Mr. Williams felt the amount indicated was too high since part of the year has already gone by; maybe just \$10,000. Mr. Johnson did not feel the article should have come as a suggestion from the FinCom. Mr. Williams added he would like Mr. Hartman's grading of the position and the annual rate of pay. Mrs. Rozanski agreed with Mr. Johnson that this article should have come through the Board. She noted the limited funds available, and that the Police should be the first priority, and then look at additional staffing. Mr. Dziczek noted that the FinCom did discuss this issue and they were just trying to show their support for the central purchasing by-law. They were not trying to usurp the Board's authority, but just add support to not being in violation of our own by-laws. Mrs. Rozanski agreed this could be considered for the next fiscal year, but the Selectmen should be the ones to determine if the present staff cannot handle that area.
 16. OK.
 17. OK.
 18. Mrs. Rozanski did not like the idea of transferring funds back into an account again after Town Meeting, and suggested this be brought up at the All Boards Meeting.
 19. OK.
 20. OK.
 21. OK.
 22. Ms. Fredette said the article still had to be worded properly.
 23. Mr. Dziczek said he was aware that estimates had come in higher than anticipated and Mr. Hartman would be explaining this article upon his return, but the air exchange was a problem.
 24. Mrs. Rozanski suggested this article be deleted; Mr. Johnson said it should stay in.
 25. OK.
 26. Mr. Johnson believed this was out of the health trust fund, but knew Mr. Hartman would clarify the wording, with this article and article 18.
 27. Mrs. Rozanski did not like the idea of the FinCom holding on to money so no others could use it, and should be placed into an account. Again, Mrs. Rozanski said she did not want to go Town Meeting with confusing figures; they need a clear direction.
 28. Mr. Johnson explained if this article should pass, it would prevent the Town of Medway from joining any other nearby Town; we would be on our own.
 29. Mr. Johnson felt this should be for the Town to study and decide, and then place on the ballot if need be.
-
8. For your information – nothing.
 9. Communications and correspondence – nothing.
 10. Future agenda items – nothing.
 11. Upcoming meetings – September 23rd (All Boards); September 25th.
 12. Executive session – none.

8:50 p.m. – Mr. Dziczek moved that the meeting be adjourned; Mr. Williams seconded; all aye.

Respectfully submitted,

M. J. Fredette
Administrative Services Assistant
mj

APPROVED
10/2/00



All

Richard & Netta Graham
4 Granite Street ♦ Medway, MA 02053
508-533-2079

September 5, 2000

Board of Selectmen
Medway Town Hall
155 Village Street
Medway, MA 02053

Dear Board Members,

Would you please set the record straight publicly at the next selectmen's meeting, by reading this letter into the minutes of the next meeting concerning Granite Street issues:

An acquaintance of ours was watching one of the recent board meetings on cable, and heard our name mentioned by one of the selectmen in relation to the guardrail that was put up at the end of Granite Street. We did not see the tape of this particular meeting, so we do not know exactly what was said, but we are sure you can locate the tape and play it for your information.

We are not close friends with any members of the selectmen's board, nor have we ever spoken to any of the selectmen about any issue, much less the guardrail at the end of Granite Street. To our knowledge, there has never been a single car accident on any part of our property; therefore, obviously, no trees, bushes, or other elements of our property have been damaged or destroyed by any car accidents. We have never complained to any town official about property destruction as a result of any car accidents, nor have we ever suggested or requested any barriers of any type be installed at the end of Granite Street.

As a matter of fact, we were just as surprised the day the guardrail was installed, as were most of our other neighbors. As far as we can determine, there was no prior notification, voting opportunities, or abutter-type meetings afforded the residents of Granite Street.

We feel that the guardrail is a totally inappropriate "decoration" for what is supposed to be a designated scenic road. We think that the guardrail that is there is the most unsightly, dangerous way to supposedly solve any traffic problems that exist at that corner. The corner is now at an incredibly awkward angle when exiting to the right for any large vehicles. One of our family cars is large and we will not attempt to negotiate a right hand turn onto West Street if there is any oncoming traffic from the easterly direction. We wait for the traffic to pass our position so as not to swing our driver's side front fender into the lane of the oncoming easterly traffic. Naturally, snowdrifts or plowed snow makes this turn even less negotiable.

If our car has difficulty making this turn, we wonder how large emergency vehicles are able to quickly negotiate this area under emergency situations, which, by their very nature, require faster than usual driving techniques, whether entering or exiting Granite Street.

cc: B of S 9/15/00

Since the construction of the new neighborhood is going on unabated further up Granite Street, we have watched all manner and size of construction vehicles lumber up Granite Street. Watching these vehicles attempt to turn from either direction on West Street, as well as exiting in either direction back onto West Street, makes us wonder how easily accessible Granite Street is to the largest of our town emergency vehicles. Are there any restrictions in place for emergency vehicles that need immediate access to Granite Street? Has the largest of our town fleet of emergency vehicles attempted a practice or actual run on Granite Street?

Furthermore, as has been mentioned many times in the past by other Granite Street residents, putting the guardrail in place did little to ease the traffic jam on school mornings, when concerned parents drive their kids to the bus stop at the end of Granite Street. As you also know, these parents drive their children to the bus stop because the buses are not allowed to traverse Granite Street, as it has been determined that the street is not suitable for school buses. Why then are any and all other construction/delivery vehicles two and three times the size of a school bus allowed on Granite Street, some back and forth all day? Some of these behemoths even block the road for short periods of time.

So we wonder:

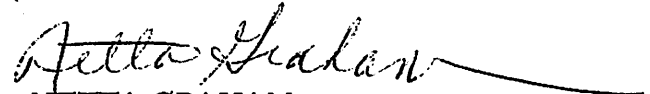
- Why and how the guardrail was installed so quickly?
- Why and how our name was mentioned at the selectmen's meeting?
- Why school buses are not allowed on Granite Street?
- Why commercial vehicles have no size or travel or safety restrictions on Granite Street, when school buses, which are for the safe pick-up and drop-off of our children, do indeed have restrictions?
- If there are any access restrictions for Granite Street, were they put in place because of the installation of the guardrail? In other words, was Granite Street more easily accessible prior to the placement of the guardrail?
- Has the largest of our fleet of emergency vehicles been "tested" entering and exiting Granite Street?

Thank you for your time and any answers you can provide.

Sincerely,



RICHARD A. GRAHAM



NETTA GRAHAM

NOTES FROM TECHNOLOGY/COMPUTER MEETING
SEPTEMBER 14, 2000

Present: Selectmen Harry Johnson, Raphaela Rozanski, John Williams, Joe Dziczek, Richard Gildea, Town Administrator Michael Hartman, Administrative Services Assistant M. J. Fredette.

7:15 p.m. – Mr. Johnson called this informal special meeting to discuss the technology changes in the offices and Town Hall. Software packages were installed to create efficiency but were causing some problems instead. Present from Town departments:

- Treasurer/Collector: Marjorie Sanford
- Town Accountant: Arti Mehta, Cindy Penney
- Assessors: Paul Keefe
- Water/Sewer Department: Mark Flaherty, Sandra Bennett
- Technology Committee: Jack Ryan

Present from Data National Corporation: Rob Raymond, President.

Mr. Johnson explained the Board was asked to sign a contract with Sumaria for a special accounting package the previous Monday night, but the Board needed to ask some questions to understand why the Town was taking this additional step backwards, so it seemed, and sign with another company. The original understanding was that Town was purchasing a fully integrated system which would include: the Treasurer, Accounting/Financial Management, utility billing for the Board of Health and Water/Sewer, and an interface package for the Assessors' Office with Kapinos. DNC was given two deadlines to have problems corrected, and they were not met. In June, DNC realized it would take longer than anticipated, and since the Town did not have total confidence in the system, it was suggested Sumaria be called in temporarily while DNC tried to correct the shortfall with the software. Mr. Johnson noted the accounting package was critical since they can't keep the books open longer than two months, even with a bridge built between the Treasurer and the Accountant.

Mr. Raymond explained trying to switch over to the Sumaria package then caused more problems as the changes eliminated the bridge between the Treasurer and the Accountant that had been established. DNC then arranged for each to operate independently of the other rather than together. It was noted DNC would be working with the Town at no charge to make the necessary changes to the system.

Mr. Williams noted his concern that other clients are working satisfactorily with DNC and have been integrated fine. Somehow, Medway can't do this, and the Board wants to be able to fix that. Mr. Dziczek agreed asking where is the problem, and why is the Board trying to solve it?

Mr. Hartman clarified they were meeting tonight to try and deal with the issue of the financial management package. The Health package is O.K.; the Water/Sewer package is better than it was; the Treasurer/Collector package is also O.K.; and Mr. Keefe felt the bridge between the Assessors and the Treasurer is fine. Mrs. Sanford agreed there was not a problem with demand notices or MLC's; it goes back to the Accounting package as being the main problem. Mr. Keefe reiterated he had no problem and had received cooperation from the Assessors to Kapinos with DNC, getting answers when needed.

Mr. Johnson brought up the one big problem the Town had of not being able to produce the third quarter preliminary billing, and the additional cost involved to finally get it done.

Mr. Flaherty stated that DNC has worked with them. It has been a little cumbersome, but they hope to have it resolved soon. They don't believe it will ever be perfect, but are proceeding with conversion corrections. Mr. Dziczek asked if some of the work being done manually in utility readings could be done electronically? Mr. Raymond said that the Town owns the ability to interface automatically; however, the slowness in billing is because of the manual readings. Mr. Flaherty said there were radio transmissions that could be done manually or by hand-held remote.

Mrs. Mehta was glad to hear the nice comments from the other users, but brought everyone back to what it was like when she came in 1992 with the mess in the Treasurer's office and the ledger having to be rebuilt among other things. The Collector's package was not good at that time; the Accounting package was O.K.

NOTES FROM TECHNOLOGY/COMPUTER MEETING
SEPTEMBER 14, 2000

DNC gave Mrs. Mehta a timeline and a contract was signed for \$7,488. They started using the software July 1, 1999, and on the 12th, some problems were observed. On July 30th, Joe Kaminski, a DNC partner, came in to meet with her. She noted that changes they are now incorporating into the software in the Town of Plymouth will assist the Town of Medway with their software. She noted they were having problems not balancing on monthly expenditures; research had to be done for payments on invoices; they were not trusting the numbers they were getting. In May, some corrections were seen to the software, but she was having problems closing the books. In June, they received a letter indicating the corrected software would not be ready until January 2001. In speaking to Mr. Hartman, it was determined that all efforts had been expended, and they had to make a decision to get out of the DNC system for a year only, while DNC worked on refining the software.

Mr. Hartman concurred that Mrs. Mehta was very frustrated after meetings had been held and training sessions conducted. The intent was to also to have department heads confident in what they had and were using. He noted that Mrs. Mehta and Ms. Penney were currently using the old package, not the new, at a cost of \$125/month for this service.

Mr. Raymond stated the changes being made will not be ready for all user groups until January. He noted that there were 44 users in Massachusetts, and they were working on an upgrade for all accounting packages, but many of their clients were using the accounting package satisfactorily without an upgrade. Mr. Hartman explained that DNC has always advanced that others are pleased with DNC and the accounting package, but acknowledged that it was the weakest of their packages.

8:00 p.m. (Mrs. Rozanski came into the meeting.)

Mr. Hartman stated that they have been led to believe by Mrs. Mehta that she has tried to make the system work; that may not be DNC's perception. Mr. Williams did not understand why the software wasn't working for Mrs. Mehta, and asked if the books were closed for FY'00; she said they were not.

Mr. Johnson stated his main objection with DNC was that, last year for the first time, they were not able to get out the third quarter billing.

Mrs. Mehta stated one of the problems with the accounting package was that she cannot get all the information she needs on the screen; she has to run a report in order to view everything. She noted the print-out is not always accurate, and she has to go through many pages to find the right numbers. When asked how inquiries are handled, Mr. Raymond stated it was in the system, but again, does not respond the way Mrs. Mehta wants it to.

Mr. Raymond said when the accounts were out of balance again, DNC came to Medway to try and help once more. He thought the problems could be resolved, but Mrs. Mehta stated she still could not balance. Mr. Hartman clarified Mrs. Mehta is not able to get the information she requires without making a phone call. Mr. Hartman asked Mr. Raymond when the system is out of balance, do the DNC people show the staff how to deal with it? He stated they do, but obviously, not to everyone's satisfaction.

Mr. Johnson reiterated that the Accounting Department cannot operate with the present system and they were trying to take corrective action with a system that was familiar to them to close out the books. Mr. Hartman explained that unfortunately, because of the system that was brought in and is in place now, the bridge between the Treasurer and the Accountant was no longer there. Mrs. Sanford noted that her office will have to provide input manually to Mrs. Mehta that she would normally have received electronically.

Mr. Raymond noted January 1st is the target date when the software will be installed in Plymouth. Mr. Hartman explained they hope to look at the revised system in the Spring after the third quarter bills have gone out as they are still committed to the integrated package. Mr. Raymond added that 35 out of the 44 cities and towns utilizing the software package will be installed on January 1st. With this time frame, he believed Medway would be able to start FY'02 on the new software. Mrs. Mehta reiterated she did not want to be one of the first towns to try the new system; Mr. Raymond assured her Medway would not be.

NOTES FROM TECHNOLOGY/COMPUTER MEETING
SEPTEMBER 14, 2000

With regard to the audit for FY'00, Mrs. Sanford said she hoped to meet those goals. Mr. Hartman added that the new package is based on the premise that there will be no additional work for the Treasurer's office. Mrs. Mehta noted the balance sheet is due September 15th, but until she and the Treasurer balance, she can't send the balance sheet out. Mrs. Sanford indicated that the balance sheet shows detail, balances and reconciliation to the end of the year, and did not see a problem in getting this accomplished. Mr. Dzikczek stated that the FinCom relies on this information, and if there is a delay, they should know as soon as possible. Mr. Johnson said, however, that FinCom should find out what the Town needs to spend regardless of how much they need to raise, then back it up.

Mr. Johnson looked for a consensus of agreement from the Board that they are temporarily relieving DNC of the accounting package responsibilities, until such time as the package is brought into Plymouth and installed by July 1, 2001 in Medway. He received that. He concluded that, for the time being, the Treasurer/Collector and the Accountant would accomplish their fiscal responsibilities to set the tax rate and provide accurate information to the FinCom on the old system. Mr. Hartman clarified that the software would be operational, not necessarily installed by July 1st. He also said, it wasn't that the system did not work; it just takes a great deal of time to make it work for Mrs. Mehta and Ms. Penney. Mr. Hartman noted both systems are operating independently, but they should be able to balance.

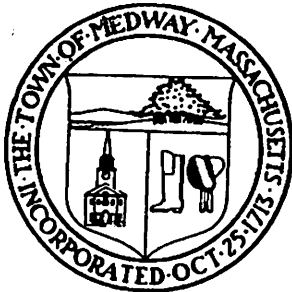
Mr. Raymond said again he would work with Mrs. Mehta and the Town until her requirements were met. Mr. Johnson did not lay blame on anyone, but just wanted to have the problems resolved. Mr. Hartman said he would be meeting with Mrs. Mehta and Mrs. Sanford next week.

8:50 p.m. – The meeting was adjourned.

Respectfully submitted,

M. J. Fredette
Administrative Services Assistant
mj

APPROVED
10/23/00



BOARD OF SELECTMEN

155 VILLAGE STREET
MEDWAY, MASSACHUSETTS 02053
(508) 533-3200 • FAX: (508) 533-3201

AGENDA

BOARD OF SELECTMEN

SANFORD HALL

SEPTEMBER 11, 2000

- 7:00 p.m. - Open meeting.
1. Sign warrant.
 2. Approval of minutes.
 - Regular meeting minutes of August 21, 2000.
 - Executive session minutes of August 21, 2000.
 - Regular meeting minutes of August 28, 2000.
 3. Public comments.
- 7:15 p.m. - Joint meeting with Planning Board.
Re: Fill vacancy on Planning Board.
4. Committee reports.
- 7:30 p.m. - Board of Health Chairman Mike Heavey, Board of Water/Sewer Commissioners
Chairman Robert Heavey, Board of Health Agent Bill Fisher.
Re: Household Hazardous Waste update.
- 7:45 p.m. - Municipal Building Committee.
Re: Site 12A update.
5. Administrator's report.
 6. Discussion items.
 - School resource officer.
 7. Action items.
 - Sign State Primary warrant.
 - Sign Sumaria Systems agreement.
 - Approve FinCom budget and calendar for FY'02.
 - Approve and authorize Chair to sign COA grant.
 - Set date of Special Town Meeting for October 23rd.
 - Open warrant as of today, 9/11/00 and close warrant on 9/18/00 at 6:30 p.m. (Review warrant – 25th; sign warrant – 2nd; post warrant – 9th).
 - Recommend appointment to Town Administrator of Anthony Biocchi and Joe Musmanno as Associate members to Zoning Board of Appeals.
 - Authorize negotiating committee for new school land purchase.
 8. For your information.
 9. Communications and correspondence.

cc: ALB

Selectmen's Meeting
September 11, 2000
Page 2.

10. Future agenda items.
 - Medway Pride Day update.
11. Upcoming meetings.
 - September 18th
 - All Boards – September 23rd
 - September 25th
12. Executive session.
 - None required.

cc: Town Clerk for posting.

MINUTES OF THE SELECTMEN'S MEETING
SEPTEMBER 11, 2000

Present: Selectmen Harry Johnson, Raphaela Rozanski, John Williams, Richard Gildea, Town Administrator Michael Hartman, Administrative Services Assistant M. J. Fredette. Selectman Joe Dziczek was not in attendance.

7:00 p.m. – Open meeting.

- Mr. Johnson called the meeting in Sanford Hall of Town Hall.
- 1. Sign warrant.
- Mrs. Rozanski moved to approve and sign warrant #10 in the amount of \$335,201.84; Mr. Williams seconded; all aye.

7:02 p.m. – Animal Control Officer Brenda Hamelin stopped in to share some current information with the Board.

Ms. Hamelin noted that two crows, found in the area of Ellis Street and Spruce Road, were sent in to the State for testing for the West Nile Virus, with results taking 3-4 days. She stated these were the first two sent in from Medway, and birds sent in from other surrounding towns were negative. During the first stage of testing, if the results are negative, the test is negative. If they are unsure, they do a second test.

- 2. Approval of minutes.
- Mr. Williams moved approval of the regular meeting minutes of August 21st; Mr. Gildea seconded. Mr. Williams stated he had made a motion to change the start time of operation of a gravel removal permit for Granite Estates from 7 a.m. to 8 a.m., although not seconded, had not been included the minutes. The Secretary so noted this, and aye as amended. Mrs. Rozanski abstained.
- Mr. Williams moved approval and release of the executive session minutes of August 21st; Mr. Gildea seconded; aye. Mrs. Rozanski abstained.
- Mr. Williams moved approval of the regular meeting minutes of August 28th; Mrs. Rozanski seconded; all aye.
- 3. Public comments.
- Mrs. Attubato of Coffee Street complained about the discoloration of her water.
- 4. Committee Reports.
- Mr. Williams asked about the Lovering Street plantings. Mr. Hartman was aware the Tree Warden was arranging to have flowering pear trees planted.

Mr. Williams felt the Board should still place establishing goals on the agenda. One of his would have been to get better publicity of their weekly meetings, but it seemed as if there would now be better newspaper coverage, so that goal may have already been reached.

Mr. Williams brought up the issue of evaluations, and felt the Board should have some formal input when Ms. Fredette is evaluated. Mr. Hartman noted the contract was changed and annual reviews are now no longer necessary. The personnel policies and the union agreement are similar, but not exactly the same. Mrs. Rozanski felt it should be a goal to look at the personnel policies to make them consistent. Mr. Hartman said the policies were an overlay document for non-union personnel. With regard to her status in the union, Mr. Hartman said that has not been decided yet.

MINUTES OF THE SELECTMEN'S MEETING
SEPTEMBER 11, 2000

Mr. Williams brought up the stop sign at Holliston and Village Street indicating it is not in the correct location. Mr. Hartman stated DPS has been directed to relocate it.

7:20 p.m. – Mr. Johnson interrupted the Committee reports to call together a joint meeting between the Planning Board and the Selectmen.

The reason for the joint meeting was to fill the vacancy created by the resignation of Jim Pavlik from the Planning Board. Present from the Planning Board: Diane Borgatti, Don Springer, Dan Hooper.

Mr. Williams read the press release that appeared in the local paper. Mr. Johnson indicated the only applicant appeared to be Fred Sanford. This was confirmed by Ms. Borgatti. Mr. Johnson stated his nomination was before the two boards. Mr. Williams nominated Fred Sanford for the vacancy on the Planning Board; Mr. Gildea seconded; all voted unanimously on his nomination. Mr. Sanford accepted the appointment, and the appointment slip was signed by all members present, until the May election 2001.

- Back to Committee reports.
- Mrs. Rozanski reported on her attendance at the Mass. Selectmen's Association meeting discussion centering around their working on goals and pension issues.

Mrs. Rozanski also was at the Board of Directors meeting of the MMA. Basically conversation revolved around the additional Chapter 70 funds to cities and towns.

Mrs. Rozanski said she was at the installation of officers at the American Legion for Bruce and Carol Munroe.

7:30 p.m. – Mr. Johnson interrupted the Committee reports for a discussion with Health Agent Bill Fisher relative to the Household Hazardous Waste facility's potential location in Medway. Also present were Butch Vito from the Norfolk Highway Department and Paul DeSimone, Chairman of the Charles River Pollution Control District. Water/Sewer Commission Chairman Robert Heavey and Board of Health Chairman Michael Heavey were not in attendance because of a death in the family.

Mr. Fisher attempted to follow up on the public hearing recently held. He stated that:

- most people were supportive of the concept but not the location, so they are considering Medway still, but now Millis and Medfield as well.
- it was recommended that they hire an outside consultant for site selection.
- they will be working with SWAP.
- they may be applying for a special permit from the water district if necessary.
- there is the possibility of a non-binding referendum question on the November ballot.
- it was recommended that there be a citizens' advisory panel consisting of three people from each of the aforementioned towns.

At this point, Mr. Fisher looked for direction from the Selectmen relative to proceeding from here as these were the Consortium's recommendations and there was a \$138,000 grant on the line.

Mr. DeSimone spoke first as a citizen not as a public official, going back to when there was an odor at the CRPCD plant in 1980, the composting facility in 1989, and dealing with all sorts of issues in between.

He then referred to the letter sent by the CRPCD on June 26th to Mr. Fisher, saying the letter imposing eleven stipulations, although signed by him, was intended to speak for all five Commissioners. He felt the Town should decide if the HHW should be located at CRPCD or not. Mr. DeSimone stated Mr. Fisher approached them, not the other way around, and they have been in conversation with members

MINUTES OF THE SELECTMEN'S MEETING
SEPTEMBER 11, 2000

of the Consortium for about a year. He felt the Consortium and the Board of Health had been treated unfairly in the whole process.

Mr. Gildea asked, if the facility was located there, what about the materials received? Mr. Fisher stated they would be contained and shipped out, and there were three levels of containment: the container itself, then the pitched floor, and finally the outside parking lot sloped with two catch basins.

Mr. Williams stated he could not support this. Even though the Selectmen's job is to listen not only to the loudest voice but all voices, with such consistent outcry, he would have to go with the people as it was their concern.

Mrs. Rozanski went over some of the points Mr. Fisher brought forth, including hiring an outside consultant, identifying other sites in other Towns, seeking any necessary water protection area permits, and pursuing non-binding referendums questions. She also reiterated this was a collection site, not a disposal site.

Mr. Johnson said he did not have a problem with the Consortium panel, but if the site is to be located in Medway, the people should decide.

Hugh McGrail questioned if this was still an open or closed-ended Consortium? Mr. Fisher indicated it was not closed yet, and a few more Towns could join. Mr. Johnson believed, however, that they could put a limit on the number if it was located in Medway.

Mr. Vito indicated that the number was set at ten-member communities. After that, guest communities would have to come back to Medway for approval. He also noted that the benefits to communities would have to be negotiated, i.e. schools coming in for free. They would hope to recoup any costs through the grant but it has to be cost effective to operate from April through September.

Frank Faist asked why they were limiting their search to only three towns? Mr. Vito stated they were trying to keep the location centrally located. If a host town is too far away, you would lose some towns and have to start over again.

Jim Ladieu asked if a special permit was required? Mr. Vito noted it was in a zone two water district and is allowed, but any process of review and special conditions would be under the ZBA and other Town boards. Mr. Johnson thought after the ZBA, the issue would come back to the Board. Mr. Hartman clarified the Board of Health cannot commit the Town, only the Selectmen can, but the Board of Health has been acting informally on this issue.

Mr. Johnson said he would seek a legal opinion but was still encouraging them to go forward and look at other Towns as well. At this point, he stated he would like to get a consensus tonight of the Board that they go forward. There appeared to be agreement on this. Mr. Johnson also felt the consultant should be hired and paid for by the Consortium. If they go forward, he assumed the Consortium would notify the public of the pros and cons of having the facility in Medway, and then it would be decided if the question should be placed on the ballot. Mrs. Rozanski was assured Franklin was one of the member communities involved in this Consortium.

It was suggested any names of Medway residents who wanted to be on the citizens' advisory panel could be given to the Town Administrator's office.

Mr. Johnson stated the Selectmen will make a final determination which will be put in writing to the Board of Health when the time is appropriate.

Mr. Hartman noted the Town Clerk informed him September 19th was the deadline for placing a question on the election ballot.

8:25 p.m. – a five-minute recess.

MINUTES OF THE SELECTMEN'S MEETING
SEPTEMBER 11, 2000

8:30 p.m. - Members of the Municipal Building Committee, Jim Brodeur and Jim Hoodlet, came to give the Board an update on Site 12A.

Mr. Brodeur stated they were actively pursuing site 12A but needed Selectmen's approval and support on the special town meeting articles to: 1) vote to have the site accepted on the warrant, and 2) vote to have funds appropriated to begin schematic design drawings. Mr. Hoodlet went over the initial aerial and composite site drawings with the Board noting they had been reviewing the various sites for the last two months as well as conducting wetlands analyses. He noted the footprint placed on the composite site drawing was a similar footprint of a 1000-student high school in Hudson and supports the elements of the proposed facility. Mr. Brodeur noted the additional acreage is ensuring the protection of wildlife species, with Mr. Hoodlet adding the site was to be flagged for wetlands. He noted the School Committee endorsed the location at their meeting of September 7th. Mr. Hoodlet reminded the Board of the end-of-year deadline looming ahead.

Mr. Hoodlet went on to note that the reimbursable percentage will be reduced from 69%, but he was not sure if it would be 57.31% or not. If they make application by June 1, 2001, they would be grandfathered, but notification of the approval of the purchase of land, the appropriation for funding of the purchase, and funding for the schematic design drawings, along with any debt exclusion ballot question results, must be submitted to the SBAA by December 31, 2000 in order to be grandfathered. Again, he was asking that the Selectmen include the articles on the upcoming special town meeting warrant, and to schedule the provision debt exclusion vote on November 7th. Mr. Hoodlet noted the needs conference was held on August 30th. Mrs. Rozanski asked Mr. Hartman for a copy of the needs conference documentation. Mr. Hartman stated he would be preparing any articles with Town Counsel.

Mr. Johnson noted that the Procurement Officer is the Town Administrator who can arrange for the land to be appraised, however, the Board had not voted on this site yet.

Mr. Hoodlet went on to explain that out of the 80 acres, 65 acres was buildable upland. The 2100 foot road they were suggesting be built would not violate any conservation/wetland areas from Summer Street, and the site was expandable.

Again, Mr. Johnson asked that they vote on site 12A. Mrs. Rozanski moved the Board of Selectmen ask the Municipal Building Committee to proceed with site 12A; Mr. Williams seconded; all aye. Mr. Johnson instructed the Town Administrator to proceed with the appraisal of the site, to which Mr. Hartman stated he had already begun that last week. Mr. Johnson then suggested Mr. Hartman start work on the special town meeting warrant articles, which would include an article for funds to purchase the land, and an article for funding the schematic design drawings and land surveying. Mr. Hartman added the four owners were amenable, including one who wished to donate the land.

The debt exclusion questions also had to be voted on. Mr. Williams believed to vote to put a question on the ballot for debt exclusion required the vote of 2/3 of the full board, of which there was not a full board. Mr. Johnson disagreed and would postpone the vote until next week, but if there was not a full board, would vote anyway. Again, Mr. Hartman reminded them of the September 19th deadline.

Mr. Brodeur stated they really needed Town support behind this. Mr. Johnson felt the people had questions, to which Mr. Hoodlet said they can discuss them now or at the public hearing. Mr. Johnson stated when this project was discussed previously, there was no reimbursement for renovations, now there is. He wanted to make sure this was well thought out.

Charlie Myers, Chair of the School Committee, recalled the process starting with the School Master Plan, which was still available, and which showed that the reimbursement value was not considered. Mrs. Rozanski suggested a question and answer sheet being available prior to the

MINUTES OF THE SELECTMEN'S MEETING
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public hearing. Mr. Johnson reiterated he did not want the Committee involved in any public relations campaign. At this point, Mr. Johnson said they have voted – they will do the special town meeting articles and the debt exclusion questions next week.

9:15 p.m. – a five-minute recess.

9:20 p.m. – As Mr. Gildea and Mr. Johnson had no committee reports, they went on to the Administrator's report.

5. Administrator's report.

- Mr. Hartman provided the Board an update on Granite Street as requested from a previous meeting.

He stated signs have been ordered and will be installed before the end of the month. With reference to the pathway, an article will be on the special town meeting warrant to abandon the easement that has been granted the Town. The new owners have provided a new easement which allow for the water lines and snow area. The easement was put in originally when the neighborhood developed, and has nothing to do with being a county road.

Larry Connelly stated he sent a follow-up letter which requested more detail on the bus stop and speeding. He felt Mr. Hartman addressed only two out of the five issues discussed.

Mr. Johnson said he looked at the bus stop area but had not received enough information yet. He will still research the turnaround issue, but did observe a great deal of wetland area.

Mr. Hartman further stated that police presence has been ordered. Signs that have been ordered are not "stop" signs, but "dangerous intersection" signs. They cannot install "stop" signs because of the traffic flow, but will be reviewed again in the future.

Lonnie McDonnell was concerned about the speeding, not the number of cars, and felt "stop" signs would help. Mr. Johnson reiterated what had been told before and what State regulations say about "stop" signs. The Town cannot incur that liability. Mr. McDonnell disagreed feeling it was better to err on the side of caution and referred to the "stop" signs on Coffee Street. Mr. Hartman stated the signs on Coffee Street were put up without the benefit of an engineer's expertise, which the Town now has, and that signs have to meet the State Highway Standards.

Mr. Connelly again brought up the guardrail issue. He felt it was installed to slow down motorists, but then an additional eight signs were put up. He wanted some resolution, and felt they were not getting a commitment from the Town. Mr. Hartman stated he was not with the Town when the guardrail was installed, but knew the State was changing 45 degree angle streets to 90 degree angles streets for the last ten years.

Dick Graham stated he and his wife sent a letter to the Board questioning the 90 degree angle intersection and emergency vehicles. Mr. Johnson believed their situation was not unique in Medway as there were other areas in Town that many wished would be addressed as well.

Michelle McDonnell suggested changing the bus stop. Mr. Hartman believed that even though the street is posted for 20 mph, the police will not ticket anyone unless they exceed 29 mph. He said he could speak to the Transportation Committee about the bus stop, and if they change the bus stop, then a bus stop sign can legally be put up, and the 20 mph speed limit enforced.

Mr. Graham went back to the guardrail issue for a moment, and thought it had been installed because people were not stopping for the "stop" sign on Granite Street.

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6. Discussion items.

- The School resource officer, under the community policing grant, was brought up. Mr. Hartman was asked if funding crossing guards could come out of these funds; Mr. Hartman said no, the grant was only for police officers. Mr. Williams said he supported the SRO for 8 hours a week, but noted the request was to increase to 20 hours a week, and asked where the funding would come from? Mr. Hartman said he did not believe the Chief was supporting the Lieutenant's request. Mr. Johnson said he could not justify spending more of the Town's money. Mrs. Rozanski agreed she would not vote to approve the SRO until the funding was in hand. Mr. Williams asked if they had applied for the grant? Mr. Hartman stated the federal grant was separate, and the Chief did not feel they had much of a chance, and as such, was not willing to commit more than \$5,000.

Mr. Williams moved to approve the SRO for 8 hours a week for the remainder of the school year; Mr. Gildea seconded. Again, Mrs. Rozanski said she did not feel they should approve without the funding in hand. She noted they cut the police budget and level of services. If they were taking an officer off the street, how were they handling the rest of the community? Mr. Williams stated if the Chief feels 8 hours a week is fine, he would demure to him. Mr. Hartman added he did not believe \$5,000 would sustain an officer with the grant money, and level of services cannot be cut. He thought it might be best to specify what is in the grant application.

Mr. Williams moved to amend his motion to be to approve the SRO until the end of the school year of June 2001 up to 8 hours a week at the discretion of the Police Chief. He started to add, upon receipt of grant funding, and then changed his mind. Mr. Johnson seconded indicating he had read the report and the program served a purpose, but they have to look at the rest of the Town, recalling they cut 4 crossing guards from that budget. The vote: Mr. Williams and Mr. Johnson aye; Mrs. Rozanski and Mr. Gildea opposed. Motion fails.

7. Action items.

- Sign State Primary warrant. Mr. Williams read the warrant and the Board signed it.
- Sign Sumaria Systems agreement. Mr. Johnson summarized this was in reference to the technology brought into Town Hall last year, but which has not proved to be suitable for accounting procedures, and the Town Accountant has asked for what a software package that was in place before the new technology was brought in. He stated he was not pleased with this whole situation.

Mr. Hartman went back over the process which led to this situation indicating the software was roughly \$8,000 of the total package. He stated they had come to agreement with DNC to discontinue suing the DNC software for one year, and in the interim, they would utilize Sumaria which was the agreement placed before them this evening. Mr. Hartman explained that previously they were using the Unix system; this was the NT system. He stated they will not pay for this software this year, and until the package does what it is supposed to do. Mr. Hartman explained Mrs. Mehta had bent over backwards to try and make the system work and couldn't. For some cities and towns, the software works fine.

Mr. Williams suggested Data National come in to speak to the Board, but maybe the problem is the Town Accountant. Mr. Hartman suggested they consider a special meeting in early evening. Mr. Johnson also recommended inviting any others that might be pertinent to the discussion.

Mr. Hartman added, in speaking to the Water/Sewer Superintendent, they are happy now as 95% of their problems have been addressed. With the Board of Health, there is no problem.

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Mr. Hartman clarified that there are "bridges" between the collector to the treasurer to the accountant to water/sewer to board of health, however, when the different software was changed about a month ago, those "bridges" were broken, and hence, more problems. Again, the Board stated they would not sign an agreement until after a discussion with all parties.

- Approve FinCom budget and calendar for FY'02. Mr. Williams noted the changes were made as requested and the School Committee is also satisfied. Mr. Hartman added that Mr. Verdolino called and stated he and Dr. Bettencourt could not be at the All Boards meeting, but would meet with him ahead of time.

Mr. Williams moved that the Board vote to approve the proposed calendar and budget format for FY'02 only; Mrs. Rozanski seconded; all aye.

- Approve and authorize Chair to sign COA grant. Mr. Williams moved to authorize the Chair to sign the grant for the Council on Aging; Mrs. Rozanski seconded. Mr. Hartman clarified this was 7 hours for an outreach worker and also subsidizes exercise classes; all aye.
- Set date of special town meeting for October 23rd. Mr. Hartman stated in checking with the Town Moderator, he would not be available October 23rd or 30th. If he was not available, the Town Clerk would have to moderate, or someone else is asked to fill in for him.

Mrs. Rozanski moved to set the special town meeting date to October 16th; Mr. Williams seconded; all aye.

- Open and close warrant. Mrs. Rozanski moved to open the warrant as of this evening September 11th, and to close it on September 18th at 6:30 p.m.; Mr. Williams seconded; all aye. Mr. Johnson stated he wanted all of the articles submitted by September 16th on the 16th, and then the balance, if any are submitted, on the 18th. Mr. Williams felt there should be a format for submitting warrant articles.
- A brief note by Mr. Hartman on the I-NET. He stated he had spoken to Steve Amrock at the School about the problem with I-NET. He noted with Verizon on strike, all requests had been held up although equipment had been ordered, but he did not know when they would be scheduled to come in.
- Recommend appointment to Town Administrator of Anthony Biocchi and Joe Musmanno as Associate Members to the ZBA. The Secretary noted that both individuals had spoken to Jan Morris, Chair of the ZBA, and both had attended a recent ZBA meeting. Mr. Williams so moved their appointment through June 30, 2001; Mrs. Rozanski seconded; all aye.
- Authorize negotiating committee for new school land purchase. Mr. Johnson agreed that action item could be withdrawn from the agenda as it would be handled by the Procurement Officer, but suggested negotiations begin after town meeting.

8. For your information.

- Mr. Johnson noted communication received from the Department of Revenue indicating that Martin DiMunah was the new Bureau of Accounts field representative for Medway.
- The Board noted the Planning Board hearings scheduled on Zoning by-law changes scheduled for September 26th.
- The most recent Calendar of Events from the Secretary was noted.

9. Communications and correspondence.

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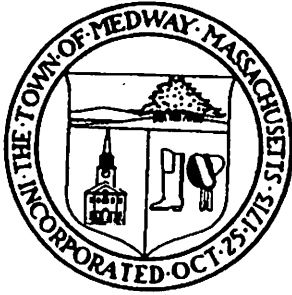
- Receipt of notification of Chapter 70 funds available to the Town was acknowledged. It was noted that the Selectmen need to get a recommendation from the FinCom, and that there is no need to place an article on the warrant for these funds if the Selectmen agree that the money should go to the School Department. It was noted the FinCom was meeting on Wednesday. Mrs. Rozanski noted some phone calls she had received relative to the lack of crossing guards, but stated that that cost comes out of the Town side, not the School side.
 - Mr. Johnson voiced his concern again on the electricity bill for the Memorial School being \$7,900 for August and \$800 to \$900 for the other schools. He did not believe this was acceptable and asked Mr. Hartman to check into this with the Superintendent. Mr. Myers also said he was willing to sit down with both and discuss this, but noted additional seminars were held at that school during the summer.
 - Mr. Johnson briefly brought up a letter sent to the Board by the IDC noting they had resigned. Mr. Williams stated he had just received it this evening and hadn't even read it; Mr. Gildea agreed. Mr. Johnson asked if they should table discussion of the contents of the letter, and ask the IDC to come to the meeting on September 18th? Mr. Hartman said he would not be in attendance on the 18th, so September 25th was suggested instead. For the record, Mr. Hartman stated no one from EMC had contacted his office. Mr. Williams moved to ask the IDC members to stay on until others are appointed in their place; Mrs. Rozanski seconded; all aye.
10. Future agenda items.
- Medway Pride Day update.
11. Upcoming meetings.
- September 18th, 23rd (All Boards), 25th.
12. Executive session.
- None.

10:50 p.m. – Mr. Gildea moved the meeting be adjourned; Mr. Williams seconded; all aye.

Respectfully submitted,

M. J. Fredette
Administrative Services Assistant
mj

APPROVED
10/2/00



BOARD OF SELECTMEN

155 VILLAGE STREET
MEDWAY, MASSACHUSETTS 02053
(508) 533-3200 • FAX: (508) 533-3201

AGENDA

BOARD OF SELECTMEN

SANFORD HALL

AUGUST 28, 2000

- 7:00 p.m.- Open meeting.
1. Sign warrant.
 2. Approval of minutes.
 - Executive session minutes, Session #2, of July 10, 2000 (Session #1 already approved and released).
 - Regular meeting minutes of August 7, 2000.
 - Executive session minutes of Session #1, 2, 3, 4 of August 7, 2000.
- 7:05 p.m.- Conservation Commission.
- 7:30 p.m.- Municipal Building Committee.
3. Public comments.
 4. Committee reports.
 5. Administrator's report.
 6. Discussion items.
 - Second reading of Liquor Policies (copied to BOS previously).
 - Board consideration to continue meeting every other week.
 - Format for discussion of policies, procedures, by-laws.
 7. Action items.
 - Approve extension of site plan for 33 Alder Street (time expired 6/7/00).
 - Approve Cycle for Haylee Bicycle Tour on October 7, 2000.
 - Approve job title for Ms. Fredette as recommended by Town Administrator.
 - Approve Addendum to Town Administrator's contract (tentative).
 8. For your information.
 9. Communications and correspondence.
 10. Future agenda items.
 11. Upcoming meetings.
 - September 11th.
 12. Executive session (if required).

cc: Town Clerk for posting.

cc: AUB

MINUTES OF THE SELECTMEN'S MEETING
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Present: Selectmen Harry Johnson, Raphaela Rozanski, John Williams, Joe Dziczek, Richard Gildea,
Town Administrator Michael Hartman, Secretary M. J. Fredette.

7:00 p.m. – Open meeting.

- Mr. Johnson opened the meeting in Sanford Hall of Town Hall.
- 1. Sign warrant.
 - Mrs. Rozanski moved the Board approve and sign warrant #9 in the amount of \$808,542.27; Mr. Gildea seconded; all aye.
- 2. Approval of minutes.
 - Mr. Dziczek moved the Board approve and release the executive session minutes, session #2 of July 20th; Mrs. Rozanski seconded; all aye.
 - Mr. Dziczek moved the Board approve and release the regular meeting minutes of August 7th; Mr. Williams seconded; all aye.
 - Mr. Williams moved the Board approve and release the executive session minutes, session #1 of August 7th; Mr. Dziczek seconded; all aye.
 - Mr. Williams moved the Board approve and release the executive session minutes, session #2 of August 7th; Mr. Dziczek seconded; all aye.
 - Mr. Williams moved the Board approve and release the executive session minutes, session #3 of August 7th; Mr. Dziczek seconded; all aye.
 - Mr. Williams moved the Board approve and release the executive session minutes, session #4 of August 7th; Mr. Dziczek seconded; all aye.
- 3. Public comments.
 - There were none.
- 4. Committee reports.
 - Mr. Johnson noted he was signing a certificate of appreciation on behalf of the Board for James Pavlik who had recently resigned from the Planning Board.
 - Mr. Johnson noted he was signing a certificate of appreciation on behalf of the Board for Tim Choate who had recently resigned from the Capital Improvement Program Committee.
 - Mr. Johnson reported he went to look at the Household Hazardous Waste facility in Lexington, noting they service 200-500 cars when the collection day is held. With reference to the facility in Medway, he said he had received between 10 and 20 calls a day, mostly negative. He had written his comments on the site in Medway for the Board indicating he would not be able to be at the public hearing on Wednesday, but encouraged others and Board members to attend. He did not feel Medway had to accept the location as proposed, and suggested the Board members read the SOP from Somerville.

Mr. Dziczek has heard both pros and cons on the issue. Mr. Johnson wanted to clarify the vote to join the consortium at the special town meeting in March, and asked Mr. Williams to read what was voted at that time. From the reading, Mr. Dziczek believed the voters had agreed to join the consortium, not to necessarily have the facility in Medway. Mrs. Rozanski

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agreed. Mr. Williams just questioned, why Medway, since we were sixth in population and last in land area of the consortium members?

Mr. Johnson questioned what the vote had bound us to, and if necessary, Town Counsel should be consulted. He felt it was incumbent upon the Town to provide for the disposal of household hazardous waste for its residents, but if not in Medway, to join other towns in a specific location.

Mr. Hartman said that the grant of \$138,000 was awarded to Millis to build the facility. Mr. Williams was concerned about governance and control of the site believing there was no direct or substantial control by any elected boards or officials. In that case, Mr. Johnson suggested setting up Medway's own SOP if necessary, but again hoped that the public get informed and do what was in the best interest of the Town.

7:30 p.m. – Conservation Commission members David Travalini and Kevin O'Connor came to speak to the Board about the purchase of the Leland property (previously Charlie Norman's) on Village Street.

Mr. Travalini stated that the ConCom had a special meeting last Monday night to discuss the purchase of the Leland property. By a unanimous decision, ConCom voted to purchase lot 1, at 311 Village Street. Last Wednesday, as Chair of the ConCom, he signed the purchase and sale agreement with the Lelands for \$140,000.

Jim Brodeur, who was in the audience, was concerned that the Selectman Chair might be in conflict on this issue, and asked if one of the parties involved was his nephew? Mr. Johnson stated he has disclosed previously that one of the parties is his great-nephew. If the Board feels he should recuse himself from the meeting, he would. Board members did not have an objection. Mr. Johnson voiced some concerns himself noting that Town Counsel was a law partner of the attorney selling the land for the Lelands. Mrs. Rozanski took this time herself to question Mr. Brodeur since he was serving on another committee and may have wanted to declare his involvement. It was so noted that Mr. Brodeur was Mrs. Leland's father.

Mr. O'Connor spoke about the parcels. He said the other party was purchasing lot 2 and parcel A, with intentions of putting his house on lot 2 and donating the resting of the wetlands except the sluiceway and the dam to the Town. It was noted the party, Scott Power, would own the dam, and anything that was done there would be within ConCom's jurisdiction. He clearly wanted to build a house, then a small electrical plant to generate power to the house, fill in the sluiceway, and fix the sinkhole.

Mrs. Leland confirmed that the purchase and sale agreement has everything Mr. Power is agreeing to in writing, and a copy of the plan the Board was reviewing had been signed by the necessary parties.

Mr. O'Connor stated that the ConCom needs the consent of the Board to accept the donation of land, which does not include the sluiceway and the dam. The only access the ConCom asked for was the right to walk across from one parcel to another along the river. Mr. O'Connor also stated there was some confusion last time in getting the checks and the warrant signed, and since they were closing on September 15th, wanted to avoid any problems this time and clear things up ahead.

Board members did not have any further questions, except Mrs. Rozanski who asked about a warranty deed? Mr. O'Connor said they have a quit claim deed and title insurance. Mr. O'Connor agreed they were changing a lot line, and if need be, would go back to the ZBA for a conservation easement.

Frank Varrichione, who was in the audience, asked what documents established the fair market value? Mr. O'Connor stated the competitive market place, and was not aware of an appraisal, but said they were buying a one-acre lot and being given just over one acre for \$140,000.

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Mr. Johnson said he was looking for the letter from the State on the dam, but if the Town was not involved with the repair or removal, fine. Mr. Travalini noted the State had changed their mind on some of the restrictions of the dam. Mrs. Rozanski commented that the Board could bring this to town meeting for eminent domain with Mr. Johnson noting that this was not just a buildable lot, but an approved buildable lot.

When Mr. Varrichione asked whose money was it, Mr. Travalini noted it was ConCom's. He said research had shown that the money had been appropriated back in the 1960's.

Joe Cannistraro of Shaw Street wondered if they could back out of the deal; possibly there was better land in Town to buy? Mr. Travalini stated ConCom was looking to protect land that is environmentally sensitive, and the ZBA required the Lelands to offer the land to ConCom.

Mr. Johnson felt the Board's primary concerns for signing the warrant had been eliminated. When asked for a consensus of the Board, they agreed, so Mr. Johnson noted there was no objection.

Mr. Hartman believed the purchase would be on the warrant either for September 5th or 11th.

Mrs. Rozanski wanted to reiterate that in terms of the ConCom fund, it is not a trust a fund, and a correction needed to be made, to set up a fund to accrue interest, which she believed had never been done. She felt that they should formally establish those policies. Mr. O'Connor agreed they could work with the balance of the fund to do so. Mr. Dziczek suggested Mr. Hartman and Town Counsel work on it, but Mrs. Rozanski thought an article for the warrant would cover it.

8:15 p.m. – Jim Brodeur was present on behalf of the Municipal Building Committee to show Board members the different layouts formulated for site 12A for the proposed new high school.

One layout was the aerial view showing the wetlands and property lines. He indicated there was a short crossing of the wetlands on Briggs' northern piece of the property for a potential access. On the other layout was one example of how the site could be configured. He noted that both Adams and Highland Streets were not available for access as they were scenic roads.

ConCom members were concerned about any permanent or perennial streams, and if so, there was no building to be done within 100 feet of the wetlands and buffer zone. Mr. Brodeur did not believe it was a problem. Mr. Hartman noted there would be a MEPA review as well and that the property consisted of 80 acres, not including the walking path from Adams Street, with about 62-66% being buildable. What started out to be 40-50 acres grew to 80 acres most notably for protection of the wildlife. Mr. Brodeur commented that someone would be going out to the property to evaluate the wildlife species so that migration could continue undisturbed with land being set aside specifically for this purpose.

Mr. Varrichione noted that any crossing or possible dangers over the Algonquin pipelines was not discussed at their MBC meetings. He also stated it was less expensive to do the road at the north end of the property than to pay someone to do a house-taking. Mr. Hartman agreed it would cost from \$300,000-\$350,000 to build the road, sidewalk and provide drainage. Mr. Brodeur added that the road was 69% reimbursable. He said that the Committee was aiming to place the purchase of the property on the October town meeting warrant, with the hopes of hearing from the Natural Heritage by then. Mr. Hartman asked that a member of ConCom be available to meet with the Natural Heritage, and also noted the consensus of the Committee was to submit an article leaving out the amount of funding.

Mr. Dziczek asked about a second access or exit? Mr. Hartman said a second access was not required, and if need be, the access road could be a Town-accepted road and the funds would then come out of Chapter 90.

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Mr. Varrichione had high praise for the close working relationship between Mr. Hartman's office, ConCom and the MBC. Mr. Brodeur assured ConCom anything relating to wetlands would be copied to ConCom. Mr. Travalini added anything under 5,000 sq. ft. of wetland disturbance is a limited project.

4. Back to committee reports.

- Mr. Dzikczek just noted attending the Municipal Building Committee meeting.
- Mr. Johnson again suggested Board members visit the Lexington site before considering a decision on the Household Hazardous Waste site in Medway.
- Mrs. Rozanski just reported receiving phone calls on the Household Hazardous Waste site, and all but two were negative. She hoped any agreement addresses all concerns. She also said she still had questions on the administration of the conservation fund noting Town Counsel says he does not see it as a trust fund, but did not say what it was.

Mr. Johnson said he would like to pass on that subject for now, but to address it at a later date.

- Mr. Gildea reported receiving three phone calls on the Household Hazardous Waste site.
- Mr. Williams had nothing new to report, but did indicate that the Board of Health does tie into the master plan mandates, and that Medway is almost geographically in the center of all the Towns involved.

5. Administrator's report.

- Mr. Hartman had nothing else to report on.

4. Back to committee reports again.

- Mr. Johnson had a few more items he wanted to bring up.
- He noted receipt of a letter from the Department of Revenue concerning Chapter 70 aid recently appropriated in the final state budget indicating any excess of the amount appearing in the Governor's budget proposal shall be made available to the School Committee. Mr. Hartman clarified that the School Committee has to ask for it, FinCom has to recommend it, and the Board of Selectmen has to approve it. Mr. Johnson noted receiving the funds would not have to be voted on at town meeting, and if no one does anything one way or the other, the funds would go into general revenue.
- He brought up a letter received from the Division of Telecommunications & Energy relative to a public hearing in Hopkinton on September 6th on equipment rates for MediaOne, now AT&T Broadband and asked if they should try to petition to be Intervenor? ^{ms} Rozanski moved that the Board petition the Cable Division and MediaOne for the Board of Selectmen to be Intervenor; Mr. Dzikczek seconded; all aye.
- Mr. Johnson brought up notice of a Municipal Law seminar in Framingham on September 29th for the Board to consider.
- Mr. Dzikczek asked if the Secretary could update the calendar items and dates when convenient.

7. Action items.

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- Mr. Dzikczek moved to approve the Cycle for Haylee Bicycle Tour through Medway on October 7th for the Cystic Fibrosis Foundation; Mrs. Rozanski seconded; Mr. Williams added to so notify the Police Department; all aye.
- The extension request of John Boczanowski's site plan for 33 Alder Street was brought up. Mr. Williams moved to approve the request of extension of site plan approval through October 15th to obtain a certificate of occupancy per the recommendation of the Planning Board; Mr. Dzikczek seconded; all aye.

Speaking of the Planning Board, Mr. Johnson said he spoke to the Planning Board Chair and he would like Mr. Hartman, Lee Henry and Town Counsel to work out some arrangement on Granite Street to get the meandering path put back in. Mr. Dzikczek agreed. Mr. Williams agreed as well as long as there was no cost to the Town, and if there is a layout cost, he wanted to know. Mr. Gildea agreed. Mrs. Rozanski as well because of the safety issues. With the consensus of the Board, Mr. Johnson asked Mr. Hartman to proceed on the matter. Mr. Hartman did note that Town Counsel has said as long as the plan said sidewalk easement, it would be a problem, but he would do more research with Town Counsel.

- With reference to the school resource officer issue, Mr. Johnson asked that it be placed as an action item on the September 11th agenda. Mr. Williams asked if this would be funded again through the community policing grant? Mr. Hartman believed it would through that grant or another police grant that includes the bike patrol or the DARE program, but with being down one officer, he did not feel they could provide the forty hours requested for this coming year. He believed that activities as defined in legislation could be provided, replacement personnel excluded. Mr. Johnson asked Mr. Hartman to clarify what is included in the community policing grant, i.e. would it cover crossing guards, but Mr. Hartman said they were not police officers.
- Mr. Johnson asked if they wanted to have an All Boards Meeting on September 15th, but the Secretary reminded him FinCom had recommended September 23rd in keeping with the proposed timeline. Mr. Johnson noted that Planning Board was looking to have a meeting on proposed articles for the next special town meeting, and the Municipal Building Committee as well. Mr. Hartman knew the MBC would still be having a public hearing for the general public regardless. Mr. Johnson moved the All Boards be held on September 23rd; Mr. Dzikczek seconded; all aye.

6. Discussion items (was skipped over).

- With regard to the liquor policy, Mr. Williams suggested they either approve it or dispense with it, and moved to approve the draft liquor policy; Mr. Dzikczek seconded. Mr. Williams felt, however, this was making it more complicated, and it still does not state the number of days for violations. He thought it was putting in loopholes. Mr. Gildea asked if a subcommittee should be formed to discuss it further? Mr. Dzikczek suggested Mr. Hartman review it one more time with other towns.

Mrs. Rozanski moved to amend the motion by striking out #6 and #8 of section B, general statement of policy" if the Board wanted to approve a policy for the Town, with #6 being ambiguous and #8 being too difficult to have in place. Mr. Hartman explained they would have to have a written policy on #8 if kept in. Mr. Williams brought up the point that the Board can do everything without a policy anyway, but seconded Mrs. Rozanski's motion.

Mr. Johnson amended the motion to add a section J, which would be to put the policy in effect for a trial period for one year, and to vote on it again in a year's time to accept or reject all or any part of it; Mr. Gildea seconded, with Mr. Hartman suggesting the timeline of August 31, 2000.

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Vote was unanimous on the original motion to adopt a liquor policy. On the second amended motion to delete #6 and #8 and renumber, all aye except Mr. Dziczek – no. On the whole policy as amended with Mr. Johnson's amendment, all aye except Mr. Williams – no.

- On the issue of the Board meeting every other week now that the summer was almost over, Mr. Williams said he did not care one way or another, but did know there were many important issues coming up and it was getting complicated now. Mr. Dziczek felt if the staff can handle things with the Board meeting every other week, fine; he was on the fence on the issue. Mr. Johnson did not feel the Board was meeting all their obligations and found themselves behind the eight-ball a few times. Mrs. Rozanski still believed in the visibility of the Board and that residents expect them to meet every Monday night. She also felt the only time the Board had authority to act on anything was at a meeting so they should continue meeting every week. Mr. Gildea said another suggestion is to only meet three times a month, but Mr. Johnson said with holidays and all, it comes down to about that. Mr. Johnson also noted the tapes are erased after they are viewed on TV, and suggested keeping them for a while instead. Mr. Dziczek moved the Board meet every other week; there was no second. This issue was dismissed.
- With reference to the format for discussion of policies, procedures and by-laws, Mr. Williams felt some time should be set aside at meetings, but Mr. Johnson felt first the liaison should have contact with their committee, and then it comes back to the Board. Mr. Williams still believed some annual townwide policy goals should be adopted by the Selectmen, and they needed to start somewhere. Mr. Johnson felt the Board members could start e-mailing each other with their ideas.

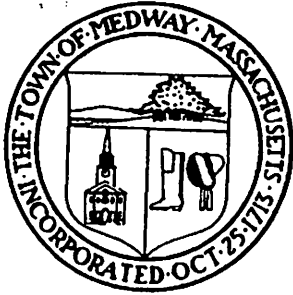
7. Back to action items.

- Mrs. Rozanski moved to approve the job title of Administrative Services Assistant as recommended by the Town Administrator for Ms. Fredette; Mr. Gildea seconded; all aye except Mr. Williams - no.
- With reference to the addendum to the Town Administrator's contract, Mr. Hartman noted it was listed as "tentative" on the agenda as Counsel had not approved it yet, but now that he had, it was no longer "tentative". Mr. Dziczek moved the addendum to Mr. Hartman's contract be approved and signed by the Board; Mr. Williams seconded. Mrs. Rozanski asked when the contract extension offer had been approved since she was not in attendance? Mr. Johnson confirmed it was last week, August 21st. All aye on the motion except Mrs. Rozanski – abstained. Mr. Williams read the addendum for the viewing audience: salary - \$76,250; deferred compensation - \$7,500; total - \$83,750. Mr. Williams noted that the first three years of his contract were set initially.
- The Board discussed the household hazardous waste facility again briefly as Mrs. Rozanski asked about the involvement of the Zoning Board and Planning Board? Mr. Hartman noted no site plan was required as the location is in a residential area, and it is a permitted use. Mr. Hartman did say that if it is the consensus of the consortium not to have the facility located in Medway it won't be. Mr. Johnson just noted for the viewing audience why the public hearing had been continued from Sanford Hall last Wednesday to the High School auditorium this Wednesday.
- There were no other items for discussion on the rest of the agenda format.

10:15 p.m. – Mr. Gildea moved the meeting be adjourned; Mr. Dziczek seconded; all aye.

Respectfully submitted,
M. J. Fredette
Administrative Services Assistant

APPROVED
9/11/00



BOARD OF SELECTMEN

155 VILLAGE STREET
MEDWAY, MASSACHUSETTS 02053
(508) 533-3200 • FAX: (508) 533-3201

AGENDA

BOARD OF SELECTMEN

SANFORD HALL

AUGUST 21, 2000

- 6:30 p.m.- Open meeting.
- Adjourn to executive session.
Re: for purpose of conducting contract negotiations with non-union personnel, namely the Town Administrator.
- 7:00 p.m.- Reconvene meeting.
1. Sign warrant.
- 7:05 p.m. - Treasurer/Collector Marjorie Sanford.
Re: signing of notes.
2. Approval of minutes.
- Executive session minutes, Session #2, of July 10, 2000 (Session #1 already approved and released).
 - Regular meeting minutes of August 7, 2000.
 - Executive session minutes of Session #1, 2, 3, 4 of August 7, 2000.
- 7:15 p.m. - Granite Street representatives.
Re: Traffic situation.
- 8:00 p.m. - Finance Committee.
Re: Approval of calendar and budget format for FY'02; Update on FY'01 budget cuts.
- 8:30 p.m. - Frank Foss - Media One.
Re: Town concerns (two other letters copied to BOS in earlier packet).
- 9:00 p.m. - Dunkin Donuts.
Re: Sign denial by Building Inspector.
- 9:15 p.m. - Jeffrey Roach of Furniture City South.
Re: Approval of solicitor's permit.
3. Public comments.
4. Committee reports.
5. Administrator's report.
6. Discussion items.
- Second reading of Liquor Policies (copied to BOS in earlier packet).
 - Board consideration to continue meeting every other week.
 - Format for discussion of policies, procedures, by-laws.

cc: AUB

Selectmen's Meeting Agenda
August 21, 2000
Page 2.

7. Action items.
 - Approve job title for Ms. Fredette as recommended by Town Administrator.
 - If Board wishes, set date for Special Town Meeting (9/25 & 10/2 available).
 - If STM date is set, announce dates to open and close warrant:
(if on 9/25-open warrant tonight, close on 8/25-1:00; have special Selectmen meeting week of 8/28 to review and make changes; sign week of 9/5; posted 9/11).
(if on 10/2-open warrant tonight, close on 9/1-1:00; have special Selectmen meeting week of 9/5 to review and make changes; sign 9/11; posted 9/18).
 - Appoint Affordable Housing Committee: Helen Luccio, Mary O'Leary, Robert Dubovsky, Teresa O'Brien, David Steward.
 - Approve blocking of road for party on Forest Road.
 - Sign license for Golden Jade.
 - Recommend appointment to Town Administrator of Glenn Trindade to Open Space Committee and Industrial Development Commission.
 - Recommend appointment to Town Administrator of Joe Musmanno as Associate Member to Zoning Board of Appeals.
 - Approve gravel removal permit for George Papadopoulos and Bill Canessi for Granite Estates.
8. For your information.
9. Communications and correspondence.
10. Future agenda items.
11. Upcoming meetings.
 - September 11th.
12. Executive session.

cc: Town Clerk for posting.

MINUTES OF THE SELECTMEN'S MEETING
AUGUST 21, 2000

Present: Selectmen Harry Johnson, John Williams, Joe Dziczek, Richard Gildea, Town Administrator Michael Hartman, Secretary M. J. Fredette. Selectman Raphaela Rozanski was not in attendance.

6:36 p.m. – Mr. Johnson opened the meeting in Sanford Hall of Town Hall.

- Mr. Williams moved the Board adjourn to executive session for reason #3, to conduct contract negotiations with non-union personnel, namely the Town Administrator, and then to return to public session; Mr. Dziczek seconded; all aye. The vote: Mr. Dziczek – yes; Mr. Williams – yes; Mr. Gildea – yes; Mr. Johnson – yes.

7:10 p.m. – Mr. Johnson reconvened the meeting in Sanford Hall of Town Hall.

1. Sign warrant.

- Mr. Williams moved the Board approve and sign warrant #8 in the amount of \$361,353.29; Mr. Gildea seconded; all aye.

7:05 p.m. – Treasurer/Collector Marjorie Sanford came to meet with the Board to have one bond anticipation note signed for \$627,000 for short-term borrowing at 4.89% interest from Fleet Bank to cover town hall remodeling, departmental equipment and computers. She noted the maturity date was 3/14/07. The Board signed the note with Town Clerk Maryjane White certifying their signatures.

7:15 p.m. – Representatives from the Granite Street neighborhood were present to hear Mr. Hartman's report on his research of the Granite Street traffic situation (copy attached). He specifically went over areas of concern from the last meeting which included:

- Accessibility of the street to emergency traffic
- Use of the street by cut-through drivers
- Excessive speed
- Signage issues
- Warrants for installation of traffic control at various intersections
- Location of the bus stop
- Issue of speed bumps
- Water supply issues
- Feasibility of conversion of Granite Street to a one-way street

Mr. Williams asked what type of signs would be considered? Mr. Hartman was suggesting "dangerous road", "reduced speed zone" and "caution-intersection ahead". Mr. Hartman stated that the default speed limit is 30 mph, and additional speed limit signs would be posted.

Mr. Hartman was asked why the three-way stop sign was allowed at Coffee Street but not at this location? Mr. Hartman explained the Coffee Street installation was done by a previous Board of Selectmen, but it is not warranted. When asked how a stop sign is deemed warranted, Mr. Hartman stated traffic counts would have to justify it. However, Mr. Hartman clarified that the Town's insurance carrier will not cover claims where an unwarranted sign has been posted. He indicated his role was to make sure the Board made informed decisions.

Larry Connelly of 35 Granite Street, observed in one hour of walking with Officer Watson, all motorists speeding in excess of the 20 mph speed limit.

Mr. Hartman indicated that he believed the issue here was speed, and he felt that better police presence on Granite Street and more signage would help. Staff's recommendations were to continue traffic counts to justify additional stop signs, a traffic count on Stallbrook, and upgraded signage.

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Susanne Almeida of 32 Granite Street was concerned with the barrier (guardrail) where cars parked to wait with their children for buses at Granite and West Streets. She felt it was a disaster waiting to happen and a safety issue as walkers couldn't be seen. Mr. Hartman explained that the 90 degree angle intersection is less dangerous than the 45 degree angle intersection it replaced some years ago. He believed it was an enforcement problem and would take it up with the Police Chief. Ms. Almeida also brought up the narrowness of the road. Mr. Connelly added if fire apparatus tried to get in when the buses and cars were there, they wouldn't be able to.

Mr. Johnson suggested the possibility of creating a parking area for buses or an off-parking area for cars. Mr. Hartman stated there was nowhere to park unless you cut down trees or take down walls. Since Granite Street is a scenic road, the Planning Board could be asked to hold a public hearing. Mr. Connelly agreed the West and Granite Street bus stop was one of two designated bus stops in the area, but parents still believe it is unsafe, and there is still coming 21 additional houses and 15 additional students. He stated no one wanted the barricade – a "T" design would have been better.

Lee Henry, DPS Director, was in attendance and said he was on the Board of Selectmen when they voted to create the 90 degree intersection with the guardrail. He noted the redesign was done at the request of the residents and encouraged by the Safety Officer. It had to be designed and approved by Mass. Highway because they paid for it. Chief Lambirth said part of the reason the intersection was redesigned was to prevent speeders from continuing their fast trek from West Street to Granite Street. Mr. Dziczek did not want the Board to start redesigning roads because of the poor habits of drivers.

Mr. Johnson said the school buses, traffic and parking are the most critical issues. Mr. Johnson suggested Mr. Williams look at the area across from Granite Street on West Street where the wetlands are. Mr. Hartman said if the Board wanted him to look at this area again or talk to the School Department for other bus stop options, he will, but he needed a sense of a majority of the Board because if an engineering study is done, it will cost money.

Mr. Connelly brought up the proposed sidewalk and indicated Planning Board Chairman Diane Borgatti still feels it is pending approval since it does not meet ADA standards. Mr. Hartman explained Town Counsel has ruled that the meandering path cannot go in unless it meets ADA standards, and the Disability Act leaves no way for it to be exempted. The sidewalk was proposed in the sidewalk easement, and the developer won't put it in at those standards. Mr. Hartman stated that the Town does not own the easement; it is private. It clearly is on private property, but on the plan, the easement is shown as a sidewalk easement, and the only exemption is if it predates ADA. He has told this to the Planning Board, but the Planning Board approved the plan contingent upon the meandering path. This is a Planning Board issue under the subdivision control law; not a Board of Selectmen issue. Mr. Hartman said he has suggested the developer put in a different type of easement.

Mr. Connelly asked for a copy of the ADA sidewalk standards when available.

Mr. Johnson asked for an update from Mr. Hartman around mid-September or the second meeting in September. Mr. Hartman said he would try for September 11th, but again, would work on: more police presence, signs, the bus stop, and would go back to the Planning Board.

8:20 p.m. – Finance Committee Chairman John Collett and Vice-Chair Carla Cataldo came to speak to the Board about the upcoming FY'02 budget season.

Mr. Collett referred to the proposed budget calendar the FinCom was submitting for adoption. He noted the FinCom had met three times to come up with this calendar and develop the action plan as outlined well ahead of Town Meeting in May. He noted the toughest part was getting the final warrant approved by the Selectmen by March 14th. He agreed it was a tight schedule, but compact. They felt it was in the best interest of all to get the process done earlier.

MINUTES OF THE SELECTMEN'S MEETING
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Mr. Dziczek believed it would be difficult to get final numbers from the School Department before March, however, Mr. Collett felt the only fluctuating figure would be for state aid. Mr. Williams supported the intent but did think March 14th was tough; it was worth the try, however.

Mr. Collett agreed it was a work in progress subject to change, but it was a goal, and it was aggressive.

Mr. Johnson asked why the sources of revenue meeting included the Treasurer, Assessors, Selectmen, Town Administrator, School Committee and Superintendent? Mr. Collett stated they all have an impact on the revenue numbers which included state aid, fees, property valuation, local revenue and receipts.

Mr. Johnson did not want to approve the calendar at this time so Mrs. Rozanski could review it as well. Mr. Collett noted they were looking at September 23rd for an All Boards Meeting. Mr. Johnson felt the meeting could be scheduled; they were just not approving the calendar.

Mr. Collett went on to the budget document sheets as prepared by FinCom member Allan Fraser. Mr. Collett stated they were no different than what was required in past years, just with a little more detail. They took the standard format but are summarizing it on different levels. He deferred to Mr. Fraser who went over the individual pages with the Board. He said this would help the FinCom to understand what the Department Heads were thinking at the time the budgets were prepared.

Mr. Fraser said the School Department budget is different as they prepare a Schedule 1 report form at the end of the year, which is a pupil and financial report to the DOE. Since that accounting practice was already in place, FinCom is suggesting they switch over to the new format the following year. FinCom is aware some pieces in the School's documents will be from the Town side, and that some historical data may not be available.

Mr. Williams applauded the FinCom on another good effort with the budget process, but made one suggestion, and that was to include a growth comparison of FTE's from one year to the next. Mr. Collett agreed that would be included, and noted they wanted to try and minimize impact to departments the first time around.

School Committee Chairman Charlie Myers was in attendance, and Mr. Williams asked if the School Committee could provide comments to the Board on the budget outline before their next meeting on September 11th? Mr. Myers indicated they would.

Ms. Cataldo presented a potential change the FinCom was considering: that was to continue the salary and expense line items separately, or to put them as one line item to allow departments flexibility. Mr. Hartman suggested another way of handling it was for the Board to delegate authority to the FinCom to make the necessary transfer without having to go to Town Meeting. Mr. Johnson thought that was something that could be discussed in the future, but reminded them they were appointed, not elected.

Mr. Collett gave the Board a copy of the DOE's glossary of terms, as well as guidelines for student and financial reporting.

9:00 p.m. – Frank Foss of MediaOne came to speak to the Board at their invitation about some concerns that had been raised.

Members of Medway Cable Access Norman Schneider and Wayne Ledder were in attendance as well to provide the Board a list of problems that MCA had been experiencing with no resolution. Mr. Schneider explained they were problems reported to MediaOne from their station and others as seen by Program Coordinator, Kara Pereira.

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Mr. Foss referred to a letter from Charlie Myers to Mr. Hartman concerning digital upgrade for Medway. He said he went back to the requirements of the license and what was required, and his understanding is that certain channels, i.e. HBO, are scrambled services. He stated they would provide non-scrambled services and they do that. There is no other requirement to give any other services to the schools, but if they get a letter from them, they will provide those services. With regard to cable in the classroom, that is provided between the hours of 1 and 4 a.m. so they can be recorded for later viewing on the VCR. Mr. Foss also noted internet services are now available to subscribers and if he had a written letter from the Superintendent and a designee, he would work through that person. Mr. Myers indicated that person might be Steve Amrock, and clarified this service was being provided to all educational facilities including Camp Sunshine? Mr. Foss agreed.

Mr. Ledder brought up the problems with poor picture quality, and asked if this was happening as a result of when the channels were realigned? Mr. Foss stated, from his experience, these are balancing problems. They are not MediaOne's problems; they are equipment problems. He found it difficult to understand why MCA wrote the letter without giving someone the courtesy of a phone call. He noted receiving a copy of the letter on Friday without much preparation time for tonight's meeting. He further stated that checks have been given to MCA for almost a quarter of a million dollars to handle equipment problems such as these. Mr. Foss said that the switch replacement MediaOne did is under MCA, as other problems in the studio are under MCA. It is agreed to in the license that MediaOne will not repair, replace or maintain equipment under the issuing authority or MCA.

Mr. Foss said he would like to propose: he will document what they've done if they have to, and will do what he has to do, but he would bury the Board with all the reports. Mr. Schneider felt Mr. Foss had been called and was not being kept out of the loop, with Mr. Ledder indicating Ms. Pereira was not getting any feedback. Mr. Foss stated three months ago, it was mentioned to a MCA representative that the equipment should be checked.

Mr. Johnson suggested a joint meeting between Mr. Hartman, Mr. Pelletier and himself before Mr. Foss went any further with this.

Mr. Schneider brought up the van that MCA was to have access to with a 30-day notice, but can't seem to get it. Mr. Hartman said it was his understanding that a copy of the van agreement was given to MCA, which indicated they were to upgrade the part of the studio for broadcasting and the van would be available on a first-come, first-served basis, and they would be charged for it.

Mr. Foss clarified it was not part of the franchise. On December 8, 1997, a letter of understanding was signed for a portable production unit. This was more for shoots at the high school and field as long as there was a LO van. He suggested that maybe he should be the one to get together with MCA. Mr. Johnson suggested waiting until Mr. Pelletier was able to join them. Mr. Hartman further suggested a representative from the Town be included, as this was between the Town and MediaOne.

Finally, Mr. Foss announced that on Wednesday morning, August 23rd, MediaOne officially becomes AT&T Broadband. He noted there was a hearing in Hopkinton on September 6th if anyone from the Board wished to attend.

9:30 p.m. – A five-minute recess.

9:35 p.m. – Louise and Arthur Placido of Dunkin Donuts were present to request the Board allow additional signs at their business at 81A Main Street. She noted the sign facing the Strata Bank was permissible. The signs in question were a drive thru free-standing menu board and an additional sign to face Route 109.

MINUTES OF THE SELECTMEN'S MEETING
AUGUST 21, 2000

Mr. Williams moved to grant a variance to the zoning by-law for a drive thru free-standing menu board 6'2" x 4'9" for a total of 29.26 sq. ft.; Mr. Dziczek seconded; all aye.

Mr. Williams moved to grant a variance to the zoning by-law for a sign on the building facing north towards Route 109 4'3" x 8'4" for a total of 35.94 sq. ft.; Mr. Dziczek seconded; all aye.

9:45 p.m. – Jeffrey Roach of Furniture City South did not show for his appointment with the Board to request a solicitor's permit. Mr. Williams recommended this be tabled until Mr. Roach could speak to the Board.

2. Approval of minutes.

- They will be held over until the next meeting for approval.

3. Public comments.

- There were none.

4. Committee reports.

- Mr. Dziczek, as liaison, brought up the Board of Health public hearing on Wednesday night at 7:30 p.m. in Sanford Hall. Mr. Johnson agreed residents should attend as they may have been misinformed, and the Household Hazardous Waste site is more of a transition point.

- Mr. Williams asked Mr. Hartman if anything new was happening on Lovering Street? Mr. Hartman said they were in the process of replication, planting trees and hydroseeding, but he did not actually know what had been accomplished yet.

Mr. Williams mentioned that MunEnergy, who had a booth at the MMA conference, might be able to provide an energy audit for us. Mr. Hartman explained they were our vendor so they would be auditing their own bills.

Mr. Williams asked if copies of the Municipal Finance books could be provided to the Board. The Secretary will take care of it.

- Mr. Gildea had no report.

- Mr. Johnson asked if the Board could address the remaining important matters on the agenda and leave the rest until the next meeting as he was not feeling well.

5. Administrator's report.

- Mr. Hartman said he would try and keep his report brief by summing up some of the material the Board had been provided:

- his budget impact update was given to the Board as requested. Mr. Williams asked if the dollar amount could just be indicated, and that will be done.

- a report from Lt. Malo was presented on the school resource officer requesting the Board allow this to continue into the next school year. Mr. Hartman explained this would be funded through the community policing grant again will be brought up at a future meeting for them to consider.

- he said the Selectmen were being invited to the next two meetings of the Municipal Building Committee on August 23rd and 30th. Mr. Hartman realized the Board of Health was having their public hearing at 7:30 p.m. but possibly the Selectmen could attend the MBC meeting at

MINUTES OF THE SELECTMEN'S MEETING
AUGUST 21, 2000

6:30 p.m. prior to the public hearing as Phil Poinelli of Symmes, Maini and McKee would be giving a presentation on his findings of site 12A.

- he also acknowledged a certified letter from the Conservation Commission with reference to the Leland property; an opinion from Town Counsel on the same subject; and his correspondence to the Industrial Development Commission.

Mr. Johnson said he would not address the subject of the Leland property unless he received a letter indicating the Town would not be liable for the dam or for repairs to the dam. Mr. Dziczek believed ConCom was in possession of that letter. Mr. Hartman noted his understanding was the letter was from a contractor that specializes in dam repair commenting first on how to fix it, and second how to generate electricity. He stated he was aware the ConCom was having a special meeting this evening, and if there is the potential of an eminent domain taking, they would be requesting an article on the next special town meeting warrant. He suggested, however, that the Board hold over any decision or response until after they learn what happened at the meeting this evening.

6. Discussion items.

- It was decided to hold these over to the next meeting.

7. Action items.

- Approve job title for Ms. Fredette as recommended by Town Administrator. Mr. Dziczek moved approval of the title; Mr. Williams seconded. The vote: Mr. Dziczek and Mr. Gildea – yes; Mr. Williams and Mr. Johnson – no. This will be brought up again at the next meeting.

- Approve gravel removal permit for George Papadopoulos and Bill Canessi for Granite Estates. Mr. Hartman explained the applicants were removing gravel, at which time they were stopped, and they admitted they did not know about the by-law requirement. He stated the materials in question were rocks and dirt with all loam remaining on site. Mr. Hartman also noted there was an approved definitive subdivision plan in place.
Mr. Williams moved the start time be 8:00 am instead of 7:00 a.m.; no second.
Mr. Johnson moved to approve the removal of 10,000 cubic yards of rocks and dirt, with the exception of loam, between the hours of 7:00 a.m. to 3:30 p.m. Monday through Saturday; Mr. Dziczek seconded; Mr. Williams opposed; aye. Mr. Hartman was asked to keep an eye on the project.

- Appoint Affordable Housing Committee. Mr. Hartman explained the committee needs to be appointed so they can meet to have a lottery for the Woodside project on Summer Street. Mr. Dziczek moved that Helen Luccio, Mary O'Leary, Robert Dubovsky, Teresa O'Brien and Dave Stewart be appointed to the Affording Housing Committee; Mr. Williams seconded; Mr. Johnson abstained; aye.

For clarification purposes, Mr. Myers remembered the stipulation the Selectmen made to members appointed to the Municipal Building Committee that they could not serve on any other appointed boards in Town, and wondered if this held true for other committees as well? Mr. Hartman stated that stipulation was only for the MBC since it was a standing committee and would be on-going for a long time requiring extensive time and effort by the members.

- Recommend appointment to Town Administrator of Glenn Trindade to Open Space Committee and Industrial Development Commission.

Mr. Williams moved to recommend appointment of Glenn Trindade to the Open Space Committee; Mr. Dziczek seconded; Mr. Johnson abstained; aye.

MINUTES OF THE SELECTMEN'S MEETING
AUGUST 21, 2000

Mr. Williams moved to recommend appointment of Glenn Trindade to the Industrial Development Commission; Mr. Dziczek seconded. Mr. Johnson suggested asking the IDC what they think about Mr. Trindade; it should go back to them. Mr. Williams believed the Board's intent was just to ask the Chairman. Mr. Johnson differed; the Committee should be asked. Mr. Williams felt Committees would then be too selective. Mr. Hartman cautioned that new ideas can be shut out if committees are allowed to approve members. The vote: Mr. Dziczek and Mr. Williams – yes; Mr. Johnson and Mr. Gildea – no.

- Recommend appointment to Town Administrator of Joe Musmanno as Associate Member to Zoning Board of Appeals. Mr. Williams suggested holding off on this. Mr. Johnson suggested sending his name to the Zoning Board for their recommendation. He also suggested going back to review what they voted on a year ago.
- Approve blocking of road for party on Forest Road. It was noted this is the same request as in past years by the residents. Mr. Gildea moved approval of the block party on Forest Road in the area of #7 to #9 on September 9th from 2:00 to 7:00 p.m.; Mr. Dziczek seconded; all aye.
- Sign license for Golden Jade. This was a formality as the Board had already approved the change of manager for the Golden Jade, and now that the ABCC had approved, the actual liquor license needed to be signed by the Board.
- The subject of a special town meeting was brought up. It was realized the dates of September 25th and October 2nd would not work out, and October 9th was a holiday, so October 16th was suggested. The Secretary will check out the availability of the High School and the Town Moderator for that date, and the Board will make a decision on holding a special at their meeting on September 11th.
- There were no other items for discussion on the rest of the agenda format.

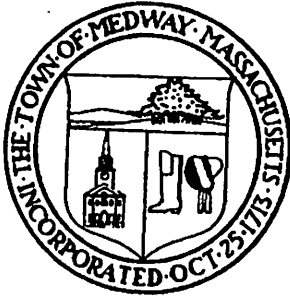
10:45 p.m. – Mr. Dziczek moved the meeting be adjourned; Mr. Gildea seconded; all aye.

Respectfully submitted,

M. J. Fredette
Secretary
mj

APPROVED

*as amended
9/11/00*



OFFICE OF TOWN ADMINISTRATOR

155 VILLAGE STREET
MEDWAY, MASSACHUSETTS 02053
(508) 533-3200 • FAX: (508) 533-3201

Michael J. Hartman
Town Administrator

August 16, 2000

To: Board of Selectmen

From: Michael Hartman 

RE: Granite Street Update

As you will recall the Board met with a group of Granite Street residents some time ago to regarding their concerns about the Granite Estates development. Issues identified by the residents included the following:

- Accessibility of the street to emergency traffic
- Use of the street by cut-through drivers
- Excessive speed
- Signage issues
- Warrants for installation of traffic control at various intersections
- Location of the bus stop
- Issue of speed bumps
- Water supply issues
- Feasibility of conversion of Granite Street to a one-way street

A review of the issues has been completed and is outlined below.

Accessibility- According to Fire Chief Wayne Vinton, there are no accessibility issues relative to fire equipment. All of the Town's equipment, including the largest apparatus can navigate Granite Street.

Cut-through drivers- Addressed by traffic report

Excessive speed- Addressed by traffic report

Signage issues- The existing signage on Granite St. is not adequate. We will be reviewing signage with VHB and based upon their recommendation, signing will be upgraded. We anticipate that four additional signs will be installed.

Traffic control warrants – Traffic counts do not indicate sufficient traffic volume at this time to meet necessary standards to justify the location of stop signs at existing intersections. The installation of a traffic control device (stop sign) that is not warranted under traffic safety standards creates a significant liability for the Town. In addition, our insurance carrier will not cover claims that may arise from accidents at a location where an unwarranted sign has been installed. Counts will be taken again after the development has been completed, and if justified under the standards, stop signs will be recommended to the Board of Selectmen.

Location of bus stop – Approximately four years ago the intersection of West and Granite was redesigned to address a serious safety problem involving both the school bus stop and the intersection itself. The Safety Officer recommended the design and although the bus stop and the location of the guardrail may be a minor inconvenience for parents, the bus stop and intersection are significantly safer as a result of the change.

Speed bumps – The use of speed bumps to slow traffic on a public way is not recommended under prevailing traffic safety-engineering standards. In addition, our insurance carrier discourages the practice by precluding the payment of any claims that may result from the installation of speed bumps. Finally, the case law on the use of speed bumps is not favorable to municipalities, as they have been found to be liable for damages because the bumps have been determined to be an “obstruction” to the public way.

Water supply issues – During the completion of their review of the proposed development, the Water/Sewer Commission did not identify any issues relating to water supply. In fact, the developer was instructed to modify the proposed line in order to make water available to Granite Street residents who currently do not have service.

One-way street – Conversion to a one-way street is simply not feasible. As you may know, Granite Street is a county-layout road and as such, a change to one-way requires county approval, which is most unlikely. In addition, this street is a through way serving two municipalities and such a change would require the other municipality’s approval. Finally, from a traffic engineering standpoint, one-ways are generally considered in situations where a parallel route exists to handle traffic flow in the opposite direction.

Traffic Study – At the Town’s request, Norfolk County Engineering compiled traffic counts at several locations to assess the traffic situation on Granite Street. The counts were conducted over a 72-hour period during mid-week the week of May 7, 2000.

Locations included:

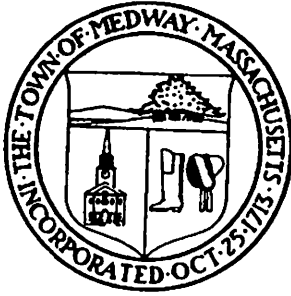
- Granite St. – Medway – South of West St.
- Granite St. – Bellingham – North of Farm St.
- West St. – Medway – East of Granite St.
- West St. – Medway – West of Granite St.
- Farm St. – Bellingham – East of Granite St.
- Farm St. – Bellingham – West of Granite St.

The results indicate that traffic volume on Granite Street averaged 462 per day (50.9% headed north) at the Medway location and 381 per day (50.5% headed north) at the Bellingham location. At the Medway location, 52.4% of the total volume (726) occurred during the time considered to be rush hour (6-9 am & 4-7 pm). At the Bellingham location 43.8% (501) of the total volume occurred during rush hours. In contrast, traffic volume on Farm Street in Bellingham is approximately 730 per day and traffic on West Street is approximately 2700 per day. Traffic volume does not appear to be excessive on Granite Street, as non-rush traffic averages approximately 12 cars per hour.

Data indicates that speed on Granite Street averaged 27 mph at the Medway site and 21 mph at the Bellingham location. The 85 Percentile speeds at the two locations were 38 in Medway and 33 in Bellingham. One possible explanation for the higher speeds recorded at the Medway site is its proximity to West Street. Given that Granite Street is posted for 20 mph, an additional police presence might lead to slower speeds.

Given the similarity in counts at both ends of the street, it is difficult to gauge if there is a problem with cut-through traffic. However, the counts are such that if there is a significant volume of cut-through traffic, it appears to be heading into Medway rather than towards the commercial development in Bellingham as is commonly thought.

In conclusion, we will request that the police presence on Granite Street be increased as a means of slowing the traffic. In addition, signage on the street will be upgraded and although current traffic flows do not justify the installation of stop signs, the Town will continue to monitor the situation.



BOARD OF SELECTMEN

155 VILLAGE STREET
MEDWAY, MASSACHUSETTS 02053
(508) 533-3200 • FAX: (508) 533-3201

AGENDA

BOARD OF SELECTMEN

SANFORD HALL

AUGUST 7, 2000

6:30 p.m.- Open meeting.

- Adjourn to executive session.

7:00 p.m.- Reconvene meeting.

1. Sign warrant.
2. Approval of minutes.
 - Regular meeting minutes of July 10, 2000.
 - Executive session minutes of July 10, 2000.
 - Regular meeting minutes of July 24, 2000.
 - Executive session minutes of July 24, 2000.

7:15 p.m. – Margaret and Jim Centola
Re: one-day liquor license.

3. Public comments.
4. Committee reports.
5. Administrator's report.
6. Discussion items.
 - Second reading of Liquor Policies.
7. Action items.
 - Sign agreement for The Little Store for retail of trash bags.
8. For your information.
 - For audience, Millis sewer line installation and traffic delays.
9. Communications and correspondence.
 - Medway receiving grant for Route 109 traffic study.
 -
10. Future agenda items.
 - Granite Street neighborhood.
 - Media One.
11. Upcoming meetings.
 - August 21st.
 - September 11th.

12. Executive session.

9:00 p.m.- Adjourn to executive session.
- Re: strategy with respect to litigation.
cc: Town Clerk for posting.

cc: AUB

MINUTES OF THE SELECTMEN'S MEETING
AUGUST 7, 2000

Present: Selectmen Harry Johnson, Raphaela Rozanski, John Williams, Joe Dziczek, Richard Gildea,
Town Administrator Michael Hartman, Secretary M. J. Fredette.

6:33 p.m. – Mr. Johnson opened the meeting in Sanford Hall of Town Hall.

- Mr. Dziczek moved the Board adjourn to executive session for reason #3, to conduct contract negotiations with non-union personnel, namely the Town Administrator, and then to return to public session; Mrs Rozanski seconded; all aye. The vote: Mr. Dziczek – yes; Mr. Williams – yes; Mrs. Rozanski – yes; Mr. Gildea – yes; Mr. Johnson – yes.

7:10 p.m. – Mr. Johnson reconvened the meeting in Sanford Hall of Town Hall.

1. Sign warrant.

- Mrs. Rozanski moved the Board approve and sign warrant #6 in the amount of \$249,405; Mr. Dziczek seconded; all aye. Mr. Johnson again voiced his concern on the high electric bill for the schools, especially one for the month of June which totaled over \$15,000 and school had been out for two weeks. Almost \$8,000 was just one school which did not make sense to him. Mr. Hartman asked if the Board would like him to explore this with the Superintendent? Mr. Dziczek suggested checking with area towns as well for comparison in square footage. Mr. Williams felt an audit on energy use for all buildings might be more appropriate, but Mr. Johnson said one was done and it was inconclusive. Mr. Hartman stated if they wished to conduct a total energy audit on all buildings, it would have to go out to spec. Mr. Johnson thought it would be better to get a cost breakdown by Town buildings first. Mr. Hartman said he would ask the Town Accountant to work on it when she got back from vacation.

7:30 p.m. – Margaret and Jim Centola came to request a one-day liquor license from the Board for the benefit of a vocational pre-school in his sister's memory. Understanding there would be an insurance certificate covering any liability, and wishing them luck in their fundraising, Mrs. Rozanski moved to approve the license being issued to the Karen Wright Memorial Fund, c/o Margaret and Jim Centola for September 16th from 6:00 p.m. to midnight; Mr. Gildea seconded; all aye.

2. Approval of minutes.

- Mrs. Rozanski moved approval of the regular meeting minutes of July 10th; Mr. Williams seconded. Some corrections were noted, then all aye as amended.
- Mr. Williams moved approval and release of the executive session minutes of July 10th; Mrs. Rozanski seconded; all aye. Mrs. Rozanski suggested, at the beginning of executive session minutes, to restate the purpose of the executive session as per the State legal definition of when the Board adjourned its meeting, and its corresponding reason number. The remaining Board members thought this was a good suggestion, and so noted by the Secretary.
- Mr. Williams moved approval of the regular meeting minutes of July 24th; Mr. Dziczek seconded. A correction was noted, then all aye as amended.
- Mr. Williams moved approval, but not release, of the executive session minutes of July 24th; Mr. Dziczek seconded; all aye.

3. Public comments.

- There were none.

4. Committee reports.

MINUTES OF THE SELECTMEN'S MEETING
AUGUST 7, 2000

- Mr. Williams brought up Lovering Street, but believed Mr. Hartman would update them on that in his report.
- Mrs. Rozanski reported that the Governor vetoed the legislation on cell towers which puts the appeal and final decision with DTE. She also noted some dollars vetoed on special education were overridden. On Chapter 90, \$150 million was put back into the budget, with a deadline of August 10th for the Governor to override it. Finally, Route 109 was back on the TIP list.
- Messrs. Gildea and Dzcizek had no reports.
- Mr. Johnson was still concerned about the software package for the Water/Sewer Department. He did not care what had occurred, and was not blaming anyone, but wanted a solution. If they have to alter what has been agreed upon in the past, they will do it. He noted there was a thorough study to get the software here, and it should be spelled out how to go forward. He suggested they look at the requirements of the contract and see what was asked for, and was that met by the contractor since three departments were not working out. Mr. Johnson noted he, Mr. Williams and Mr. Dzcizek spoke to the Town Accountant, the Board of Health, and the Water/Sewer Department. He suggested he and Mr. Hartman get together and work all the issues out as soon as possible. He felt they had to be responsive and responsible, but he did not see a solution around the corner.

5. Administrator's report.

- Following up on Mr. Johnson's lead-in, Mr. Hartman explained the process of what led to the recent meetings. He noted a computer-working group had been convened including some interdepartmental people, Mrs. Rozanski as the liaison, and two Technology Committee people to ascertain what was envisioned. Internally, there were a variety of factors. It was the wrong decision not to farm out the conversion of the water/sewer and trash packages, but we were trying to stay in budget and get the software and hardware we wanted. More than 90% of the water/sewer problem was the conversion, and Ms. Bennett wasted much of her time in the process, and ended up behind to begin with. The vendor came in today with the intent of showing the Water/Sewer Superintendent what the package was designed to do. However, it should be noted, the first day they came into Town Hall, we asked them to change it.

With reference to the accounting package, three deadlines were set which Data National did not meet. For \$2,000, we could bring in an alternative package to satisfy the Accountant. The goal is still to have an integrated system. Mr. Hartman said the changes in the Collector's package to the Treasurer to the Accountant were being done today. He noted, in total, costs included: \$74,000 was spent on software with an additional \$25,000 on the Kapinos Assessing package, DNC doing the bridge between the Assessors and the Collector. He believed the biggest part of the software package was working well, as the Treasurer and the Assessors' offices were happy. He noted they had their conversion problems as well, but was working satisfactorily.

- Mr. Hartman provided an update on site 12A indicating an analysis was due on Friday from SMMA. In speaking to Mr. Poinelli today, the key will be the fly-over photos as what we have now is not adequate. His report will be given to the Committee on August 16th.
- Mr. Hartman stated he had a preliminary report on streets and sidewalks, and requested the Board approve year three of paving so work could begin on August 14th, which would include Musquit Road, Castle Road, Cutler Street, Elm Street, Evergreen Street, and Lovering Heights. The paving for FY'00 that was completed included Wards Lane, Partridge Street, Ohlson Circle, Howe Street, Adams Street, Meadow Road, Florence Circle, Grace Terrace, Sunset Drive, Clark Street and Green Street. Insofar as construction of sidewalks was

MINUTES OF THE SELECTMEN'S MEETING
AUGUST 7, 2000

concerned, only Lovering Street could be completed in FY'00. Repairs to sidewalks for this year only includes the McGovern School sidewalk.

Mrs. Rozanski suggested the partnership program with the State where the Town could apply for funding for pedestrian sidewalks.

- With reference to Route 126, Mr. Johnson understood the reconstruction would not include the intersection with Main Street. Mr. Hartman clarified originally it was to go from Bellingham to the Holliston line. The five streets at that intersection, however, were beyond the scope and will be a separate project on its own. Mr. Johnson wondered about the amount of traffic going down Main Street to Route 109 and what was going up Route 126. Mr. Hartman noted figures were available because of Dunkin Donuts going in at Route 126 and Milford Street. He also indicated that MAPC and SWAP identified first of all as the intersection of Route 109, Milford and Highland Streets as being one problem, secondly Route 126 and Route 109, and thirdly Route 126. Mr. Hartman also updated the Board on the escalating cost of the Route 126 reconstruction from \$1.7 million to \$2.3 million now without the intersection, but with the changing standards and storm water mitigation.
- Mr. Hartman noted Senator Magnani's press release in the paper recently which indicated Medway would be receiving \$50,000 for a traffic study grant, of which we have already spent \$15,000 of the \$30,000 appropriated. He said he would be checking on this further and try and have an update for the Board on August 21st.

6. Discussion items.

- The second reading of Liquor Policies was held over to another meeting.

4. Back to Committee reports.

- Mr. Dzikczek just wanted to bring the Board back to a School Committee meeting where the School Committee again discussed looking jointly at taking care of school property working together with the FinCom and the Selectmen.
- Mr. Dzikczek brought up the subject of various committees meeting with the Selectmen, and for the liaisons to be instrumental in setting up a time for them to come. He suggested that first, the Selectmen should touch base with their committees to answer any questions, and then contact the Office to set up a time on the agenda. Mr. Johnson said he wanted at least one meeting with everybody, and did not want the Board to be an obstacle, but a facilitator, a coordinator.

8:45 p.m. – Mr. Gildea excused himself from the meeting not feeling well.

7. Action items.

- Another agreement for the retail sale of trash bags for The Little Store was in front of the Board. Mrs. Rozanski moved the Board approve the agreement and authorize the Chairman to sign; Mr. Dzikczek seconded; all aye.

8. For your information.

- Mr. Williams read the press release sent to Medway from Millis concerning the sewer line installation and traffic delays commuters might experience on Route 109 and Village Street.

9. Communications and correspondence.

MINUTES OF THE SELECTMEN'S MEETING
AUGUST 7, 2000

- The Board acknowledged Rep. Gardner's letter of support for the grant application being filed by the Medway Historic Documents Initiative for the preservation grant.
- Mr. Johnson thanked the ZBA Chairman for his breakdown of special permits and variances issued during this past year. Mr. Dziczek asked that the Board allow him to review the documentation in time for the next meeting to determine if any other questions need to be posed.
- Mr. Williams read a letter sent by Charlie Myers to Mr. Hartman concerning digital upgrade. It was noted that Frank Foss of MediaOne was on the Selectmen's agenda for August 21st.
- Mr. Johnson suggested another possible meeting on August 28th since there was a big gap between meetings on August 21st and September 11th.

10. Future agenda items.

- Granite Street neighborhood and MediaOne are on the agenda for August 21st.

11. Upcoming meetings.

- August 21st and September 11th.

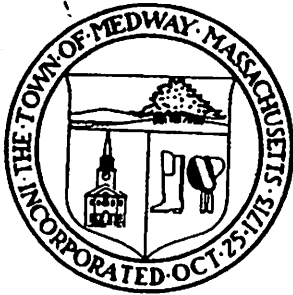
12. Executive session.

9:00 p.m. – Mrs. Rozanski moved to the Board adjourn to executive session for reason #3, purpose of strategy with respect to litigation, as well as strategy in preparation for negotiations with non-union personnel, namely the Town Administrator, not to return to public session; Mr. Dziczek seconded; all aye. The vote: Mr. Dziczek – yes; Mr. Williams – yes; Mrs. Rozanski – yes; Mr. Johnson – yes.

Respectfully submitted,

M. J. Fredette
Secretary
mj

APPROVED
8/28/00



BOARD OF SELECTMEN
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AGENDA

BOARD OF SELECTMEN

SANFORD HALL

JULY 24, 2000

7:00 p.m. – Open meeting.

1. Sign warrant.
2. Approval of minutes.
- None.

7:15 p.m. – Public hearing with The Little Store.

Re: liquor license violation.

7:30 p.m. – Public hearing with Keystone Liquor.

Re: liquor license violation.

7:45 p.m. – Public hearing with American Legion.

Re: liquor license violation.

8:00 p.m. – Conservation Commission.

Re: purchase of land.

3. Public comments.
4. Committee reports.
5. Administrator's report.
6. Discussion items.
7. Action items.
8. For your information.
9. Communications and correspondence.
10. Future agenda items.
11. Upcoming meetings.
- August 7th, August 21st.
12. Executive session.
- None.

cc: Town Clerk for posting.

cc: AUB

MINUTES OF THE SELECTMEN'S MEETING
JULY 24, 2000

Present: Selectmen Harry Johnson, Raphaela Rozanski, John Williams, Joe Dziczek, Richard Gildea, Secretary M. J. Fredette. Town Administrator Michael Hartman was not in attendance.

7:00 p.m. – Open meeting.

- Mr. Johnson opened the meeting in Sanford Hall of Town Hall.
- 1. Sign warrant.
- Mrs. Rozanski moved the warrant be approved and signed; Mr. Gildea seconded; all aye. Mr. Johnson noted the warrant was high because of a \$1,750,000 wire transfer into the health trust fund which is not usually done at one time.
- 2. Approval of minutes.
- None.
- 3. Public comments.
- Wendy Rowe stopped in to elaborate further on the collaborative efforts of the Library, Historical Commission, Town Clerk and Historical Society with a draft plan initiative. She noted they were applying for a Documentary Heritage Grant of nearly \$5,000 as well as to other sources for additional funding. At this time, she was asking the Selectmen to formally recognize the four entities as the "Medway Historic Documents Initiative" collaborative. Mrs. Rozanski moved the Board recognize with a resolution, the Library, Historical Commission, Town Clerk and Historical Society as the "Medway Historic Documents Initiative", with copies to all of the resolution; Mr. Williams seconded; all aye.

Mr. Dziczek suggested, as a possible future option, to video tape some of the senior citizens and their comments and memories of the past, i.e. dealing with roads, trains, horse and carriage transportation, swimming in the Charles River, the Mill, etc. He felt many older people are worthwhile to document on tape for future reference. Mr. Johnson added there were CD roms at library with photos of the Town. Ms. Rowe also noted there were slides on CD's and some of the pictures will be on the website.

7:15 p.m. – Public hearing with The Little Store.

- Mr. Williams read the portion of the advertisement that appeared in the Milford Daily News. Mr. Johnson then read the purpose of a public hearing and noted the order in which questions and presentations would occur – first, the Police Department; second, the party the complaint was brought against; third, the Board; and finally, comments by the public through the Chair.

Lt. Dick Malo presented the case on behalf of the Police Department and read from the report by Officer Dave McRoberts. The incident occurred on June 29th at which time the underage operative entered the premises and purchased a six-pack of beer without being requested to produce an ID.

There were no questions from the Board at this time.

Steve Lawton, owner of The Little Store, was asked if he had any comments. Mr. Lawton said he was shocked when he was informed of what had occurred. He stated he was a new employee but all employees had been drilled on asking for I.D.'s. Mr. Lawton stated he was sorry it happened and it will not happen again.

Mr. Gildea asked if this was the first violation? Mr. Lawton said it was.

MINUTES OF THE SELECTMEN'S MEETING
JULY 24, 2000

Mrs. Rozanski asked what action was taken with the employee? Mr. Lawton stated he has improved signage at the store and spoken to the employee. The employee had told him it was noise and busy at the time, but he indicated that was no excuse. He has been reprimanded, but is still working there. Mr. Lawton said he has told him and other employees they have to look over thirty or to ask for I.D.'s.

Mr. Williams asked Lt. Malo if there have been any other problems at the store? Lt. Malo stated there had not been, and it was a well-run operation. He understood that it was a new employee and in the learning process. Mr. Williams knew Mr. Lawton was aware it was a serious offense, as there were copies of letters on his store wall on the other violators. He believed he was making the effort to raise awareness.

Mr. Johnson asked if the Board wanted to take the violation under consideration?

Mrs. Rozanski moved to suspend the liquor license issued to The Little Store for two (2) days, but to hold the suspension for one year until July 24, 2000, and if the same violation occurs again in the year's time, then after notice and public hearing, would consider enacting the suspension; Mr. Williams seconded but amended the motion to six (6) days, with the rest of Mrs. Rozanski's motion to follow; all aye on the amended motion.

7:30 p.m. – Public hearing with Keystone Liquors.

- Mr. Williams read the portion of the advertisement pertaining to Keystone Liquors.

Lt. Malo presented the case again referencing Officer McRoberts' report wherein the underage operative entered the premises and purchased a six-pack of beer without being requested to produce an I.D.

Mr. Gildea asked Lt. Malo if this was their first violation? Lt. Indicated it was.

Demetrie Shuster, co-owner of Keystone Liquors, was present and admitted the person responsible for the violation was himself. He said it was his mistake 100%, understood it was a violation, has been trying to be careful but said this was the first time in nine months since taking over as a new owner.

Mr. Johnson asked if he was aware he should not be selling to minors? He said he was. Mr. Johnson asked if he had attended courses? He said he had.

Mr. Williams asked Lt. Malo about the cooperation of the business? Lt. Stated this was another new ownership and had spoken to them prior to taking over. He believed the operation continues to be a good operation, and agreed this was the first violation.

Mrs. Rozanski asked if there were signs in view? Mr. Schuster said there were. She asked if the store was crowded at the time? Mr. Schuster said he could not remember, but he usually cards, and somehow this one slipped by.

Mr. Williams moved to suspend the liquor license issued to Keystone Liquors for six (6) days, but to hold the suspension for one year until July 24, 2001, and if the same violation occurs again in the year's time, then after notice and public hearing, would consider enacting the suspension; Mrs. Rozanski seconded; all aye.

7:40 p.m. – Since there was a little time before the next public hearing, Mr. Dzikczek asked if there was a reason for an executive session after today's meeting? Mr. Johnson noted receipt of a letter the Town Administrator wrote requesting to meet with the Board when he returned. Mrs. Rozanski asked if they should just meet for strategy purposes, but Mr. Johnson suggested they just wait and talk to Mr. Hartman.

MINUTES OF THE SELECTMEN'S MEETING
JULY 24, 2000

Mrs. Rozanski asked if there was a title yet for Ms. Fredette? Ms. Fredette noted Mr. Hartman was working on it.

4. Committee Reports.

- Mrs. Rozanski noted some items she has picked up on at her attendance at various meetings: a proposed amendment on the cell towers; more money in Chapter 70; still only \$100 million on Chapter 90; renovations to schools will be eligible for reimbursement and is grandfathered, but the needs assessment has to be done before January 1, 2001 even though the design plans are not complete; and education goals and coordination still remain with the Department of Education.

7:45 p.m. – Public hearing with the American Legion.

- Mr. Williams read the portion of the advertisement pertaining to the American Legion.

Lt. Malo presented the case again referencing Officer McRoberts' report wherein the underage operative and the undercover officer both were allowed into the premises without being requested to produce a Club membership card, and were not guests of an active member, but both were asked for an I.D. at the bar, at which time they left the building.

Carol Munroe, manager, was present and stated she was upstairs at the time, but the meet shoot was going on downstairs, and those that participate in the shoot don't have to be members. Mr. Johnson stated there was a limitation on their liquor license that they have to be picked up as a guest when they go to the bar. But, Ms. Munroe stated, the upstairs is open. Mr. Johnson still felt it was her responsibility if anyone comes to a function there, they are coming as their guest. Mr. Dziczek also added, even if there was a function going on, the doors should be locked. Mr. Williams agreed, the same rules still apply; this is not a public function, this is a private club. Ms. Munroe asked Mr. Williams if she was supposed to maintain separate books for upstairs and downstairs? Mr. Williams said, yes. Mrs. Rozanski asked who sponsored the meet shoot? Ms. Munroe said, they did. Mr. Johnson again reiterated that the only violation was allowing non-members into the premises.

Lt. Malo stated the Legion has been functioning well; the downstairs door is always locked. The door was locked in December when they were doing another sting operation, and were refused entry without Cards. He knew they were making a concerted effort with the stipulation of their license. There was another activity in the building, which is probably why it happened, but it was important to note that the two operatives were asked for their I.D.'s; this is a secondary issue and the Board should take this into consideration. Lt. Malo did not feel they would have anymore problems.

Mr. Williams moved to suspend the liquor license issued to the Medway American Legion effective for two (2) days, Monday, July 31st and Tuesday, August 1st; Mrs. Rozanski seconded. Mr. Williams reminded them of the same incident occurring on October 8, 1999, which is why the two-day suspension was being imposed now, not for what occurred on June 29th. He noted the meter starts again now.

Mr. Dziczek agreed the Legion had gone to great lengths to do what the Board asked; it is difficult to separate the upstairs and downstairs clientele. Mr. Johnson stated the Board really did not have much of a choice in light of what they have said in the past, and we are not punishing them for this violation, but they do receive considerable tax relief acting under the framework of a fraternal organization. As a point of order, Mrs. Rozanski said there was no violation upstairs, only downstairs.

Out of fairness, Mr. Dziczek asked if they had already booked a function on July 31st and August 1st? Ms. Munroe stated, so far, no. All aye on the motion.

MINUTES OF THE SELECTMEN'S MEETING
JULY 24, 2000

3. Back to Public Comments.

- Mr. Dziczek went back to Public Comments noting Sandra Bennett sitting in the audience and that she had wanted to speak to the Board. Mr. Johnson noted the Chair was familiar with the subject being discussed.

Ms. Bennett said she had asked that a letter she wrote be forwarded to the Board in their weekend packet. She stated she had reached a level of frustration with doing her job, and has gotten no response and no resolution. She will be on vacation when Mr. Hartman returns, and then she will be behind three billings.

As liaison to the Water/Sewer Board, Mr. Dziczek said he had heard about the new computer system two weeks ago. One month ago, the Board talked about liaisons, and so this was brought to his attention. He was concerned that after talking to the vendor, she can't report back to her Commission with any results, so he felt it worthwhile she come tonight. They may have to go with a separate system, but she has some legitimate concerns.

Mr. Williams asked what the Board could do? Ms. Bennett stated she needed someone to give the company a push. She stated she spoke to the owner on July 7th and faxed bills that had been miscalculated, as well as talking to them several times on the phone. She did not feel they were getting the service they should. Ms. Bennett said she has sat through six meetings with no results.

Mr. Williams asked if there might be results if they met with the Board? Mr. Johnson replied that the system cost \$250,000 and is not fully operational; we are not on the internet; there is little communication going between offices; the GIS is not up for the maps. He said the Accountant has opted to go through the old system, but this system is answering the questions of the Treasurer/Collector however.

Mrs. Rozanski stated that Ms. Bennett's letter of June 29th did say a lot, including the meeting with the Technology Committee. Kelly O'Rourke also felt something was wrong. Mrs. Rozanski referred to Pioneer's letter where he stated, "DNC will need to honestly and realistically explain exactly what they can and cannot do".

Ms. Bennett explained she has not been able to do receivables. She notes she has been promised a lot, but is not getting it. She said she met with Pioneer on July 11th, and opted not to attend on July 18th since the Systems Operator would not be there.

Mr. Williams asked if she would like them to meet with the Board and have them go on record with Pioneer? She noted that was the original consultant.

Mr. Johnson felt that Ms. Bennett's major concern was that she did not want to delay any effort since the bills are late. He believed the Chair of the Technology Committee has been in touch with DNC, and it was a matter of expediency. The Secretary added that the last she had heard, DNC was going to call the Water/Sewer Superintendent, and that was from last Wednesday. Ms. Bennett noted today was Monday, and they still had not heard from them.

Mr. Johnson was going to suggest that the Town Accountant contact DNC in Mr. Hartman's absence, but the Secretary asked if it would be helpful to have Mr. Johnson speak to Mr. Hartman by phone the next day to find out what transpired at the meeting on July 18th since Ms. Bennett, Mrs. Mehta and Mrs. Rozanski all had not been present? Mr. Johnson agreed indicting he wanted to get it done correctly and find out what results the meeting on the 18th produced.

8:25 p.m. – Conservation Commission members David Travalini and Kevin O'Connor came to meet with the Board at the Board's request concerning the purchase of land.

MINUTES OF THE SELECTMEN'S MEETING
JULY 24, 2000

Mr. Johnson stated, just so they knew, the Board should sign the warrant to allow them to purchase land, referring to Charlie Norman's old property, now belonging to the Lelands.

Mr. Travalini stated actually there were three lots; they bought lot 2 and lot A. He said the Commission has a conservation fund to purchase land with, now at \$230,000. They were asked if they wanted to purchase the land for \$130,000. He spoke to Town Counsel and he said it was OK to use the money as long as it was for the purchase of land.

Mr. Williams, Mr. Dziczek and Mr. Gildea had no comments or questions.

Mrs. Rozanski asked if an appraisal had been done? Mr. O'Connor said they had not, but there was another offer on the table for full price. Mrs. Rozanski said she looked at the purchase and sale agreement and asked why it was a quitclaim deed instead of a warranty deed? She indicated a warranty deed has insurance on it, and offers more protection for the Town. She felt it was more advantageous to have a warranty deed, and also noted there did not appear to be a provision for a title search. Mr. O'Connor said they are to provide a marketable title. When asked by Mrs. Rozanski, who would do it, Mr. O'Connor believed Town Counsel would prefer that role. Mr. Johnson noted title insurance normally covers a faulty deed.

Mrs. Rozanski said she had the minutes of their meeting where they voted to purchase the land, but said it was best to get a certified vote. Mr. Travalini noted it was all a matter of public record and just a simple transaction. Mr. Johnson brought up his concerns with the dam, but Mr. Travalini said he had gotten an estimate from an engineer for \$30,000 currently. They had leftover money to do that as well, and felt this was a chance to buy a scenic spot with access to the river. Mr. Johnson pointed out to Mr. Travalini that there were about seven spots on the river from public ways. Mr. Travalini knew about the paper streets, but Mr. Johnson said they were public ways that can be connected to ramps. Mr. Johnson noted if a public hearing had been held six months ago, they could have gotten twice as much land for what they purchased. He stated he was only looking out for the Town.

Mr. Travalini referred to Town Counsel's letter on the Conservation Commission purchasing land, where it indicates they have the authority to do so. Mr. Johnson indicated he was not saying they didn't have the authority; he was working on the rationale behind the purchase, and noted they did not get an appraisal. Mrs. Rozanski stated that Town Counsel's letter is not specific to that piece of property, but they are still acting on behalf of the Town. Mr. Travalini said they were offered one piece of a parcel for a fee. When the Commission discussed the land, they brought up the access to the river and the history behind the site. Mr. O'Connor added that Town Counsel was not concerned about liability since it was being used for recreation. Mr. Travalini noted he had spoken to the Department of Environmental Management, and they had stated the dam was a low hazard-low risk dam, and there would be minimal damage downstream to life and limb. He also spoke to Mass. Electric, and if the dam breached, very little would happen.

Mr. Johnson commented, when Charlie Norman had it three years ago, it was a major concern and he was individually harassed. Mr. Travalini said if that was done, it was done by DEM, not them. Originally, DEM wanted the dam repaired, but they have little enforcement power, and now they want to remove a lot of them. Only if it a dam is a high hazard can people be forced to repair it.

Mr. O'Connor said the Charles River was a natural major resource that would be allowing public access for people to get to. Mr. Johnson felt there are other properties that could be looked at, and he did not see this spot as being a natural valuable resource. Mr. Travalini did not feel his Commission had the time to scan the papers looking for land for sale. Mrs. Rozanski stated part of their charge is to look at resources. They could take it by eminent domain and apply for grant money through Secretary Durant's office.

Mr. Travalini did not believe they would get any more funding. They know what land is left in Town, and after talking about this at a number of their meetings, felt nothing was worth protecting

MINUTES OF THE SELECTMEN'S MEETING
JULY 24, 2000

as much as the river. Mr. O'Connor noted they got the fair market value reports from the Lelands which they received from the real estate people. Either they accept the sliver of land that can't be used or buy that and one lot. Mr. Johnson also felt they could advertise the present accesses that may not be convenient to some people to be used. Mr. Travalini believed that would require a lot of clearing, with Mr. O'Connor noting it was not Conservation land. However, Mr. Johnson stated it could be converted to them the next day.

Mr. Dziczek jumped in saying he walked the property and spoke to Marcy Thomas. Possibly, he failed as liaison to the Conservation Commission, but he saw no reason why this should not have been supported; it was in their control.

Mr. Johnson stated the Conservation Commission works for this Board, and this Board is responsible to the Town. It is hard to purchase residential land for the Conservation Commission. Again, he stated they should have had a public hearing on the purchase. Mr. O'Connor again stated Town Counsel had indicated they did not need one. He also resented they were saying the Conservation Commission was acting in bad faith by ^{not} having a public hearing. Mrs. Rozanski added, however, the public hearing might have been good for the people.

After another comment was made, Mr. Johnson said they were in contempt of the Board. He stated their intentions were probably honorable, but the public was not fully informed. They could have purchased double the amount of land six months before. He noted there was land available on Shaw Street in tax taking. They could tell the Treasurer they were interested in it and she could hold it. Mr. Dziczek said, on the other hand, the Treasurer can also tell the different boards as well. When Mrs. Rozanski asked what then would be the process? Mr. Johnson said after a certain number of years, it then goes through land court with title insurance in receivership.

Mr. Johnson reiterated the Board was responsible for releasing all funds. Previously, some were done illegally, but now it has to be on a warrant. Mr. O'Connor asked what do they have to do to get the funds released? Mr. Johnson stated it would be placed on a warrant. This is what they wanted - this meeting - because they did not know their rationale behind the purchase. Mrs. Rozanski summed up, the Board asked for due diligence, a purchase and sale agreement, and title insurance.

4. Back to committee reports.

- Mr. Williams had a few requests ^{for} ~~from~~ Mr. Hartman ^{after} ~~when~~ he returned ^{from vacation}. He asked for the Board to receive a new street and sidewalk plan for this fiscal year. He also requested reports from the different boards and committees affected by the failure of an override, and what reductions had to be made in their decrease of appropriation. Mr. Johnson wanted to know how they were compensating for no override. Mr. Williams also wanted an update on Lovering Street, and a progress report on the Municipal Building Committee's efforts. The Secretary said she would take care of that.

- Mrs. Rozanski brought up a few more items. She noted the Mass. Highway Department has received \$100 million for their sidewalk projects through SIMAC; the Community Preservation Act, if the Town accepts it, would impose a \$20 per transaction surtax; in attending an IDC meeting, she said they felt the Board of Selectmen is not offering enough support on their grants and actions.

Mr. Johnson felt those were generous words in his interpretation of the letter which she passed around to the other Board members. He said he read the letter and he wants them on the agenda for the next meeting to try and get resolved. He does not want them to resign.

- Mr. Dziczek said he had attended the last Finance Committee meeting, and they were working on the calendar and budget format for the upcoming year. Mr. Williams commented that the

MINUTES OF THE SELECTMEN'S MEETING
JULY 24, 2000

approved Town by-law says they have to be approved by the Board and Town Administrator before it is formally issued.

- Mr. Dziczek said, in reviewing some of the ZBA decisions, wondered if anyone ever gets turned down? He asked if a letter could be sent to the ZBA asking, what was the number of petitioners in the past calendar year; what was the number of petitioners that requested variances, and what was the number for special permits; and what was the number of petitions approved. The Secretary said she would do that.
- Mr. Johnson asked if the Board should use every other meeting to have a committee come in and talk and exchange information with the Board, including the School and other elected boards.
- Mr. Williams noted he received a letter from Design Consolidated. He will have a recommendation for the Board at the next meeting.
- Mr. Johnson brought up the History Channel and how he believed the Town was supposed to be able to view it at no additional cost. The Secretary said she would check it out and provide copies of the correspondence to Mr. Johnson on that subject.

5. Administrator's report.

- The Secretary only noted that there were now twelve new call firefighters for the Town.

6. Discussion items.

- None.

7. Action items.

- None.

8. For your information.

- None.

9. Communications and correspondence.

- None.

10. Future agenda items.

- None.

11. Upcoming meetings.

- August 7th and August 21st.

12. Executive session.

- Mr. Johnson referred to a memo the Board received from Mr. Hartman, and asked if they should go into executive session to discuss it further relative to pending litigation since others may be affected?

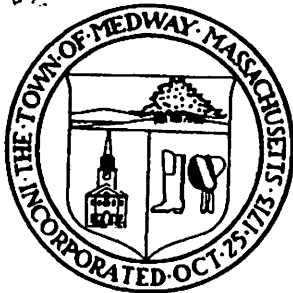
MINUTES OF THE SELECTMEN'S MEETING
JULY 24, 2000

9:37 p.m. – Mrs. Rozanski moved the Board adjourn to executive session to discuss strategy with respect to litigation, not to return to open session; Mr. Williams seconded; all aye. The vote: Mr. Dziczek – yes; Mr. Williams – yes; Mrs. Rozanski – yes; Mr. Gildea – yes; Mr. Johnson – yes.

Respectfully submitted,

M. J. Fredette
Secretary
mj

APPROVED
as amended
8/7/00



BOARD OF SELECTMEN
155 VILLAGE STREET
MEDWAY, MASSACHUSETTS 02053
(508) 533-3200 • FAX: (508) 533-3201

AGENDA

BOARD OF SELECTMEN

SANFORD HALL

JULY 10, 2000

7:00 p.m. – Open meeting.

1. Sign warrant.
2. Approval of minutes.
 - Regular meeting minutes of June 19th.
 - Executive session minutes of June 19th.
 - Regular meeting minutes of June 26th.
 - Special meeting minutes of June 27th.

7:15 p.m. – Joint meeting with Library Trustees.

- Appointment of sole applicant, Richard Zytka, to Board of Library Trustees.
 - Documentary Heritage Grant.
3. Public comments.
 4. Committee reports.
 5. Administrator's report.

8:00 p.m. - Municipal Building Committee.

6. Discussion items.
 - Draft alcohol policy.
 - Set date for a Saturday workshop on policies, procedures, goals, by-laws – suggestion-August 19th.
7. Action items.
 - Approve reclassification.
8. For your information.
9. Communications and correspondence.
10. Future agenda items.
 - Granite Street – August 21st.
11. Upcoming meetings.
 - July 24th, August 7th, August 21st.

cc: AUB

Selectmen's Meeting
July 10, 2000
Page 2.

12. Executive session.
 - If Board wish to conduct a strategy session in preparation for negotiations with non-union personnel.
 - If Board wishes to conduct contract negotiations with non-union personnel.
 - If Board wishes to discuss strategy with respect to collect bargaining for union personnel.

cc: Town Clerk for posting.

MINUTES OF THE SELECTMEN'S MEETING
JULY 10, 2000

Present: Selectmen Harry Johnson, Raphaela Rozanski, John Williams, Joe Dziczek, Richard Gildea, Town Administrator Michael Hartman, Secretary M. J. Fredette.

7:00 p.m. – Open meeting.

- Mr. Johnson opened the meeting in Sanford Hall of Town Hall.
- 1. Sign warrant.
 - The warrants had not arrived yet.
- 2. Approval of minutes.
 - Mrs. Rozanski moved approval of the minutes of the June 19th meeting; Mr. Dziczek seconded; all aye.
 - Mrs. Rozanski moved approval of the executive session minutes of the June 19th meeting to be released; Mr. Dziczek seconded; all aye.
 - Mrs. Rozanski moved approval of the June 26th regular meeting minutes; Mr. Dziczek seconded; all aye.
 - Mr. Dziczek moved approval of the June 27th special meeting minutes; Mr. Williams seconded with a correction noted; Mr. Gildea abstained; aye.
 - Back to #1, Sign warrant.
 - Mr. Dziczek moved approval of warrant #56 for FY'00 in the amount of \$327,994.94; Mrs. Rozanski seconded; all aye.
 - Mr. Dziczek moved approval of warrant #2 for FY'01 in the amount of \$537,741.53; Mrs. Rozanski seconded; all aye.
- 3. Public comments.
 - Mr. Johnson noted receipt of a letter from Charlie Myers indicating information on the NEED recycling and solid waste was on his webpage.
 - Jeanne Johnson, as a member of the Historical Commission, requested permission to inform the Board about a grant that the Historical Commission, Historical Society and Library were jointly working on together. She stated they were applying for a grant through the Mass. Historical Records Advisory Board to have a consultant assist the Town in the preservation of historical records located at various sites in Town. She asked if the Board and the Town Administrator would each write a letter of support indicating the records that are available.

Mrs. Rozanski moved the Board write a letter of support as requested by Ms. Johnson as a representative of the Historical Commission; Mr. Dziczek seconded; all aye. Mr. Johnson solicited the same from Mr. Hartman, and on the Board's letter, the designation for five signatures.

7:17 p.m. – Members of the Board of Library Trustees came to meet jointly with the Selectmen to fill the vacancy created by the resignation of Elizabeth Wilson on the Library board.

Representing the Library Board were Wendy Rowe, Paul Tanguoso, Bill Roberts and David Cole.

MINUTES OF THE SELECTMEN'S MEETING
JULY 10, 2000

- Mrs. Rozanski moved to open the joint meeting for the purpose of filling the above-noted vacancy; Mr. Dziczek seconded; all aye.

Ms. Rowe placed the name of Richard Zytke in nomination; Mr. Dziczek seconded. Both boards had a copy of Mr. Zytke's letter of interest. Ms. Rowe stated she has spoken to him and feels he will do a good job with the Board. There were no other nominations. It was a unanimous vote in favor of Mr. Zytke, none opposed. Mr. Zytke will now fill the position until the May elections 2001.
- Ms. Rowe mentioned that Friday, June 14th, was Library Director Philip McNulty's last day of employment with the Town and invited everyone to the open house the Friends of the Library were sponsoring on that day. Mr. Johnson asked that Mr. Hartman send a letter of appreciation to Mr. McNulty for his many years of service.
- Back to public comments.
 - Ed Reardon was in the audience and brought to the Board pictures he had taken of various signs in Medway that he felt needed to be relocated or redone, and areas where there should be additional signs placed. He specifically referred to the Main, Summer and Village Street intersection where he felt those traveling on that road may not be aware of the reconstruction of that area, and not see Village Street, or the Town Hall and Police Station sign.

Mr. Dziczek recommended that DPS be requested to check out the signs. Mr. Johnson asked if the Board was suggesting a motion to recommend to the Town Administrator to coordinate this with DPS? Mr. Hartman noted that this area was involved as part of the Route 126 project, but now the intersection is no longer included in the scope. Mrs. Rozanski moved to asked the Town Administrator to look over the area in question and determine if additional signs are in order; Mr. Dziczek seconded; all aye.
 - Susan Wood of Coffee Street was in the audience and suggested, as the Municipal Building Committee goes forward and a site is chosen, that a member of the abutting area be included in the committee so information is dispersed. Mr. Johnson stated the Selectmen asked for people to come forward and those individuals were selected; it is best to leave the work in their hands, but any and all reports will be available as their meetings are open to the public. There will be a public hearing anyway so everyone can give their comments at that time.

Mr. Hartman added there could be a potential conflict of interest to allow an abutter to be on the committee anyway. Mr. Johnson agreed stating no one on the committee should have a vested interest in this property.
- 4. Committee reports.
 - Mr. Dziczek mentioned how the first weekend of recycling went in Medway since he ^{was} ~~as~~ down at the Recycling center as people arrived and it was closed. After some phone calls, he noted it was opened on Saturday. He realized this was all going to take time, but knows it will work out. He also said he was at Town Hall when some residents did not get their bags, but were accommodated.
 - Mr. Williams attended the School Committee meeting and noted they were also grappling with the budget. He brought up the Town Clerk and the Treasurer receiving their bonus payments upon certification and showed the Board the Town Clerk's certification through 2004, noting also Mr. Hartman's previous receipt of his certification from ICMA. Mr. Williams asked his weekly or bi-weekly question about Lovering Street. Mr. Hartman informed him paving was supposed to start the next day by Bevilacqua, which should take less than three days, and would include the sidewalk, four driveway aprons and patching holes in the street. The Town will do replication work.

MINUTES OF THE SELECTMEN'S MEETING
JULY 10, 2000

- Mrs. Rozanski noted the State still does not have a budget. With the I-495 Technical Collaborative Initiative, DEP is updating their water regulations and seeking their guidance regionally for water resources. She also attended the School Committee meeting, and noted they were reallocating \$20,000 received as part of CIPC; ~~and were~~ getting a cost estimate on the ~~awning~~ entrance canopy.
- Mr. Johnson was going to ask the Board for a motion on not entering into a union pension program, however, Mr. Hartman stated no proposal had been received yet, and therefore, no motion was necessary.
- Mr. Johnson brought up the Route 109 project and wondered if the Norfolk County Engineers could help in the design work as he had heard that had been done in Sharon. Mr. Hartman said he would check but was only aware they could do a survey and traffic counts.

8:00 p.m. – Members of the Municipal Building Committee came to meet with the Board to update them on their progress of selecting a site for the new high school.

Representing the Committee were Jim Brodeur, Jim Hoodlet, Frank Varrichione, Kelly O'Rourke and Robin St. Pere.

Mr. Brodeur passed around the map indicating the location of the various sites, as well as a proposed time schedule from finalizing the site selection by the end of July to submission of documents to the Department of Education in June 2001, including holding a Town Meeting in November. (A copy of the report presented is attached along with the map and time schedule.)

Mr. Hoodlet proceeded to recall how they met with the Board in April, at which time they were asked to keep others informed of their progress, as well as redefining the merits of each site in open session. Since that time, they decided to meet weekly to keep the process moving forward, reviewing their worksheets and referring to them from time to time as a tool for comparison. They have been an objective and useful tool when soliciting comments from the varied group of people attending their meetings.

At this point, Mr. Hoodlet went over some of the key items forming the criteria of the evaluation of the 14 sites with which the point system was utilized on the properties, including usable acreage, shape, location, utilities, slope, soil conditions, accessibility and traffic, site development costs and environmental factors. He stated they would like to take further steps to evaluate site 12A as it scored well and the property owners were amenable to it. Other sites that scored well in the top 5 were 11, 2, 7 and 10.

Mr. Hoodlet suggested another All Boards Meeting in the future with the boards and the public. Mr. Johnson noted the Board had agreed to use remaining funds in the Consulting account to review the site. Mr. Hoodlet stated this included utilizing expertise in walking the site, determining the uplands and potential placement of facilities on the site, and if the property would support buildings and fields. Mr. Hartman added Town Meeting funding would have to provide for the additional borings and architectural renderings.

Mrs. Rozanski wondered if all sites under a certain score, i.e. 33, should be eliminated? Mr. Hoodlet felt the scores and the properties should just be held in abeyance until the final report is in on 12A.

Mr. Johnson noted when they were flagging Route 126 for the improvements to Summer Street, the engineers were looking at this area, and believed they would be willing to move on the land, if not for a school, for Route 126 improvements. Mr. Hartman added the Town has already paid for some preliminary work through the Route 126 design work, and VHB has noted that there would have to be approximately 22,000 sq. ft. of replication done near the Algonquin Gas and Boston Edison easements.

*for air conditioners under technology; the School Committee was

MINUTES OF THE SELECTMEN'S MEETING
JULY 10, 2000

Ms. O'Rourke noted that the Committee did not come this evening with a recommendation on sites, but they were all leaning to 12A.

Mr. Gildea asked about negotiations on the purchase of the land? Mr. Varrichione said he has been talking to the landowners and they feel comfortable with negotiations. He has names to bring to the table. Mr. Hoodlet took this opportunity to thank Mr. Varrichione for the doors that he opened leading to where they were.

Mr. Johnson stated he would like this process to continue moving forward feeling they were already behind. Mr. Hartman noted the proposed schedule came from the architects and was backed up from the submission date to selecting the site in the timeline provided. He noted the schedule could be accelerated as the Committee never adopted a schedule and there are windows that can be utilized.

Bill Hommel, who was in the audience, asked if there would be winter costs; Mr. Hartman said there would not.

Paul DeSimone asked about Town Meeting funding to purchase the site and design costs. Mr. Hartman stated the schematic design, which is the 25% plan, is usually 12-15% of the design cost. Mr. DeSimone asked if the Committee had ever looked at the construction aspect of the feasibility study? Ms. O'Rourke responded she was an original member of the study committee, and the construction of a school was not the purpose of the study; it was determining the amount of dollars that have to be spent per student.

Charlie Myers, who was in attendance, noted with regard to long-term planning, SMMA was the chair of the school building assistance committee and very versed on the subject of school construction.

Mr. Johnson noted there is discussion concerning the State possibly paying for renovations.

Mr. DeSimone brought up a Globe article and how pros were used on the jobs believing the DOE will be asking for this. Mr. Hartman stated the contract referred to in the article is not what is used anymore. The design contract form he will use puts the Town first, not the architects. Mr. Hoodlet agreed stating that professional construction management would be utilized.

Ms. Wood asked if they could use an existing design from someplace else? Mr. Johnson did not feel they could, but Mr. Brodeur said you can see what else the architect has designed.

Mrs. Rozanski felt the schedule could be changed as long as it was started, it would be grandfathered.

Judy Lessard was also present and stated, in view of what some of the schools in that Globe article went through, the Committee should proceed with due diligence, and the elected officials should stay involved, with possibly a professional board down the line as advisory. Leo Lessard noted, from the schedule, that the designer would be selected within a month, but hoped designers in other states might be interested. Mr. Hartman explained that they do not submit designs under Chapter 7, but the Committee can specify certain criteria, and the specs were written over one year ago. Mr. Lessard asked about a short list? Mr. Hartman stated there is a design selection law, which says the designer must be certified along with the construction company. He added it will be advertised competitively, but fees cannot be discussed ahead of time.

Mr. Myers noted that the Memorial School has been opened for three years, they came within budget and almost on time, but he was reading that those projects that are not grandfathered are risking substantial reimbursement.

Ms. O'Rourke came back to the actual issue, which is the number of kids in crowded classrooms.

MINUTES OF THE SELECTMEN'S MEETING
JULY 10, 2000

Mr. Johnson told the Committee to go forward on 12A, be ready to go to Town Meeting if this site is acceptable, and to acquire any other land, noting he felt it best to do both at the Town Meeting. Mr. Brodeur agreed it could be done but with two separate articles. Mr. Hartman said they would negotiate to still try and get the land donated.

5. Administrator's report.

- Mr. Hartman noted there had been another sting operation resulting in three offenders. This brought the discussion to one of the items listed as "discussion items", which was the draft alcohol policy. Mrs. Rozanski suggested a clause "to review again" be included so the potential to review is there. Mr. Hartman agreed this allowed a leeway. Mr. Williams was against setting up any policies, but as long as there is a leeway, would go along with them. The Board then proceeded to go over the draft alcohol policy under "discussion items."

6. Discussion items.

- The draft alcohol policy was brought up.

First comment was on page 1 – I.3

Mr. Williams asked the reason for special ID cards? Mr. Hartman explained it was to ensure that the employees got the proper training. The Police Department would issue them and helps them to keep on top of their renewals and on-going training. Mr. Johnson suggested the words, "training is necessary prior to issuance of the card" be added.

Page 2 – B-7

Mr. Williams asked about the Police Department being authorized to negotiate terms with the licensee to recommend a resolution of an offense to the Board. He believed if the offense was punishable, it should be with the Board. Mr. Hartman said the intent was to not leave a resolution solely on the shoulders of the Board. The licensee would still be coming back to the Board and they could review the recommendation from the Police; but it would still be the Board's decision. Mr. Williams did not feel there should be negotiations as it would be diluting the local licensing board's authority. Mr. Johnson moved to eliminate B-7; Mr. Williams seconded.

Mr. Hartman explained if you eliminate B-7, you have to eliminate B-7, 8, 9, 10 and 11. He noted, however, he had not shared this draft policy with the Police Chief yet, but believed if a resolution was reached, there would be no need for a hearing. Mrs. Rozanski felt a hearing was needed, and moved to eliminate B-7 through 11; Mr. Dziczek seconded; all aye. Mr. Williams agreed any violation of a liquor license policy should be addressed. Mr. Hartman added the Board can voluntarily levy fees, but not a fine.

Page 3 – B-12

Mr. Williams was against this feeling it was more problematic to try and determine what the gross profit was, and moved to delete B-12; Mrs. Rozanski seconded. Mr. Dziczek noted if you strike this paragraph, you can't use it as an option at all; leaving it in allows the option. Mr. Johnson asked for a vote. In favor of deleting B-12: Mr. Williams and Mrs. Rozanski. In favor of leaving B-12 in: Mr. Johnson, Mr. Dziczek and Mr. Gildea. Motion fails; B-12 will remain in but be renumbered to B-8, after B-7, which will be to ask the Police Department for a recommendation.

Page 3 – D-8

Mr. Williams moved to add "D-8 (i): Permitting an illegality to occur on the premises"; Mr. Dziczek seconded; all aye.

MINUTES OF THE SELECTMEN'S MEETING
JULY 10, 2000

Page 5 – I

Mr. Hartman stated with the wording of "imposition of penalties", the option is there if the Board wanted to start with a written warning on the first offense; on the second offense, a one-day suspension; then subsequently a two-day suspension, and so forth. The Board did start at a higher threshold than this last year.

At this point, Mr. Johnson stated now that a draft policy has been brought forward, that the draft be reworked with tonight's recommendations, and to table the discussion until a future meeting, after which they could vote on making a policy.

- Mr. Hartman asked if the Board wanted to set a date for a Saturday workshop on policies, procedures, goals and by-laws with a suggested date of August 19th.

Mrs. Rozanski stated she would not be here that day. Mr. Williams suggested having a half-hour set aside at each meeting on the agenda as a rolling agenda item on the subject of policies, etc.

Mr. Dziczek added he would like Board members to speak to various committees as their liaisons and ask them to come to a meeting and share information with them. Mr. Hartman said if the Board wants to do that, a designated time should be set aside as it would not be proper protocol to have these people wait. Pursuing his train of thought further, Mr. Dziczek said the Board should think ahead of what should be discussed. Mr. Hartman agreed this approach was better than an all boards.

Mrs. Rozanski agreed goals and procedures for other boards could be discussed as well, and liked the idea of liaisons speaking to their committees.

The idea of a workshop on August 19th was cancelled.

7. Action items.

- The subject of reclassification of M. J. Fredette was brought up.

Mr. Williams had no new comments.

Mr. Dziczek said if a motion was needed, he would do so. Mr. Johnson told him he could, but if he needed more information, it can be done under the motion, or they can vote. Mr. Dziczek moved to approve the reclassification of an existing position with a new job title; Mr. Williams seconded.

Mr. Hartman added what the position is called is open, but there is an Administrative Assistant title in the bargaining unit. The Board can approve the reclassification without a title until it has been researched more, but ultimately you will approve the title. He noted the position would be reclassified to the step nearest where she is now provided it is higher, which would be from a 5-5 to a 7-3.

Mr. Johnson stated, in looking at the new job description, did not find much difference and did not feel it had altered that greatly. He added they really did not have a Secretary anymore and maybe should get their own. Mr. Hartman explained Ms. Fredette has been doing most of what is outlined in the job description of the Administrative Assistant since July of 1998, in addition to her present duties as Administrative Secretary.

Mr. Johnson asked for a vote on the reclassification. Mr. Johnson and Mr. Williams against; Mrs. Rozanski, Mr. Dziczek and Mr. Gildea in favor. Ms. Fredette is reclassified.

MINUTES OF THE SELECTMEN'S MEETING
JULY 10, 2000

Mr. Fredette took a moment to express the opinion that she indeed did feel she worked for both the Board and the Town Administrator, as there is correlation between both with correspondence, office management, licenses, etc.

8. For your information.

- Mrs. Rozanski acknowledged receipt of Larry Connelly's letter and that the subject of Granite Street in on their agenda for August 21st.
- Mr. Hartman stated, in speaking with Attorney Ray Miyares, he has recommended that the Sithe Negotiation Committee meeting on July 17th be held in executive session since they would be discussing the value of real property.
- The re-appointment of Bonnie Champion to the Educational Fund Committee was brought up. Mrs. Rozanski moved to recommend to the Town Administrator the re-appointment of Bonnie Champion to the Educational Fund Committee through June 30, 2003; Mr. Williams seconded; all aye.

9. Communications and correspondence.

- None.

10. Future agenda items.

- Granite Street area on August 21st.

11. Upcoming meetings.

- July 24th, August 7th and August 21st.

12. Executive session.

- 10:35 p.m. - Mr. Williams moved that the Board adjourn to executive session for the purpose of discussing strategy with respect to ~~collective bargaining~~, not to return to public session; Mrs. Rozanski seconded but amended the motion to also include to consider the purchase of real property; all aye. The vote: Mr. Dziczek - yes; Mr. Williams - yes; Mrs. Rozanski - yes; Mr. Gildea - yes; Mr. Johnson - yes.

Respectfully submitted,

M. J. Fredette
Secretary
mj

*strategy in preparation for negotiations
with non-union personnel, namely
the town Administrator,*

APPROVED
*as amended
8/07/00*

Memorandum

Date: 07/5/2000
To: Medway Board of Selectmen
Cc: Michael Hartman, Town Administrator
From: Medway Municipal Building & Site Selection Committee
RE: High School Site Evaluations
Priority: [Urgent]



The Medway Municipal Building & Site Selection Committee will be meeting with you on Monday, July 10th to present our latest review of the potential sites for the new Medway Public High School.

Attached is the latest evaluation of the potential sites. The document attached shows you three views of our data; the scorecard of each site, an evaluation of each question on the scorecard and a numerical list of sites by score. We would like you to review it prior to our meeting Monday, keeping in mind the following points:

- The committee unanimously agreed upon the scoring of each site.
- The scoring is subjective in nature, but the scores were derived from the extensive data previously gathered from our original evaluations (assessors maps, topographical maps, aerial photography, input from Simms, Maini & McKee), along with our committee's expertise in the areas of engineering, legal and town history.
- The scorecard has two questions still unanswered that will be key to continuing our process; the availability of the site and the site's impact to surrounding neighborhood. We will be soliciting the input of the Board of Selectmen to answer these questions.

In addition to reviewing the latest data, we would also like to discuss the following topics:

- We currently have Simms, Maini, & McKee evaluating site 12A. We would like your direction on how to proceed, or not to proceed, with site 12A. Specifically, can we form a new negotiation sub-committee to commence negotiations with Michael Hartman for Site 12A?
- We would like to know if there are any other sites you have in mind for the high school.
- We would like to review the timeline of events that need to happen prior to the June 1, 2001 deadline for submitting our project for reimbursement, grand-fathering our town to the previous reimbursement levels and regulations.

We look forward to meeting with you.

cc: BofS 7/7/00

By Site

Site 1

0

1

2

3

4

5

Usable Acreage of Site		1				
Shape of Site						5
Location of Site					4	
Utilities					4	
Slope, Topography and Drainage				3		
Soil Conditions and Plant Life						5
Accessibility and Traffic			2			
Site Development Costs			2.5			
Environmental Factors						5
Total Score						30.5

Site 2

0

1

2

3

4

5

Usable Acreage of Site						5
Shape of Site						5
Location of Site					4	
Utilities						5
Slope, Topography and Drainage			2.5			
Soil Conditions and Plant Life			2.5			
Accessibility and Traffic			2.5			
Site Development Costs			2			
Environmental Factors						5.0
Total Score						33.5

By Site

Site 5

0

1

2

3

4

5

Usable Acreage of Site						5
Shape of Site					4	
Location of Site		1				
Utilities		1				
Slope, Topography and Drainage				3		
Soil Conditions and Plant Life				3		
Accessibility and Traffic		1				
Site Development Costs		1				
Environmental Factors					4	
Total Score						23

Site 7

0

1

2

3

4

5

Usable Acreage of Site				3		
Shape of Site						5
Location of Site				3		
Utilities				3		
Slope, Topography and Drainage						5
Soil Conditions and Plant Life				3		
Accessibility and Traffic					4	
Site Development Costs				3.5		
Environmental Factors					4	
Total Score						33.5

By Site

Site 8

0

1

2

3

4

5

Usable Acreage of Site		1				
Shape of Site		1.5				
Location of Site				3		
Utilities				3		
Slope, Topography and Drainage						5
Soil Conditions and Plant Life				3		
Accessibility and Traffic			2			
Site Development Costs				3		
Environmental Factors				3		
Total Score						24.5

Site 10

0

1

2

3

4

5

Usable Acreage of Site			2			
Shape of Site						5
Location of Site				3		
Utilities				3		
Slope, Topography and Drainage						5
Soil Conditions and Plant Life					4	
Accessibility and Traffic				3		
Site Development Costs				3		
Environmental Factors						5
Total Score						33.0

By Site

Site 11

0

1

2

3

4

5

Usable Acreage of Site						5
Shape of Site						5
Location of Site					4	
Utilities						5
Slope, Topography and Drainage						5
Soil Conditions and Plant Life					4	
Accessibility and Traffic				3		
Site Development Costs				3		
Environmental Factors						5
Total Score						39.0

Site 12A

0

1

2

3

4

5

Usable Acreage of Site						5
Shape of Site						5
Location of Site					4	
Utilities					4	
Slope, Topography and Drainage					4	
Soil Conditions and Plant Life				3		
Accessibility and Traffic					4	
Site Development Costs			2			
Environmental Factors				3		
Total Score						34

By Site

Site 14

0

1

2

3

4

5

Usable Acreage of Site		1				
Shape of Site				3		
Location of Site					4	
Utilities						5
Slope, Topography and Drainage					4	
Soil Conditions and Plant Life		1				
Accessibility and Traffic					4	
Site Development Costs			2.5			
Environmental Factors						5
Total Score						29.5

Question 1 - Usable acreage of site

	0	1	2	3	4	5
Site						
1		X				
2						X
5						X
7				X		
8		X				
10			X			
11						X
12A						X
14		X				

Question 2 - Shape of site

	0	1	2	3	4	5
Site						
1						X
2						X
5					X	
7						X
8		X.5				
10						X
11						X
12A						X
14				X		

Question 3 - Location of Site

	0	1	2	3	4	5
Site						
1					X	
2					X	
5		X				
7				X		
8				X		
10				X		
11					X	
12A					X	
14					X	

Question 4 - Utilities

	0	1	2	3	4	5
Site						
1					X	
2						X
5		X				
7				X		
8				X		
10				X		
11						X
12A					X	
14						X

Question 5 - Slope, Topography and Drainage

	0	1	2	3	4	5
Site						
1			X			
2			X.5			
5				X		
7						X
8						X
10						X
11						X
12A					X	
14					X	

Question 6 - Soil conditions and plant life

	0	1	2	3	4	5
Site						
1						X
2			X.5			
5				X		
7				X		
8				X		
10					X	
11					X	
12A				X		
14		X				

Question 7 - Accessibility and traffic

	0	1	2	3	4	5
Site						
1			X			
2			X			
5		X				
7					X	
8			X			
10				X		
11				X		
12A					X	
14					X	

Question 8 - Site development costs

	0	1	2	3	4	5
Site						
1			X.5			
2			X			
5		X				
7				X.5		
8				X		
10				X		
11				X		
12A			X			
14			X.5			

Question 9 - Environmental factors

	0	1	2	3	4	5
Site						
1						X
2						X
5					X	
7					X	
8				X		
10						X
11						X
12A				X		
14						X

Question 10 - Site Availability

	0	1	2	3	4	5
Site						
1						
2						
5						
7						
8						
10						
11						
12A						
14						

Question 11 - Impact on surrounding neighborhood

	0	1	2	3	4	5
Site						
1						
2						
5						
7						
8						
10						
11						
12A						
14						

Sites Ranked by Total Score

Site	Total Score
------	-------------

11	39
----	----

12A	34
-----	----

2, 7	33.5
------	------

10	33
----	----

1	30.5
---	------

14	29.5
----	------

8	24.5
---	------

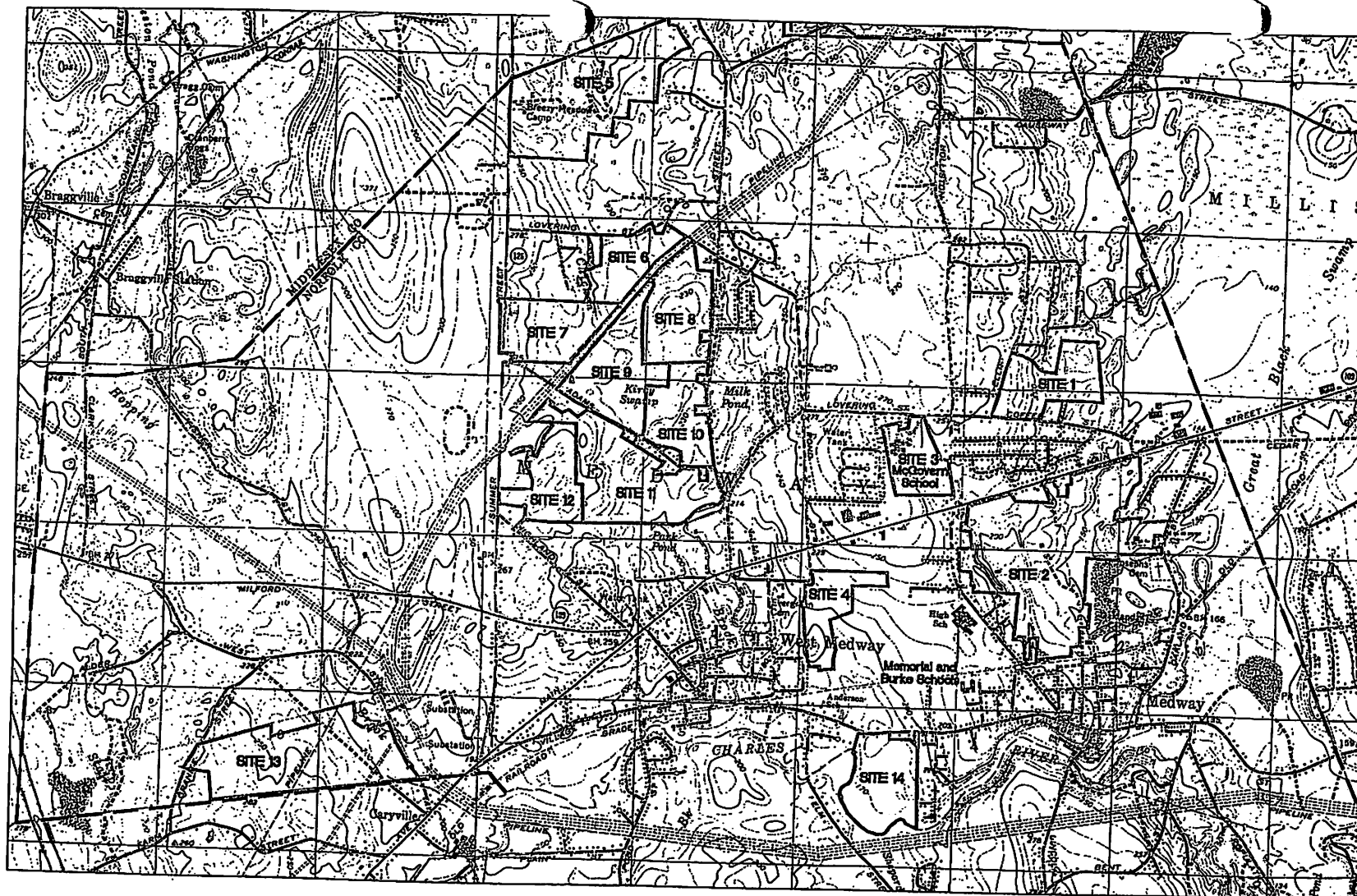
5	23
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NEW MEDWAY HIGH SCHOOL

Proposed Schedule

6/28/00

	Jun-00	Jul-00	Aug-00	Sep-00	Oct-00	Nov-00	Dec-00	Jan-01	Feb-01	Mar-01	Apr-01	May-01	Jun-01
Finalize Site Selection													
Town Meeting to Approve Purchase of Site & Fund Design													
Designer Selection													
Designer Award													
Detailed Programming													
Schematic Design													
SD Cost Estimate													
SD Submission to DOE													
Town Meeting to Fund Project													
Prop 2 1/2 Debt Exclusion													
Design Development													
Contract Documents													
DOE 6/1 Submission													
This schedule assume the State does not change the Schematic Design submission to September 1st													



SMMA

Systems, Mabel B. McKee Associates
1000 Massachusetts Avenue
Cambridge, MA 02138

LOCUS MAP

Medway Site Selection Study
Medway, Massachusetts

DATE
3-29-00
SCALE
1"=2000'
DR. BY
GK. BY

FIG.
1

JOB NO.

LOT	Areas	Ownership	Restriction	Public Water	Public Sewer	Wetlands/ Perennial Stream	Frontage	Topography	Soil Data	Chapter 61 A/H	Comments	Recommendations
1	56.5	Fontenella Lally		Yes	Yes	Yes Perennial Stream	Main Street		CaC, H/C, WhA, RgB, CaB	Yes Yes		
2	247.8	9 Land Owners (Hidden Acres/Cassidy Boczanowski et al.)		Yes	Yes	Yes Perennial Stream	Main Street Broad Street	Gentle	WnB, H/C, Ur, Sb, SuB, MmB WaA, CaB, HfB DeB, Sw	Yes No	Commercial Frontage	
3				Yes	Yes						McGovern School Site	Not recommended
4	40.4	7 Land Owners		Yes	Yes	No Wetlands	Elm Street Evergreen St.	Gentle			Difficult Access	Not recommended
5	155.2	(Coakley, /Synder) 5 Land Owners (Marian Community et al.)		No	No	Yes Perennial Stream	Summer St.				Perennial Stream Crossing	Not recommended
6	91.9	Siderski Iarussi		No	No	Wetlands and Perennial Stream at East and West	Lovering St.	Upland Knoll			Borders Power Lines	Utility issues Remote location
7	50	Panachelli		No	Yes	Yes Intermittent Stream (Ditch)	Summer St.	Gentle	WsB, WrB, CaB, SuB, RgB, Sa HfB, Sw	Yes	Good Access Topography and access	Borders Power Lines *
8	69	Siderski Whalen		Yes	Yes	Wetlands and Perennial Stream at North and South	Winthrop St.	Gentle	WaA, MmB, Sw SeB, Ra, H/C, Sb, SuB, MmA RgB, PaB	No No	Upland Knoll with frontage on Winthrop St.	*
9				No	Yes	Insufficient Uplands						Not recommended
10	58.5	Briggs Seferion Shady Oaks R.T. Briggs		Yes	Yes	Wetlands at Northwest quadrant No Perennial Stream	Winthrop & Adams St.	Gentle				*
11	114.5	Shady Oaks R.T.		Yes	Yes	Limited to extreme North and Perennial Stream at South	Adams St.	Areas of gentle & steep slopes	RdA, StB, WhA, CbB, CbC, SuB, Sb, RgB, WsB, MmB	Yes	Largest uplands area in study	
12	47.8	Briggs Whalen Hamm Dunton		Yes	Yes	No uplands access from Summer St.	R.O. W. from Highland St.	Gentle			Upland knoll	
13	124.2	10 Land Owners Boston Edison N. E. Power et al.		Yes	No	Yes Perennial Stream	West St. (Poor) Frontage?	Gentle			Poor access Perennial Stream Crossing Remote	Not recommended
14	?	Einis		Yes	Yes	No Intermittent Stream	Village St. Frontage?	Gentle	HfB, WaA, SuB Rm, WrB, RdA	No	Borders Charles River	

Bold text denotes soils considered prime farmland

ps100808002011selection study/compchart-991105.xls

MINUTES OF THE SELECTMEN'S MEETING
JUNE 27, 2000

Present: Selectmen Harry Johnson, Raphaela Rozanski, John Williams, Joe Dziczek, Town Administrator Michael Hartman, Secretary M. J. Fredette. Selectman Richard Gildea was not in attendance.

Prior to the start of the meeting, Mr. Hartman showed the Board his drawn-up plan of Route 109 with a center-turn lane, traffic lanes and bike lanes.

7:00 p.m. – Mr. Johnson opened the meeting in Sanford Hall of Town Hall. The purpose of the meeting was to discuss the Board members' individual evaluations of the Town Administrator and the subsequent composite prepared by Mr. Johnson.

Mr. Johnson stated he really did not like the form, but in order to come up with the composite, he assigned numerical values to the letters, as follows:

1 – B-	E = exceeds expectations
2 – B	
3 – B+	M = meets expectations
4 – MN-	
5 – MN	MN = meet expectations
6 – MM+	
7 – M-	B = below expectations
8 – M	
9 – M+	
10 – E-	
11 – E	
12 – E+	

He took all the comments relating to Mr. Hartman's strong and weak points and compiled them separately.

Mr. Hartman stated he really was not comfortable with a numerical system for an evaluation, which was why he would not use it with employees either. He commented he had never agreed to numbers being used, but understood they made sense to Mr. Johnson to be used in this way. He noted he had not seen the evaluation before this evening, and took this opportunity as an exchange of information; an interactive process.

Some conversation ensued on the total scoring to get to the final composite letter, and what is expected if a plus or minus is given. Mr. Hartman felt it was important as the implication is being made if the job is done to meet standards or reasonable expectations, and if a plus or minus is given, the Selectman should say why.

Mrs. Rozanski asked whose expectations were we talking about? Mr. Hartman believed she was confusing expectations with goals and objectives. He added that the MN was not meant to carry a plus or minus, and in the original preparation of the document, it was Mrs. Rozanski who asked that it be added.

Mr. Dziczek felt there were only three categories: E, M and B. There was a lot of room for interpretation; however, when he sees great differences in an evaluation, he would like to know why.

Mr. Hartman suggested the Board consider looking at the composite scores and crossing some out. Mrs. Rozanski felt that should be the Chairman's call, and to go on with the evaluation. Again, Mr. Hartman said he did not agree to the numerical system. Mr. Johnson explained no one illustrated a better way to do it, and it comes out like last year anyway, and stood by what it was.

Mrs. Rozanski noted the process allows the Town Administrator to respond. Mr. Hartman stated he believed this was an interaction among equals. He proposed each of them give a summary of their evaluation, but he was most concerned where it indicated he had not met expectations, as he felt he had. He also differed with the comment that the community does not see the Town Administrator in a positive way.

MINUTES OF THE SELECTMEN'S MEETING
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Mr. Dzikczek said in an area where Mr. Hartman meets expectations or above, that was fine. He was concerned with the negative comments.

Again, Mr. Hartman noted the MN's were meant to be M with a specific reference. Mr. Johnson stated he was not here when the document was composed, and admitted he had a hard time evaluating them as being ambiguous.

Mr. Hartman then suggested leaving the issue of scoring and going to the remarks. Mr. Johnson asked Mr. Williams to go first. Mr. Williams asked if he would like a narrative, but Mr. Hartman said he would really like to discuss where he was evaluated below expectations, and exceeded expectations as well.

Mr. Williams:

- execution of policy (B).

Feels MH should have a better understanding of the by-laws, i.e. audit. He felt he had to push for a report from the Audit Committee, and was relying on MH to know if he was overstepping his bounds, etc.

- BOS communication (B).

Feels OK about being informed on activities of Town boards. Does not feel the Board is being provided with adequate information, i.e. when contracts have to be signed and there is no amount. He feels MH should know ahead what questions the Selectmen might ask. He does hold MH to a high standard.

- supervision (E).

Knows people seek MH out letting them know he as an open-door policy; is fair; takes responsibility.

- planning for future (E).

MH thinks of the play ahead to avoid time bombs.

- professional reputation (E).

Knows MH has a good reputation among colleagues and is well-respected.

- imagination (E).

Believes MH's is good – part strategy and part tactical.

- drive (E).

This is very clear; MH is a self-starter.

- self-assurance (E).

MH almost borders on being cocky.

- productivity (E).

MH does to the best of his ability.

- stress management (E).

MH does well under pressure.

- budget (E).

MH is dealing with many personalities here. Day to day, he sees the big picture, and allows for trade-offs.

Mrs. Rozanski:

- Each Selectman comes with a different perspective; ratings are different; expect to get an outcome; evaluation is an integrated process.

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- strong points: MH is concerned about legal issues, self-improvement; professionalism is important; divides up work and delegates.

- comments: community does not feel connected (is getting this from residents); people don't like not being able to get through.

- commendations: certifications are OK.

- suggestions: continue to work on role delineation and conflict on statutes, etc.

Mr. Johnson:

- People associated with this Board never cease to amaze me.

Mr. Williams:

- RR did not key strong and weak points to anything.

Mr. Dziczek:

- Would like to hear the B and E comments.

-

- supervision (B).

Is below her expectations; wants to know how things are followed up; needs to see outcome and deadlines.

- execution of policy (B).

Same.

- short-term planning (B).

Not enough information given.

- budget (B).

Disappointed in the process and conflicting numbers.

- sharing of information (B).

BOS do not get all the information.

- goal based information (B).

Same.

- communication (B).

Same.

- response to BOS (B).

People need to know how the Boards work.

- media relations (B).

Does not feel there is a policy.

- community relations (B).

People are not able to get through.

] - State and Federal relationships (B).

MH does not call them back.

- intergovernmental relations (B).

Budget process difficult.

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- judgment and decisiveness (B).

This involves meeting deadlines and getting things done between MH and BOS.

Mr. Hartman:

- There were no conflicting numbers on the budget; they were consistent.

Mrs. Rozanski:

- BOS did not have the numbers up until the last minute; people need to understand.

Mr. Hartman:

- There is some validity in that, but I do not prepare the book; FinCom does, and there was no confusion. With the State and Federal relationships, I don't know anyone not being to get in touch.

Mrs. Rozanski:

- Will discuss privately; have specifics.

Mr. Dziczek:

- job organization (E).

Having known the problems that existed in Town Hall, feels MH is pulling it together, i.e. DPS and Park together.

- short-term planning (E).

This takes into play the highway job contracts, traffic, Route 109, maintenance of buildings; is looking at schools with Supt.; worked with Supt. with money for health fund if needed.

- execution of policy (E+).

Everyone has a different perspective.

Mr. Hartman:

- Perspective is also how you define the job.

back to policies, overall, MH gets the answers, i.e. Business Council commented with suggestions, and he follows up with policy guidelines; is satisfied; he gets the answers.

- planning for future (E).

He bounces different items off of MH and he tries to check them out.

Mr. Johnson:

- Have not seen a written plan.

School Committee wants to move certain things to the Town-side; we are communicating.

- budget (E).

He talked to the people involved, and it was almost unanimous, MH was right in the center of all the FinCom meetings; they asked questions – he gave answers. Everyone was asked to provide three budgets, and they did; great job.

- use of professionals (E).

He does when needed.

- response to BOS (E).

Believes he does, and does not remember a meeting where he did not.

Mr. Johnson:

- Then you think he meets the requirement?

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Think he exceeds the requirement; most of the time he is on.

- boards and commissions (E).

Spoke to them, and did not hear any negative remarks.

Mr. Johnson:

- Did you speak to the Board of Health; got a letter from them.

- Have only heard good things.

- drive (E+).

Believe MH gets his energy from others; he is always with groups and people and meetings.

- judgment and decisiveness (E).

Knows it is good; is always making many decisions.

- integrity (E).

There is no reason to question it.

- self-assurance (E).

We had no management before; MH has been exceptional. When he says something, you know it is right. If he does not know something, he will check it out. He knows where he stands with the union.

- productivity (E).

Projects have not been delayed because of MH's doing; has explained why, i.e. Maxcraft, Municipal Building Committee; is involved in so much.

- stress management (E).

There can be many things to cause stress; knows the way Town Hall was like; MH handles it – with Park and Highway, Highway, meetings, elected officials.

- comments: MH knew both ends of the override issue; suggests letting community get to know him better, even though he may not find the time to get out.

Mr. Hartman:

- Asked how he could be more community-involved? Won't go to events the BOS attend except SWAP. If he knows BOS represented, won't overkill by attending so others feel Town is over-represented; maybe there should be a clear policy.

Mr. Johnson:

- That may give a negative outlook.

Mr. Dziczek:

- Pride Day would be an example of a constituency thing.

Mr. Hartman:

- Didn't go this year because of surgery; this issue is on a fine line – part is to let the five of you look good, and part of the role is not to be under your feet; focus should be on the elected official; if something comes up, I know you will get back to me.

Mr. Johnson:

- job organization (E).

MH delegates authority and uses his time productively.

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- use of professionals (E).

MH will seek out to Town Counsel and others when required.

- professional reputation (E).

MH came into a new community and state and took training courses.

- objectivity (E).

MH is probably the dumbest person around; he gets a little testy, but uses restraint.

- drive (E).

I see it, and MH uses his staff well.

- initiative (E).

MH puts himself on the line, and does what is expected by the Bos.

- strong points: seeks self-improvement through training and research; delegates to improve organizational effectiveness; shows his confidence.

- weak points: needs to coordinate more between independent boards than make decisions for them; keep the BOS informed; community involvement is a PR job – needs more exposure.

- comments: MH has come to better understanding of local issues; obtained commitments throughout organization.

- commendations: MH displays executive stature; has not been overwhelmed.

- suggestions: Both BOS and MH must establish more defined goals; must coordinate more and keep the rest of town offices informed, i.e. funds at town meeting going to school instead of MBC.

Mr. Hartman:

- That was done at the Town Accountant's recommendation after being suggested by the Supt.

Mr. Johnson:

- We should make up our own goals.

Mr. Williams:

- Goals have been on the agenda four times.

Mr. Hartman:

- Possibly a Saturday workshop would be good; we already have goals for a five-year paving plan and a three-year sidewalk plan.

Mrs. Rozanski:

- Organizational goals are what we need; even though changes were made at town meeting, BOS could have met and discussed changes beforehand.

Mr. Johnson:

- We do have FinCom and the Town Accountant to advise us.

Mrs. Rozanski:

- How do we handle the differences between BOS and FinCom?

Mr. Hartman:

- Back to the evaluation. Is it safe to assume – overall – things are positive? It is not clear to me the role with the community.

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Mrs. Rozanski:

- Am concerned with the media issues.

Mr. Johnson:

- Don't worry, with me as Chairman.

Mr. Hartman:

- My role is to manage resources. One of the things, however, that some of you focused on is the breakdown of communications with other boards and commissions.

Mr. Johnson:

- One thing, for example, was the contract for waste and recycling. It is the Board of Health's money and they manage it. It is an independent board; they should be giving technical assistance; they know better what they need.

Mr. Hartman:

- As Procurement Officer, under 30B, I have the obligation to write the specs. The specs were approved by the Board of Health. They were told they could have two people on the committee to choose the vendor – they chose Jackie and Bill.

Mr. Johnson:

- We have these boards, and yet we call department head meetings; it has not been coordinated.

Mr. Hartman:

- These individuals are invited to the meetings; they are not told they have to come.

Mr. Johnson:

- Not all boards are under the BOS.

Mr. Hartman:

- The by-law says I am to coordinate all activities.

Mr. Johnson:

- The Chairman of the Board of Assessors was not asked.

Mr. Williams:

- That is a salient point; I would like a session on Article XXIII; I feel it would resolve our different perspectives of that.

Mr. Johnson:

- Protocol should be through the Board on the department head meetings.

Mr. Hartman:

- Again, the individuals are not required to come.

Mr. Dziczek:

- Perhaps, if a notice is posted when there is a meeting.

Mr. Johnson:

- Maybe a Saturday workshop, but it really comes down to coordination more with the Board, and to be notified when others are doing something.

Mr. Dziczek:

- There are liaisons to departments; the emphasis should be on them to discuss issues with us.

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Mr. Hartman:

- With reference to a response from me as the employee, I may file a written response at any time; there is no timeline.

Mr. Johnson:

- We need to respond to Mr. Hartman about his contract by the 30th if we wish to enter into negotiations to extend or not extend his contract.

Mr. Williams:

- Moved that the Board of Selectmen inform the Town Administrator, and to send a letter authorizing the Chairman to sign, that the Board wishes to enter into negotiations to extend the current employment agreement from June 30, 2000¹ to June 30, 2001²; Mr. Dzikcek seconded.

Mr. Hartman:

- Explained that under the agreement with the Board of Selectmen, the only sections of the contract that are negotiable are under #3B, which is salary and deferred compensation; also, he wished to clarify that under #5B and #5C, those amounts are related to annual dues and the conference that are tied in to ICMA.

Mrs. Rozanski:

- Going back, my impression was that the extension of the contract brought everything forward, and everything in it was negotiable.

Mr. Hartman:

- That is not my interpretation, and could provide a letter from the then Chairman attesting to that. Ultimately, if necessary, it would go to mediation and an arbitrator as noted in #11.

Mr. Williams:

- Could say to extend the contract from such and such date to such and such date subject to mutually beneficial negotiations.

Mr. Hartman:

- Your obligation is to notify me to extend or not extend the agreement, and a written decision in either case.

Mr. Johnson:

- It takes a majority of the Board; we need three votes; vote taken unanimous; all aye, with one absentee.

Mr. Williams:

- Will write the letter as Clerk and give to Mr. Johnson to sign on Wednesday.

Mrs. Rozanski:

- Should we go into executive session as it relates to strategy for negotiations?

Mr. Johnson:

- We should have Mr. Gildea here.

Mr. Hartman:

- I am anxious to bring this matter to a conclusion.

Mr. Williams:

- How about an executive session on July 10th? The Board agreed.

MINUTES OF THE SELECTMEN'S MEETING
JUNE 27, 2000

Mr. Hartman:

- Would you like a letter from me as to the areas I would like the Board to discuss? The Board agreed.

9:15 p.m. – Mr. Dziczek moved the meeting be adjourned; Mr. Williams seconded; all aye.

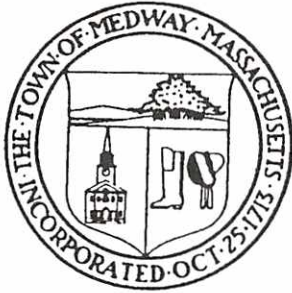
Respectfully submitted,

M. J. Fredette
Secretary
mj

APPROVED

95 amended

7/11/00



BOARD OF SELECTMEN

155 VILLAGE STREET
MEDWAY, MASSACHUSETTS 02053
(508) 533-3200 • FAX: (508) 533-3201

AGENDA

BOARD OF SELECTMEN

ROOM 111 OF MEDWAY HIGH SCHOOL

26

JUNE 23, 2000

6:00

~~7:00~~ p.m. – Open meeting.

1. Sign warrant.
2. Approval of minutes.
 - None.
3. Public comments.
4. Committee reports.
5. Administrator's report.
6. Discussion items.
7. Action items.
 - Approve and sign pole petition for Bell Atlantic.
 - Approve reclassification.
 - Approve three additional appointments.
8. For your information.
9. Communications and correspondence.
10. Future agenda items.
11. Upcoming meetings.
 - July 10th, July 24th.
12. Executive session.

cc: Town Clerk for posting.

cc: AUB

MINUTES OF THE SELECTMEN'S MEETING
JUNE 26, 2000

Present: Selectmen Harry Johnson, Raphaela Rozanski, Joe Dziczek, Richard Gildea, Town Administrator Michael Hartman, Secretary M. J. Fredette. Selectman John Williams was not in attendance.

6:30 p.m. – Open meeting.

- Mr. Johnson called the meeting in a classroom of Medway High School.
- 1. Sign warrant.
- Mr. Johnson moved the Board approve and sign warrant #53 in the amount of \$819,997.57; Mr. Gildea seconded; all aye.
- 2. Approval of minutes.
- None.
- 3. Public comments.
- None.
- 4. Committee reports.
- Mrs. Rozanski, Mr. Gildea and Mr. Dziczek had none.

Mr. Johnson stated he had completed his composite of the Board's evaluation of the Town Administrator, and asked that they be prepared to discuss the evaluation at the meeting on Tuesday, the 27th.

Mr. Johnson briefly noted an article in the Globe and the MMA Bulletin relating to Chapter 70 and 90 funds, with Mrs. Rozanski adding that additional lottery money had been ratified.

- 5. Administrator's report.
- Mr. Hartman provided the Board an update on the Maxcraft site plan review process indicating the applicant's engineer was reviewing the original calculations which did not include the expansion area of the sixty-foot by eighty-foot building. If VHB believes the new calculations with a sixty-foot by one hundred-foot building will not impact the site, the Planning Board has already voted to approve an amended site plan, and the Selectmen just have to come in and sign the revised plan. He noted the Building Inspector needs to have a signed site plan for a sixty-foot by one hundred-foot building to issue a permit since what the Selectmen initially approved is not what the Planning Board now has conditionally approved.
- 6. Discussion items.
- Mr. Johnson noted that Mr. Williams would not be in attendance this evening, but would be present for tomorrow night's meeting.
- Mr. Johnson brought up the reclassification of M. J. Fredette that had been discussed last week. He noted they had received in their packet this past weekend the job description of the Administrative Assistant to the Selectmen, the Secretary's job description, as well as the Town Administrator's proposed Management Assistant job description. He did not see a breakdown of the percentage of time Ms. Fredette spent on each task. Once they had that to point out the differences, he believed they would be ready to discuss the job being done by Ms. Fredette.

Mr. Hartman clarified the work that was sent down to the Treasurer/Collector's office was work the Assistant Treasurer/Collector was doing originally until the mishap occurred in that office in

MINUTES OF THE SELECTMEN'S MEETING
JUNE 26, 2000

1992 and Mrs. Allen had to undertake that task. Now that work is being done by the Financial Assistant in the Treasurer/Collector's office.

To assist the Board in approving Ms. Fredette's reclassification, Mr. Hartman said he would prepare a memo indicating the different tasks Mrs. Allen did that Ms. Fredette now does.

Mr. Dziczek noted the delay that has occurred with this issue because the Board is requesting more information. Mr. Johnson said, if the reclassification is approved, it is retroactive to July 1, 2000.

Mrs. Rozanski wanted to make sure they have procedural parody.

Mr. Hartman added that the title of the position is open, and clarified that this is not a management position; it is a reclassification of a clerical position.

Mr. Johnson was concerned with an individual having major changes in their responsibilities and duties. Mr. Hartman explained, under the by-law, the Town Administrator is charged with studying a position and determining its standing in the classification plan; the Selectmen are charged with voting to approve the classification of that position.

Mrs. Rozanski said it is usually determined if more education is required. Mr. Hartman stated there were different educational requirements for the positions.

7. Action items.

- Approve and sign pole petition for Bell-Atlantic. Mr. Hartman said the public hearing had been held with the New England Telephone representative on June 15th for the placing of conduit on Village Street near Mayflower Lane, with all abutters notified. No one from the public was in attendance. The Board signed the petition.
- Approve reclassification. This was already discussed.
- Approve three additional appointments. Mr. Dziczek moved to recommend appointment to the Town Administrator of Paul Knueven to the Zoning Board of Appeals; Mrs. Rozanski seconded; all aye. Mr. Dziczek moved to recommend re-appointment of Richard Parrella and Fred Rossetti to the Industrial Development Commission; Mrs. Rozanski seconded; all aye.

8. For your information.

- Mr. Johnson noted that the Board of Assessors had voted to transfer \$148,655.59 from the Overlay Reserve Account to the Overlay Surplus Account, which can be used for any lawful purpose. He felt this was due to: two settlements in court and the Treasurer/Collector closing out on outstanding accounts.
- Mr. Hartman said he would bring his revised Route 109 plan to the meeting tomorrow night.
- Mr. Johnson brought up the financial workshops the DOE was holding in July and August and wondered why the School Committee was not invited according to the memorandum? Regardless, he said he would probably be going to the workshop in Marlboro on July 12 or August 2nd.

9. Communications and correspondence.

- None.

10. Future agenda items.

MINUTES OF THE SELECTMEN'S MEETING
JUNE 26, 2000

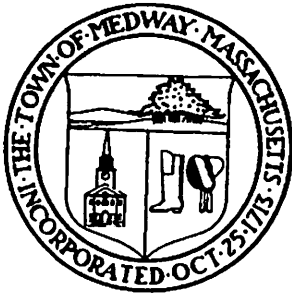
- None.
- 11. Upcoming meetings.
 - July 10th, July 24th.
- 12. Executive session.
 - None.

7:00 p.m. – Mrs. Rozanski moved the meeting be adjourned to the special town meeting in the auditorium; Mr. Gildea seconded; all aye.

Respectfully submitted,
M. J. Fredette
Secretary

APPROVED

7/11/00



BOARD OF SELECTMEN

155 VILLAGE STREET
MEDWAY, MASSACHUSETTS 02053
(508) 533-3200 • FAX: (508) 533-3201

AGENDA

BOARD OF SELECTMEN

SANFORD HALL

JUNE 19, 2000

7:00 p.m. – Open meeting.

1. Sign warrant.
2. Approval of minutes.
 - Route 109 workshop of June 3, 2000.
 - Regular meeting minutes of June 5, 2000.
 - Executive session minutes of June 5, 2000.
 - Regular meeting minutes of June 12, 2000.

3. Public comments.

7:15 p.m. – Golden Tiger, D/B/A Golden Jade Restaurant.

Re: Public Hearing for change of manager.

4. Committee reports.
5. Administrator's report.
6. Discussion items.
 - Review of Board policies and procedures.
 - Thoughts of Board goals for FY 2001.
7. Action items.
 - Decision on Golden Jade violation.
 - Approve and sign consulting contract for PGC Associates.
 - Approve and sign VNA contract for Board of Health.
 - Approve upgrade for Administrative Secretary to Selectmen and Town Administrator.
 - If appropriate, conduct performance evaluation of Town Administrator and agreement to extend employment contract by June 30th deadline.
8. For your information.
9. Communications and correspondence.
 - Letter from Paul Wilson.
10. Future agenda items.
 - Joint meeting for appointment of Library Trustee – July 10th.
11. Upcoming meetings.
 - June 26th – 6:00 p.m. – Room 111 of Medway High School prior to Special Town Meeting at 7:00 p.m. in auditorium.
 - July 10th, July 24th.

Cc: AUB

Selectmen's Meeting Agenda
June 19, 2000
Page 2.

12. Executive session.
 - If Board wishes to conduct contract negotiations with Town Administrator.
 - To discuss strategy with respect to collective bargaining for union and non-union personnel.
 -

cc: Town Clerk for posting.

MINUTES OF THE SELECTMEN'S MEETING
JUNE 19, 2000

Present: Selectmen Harry Johnson, Raphaela Rozanski, John Williams, Joe Dziczek, Richard Gildea,
Town Administrator Michael Hartman, Secretary M. J. Fredette.

7:00 p.m. – Open meeting.

- Mr. Johnson opened the meeting in Sanford Hall of Town Hall.
- 1. Sign warrant.
 - Mrs. Rozanski moved the Board sign warrant #52 in the amount of \$1,518,454.37; Mr. Gildea seconded; all aye. Town Accountant Arti Mehta, who was present, stated the payroll is high because of the teachers being paid for the entire summer in advance.
- 2. Approval of minutes.
 - Mrs. Rozanski moved approval of the Route 109 workshop notes of June 3rd; Mr. Gildea seconded. Some corrections were noted, with Mr. Johnson moving approval as amended; Mr. Gildea seconded; all aye.
 - Mr. Williams moved approval of the regular meeting minutes of June 5th with corrections noted; Mr. Gildea seconded; all aye.
 - Mr. Williams moved approval of the executive session minutes of June 5th with a correction noted, not to be released; Mr. Dziczek seconded; all aye.
 - Mr. Williams moved approval of the regular meeting minutes of June 12th with a correction noted; Mr. Dziczek seconded; Mrs. Rozanski abstained; aye.

7:15 p.m. – Attorney John Dugan was present on behalf of the Golden Jade with regard to the public hearing for a change in manager from Wing W. (Peter) Ngo to Wei Kwong (David) Ngo.

Mr. Williams read the ad as it appeared in a local paper.

Attorney Dugan indicated the Corporation was still the same, but part of the dismissal charge on the alleged illegal activities, agreed they would proceed with the process to change managers and are now doing so. Mr. Dziczek asked if the proposed manager was involved in any past practices? Attorney Dugan said he was not aware of any. Attorney Dugan stated Peter Ngo will have no official capacity. He is a shareholder, but has no standing.

Mr. Williams moved to approve the change of manger from Peter Ngo to David Ngo; Mr. Dziczek seconded; all aye.

- The Board took Action Item #7a. out of order as the representatives from the Golden Jade were present.

Mr. Johnson moved to suspend the liquor license of the Golden Jade for twenty-four (24) consecutive days beginning with June 19th, and then corrected the date to June 26th; Mr. Dziczek seconded for discussion.

Mr. Williams noted this was the second violation, and past practice has been to double each violation; therefore, it was now twelve (12) days per violation.

Mrs. Rozanski stated she was not present for the hearing, and felt she should abstain.

MINUTES OF THE SELECTMEN'S MEETING
JUNE 19, 2000

Mr. Dziczek indicated he did not want to use previous violations as a springboard for another violation. He felt twenty-four (24) days was too harsh. If a younger crowd was being drawn in by the pool table and darts, then suggested they should get rid of them. He thought there should be other options, such as six (6) days, six (6) Saturdays, with six (6) being the minimum and twenty-four (24) being the maximum.

Mr. Gildea felt it was possible they have learned their lesson, since they were here this evening to change managers.

Mr. Dziczek amended Mr. Johnson's motion to suspend the liquor license of the Golden Jade for six (6) days; Mr. Gildea seconded.

Mr. Johnson amended his motion to suspend the liquor license of the Golden Jade for ten (10) consecutive days; Mr. Dziczek seconded.

Going back to the motion for six (6) consecutive days: the vote: Mr. Gildea – yes; Mr. Williams, Mr. Johnson, Mr. Dziczek – no; Mrs. Rozanski – abstained.

Going back to the motion for ten (10) consecutive days beginning on June 26th: the vote: Mr. Dziczek and Mr. Johnson – yes; Mr. Williams and Mr. Gildea – no; Mrs. Rozanski – abstained.

To break the tie, Mrs. Rozanski voted yes for the ten (10) consecutive days.

3. Public comments.

- Paul DeSimone and Max Greenberg stopped in to ask the Board's assistance on a problem.

Mr. Hartman explained this issue is pending before the Planning Board. They appeared before them last Thursday, and the Planning Board has not gotten back to them yet.

Mr. DeSimone stated that Mr. Greenberg asked him to bring forward a plan for a 60 ft. by 100 ft. building and applied to the Building Inspector for it on May 9th. On June 2nd, Mr. Greenberg got a letter from the Planning Board seeking payment of outstanding invoices. On June 7th, Mr. Greenberg got a letter from the Building Inspector indicating the 60 ft. by 100 ft. building needed a new site plan. Then Mr. Greenberg got a letter from Mr. Hartman on June 12th telling him he needed to go to the Planning Board again. Mr. DeSimone stated that the plan the Board approved on February 28th showed a future expansion area. Even Jim Wieler of the Planning Board questioned the future expansion and a letter from the engineer was provided.

Mr. Hartman offered clarification. He stated that Mr. DeSimone was told last Tuesday night by the Planning Board that they agreed no hearing was necessary if the design calculations were sufficient to handle the original design, but they did not know if the calculations took the expansion into effect. There is no need for another public hearing if Mark Louro from VHB speaks to Mr. Greenberg's engineer, Steve Poole, and they are in agreement.

Mr. DeSimone brought up another issue. He stated the Building Inspector has indicated he would not issue a building permit unless outstanding invoices were paid.

Mr. Hartman offered clarification. He stated that on June 7th, a letter was sent from the Building Inspector to Mr. Greenberg stating the 60 ft. by 80 ft. building has now turned into a 60 ft. by 100 ft. building. Also, on the subject of invoices, the Planning Board rules and regulations and the Town's by-laws prohibit the issuance of permits if there is an outstanding balance owed the Town.

Mrs. Rozanski asked if the addition significantly impacted the plan? Mr. Hartman responded stating if the calculations didn't take into account the extra 1200 sq. ft. of impervious surface, then there could be an impact. As of now, this has not been resolved, which is why he urged Mr.

MINUTES OF THE SELECTMEN'S MEETING
JUNE 19, 2000

Greenberg to meet with the Planning Board to avoid any further unnecessary delays to the project. Mr. Hartman was aware that, as early as Wednesday morning, Mark Louro was contacted by the Planning Board Secretary and he was asked to contact Steve Poole on the calculations.

Mr. DeSimone stated they hoped to be in by March 31st, but they knew in April they needed an expansion.

Again, Mr. Hartman asked to clarify for the record. Applying for a building permit as Mr. DeSimone stated on May 9th does not mean the application was submitted to the Building Inspector for processing as there are a series of sign-offs that are necessary with each application. On May 9th, the application was given to the Conservation Agent. On that same day, she called Priggen Steel and rejected the initial submission as it was a submittal for a house and not a building. Priggen picked up the application on May 16th. She then contacted Mr. Greenberg on May 18th. On May 22nd, Mr. Hartman said he met with Mr. Greenberg, and on May 24th, the application was received by the Building Inspector.

Mr. Greenberg, for the record, wanted to state he was a long-time resident of the Town and could not understand the length of the process. He explained the financial burden this was placing on him. Even if there was an error in the building application, he felt common sense should have dictated. He was upset over the whole situation.

Mr. Greenberg's son, Bill, was also in attendance. He stated they were told the building would work as proposed, but the project has taken a year. He felt the billing was unacceptable, and the cost exceeded four times what it cost to develop the site plan. They also had to deal with the water management issue. Mr. Hartman explained there are federal stormwater regulations that affect us now. If this had been known earlier, the Planning Board would have been advised.

With regard to the invoices, Mr. Johnson agreed they should have been able to receive the invoices earlier. It looked as if the work was done, but apparently not invoiced. Mr. Hartman explained the invoices possibly fell between the cracks with the transfer in secretaries for the Planning Board.

Mrs. Rozanski believed the only change she observed was the extra 20 ft. Mr. Hartman explained, as part of the documentation required for site plan, was pre-development and post-development information. All the documentation refers to pre- and post-, but no reference is made to size. He has suggested that documentation pick this up in the future.

Again, Bill Greenberg felt that a review of Planning Board meeting would indicate the calculations dealt with the potential for future expansion. Mr. DeSimone said the problem is not with the Planning Board; the expansion was always on the plan. Mrs. Rozanski stated if the addition was proposed, the calculations would include that addition. Mr. Hartman disagreed saying two engineers have not agreed.

Mrs. Rozanski moved to approve the modified site plan with the proposed expansion subject to the same conditions as the Planning Board, that being – that the engineer, Steve Poole, provide to VHB calculations indicating that the drainage system can accommodate the increased proposed addition, and if those calculations are not accurate, to provide new calculations to VHB so that a modified site plan can be endorsed by the Board of Selectmen, with Mr. Hartman following up on the process; Mr. Williams seconded; all aye.

Mr. Greenberg brought up the invoices again, but Mr. Johnson reiterated his earlier comments that the Board does not have the right to correct them. Mr. Greenberg felt the Board can direct the Building Inspector to issue the permit. He also questioned whether the Planning Board has the right to assess fees. Mr. Greenberg stated he will have to work with his attorney to resolve this, but he hoped the Board of Selectmen could arbitrate.

MINUTES OF THE SELECTMEN'S MEETING
JUNE 19, 2000

Mr. Johnson asked Mr. Hartman about the validity of the invoices, and would the Planning Board take into consideration allowing the Treasurer some leeway, since they have to be the ones to determine if it was acceptable or not? Mr. Hartman said he would check it out but it was money owed by the Planning Board to the Consultant, but they may be able to abate or adjust the cost. He noted Mr. Greenberg was not the first applicant to be charged additional fees. With regard to the Building Inspector issuing the permit, he stated employees cannot be instructed to disregard State or Town laws.

Mr. Johnson concluded by telling Mr. Greenberg he could come back to the Board if some agreement is not reached.

4. Committee reports.

- Mrs. Rozanski updated the Board on her attendance at the Selectmen Association Workshop she attended over the weekend.
- Mr. Dziczek, Mr. Gildea, Mr. Williams and Mr. Johnson had nothing to report on, but Mr. Williams asked about progress on the Lovering Heights sidewalk? Mr. Hartman said they had obtained three quotes for the paving, which they were not pleased with, and were going to call for three more, but the cost would probably be in excess of \$7,000 for the bituminous concrete. Mr. Johnson briefly brought up the failure of the override to pass, and that it might affect the voting at the special town meeting.

5. Administrator's report.

- Mr. Hartman presented the Board with a draft policy on alcohol licenses that he asked the Board to review for discussion at a future meeting, possibly July 10th. He noted it does not tie in to specific penalties or offenses, but patterned his after Framingham's policy.
- Mr. Hartman presented to the Board a conceptual rendering the center-turn lane (3-T) design for Route 109 as recommended by the Consultant, VHB. He stated that the current vendor for paving lines believed the cost would be under \$4,000. Insofar as beacons were concerned, he believed the cost was around \$1,600 per beacon installed, with a recommendation of three beacons, for a total of \$4,800.

Mr. Johnson suggested, if it was consistent, to do the signing first and the beacons later. Mr. Hartman said the signs would be in accordance with State standards.

Mr. Hartman brought up the signalization at Holliston and Main Streets. In phases with costs and traffic control signal work, he suggested the possibility of putting in a controller, i.e. at Dunkin Donuts. He had asked VHB to look at that possibility, but the cost might be around \$15,000.

Mr. Hartman said he did not want to proceed with the 3-T design without a formal vote by the Board of Selectmen, noting the design would be curb to curb. Overall, the width of the road was forty-two ft. (42'), which includes two (2) four ft. (4') bike lanes, two (2) eleven ft. (11') traffic lanes, and one (1) twelve ft. (12') center left-turn lane.

Mrs. Rozanski moved to approve the concept of the center-turn lane design; Mr. Gildea seconded.

Mr. Dziczek asked if there were no other options? Mr. Hartman said eliminating all left-hand turns out of the driveways in the Plaza except in the center and a four (4)

MINUTES OF THE SELECTMEN'S MEETING
JUNE 19, 2000

lane road are the options. Mr. Hartman said the center-turn lane design was effective in controlling rear-end collisions, which was the accident that occurred most on Route 109. He stated the key to its working is signage.

All aye in favor of adopting the concept.

- With reference to Idylbrook, Mr. Hartman stated that the agronomist has recommended not seeding until the Fall, possibly the first week in September, since the contractor has to guarantee the results of the seeding. This agronomist indicated the seeding should have occurred prior to May 15th, and since it had not, he recommended the Fall instead. They will have to keep the land sterile and herbicide will be applied twice. They will close the three entrances so four-wheel vehicles can't get through, and motorized vehicles will be prohibited. Neighbors will be asked to keep a watch as well. Mr. Dziczek asked if a fine could be imposed on trespassers. Mr. Hartman said he would check.
- Mr. Hartman stated that the Water/Sewer Commissioners have asked that the Board of Selectmen send a letter of understanding relative to the Lee property for water shed protection. Mr. Hartman read the letter Mr. Johnson signed. Mr. Hartman noted that the Conservation Commission is considering putting some \$25,000-\$30,000 into the purchase for passive recreation for open space, but he did not know for sure at this time. With regard to the Water/Sewer Commissioners' contribution to the property, Mr. Hartman believed it was half, or \$87,500. Mr. Johnson noted he would like to maximize those two agencies. Mrs. Rozanski asked about the possibility of available grants, i.e. open space bond bill.

6. Discussion items.

- Board policies and procedures, and well as Board goals for FY 2001 were deferred to another meeting.

7. Action items.

- Decision on Golden Jade violation – already done.
- Mrs. Rozanski moved the Board sign the certificates of appreciation for all those not requesting re-appointment to committees; Mr. Dziczek seconded; all aye. All were thanked for their service. Mr. Johnson wondered if these individuals should be brought forward to receive the certificates? Mrs. Rozanski wondered if there should be a reception?

Re-appointment slips were brought up for approval. Mr. Johnson moved to re-appoint Raphaela Rozanski as the Selectmen's representative to SWAP; Mr. Williams seconded; all aye.

Mr. Johnson moved to appoint Raphaela Rozanski as alternate representative for the Selectmen to the Norfolk County Advisory Board; Mr. Williams seconded; all aye.

Mrs. Rozanski moved to appoint Harry Johnson as the representative for the Selectmen to the Norfolk County Advisory Board; Mr. Dziczek seconded; all aye.

Mr. Williams moved to approve all those individuals who had requested re-appointment per the list submitted; Mr. Dziczek seconded; all aye. Then the list was individually approved by committee and thanked.

MINUTES OF THE SELECTMEN'S MEETING
JUNE 19, 2000

- Mr. Hartman notified the Board that, effective July 14th, Philip McNulty had resigned as Library Director after twelve years to pursue a position in Boston.
- Approval of consulting contract for PGC Associates. Mr. Hartman noted that this item had been tabled pending changes in the contract reflecting compensation, which was done. Mr. Williams moved the Board sign the contract; Mr. Dziczek seconded; all aye.
- Approval of VNA contract for Board of Health. Mr. Williams moved the Board sign the contract as recommended by the Board of Health; Mr. Dziczek seconded; all aye.

Mr. Dziczek thanked the Boy Scouts, on behalf of the Board, for delivering the new trash bags to all residents.

- Approve reclassification for Secretary, M. J. Fredette. Mr. Hartman went over his letter of June 9th to the Board, as well as noting that there had previous discussions at the budget meetings concerning the position. He reiterated that Ms. Fredette had assumed many of the duties of the Administrative Assistant to the Selectmen since July of 1998.

Mrs. Rozanski said she was concerned about process, and was this establishing a new position? Mr. Hartman explained this was reclassifying only this position as per 6.6 of the personnel policies. They would be approving a new title to reflect the work being done by the incumbent since July of 1998, and would be eliminating the position of Administrative Secretary to the Board of Selectmen. In explaining some of the positions in the classification plan, Mr. Hartman explained some of those in the particular grades are not in the union, but Law allows some clerical positions to be excluded from the union.

Mr. Gildea believed if she was at a grade 5, and taking on other tasks, she should be at a grade 7.

Mr. Hartman explained Ms. Allen's position had been split three ways: a portion being sent to the Treasurer/Collector's office where it had originated from; a portion that was his; and the balance to Ms. Fredette. He also believed reclassification is a management right and would be brought to the union, when appropriate.

Mr. Williams felt they were elevating the functions to something else, and asked to see what is done by the Administrative Secretary.

Mr. Johnson said it would be helpful to get a job description of what Ms. Allen did and what Ms. Fredette's job description is, along with the new revised one.

Mr. Dziczek was concerned that any other department who feels their employee is going above and beyond would want to be upgraded, and concerned about the flack it might cause.

Mr. Hartman stated what needed to be recognized was that the amount of work of an individual has nothing to do with a position's classification. The issue is complexity. She is doing work that is grades above where she is. Ms. Allen was at a grade 13; Ms. Fredette is at a grade 5.

Mrs. Rozanski noted they used to give step increases and look at previous records. She asked if the position should be advertised? Mr. Hartman stated there was an incumbent so the position did not have to be advertised.

MINUTES OF THE SELECTMEN'S MEETING
JUNE 19, 2000

Again, Mr. Johnson said he needed to see a comparison, and suggested this be placed on a future agenda, possibly July 10th, with the two job descriptions, maybe with a breakdown in percentage of time.

- Performance evaluation of Town Administrator. Mr. Johnson said he did not have Mr. Dziczek's evaluation, and once he does, they can do it.
- Mr. Williams asked about the contract for services for seniors that he saw, and wondered how it got to \$5.45 for 90 hours thinking it was to be at \$6.00? Mr. Hartman noted there had not been a vote taken so the consensus was used.

Mrs. Rozanski suggested a #6 be added to the instructions indicating the instructions were subject to revision by the Board of Selectmen before January 1st of each year. The Board agreed.

- Mr. Williams asked about the school resource officer since that was to terminate at the end of the school year. Mr. Hartman said he believed they were to come back to the Board with a report, both the schools and the police, before the start of the next school year. He would check with them both.
- Going back to the Town Administrator's evaluation, Mr. Johnson suggested meeting on Tuesday, June 27th, to go over the evaluation and determine if they are to extend the contract. He would try and present the composite to the Board on Monday night. The Board agreed on 7:00 p.m. in Sanford Hall. The Secretary will post the meeting.

8. For your information.

- None.

9. Communications and correspondence.

- A letter from Paul Wilson on committees was acknowledged.

10. Future agenda items.

- Joint meeting with Library Trustees – July 10th.

11. Upcoming meetings.

- June 26th; July 10th; July 24th.

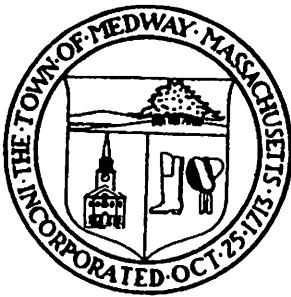
12. Executive session.

10:40 p.m. – Mr. Dziczek moved the Board adjourn to executive session for the purpose of strategy as it related to collective bargaining for the Municipal Employees Union, not to return to public session; Mr. Williams seconded; all aye. The vote: Mr. Dziczek – yes; Mr. Williams – yes; Mrs. Rozanski – yes; Mr. Gildea – yes; Mr. Johnson – yes.

Respectfully submitted,

M. J. Fredette
Secretary
mj

APPROVED
7/10/00



BOARD OF SELECTMEN
155 VILLAGE STREET
MEDWAY, MASSACHUSETTS 02053
(508) 533-3200 • FAX: (508) 533-3201

REVISED AGENDA

BOARD OF SELECTMEN

SANFORD HALL

JUNE 12, 2000

7:00 p.m. – Open meeting.

1. Sign warrant.
2. Approval of minutes.
 - None.
3. Public comments.
4. Committee Reports.

7:15 p.m. – Golden Tiger, D/B/A Golden Jade Restaurant.
Re: Public Hearing.

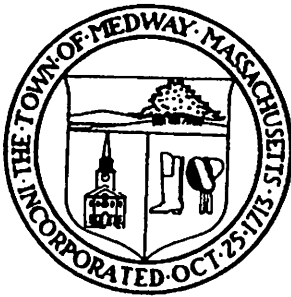
7:45 p.m. – Representatives from Dunkin Donuts: Attorney Joseph Antonellis, Louise Placido.
Re: Site Plan, 42 Summer Street.

8:30 p.m. – Municipal Building Committee

5. Administrator's report.
6. Discussion items.
 - Review of Board policies and procedures.
 - Thoughts of Board goals for FY 2001.
7. Action items.
 - Approve and sign Metricom Agreement.
 - Approve and sign contract for Consultant Gino Carlucci (given out on Monday).
 - If appropriate, evaluation of Town Administrator and agreement to extend contract by June 30th deadline.
8. For your information.
9. Communications and correspondence.
10. Future agenda items.
 - Joint meeting for appointment of Library Trustee – July 10th.
11. Upcoming meetings.
 - June 19th (special election), 26th (special town meeting).
12. Executive session.
 - If Board wishes to conduct contract negotiations with Town Administrator.

cc: Town Clerk for posting.

cc: AND



BOARD OF SELECTMEN

155 VILLAGE STREET
MEDWAY, MASSACHUSETTS 02053
(508) 533-3200 • FAX: (508) 533-3201

AGENDA

BOARD OF SELECTMEN

SANFORD HALL

JUNE 12, 2000

7:00 p.m. – Open meeting.

1. Sign warrant.
2. Approval of minutes.
 - None.
3. Public comments.
4. Committee Reports.

7:15 p.m. – Golden Tiger, D/B/A Golden Jade Restaurant.

Re: Public Hearing.

7:45 p.m. – Representatives from Dunkin Donuts: Attorney Joseph Antonellis, Louise Placido.

Re: Site Plan, 42 Summer Street.

5. Administrator's report.
6. Discussion items.
 - Review of Board policies and procedures.
 - Thoughts of Board goals for FY 2001.
7. Action items.
 - Approve and sign Metricom Agreement.
 - Approve and sign contract for Consultant Gino Carlucci (given out on Monday).
 - If appropriate, evaluation of Town Administrator and agreement to extend contract by June 30th deadline.
8. For your information.
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 - If Board wishes to conduct contract negotiations with Town Administrator.

cc: Town Clerk for posting.

MINUTES OF THE SELECTMEN'S MEETING
JUNE 12, 2000

Present: Selectmen Harry Johnson, John Williams, Joe Dziczek, Richard Gildea, Town Administrator Michael Hartman, Secretary M. J. Fredette. Selectman Raphaela Rozanski was not in attendance.

7:02 p.m. – Open meeting.

- Mr. Johnson called the meeting in Sanford Hall of Town Hall.
- 1. Sign warrant.
- Mr. Dziczek moved to approve and sign warrant #51 in the amount of \$707,581.16; Mr. Gildea seconded; all aye.
- 2. Approval of minutes.
- None.
- 3. Public comments.
- Cheryl Harvey, representing a group called the Citizens Concerned for Medway's Future, came to notify the Board that their group was meeting on a regular basis in order to inform residents about the override on Monday, June 19th. They were looking for the Board of Selectmen's support at this time. Mr. Johnson said they could not expend any money but they could support the override and do a press release.
- Mr. Dziczek moved that the Board of Selectmen vote to support the override as requested; Mr. Williams seconded; all aye unanimous; 4-0-0.
- 4. Committee reports.
- None.
- 5. Administrator's report.
- Mr. Hartman brought up PGC's contract for IDC consulting services for the Board to approve and sign. Mr. Johnson recommended it be tabled until next week for action and that the inclusion of a total compensation from Town funds not exceed \$2,500, with a total overall expenditure of not over \$7,500, which would include any grant funds received.
- Mr. Hartman noted, after reviewing some of the files on Sithe, that at the time the Town received the \$30,000 grant from Sithe for an environmental review, the Board did not formally accept the grant, and asked that they do so now for the record. Mr. Dziczek moved that the Board of Selectmen accept a \$30,000 grant from Sithe for an environmental review; Mr. Gildea seconded; all aye.
- Mr. Hartman mentioned that the Board had asked him to investigate who owns the path near Sunset Drive leading to the Shopping Center. He said it appears to have been given to the Town, but he will research further and report back to the Board. On that same note, Mr. Dziczek said that Mr. Finklestein had called him as well and was looking for feedback. He hoped the Town would respond back to him soon.

7:15 p.m. – Attorney John Dugan representing Golden Tiger, D/B/A Golden Jade Restaurant came before the Board for a public hearing. Mr. Williams read the ad that appeared in the local paper. Lt. Richard Malo and Sgt. Bob Rojee were present from the Police Department. Town Counsel Richard Maciolek was also present on behalf of the Town. Peter Ngo, owner of the Golden Jade, and his brother David were also in attendance.

MINUTES OF THE SELECTMEN'S MEETING
JUNE 12, 2000

Lt. Malo began the presentation of the case by stating he had forwarded the incident report to Mr. Hartman along with his recommendation for a public hearing.

Sgt. Rojee then continued the presentation by stating the Police went to the Golden Jade on April 18th to serve a restraining order to Jason Santos, who they were told was at the restaurant. Sgt. Rojee observed two girls, whom he believed were under the age of twenty-one, and asked for their I.D.'s three times. The girls stated they had none, but had been to the Golden Jade many times and were carded before. Eventually, the girls stated they were eighteen and produced Mass. licenses. Peter Ngo then came in stating the licenses they were now showing were not the ones they had produced before. Sgt. Rojee also stated that there was another underage patron on the premises, age 20, that was not known before; therefore, the total was three underage, not two.

Lt. Malo cited a letter from Attorney Dugan dated March 20th indicating that the Golden Jade believed they were in compliance because of the affirmative steps they were taking; however, he felt the problems were not being addressed regardless of the times they have spent trying to help them to comply. He suggested a thirty-day suspension of their liquor license and a thirty day suspension of their entertainment license.

Mr. Johnson asked if Board members had any questions. Mr. Williams just asked what type of I.D.'s were shown by the girls before. Sgt. Rojee was not sure.

At this point, Attorney Dugan spoke feeling the Golden Jade has been in compliance and the suspensions have severely impacted them. They did move to close off serving at 12:30 a.m., with no alcohol after 1:00 a.m. They do check those exiting to make sure no alcohol leaves the premises. I.D.'s are checked more frequently, but asking for an I.D. more than three or four times is a form of harassment. He asked of the Police through the Chair whether the girls' purses were checked for other licenses or I.D.'s? Sgt. Rojee said no. Attorney Dugan asked if the scorpion bowl had been went to the lab for alcohol testing. Sgt. Rojee said no. Attorney Dugan asked if either of the girls were driving? Mr. Johnson did not believe that was a pertinent question, but Sgt. Rojee said he was not sure, but there were empty beer bottles at the girls' table.

Attorney Dugan stated it was not unusual that kids use fake I.D.'s. He believed that Rhode Island I.D.'s had been produced in the past to both Peter and David. If they produced a valid license in the past, it was reasonable for the owner to serve that individual in the future. He acknowledged there were problems prior to January, and they were appropriately brought to the Selectmen to listen to both sides. He asked the same for this hearing – that it be fair and a fair reaction was being asked.

Mr. Johnson asked Board members if they had any further questions to receive more details or clarify a situation in order to reach a decision? Mr. Gildea asked if Attorney Dugan was saying that it was the customer's fault; not the proprietor's? Attorney Dugan was assuming the Officer could have asked for a second I.D. if he felt an individual looked young.

Mr. Dzcizek felt it was a simple error that the I.D. was not checked. They should be required to check every time; if they had taken that second step, they wouldn't be here. With their history of problems, it seemed to him they couldn't ask enough times for I.D.'s. Mr. Williams agreed it was a salient point, but they are concerned tonight with what happened on April 18th and that I.D.'s were not checked.

Mr. Johnson asked the Police if they had any more questions? Lt. Malo stated that the ABCC sends directives to all liquor establishments advising them to only accept a Mass. driver's license or military I.D. as proper identification. He said he has advised Peter out-of-state I.D.'s are not acceptable, and that Rhode Island and New Hampshire were notorious for duplicating I.D.'s.

Attorney Dugan stated they know there are serious gaming charges, but just wanted to be treated fairly.

MINUTES OF THE SELECTMEN'S MEETING
JUNE 12, 2000

Mr. Williams briefly went over a portion of the Selectmen's meeting minutes of March 6th which outlined the last time the Golden Jade had met with the Board for a liquor violation.

At this point, Mr. Johnson declared the public hearing closed. He asked if the Board was ready to make a decision now or postpone that decision?

Mr. Williams moved to suspend the liquor license of the Golden Jade for twenty-four consecutive days commencing with June 19th; Mr. Gildea seconded. Mr. Dziczek stated he was not opposed to the motion, but would like some time to digest the information received tonight. Mr. Johnson said he was out of order as there was a motion on the floor. Mr. Dziczek reminded the Board that they had been requested by establishments to look at future violations, and suggested they postpone making a decision until next week.

Mr. Williams said he would withdraw his motion, but did not feel he would change his mind, so the motion stands. Mr. Gildea withdrew his second to the motion. Mr. Johnson asked at this point if June 19th was acceptable? Mr. Dziczek moved to have the Board arrive at a decision on June 19th; Mr. Gildea seconded. The vote: Mr. Dziczek, Mr. Gildea, Mr. Johnson – yes; Mr. Williams – no; 3-1-0; motion carries.

7:55 p.m. – Representatives from Dunkin Donuts were present to meet with the Board relative to a site plan for a new Dunkin Donuts at 42 Summer Street. Present was owner, Arthur Placido and his daughter, Louise; John Keegan of Ayoub Engineering; Herbert Serpa of Investment Business Brokers; and Rick Bryant, their Traffic Consultant from Rizzo Associates.

Mr. Hartman said the Board was in receipt of the recommendation of the Planning Board to approve the site plan with certain conditions, and all of those conditions have been met, otherwise they would not be here this evening. He added that a letter had been faxed over from the Town's Consultant, VHB, this afternoon stating that the estimated cost for their supervision on the modifications to the traffic light at the corner of Summer Street and Milford Street would be \$1,540.

Mr. Serpa provided pictures of the location and surrounding buildings, as well as a picture of what the new colonial-style building will look like instead of the standard Dunkin Donuts. Entrance and exit will be on Summer Street, with a "stacking" of cars for the drive-thru of sixteen. He did not feel there would be any interference with the cars parked as the drive-thru was away from that area. Mr. Serpa said they hope to pick up 15% of the present Dunkin Donuts business on Route 109 which would alleviate some of the congestion there. He noted they met with neighbors and had three hundred and fifty-nine supporting signatures.

Mr. Keegan spoke of the extensive reviews done with the Planning Board leading to the thirty-seven foot driveway and nine parking spaces for the thirty-foot by sixty-foot building. They would probably be installing a concrete retaining wall between this building and Paramount. They anticipated no runoffs based on the calculations done except to the catch basin on Summer Street. An area for snow removal was also designated.

Mr. Bryant stated they had observed existing conditions on many conditions, and as such, will be making improvements to the intersection by providing a new controller allowing for left-turn advance from Route 109 to Summer Street. The cost is between \$12,000 and \$13,000, which will allow the Town other future options should they choose.

Mr. Dziczek was concerned with the stacking of cars in the drive-through noting the number of problems that exist at the present location, discovering that location allows for ten cars. Mr. Serpa believed that with the additional location on Summer Street, and two other Dunkin Donuts in Millis and Westwood on Route 109, there will be a difference in the number of customers that will go to the present and new locations in Medway. He also stated that no other Dunkin Donuts has stacking for sixteen as this.

MINUTES OF THE SELECTMEN'S MEETING
JUNE 12, 2000

Mr. Bryant noted that during rush-hour traffic on Summer Street, it has been calculated two hundred cars traveling; on Route 109, it is eleven hundred cars. Taking left-hand turns from Summer Street to Route 109, the average is seven cars an hour.

Mr. Serpa said they will return to speak to the Board at a later date about signage.

Mr. Johnson had one complaint, and then deferred the follow-through to Mr. Williams. Mr. Williams stated that the American flag that is flying in front of the present location should be higher than any Dunkin Donuts flag, which it is not. The Placidos said they would take care of it. *US other flag should be on the same staff.*

Mr. Dzikczek moved to approve the site plan for a thirty-foot by sixty-foot Dunkin Donuts building, with nine parking spaces, seating capacity for twenty-four, and a stacking capability of sixteen cars at the drive-thru, located at 42 Summer Street as presented this evening, with a latest revision date of May 5, 2000 for project #2704.29, and per the recommendations and conditions of the Planning Board in their letter to the Selectmen dated June 5, 2000; Mr. Gildea seconded; all aye.

8:45 p.m. – Jim Brodeur, Chairman of the Municipal Building Committee, came to give the Board an update on his committee's progress with locating a site for a new high school.

Mr. Brodeur stated they have been reviewing the fourteen sites originally laid out for them, and they are down to considering nine since the Selectmen suggested conducting an analysis of the sites based on different criteria. The nine are: lot #1-Fontanella; #2-Cassidy; #5-Breezy Meadows; #7-Panichelli; #8-Sidurski; #10-Briggs opposite the farm; #11-Briggs abutting the park; #12-modified to 12A-back of Briggs; #14-Village Street/Ennis. They do not have all the numbers worked up yet, and it was too early for a consensus. They will come back to the Board with the results of their work, hopefully in two to three weeks.

Mr. Brodeur said that Jim Hoodlet did the compilation and ratings format of twelve to fifteen parameters of criteria as a building site including: usable acreage; shape; location; utilities; slope, topography change; soil conditions; accessibility and traffic; site development costs; environmental factors; availability; and impact to surrounding residents.

Mr. Hartman stated that there is a request on the special town meeting warrant for \$15,000 to evaluate several sites, estimating \$3,000 to \$5,000 per site. Mr. Brodeur commented that they are retrieving information from different sources even without access; however, Town Counsel has said, eventually, for whichever property is chosen, for a clear title, it is best to take the land by eminent domain.

Mr. Hartman said that one of the things the Committee wanted to ask was for feedback from the Selectmen. He explained that there may be enough funds remaining in the Selectmen's consulting account to do one site now, and that would be #12A. Access to this site would be entirely from Summer Street, and not from Adams or Highland Streets. Mr. Hartman noted that the one unique thing about this site is that they have received permission from all the owners to walk the property.

Mr. Dzikczek moved to use some of the Selectmen's consulting funds to evaluate #12A; Mr. Williams seconded. Mr. Dzikczek asked if the Municipal Building Committee endorsed doing this one site? Mr. Hartman stated, it was his sense at the last meeting, to expend the available funds immediately. He said they have an offer from the owner to donate access to the back lots to the Town. There are offers on the property right now, but the owner has not accepted anything yet. All aye on the motion.

9:05 p.m. – Back to the Administrator's report.

- Mr. Hartman asked that the following item for the Board be dealt with next week. Early in January, the Board reviewed the Selectmen's budget for FY'01 and approved an upgrade for

MINUTES OF THE SELECTMEN'S MEETING
JUNE 12, 2000

the Administrative Secretary. The new job description reflects the job presently being done since June of 1998. He explained many of the duties of the former Administrative Assistant to the Selectmen were assigned to MJ, and a person in the Treasurer's Office. The title of Management Assistant is not presently held with the Union. There would have to be a title change since the title of Administrative Secretary is held by others, and the intent is to upgrade this position, not the others. Mr. Johnson agreed to table this to next week.

- Mr. Hartman stated that the Board was in receipt of an opinion from Town Counsel relative to committee vacancies. Also, with reference to Planning Board Rules and Regulations and the transfer of liability to the Town, Town Counsel says this is not the case as the engineer still holds the responsibility as the professional providing the technical information, not the liability.
- Mr. Johnson said he would like to meet with Town Counsel and Mr. Hartman concerning the purchase of property. He said they cannot find where anyone can buy property unless appointed to purchase land, or are the Board of Selectmen. He also felt a check should not leave the Treasurer's Office unless it appears on the warrant approved and signed by the Selectmen. He will come back to the Board again on this. Mr. Williams said he would like to see Town Counsel's opinion in writing.

Mr. Hartman added that the Conservation Commission can buy land without an appropriation at Town Meeting. If they cannot accept a gift of land, however, without the approval of the Board of Selectmen, it seems odd they can buy land without the approval of the Board of Selectmen.

- Mr. Johnson had finalized the liaisons listing and gave it to the Secretary to copy for Board members and Town committees.
6. Discussion items.
- Review of Board policies and procedures, and Board goals for FY'01 will be done at another time.
7. Action items.
- Approve and sign Metricom Agreement. Mr. Williams moved the Board approve and authorize the Chairman to sign the Metricom agreement for wireless internet service in Medway; Mr. Dziczek seconded; all aye.
 - Approve and sign contract for Consultant Gino Carlucci of PGC Associates. Mr. Hartman explained the contract on the table tonight was a standard contract for their approval, and they could do that this evening or wait until next week. He explained that Town Accountant Arti Mehta had recommended he have a contract, and so he and Gino worked on it. Mr. Williams asked about an amount, "not to exceed"? Mr. Hartman stated their appropriation is \$2,500, but if grant monies are received, that amount could be higher to reflect the difference. Mr. Johnson suggested the language be changed to reflect the "not to exceed" amount. Mr. Hartman commented that Gino was able to acquire \$40,000 grant money for the IDC.
 - Evaluation of Town Administrator. Mr. Johnson said he had all the evaluations except Mr. Gildea's. Mr. Dziczek asked if they do the evaluation next week, then go into negotiations? Mr. Williams explained the need for Mr. Hartman to be notified by the Board of the extension of his contract by June 30th. Mr. Hartman noted that he negotiated with the Board in executive session for three Saturdays the first time. Mr. Williams said the Board themselves could also conduct strategy in executive session. The Board asked about the executive session minutes of those sessions, but Mr. Hartman explained he and the Secretary have been unable to locate them yet.

MINUTES OF THE SELECTMEN'S MEETING
JUNE 12, 2000

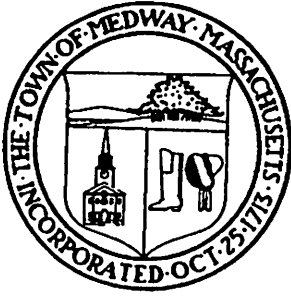
- Approve and sign MOA for Victory Supermarkets. Mr. Hartman said there was one more retailer on the table tonight who has agreed to sell the bags to residents for disposal of solid waste. Mr. Dziczek moved that the Board approve and authorize the Chairman to sign the MOA; Mr. Williams seconded; all aye. Mr. Hartman added that the possibility exists of having bags for sale in the Treasurer's Office as well.
- 8. For your information.
- Mr. Johnson just commented that Norfolk County's legislation of returning taxes back to the Towns is still alive.
- 9. Communications and correspondence.
- None.
- 10. Future agenda items.
- Joint meeting for appointment of Library Trustee.
- 11. Upcoming meetings.
- June 19th, 26th.
- 12. Executive session.
- None.

9:30 p.m. – Mr. Gildea moved the meeting be adjourned; Mr. Dziczek seconded; all aye.

Respectfully submitted,

M. J. Fredette
Secretary
mj

APPROVED
as amended
6/19/00



BOARD OF SELECTMEN
155 VILLAGE STREET
MEDWAY, MASSACHUSETTS 02053
(508) 533-3200 • FAX: (508) 533-3201

AGENDA

BOARD OF SELECTMEN

SANFORD HALL

JUNE 5, 2000

7:00 p.m. – Open meeting.

1. Sign warrant.
2. Approval of minutes.
 - Regular meeting minutes of May 15, 2000.
 - Regular meeting minutes of May 22, 2000.
3. Public comments.
4. Committee Reports.

7:15 p.m. – David Cash and Kosta Jovanovich of Metricom
Re: Wireless internet service in Medway.

5. Administrator's report.
6. Discussion items.
 - Review of Board policies and procedures.
 - Thoughts of Board goals for FY 2001.
7. Action items.
 - Finalize liaison assignments.
 - Approve and sign DHCD's Ready Resource Fund Grant.
 - Approve contract for services for seniors' tax abatement program.
 - Approve Memorandum of Understanding for Board of Health for retail selling of trash bags.
8. For your information.
 - Reminders on Norfolk County Selectmen's Association Meeting on June 12th; MMA's Joint Conference on June 16th & 17th.
9. Communications and correspondence.
10. Future agenda items.
 - Evaluation of Town Administrator and agreement to extend contract.
 - Joint meeting for appointment of Library Trustee.
 - Golden Jade public hearing.
 - Dunkin Donuts' site plan.
11. Upcoming meetings.
 - June 12th, 19th (special election), 26th (special town meeting).
 - June 3rd, 9:00 a.m., Sanford Hall – Route 109 workshop.

Cc: ALB

Selectmen's Meeting
June 5, 2000
Page 2.

12. Executive session.
 - If Board wishes to conduct contract negotiations with Mr. Hartman.
 - To discuss strategy with respect to collective bargaining for union and non-union personnel.

cc: Town Clerk for posting.

MINUTES OF THE SELECTMEN'S MEETING
JUNE 5, 2000

Present: Selectmen Harry Johnson, Raphaela Rozanski, John Williams, Richard Gildea, Joe Dziczek, Town Administrator Michael Hartman, Secretary M. J. Fredette.

7:02 p.m. – Open meeting.

- Mr. Johnson opened the meeting in Sanford Hall of Town Hall.
- 1. Sign warrant.
- Mrs. Rozanski moved the Board approve and sign warrant #50 in the amount of \$1,796,505.66; Mr. Dziczek seconded; all aye.
- 2. Approval of minutes.
- Skipped for the moment.
- 3. Public comments.
- Ed Reardon stopped in to ask what percentage of the Town's files were on computer? Mr. Hartman explained most everything is on paper as actual physical files, but noted the Town is presently connecting a software package between the Treasurer/Collector, Town Accountant and Assessors. Mr. Johnson commented that many items in the Assessors office are on disc, with Mr. Hartman adding that the future is indeed in compact discs, but that is not part of the technology plan right now. Town Accountant Arti Mehta mentioned that the Town is bound by law to have hard copies of many documents, and there is a procedure for eliminating files with the State.

Mr. Johnson noted a problem with the phones which he explained was regional, basically due to use overload. Inquiries will be made to see if Bell Atlantic can provide further answers.

- 4. Committee reports.
- Mr. Dziczek had none, but he noted the improvements going on at Idylbrook.
- Mr. Williams noted that two weeks ago, Frank Varrichione asked about the yearly appointment for the Municipal Building Committee and hoped we were not going out to replace those that wish to be re-appointed. He asked that mail addressed to him not be opened by the Office. He asked who owns the path behind the shopping center? Mr. Hartman was not as yet sure, but noted it was not ADA compliant; however, if it is not a sidewalk and we did not build it, it does not have to be compliant.
- Mrs. Rozanski noted attending the MAPC meeting recently at which executive order #418 was discussed and the availability of a planning grant. Another meeting she attended was on sprawl.
- Mr. Hartman stated he was working on scheduling attorneys to meet with the Sithe Negotiating Committee.

7:20 p.m. – Kosta Jovanovich of Metricom came to speak to the Board on behalf of Metricom for wireless internet service in Medway.

Mr. Jovanovich stated this was an alternate means for people to connect to the internet and be twice as fast. He said they need to install about 70 radios on street light poles. Mr. Hartman explained he was here for the Board to sign an agreement between the Town and Metricom. The agreement as presented had been approved by both counsels after a work in progress for about four months. He stated the Town was to receive about one percent of the gross revenue annually,

Mr. Hartman

MINUTES OF THE SELECTMEN'S MEETING
JUNE 5, 2000

but then become aware other Towns were receiving five percent, and as such, was modified for utilizing the Town's right-of-way. Mr. Hartman said most area Towns have either adopted the service or are considering adoption. He noted he had not been able to identify any negative features.

*to provide
five percent*

Mr. Jovanovich added the installation would be done at no cost to the Town and with very little disruption. He stated they were in negotiation with Boston Edison.

Mr. Williams thought this was a great idea and asked Mr. Jovanovich if there would be a problem with public hearings on the equipment's placement? He did not have a problem with that, although Mr. Hartman added there was no requirement under the by-law to do so. When asked about the number of subscriptions anticipated, Mr. Jovanovich hoped to have one percent of the population in the first twelve months and to then double that figure in the next twelve months. Mr. Williams was concerned about the length of the renewal term being ten years, and instead suggested three to five years. Mr. Jovanovich explained the only exception to the ten-year term is Boston with three years, noting the investing public does not see them as long-term if they only have three to five year renewals.

Charlie Myers, who was in the audience, asked if other wireless internet services were excluded from coming to Town? Mr. Hartman said there was no exclusivity, but negotiations would be separate.

Mr. Williams asked about cost to subscribers. Mr. Jovanovich was not sure, somewhere in the range of \$60 to \$100 per month retail.

Mr. Johnson did not feel it appropriate to vote on this tonight, and suggested that be done next week. Mrs. Rozanski moved that the Metricom agreement be an action item for next week; Mr. Dziczek seconded; all aye.

- Back to committee reports (#4).

- Mr. Dziczek stated he was called to go to Charlie Norman's old property since ~~ConCom~~ was looking at a proposal on the property. Mr. Johnson noted he was receiving phone calls as well about it. Mr. Hartman stated he was aware that ConCom had given a check as down payment to the Lelands to purchase a portion of the land out of the Conservation fund without an appropriation from town meeting. Mr. Dziczek thought ConCom could purchase property with their own funds, but had done no research, and encouraged Mr. Hartman to check it out further.

Conservation Commission

Mr. Hartman noted he was receiving his information second-hand, but believed ConCom had voted to purchase the property at their meeting last week and asked that a check be issued. Mrs. Rozanski asked if they could enter into a purchase and sale agreement? Mr. Hartman believed they did have that right, however, Mr. Johnson thought that could only be done through the Board of Selectmen. He asked Mr. Hartman for an opinion from Town Counsel on this matter.

This prompted Mrs. Rozanski to ask who has the authority to enter into a purchase and sale agreement then? Mr. Hartman believed, under State law, any Conservation Commission that has a fund can, by a majority vote, purchase land.

- Mr. Gildea noted the sidewalk was going in near Lovering Heights. Mr. Dziczek asked if there would be a buffer of trees and ~~replication there?~~ Mr. Hartman again said yes.

replacement of them?

- Back to approval of minutes (#2).
- Mrs. Rozanski moved approval of the regular meeting minutes of May 15th; Mr. Williams seconded; all aye.

MINUTES OF THE SELECTMEN'S MEETING
JUNE 5, 2000

- Mr. Williams moved approval of the regular meeting minutes of May 22nd; Mrs. Rozanski seconded. Some corrections were made; all aye as amended.
- 5. Administrator's report.
- On a follow-up, Mr. Johnson asked about the grant for Bresnahan's Landing? Mr. Hartman stated the contract was forwarded to the State Public Access Board; they will be doing the actual work.

Mr. Dziczek asked, with the landing in mind, who removes trees from the river if there are blockages? Mr. Hartman believed it was the Public Access of DEP with the Corps of Engineers.

- Having already touched on both items he was going to bring up, Mr. Hartman again mentioned that it is anticipated that Lovering Heights would be done before the end of the fiscal year, weather permitting. He noted it was virtually prepared, but they have some planting to do and want to put asphalt down if they can.
- On Idylbrook, they encountered some difficulty having found ledge. They don't have the resources to blast, so the overflow parking will instead be paved with recycled asphalt. At this point, they were waiting for Boston Edison to bring in power and the transformer, with the possibility of having to plant grass in the Fall. Power is necessary to run the well and provide water for the grass. With regard to the pump, it has not been installed because they do not have power yet. Mr. Johnson suggested utilizing a generator. ^{on a temporary basis} Mr. Hartman said he would speak to the architect and the agronomist.
- Mrs. Rozanski asked about the wrong date on the ballot for the override? Mr. Hartman said the ballots have since been corrected.

6. Discussion items.

- Since the Board still had the special town meeting warrant to discuss, Mrs. Rozanski suggested that be done at this time. Mr. Dziczek seconded; all aye. Board members were asked to review the updated ^{6/5/00 dated} warrant with Town Counsel's comments included. The Board proceeded to review the articles.

Some comments:

- the Lee property: Mr. Hartman stated the Water/Sewer Commissioners have not acted yet. Mr. Johnson was assuming the majority of the funding would be coming from the water surplus account.
- Mr. Johnson hoped the proper departments would be explaining the articles on the warrant as the voters may not understand what they were voting for.
- It was suggested that amounts be placed in the articles rather than sums of money.
- the high school canopy: Mr. Hartman said the School Committee was asking for the balance of the entire insurance recovery account to make the repairs. Mr. Myers explained that the insurance check had been received for \$5,000.00 as a result of the claim, but rather than do a patch job, they felt the job could be accomplished with \$20,000.00 - \$23,000.00 even though they had received an estimate of \$29,000.00. Mr. Hartman noted that the insurance recovery account is leftover funds for the whole Town, including Police, Fire and School. He stated that this would have to be completely bid out with specifications. Mr. Hartman said he was not sure of the actual funds, possibly \$22,000.00 not including the \$5,000.00 just received, but would verify the figure with the Town Accountant. When asked what were the mechanics for using these funds, Mr. Hartman stated an appropriation at town meeting is required. Mr. Dziczek had a problem with the repair being made since renovations would be coming down the road anyway,

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- however, Mr. Hartman explained that this particular building was scheduled for rehab 12 – 15 years from now. The sponsoring board was changed to the Selectmen.
- Police/Fire Communications printer and computer. When asked why the needed funds were not coming out of technology, Mr. Hartman explained these items were not part of the capital technology budget; they are in addition to what was specified. Mr. Williams understood the need for the printer, but not the computer, and asked for the breakdown in cost of each.
- evaluation of potential school sites. With aerial photos done on most, Mr. Hartman hoped that up to four sites could be done with the additional funding, *from \$3000 - \$5000 each.*
- health insurance fund. Mr. Hartman stated, as of this afternoon, his projection was that they were within \$16,000.00. He felt it best to leave the article on as it could be dismissed. It would also protect the \$86,000.00 they started the year out with.
- Since the Treasurer was present, the contract for services for the seniors' tax abatement program was taken out of order from Action Items. Mrs. Sanford suggested adding that the Seniors have to be over sixty years of age and owning and living in their own home, as well as coming up with implementing instructions. Mr. Johnson suggested the COA Director be the person responsible for signing off upon completion, and proceeding as normal from last year with procedures in place.
- Back to the STM.
 - DPS articles. Mr. Hartman noted there was \$25,000.000 in the Bay State Gas trench account which was for the relocation of the gas main on Village Street. Rather than redoing the pavement, Bay State Gas gave the Town the money. He noted some of the funds would be used to repair Village Street from Legion Avenue to Charles River Road. Mr. Hartman said the funds were sitting in the gift account and never had been appropriated. Mr. Dzikczek was concerned that residents would not understand this extra money being used in this way when there is talk of people losing their jobs without an override.
 - Police Department salary. Mr. Hartman noted it had been anticipated there would be additional funds required for overtime, and FinCom was aware of this. *(Article #17)*
 - construction observation. Even though Mr. Hartman believed there were State statutes governing this, he was asked to research this further.
 - past years for construction observation. Mr. Hartman did not think there were funds available from previous years and that it went to free cash. Mrs. Sanford stating a revolving account had been established some years ago, but Mr. Hartman was asked to check with the Town Accountant on this as they may need additional seed money.
 - septic system repairs. Mrs. Sanford believed the \$200,000.00 already appropriated had been spent.
 - computer expense. Mr. Hartman said since the software package is designed for third quarter billing and not fourth quarter, the Town received an additional charge from Data National.
 - ARCPUD. Mrs. Rozanski moved to waive the reading of the article, but said there was a public hearing scheduled for June 20th.
- Board members were asked to come into the Office Friday morning to sign the final warrant.
- Mr. Johnson asked that the balance of the Discussion items (Board policies/procedures and Board goals) be held over to another week.
- 7. Action items.
 - Liaison assignments. Mrs. Rozanski felt what they had from last year was good, not that they were supervising or administrating, but were able to reach out to departments; that shouldn't be eliminated. She stated it was the Chair's prerogative to assign them, but Town Counsel was silent on the subject of liaisons. It was her opinion that Fire and Police should be placed

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back on the list. Mr. Williams agreed; it was not an issue. Mr. Dziczek suggested linking ZBA, Planning Board and ConCom with one Selectman. Mr. Johnson said he would decide and let them know at the next meeting.

- Ready Resource Fund Grant. Mr. Williams moved the contract from DHCD for Alder Street be approved and authorized the Chair to sign; Mrs. Rozanski seconded; all aye.
- Contract for seniors. Already done.
- MOU's for retail selling of trash bags. Mrs. Rozanski moved that the MOU's for Anne's Market, Condon's Hardware, Wal-Mart and Roche Brothers be approved and authorized the Chair to sign; Mr. Dziczek seconded; all aye.

8. For your information.

- Reminders on Norfolk County Selectmen's Association Meeting on June 12th and MMMA's Joint Conference on June 16th and 17th.

9. Communications and correspondence.

- None.

10. Future agenda items.

- It was noted that the evaluation of the Town Administrator and agreement to extend contract, joint meeting for appointment of Library Trustee, Golden Jade Public hearing, and Dunkin Donuts' site plan would be upcoming.
- The warrant for the Town election on June 19th was signed by the Board.
- With regard to the evaluation of the Town Administrator, Mr. Williams explained to the viewing public that the Board has to agree to extend his contract by June 30th to go beyond June 30, 2001. In fairness, the Board should let him know their intent. Mr. Johnson again asked for their individual evaluations.
- Mr. Williams said he was sorry he missed the Route 109 workshop on Saturday, June 3rd. Mr. Johnson said the subject was open for discussion. Mr. Hartman noted the turnout was not that great, but VHB was able to come up with some short-term and long-term goals with the Board members present. To reiterate, Mr. Hartman stated for a short-term goal, within sixty days he would like to bring before the Board the plan for a center/turn lane concept, and get a formal vote from them. He stated it would have to be designed by Mass. Highway standards with a twelve foot center lane, two eleven foot turning lanes, and two four foot shoulders. Some curb cuts could also be redesigned.

Mr. Hartman said he spoke to Paul Laperriere of the Medway Shopping Center today explaining they would like to post everything but the center lane of the shopping center as no left turn. He was reluctant to this, but not closed to the idea of maybe directing all traffic in that direction. If enough people use the center entrance/exit, again it could justify the light. When asked about one-way in only at Goulds and Drybridge, Mr. Hartman said it was not well signed, but would like to work with the owners on this. He stated he would like to come back to the Board in two to three meetings and let them know what he can do in the sixty days. Mr. Williams felt since the Selectmen were Road Commissioners, they could determine the placement of crosswalks and signs. Mr. Hartman agreed the process would call for approval by the Safety Officer and then DPS would be asked to put up the signs.

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With regard to a stop sign, Mr. Hartman explained that it is considered a traffic control device, and has been referred to the Town's engineer as it applies to the standard. His finding will then come back to the Board.

11. Upcoming meetings. June 12th, 19th, 26th are the next scheduled meetings.
12. Executive session.

10:10 p.m. – Mrs. Rozanski moved the Board adjourn to executive session for the purpose of discussing strategy as it relates to collective bargaining for Union personnel, specifically the Municipal Union, not to return to public session; Mr. Dziczek seconded; all aye. The vote: Mr. Dziczek – yes; Mr. Williams – yes; Mrs. Rozanski – yes; Mr. Gildea – yes; Mr. Johnson – yes.

Respectfully submitted,

M. J. Fredette
Secretary
mj

APPROVED

as amended
6/19/00

BOARD OF SELECTMEN
ROUTE 109 WORKSHOP
JUNE 3, 2000

Present: Selectmen Raphaela Rozanski, Joe Dzikczek, Richard Gildea; Town Administrator Michael Hartman, Secretary M. J. Fredette. Selectmen Harry Johnson and John Williams were not in attendance.

9:10 a.m. – Vice-Chair Rozanski called the workshop to order in Sanford Hall of Town Hall.

The purpose of the meeting was to share the Town Consultant's report on the traffic study done for Route 109 to the businesses along that stretch of road from the corner of Holliston and Main Streets to Pond Street.

Others in attendance: Mark Louro from VHB; DPS Director Lee Henry; IDC Chairman Paul DeSimone; Disability Commission Chairman Sue Bouchard; Nancy Honey-Lundy from Our Cleaners; Bruce and Cheryl Saenger from the Saenger Organization; Paul Laperriere representing the Medway Shopping Center; Reporter Rick Holland from the Milford Daily News.

Mr. Louro briefly went over the material contained in VHB's report summarizing the existing conditions which covered: roadway geometrics and traffic control noting the average daily traffic volumes and peak hour traffic volumes; turning moving counts; pedestrian activity; a speed study; accident data summary. There were six tables accompanying his information.

Mr. Louro also went over a signal analysis of existing conditions and under what conditions a signal could be warranted.

At this point, Mr. Louro went over his recommendations which included:

- more pavement markings
- crosswalk warning signs
- better signs for midblock crosswalks
- wheelchair ramps
- sidewalk along the south side of Main Street
- restricting access/egress to right-in ^{and} right-out only, to help warrant a traffic signal at the main driveway.
- implement a left-turn lane.
- evaluate and upgrade existing traffic signal at Holliston and Main Streets.

VHB's comprehensive report is available in the Office.

9:25 a.m. – Mrs. Rozanski asked for comments.

Mr. Henry referred to the first recommendation of thermoplastic markings which he said were very expensive to do, and at this time, are only being used at the intersection of Holliston and Main Streets. He suggested continuing the reflective markers they've been using as well as using reflective beads in the crosswalk paint which would show up until the first snowstorm. Concerning beacons in the roadway, Mr. Henry said they were permanent but very expensive – at least \$1,600 for each set of crosswalks plus installation.

Mr. DeSimone asked Mr. Louro if he had seen the final drawings of the reconstruction done in the area in 1987? There were as-builts as well. Mr. Louro had not. Mr. DeSimone believed it was the same situation now as existed fourteen years ago, and at that time, people filled Sanford Hall with their concerns. They could not do anything then other than eliminate two curb cuts. No one wants to give up their curb cuts. With not enough pedestrians using crosswalks, there will be no way to change them.

Mr. Louro stated, with two entrances changed to right-turns only, and a left-turn allowed only from the center, then there could be justification for a signal, which would include a pedestrian crosswalk. Mr. DeSimone suggested only an entrance but no exit at Gould's Plaza. Mr. Hartman agreed. With the

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JUNE 3, 2000

cooperation of the Plaza owner, the signalization could be warranted. He believed what has changed is the increase in the number of people who utilize the Plaza.

Mr. Henry did not understand what happened in 1987 had to do with now? Mr. Hartman stated what is important are the as-builts, but 1987 designs are not relevant. It would have to be redesigned to today's standards. Mr. Henry reminded everyone that the right-of-way extends ^{sixty} feet from the center of the road. The curb cuts are on Town property and the Town has the right to determine the number of curb cuts. At this point, the State will not change anything because of the number of curb cuts.

Mr. Dzikczek stated he has been all over Route 109 and the only thing the Town can do is make it safer and concentrate on the safety of pedestrians, and on what is dangerous rather than redesigning everything. He did not believe this stretch of road was as bad as some other areas.

Mr. Louro brought up the posted speed limit of 30 mph, and that most are traveling around 35 mph. Mr. Hartman noted, prior to the zero tolerance and stricter enforcement, the average speed was 42 mph.

Mrs. Rozanski wondered if more tickets have been issued to violators? Mr. Hartman said he would check.

Ms. Lundy raised some points: at the last meeting with the State, they had indicated they would help with one light, possibly at Winthrop or Pond Street; the State recommended decreasing the number of curb cuts; accidents numbered well over 100 in that area; better lighting in that area would be relevant and beneficial; she would utilize the south side of the street if there was a sidewalk built there.

Mr. Louro noted there were twenty-two curb cuts, and if some were eliminated, it would then provide for a more continuous sidewalk area. Mr. Hartman stated, if they go to right-turns only, they will have to look at curb cuts for designing purposes.

Mrs. Rozanski asked about lights at crosswalks? Mr. Hartman was not sure, but said he could look into moving some street lights to the crosswalks.

Mr. Hartman noted he did not recall any mention of a light at Winthrop or Pond Street by the State. Mr. Henry remembered it was Margaret O'Meara who was here from Mass. Highway, who no longer is the District Highway Director, having been replaced by Margie Clifford.

Mr. Hartman said the State indicated they would expedite the process for us if updated lights were warranted. The Selectmen have asked repeatedly for help from Senator Magnani and Representative Gardner on the signalization at Holliston and Main Street. Mrs. Rozanski did not feel another letter being sent at this time would hurt; however, Mr. Hartman felt this report from VHB might hinder the process rather than help if the State read it. He thought it would be best to first try the right-turns only first, work with the owners and then do a traffic study in twelve months. Mr. Louro recommended we work on this quickly otherwise the traffic study would be outdated.

Mr. DeSimone felt the most important thing to do was widen the intersection of Holliston and Main Street. He believed the State was ready to advertise on the Route 109 Corridor from Coffee Street into Millis.

Ms. Bouchard brought up the Town-owned additional land on the south side of Main Street which could be utilized for a sidewalk. Mr. Hartman thought there was sufficient room but the project would be a significant expenditure. The data would be in the as-builts and the County layout, and there is reportedly a ten foot easement on the north side in addition to the sixty feet.

Mr. Hartman said if they go to the center/turn lane design, which is a Board of Selectmen decision, they would have to visit the issue of curb cuts on the south side. He would like to see some of these curb cuts eliminated voluntarily, but the Selectmen can eliminate some involuntarily. He felt the businesses would like to cooperate as it would be making them more accessible to the public.

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Mrs. Rozanski asked about property the Town owns and allowing the businesses access. Mr. Hartman agreed that the Selectmen act as Road Commissioners, and therefore, they have the authority to permit the access.

Mr. DeSimone recalled that the Plaza owner allowed Stone & Webster to go into the Plaza and design the traffic flow. At that time, Mr. Gould was receptive to an entrance and no exit into his shopping area.

Mr. Hartman said he met with the two owners of the shopping centers and the representative for the owner of the Plaza, and all three were receptive to some modifications being made in the spirit of cooperation. Their customers have also spoken to them of their concerns.

Ms. Bouchard seemed to recall there was an island in the original design and some berms. Mrs. Rozanski stated the only control the Selectmen have is access within the Town's easements.

Mr. DeSimone noted the curbing between the Post Office and the car wash could be removed since the Post Office is leased, but you would need Mr. Finklestein's permission.

Mr. Laperriere stated he has seen in other plazas that the intent is to allow shoppers in a plaza to get to all the stores without having to exit the area. In this instance, he was hearing that this was one way to get the traffic off of Route 109 and placing them on private property. Now the accidents would be occurring in the Plaza instead of out on the street, and was questioning liability. If someone was at Gould's Plaza and had no intention of shopping in the Plaza, but had to exit through there and got into an accident, where is the liability?

Mr. Hartman explained this was the same as Route 9 where everyone is headed in one direction on each side of the road with an identified signal light. By doing so, they were not pushing the liability onto the property owners, but limiting access to the public way.

Mr. Laperriere felt if there could be left turns at a signal with an island, shoppers would then not be pushed onto private property.

It was suggested to research the liability issue with Town Counsel. Mr. Hartman said he would do so.

Mr. DeSimone believed there was a fifty foot buffer on either side of Route 109 on the books, basically for vehicle passage. Mr. Hartman said there are setback requirements under the Zoning By-law; the Shell station was pre-existing.

Recommendations by VHB were now reviewed. Mr. Hartman stated, given the traffic volume, thermoplastic markings make more sense than paint, but it has to be budgeted line item in the Highway budget. It does have a two and one-half to three year life, and at about thirty cents a foot, is quite expensive. When asked about its placement, Mr. Hartman suggested in the Holliston and Main Street intersection and in the center and turn lanes.

Insofar as priorities were concerned, Mr. Louro felt the crosswalks were ^{our #1 priority}. However, Mr. Hartman stated it still was a cost issue, with thermoplastic still being nine to ten times more expensive. He stated, the Board has to make a decision. The crosswalks were not in the appropriate areas; that was the first thing. Then do we have two, three or four crosswalks and should they be in thermoplastic. Mr. Louro again reiterated there should not be crosswalks in mid-blocks without a signal.

Trying to decide the importance of issues, Mr. Louro suggested concentrating on upgrading the Holliston and Main Street signal, and then the main entrance to the Plaza. He agreed with others that the top of the hill near Dunkin Donuts is dangerous especially when the sun interferes with driving. This area also had the highest pedestrian count.

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Mrs. Rozanski asked Mr. Louro if it was his recommendation to eliminate those crosswalks? Mr. Louro said the decision again is, what is good engineering practice or what the community wants? He felt the two crosswalks near the Post Office were senseless but would keep one; the Town could keep three others, and then put in the appropriate ramps, signs, advance signs and beacons.

Mrs. Rozanski said she wanted to implement some sort of a plan. When wondering if the crosswalk near Dunkin Donuts should be eliminated or moved, Mr. Louro suggested leaving it for now, and do the better signage and the beacon. Those items should be able to be worked into the budget.

Mr. Gildea suggested a flashing light going from yellow to red. Mr. Hartman stated that that was a traffic control device through the State and a standard has not been met for pedestrians.

When it was noted at least one crosswalk should be eliminated, Ms. Lundy felt that shouldn't be done. As a matter of fact, she did not feel they had enough.

Mr. Louro also felt they should still look at a sidewalk on the south side. Mr. Henry noted the Town has a twenty foot snow easement beyond the sixty foot right-of-way, and they could plow both sides of the street with the Holder tractor.

In coming up with short-term and long-term solutions, Mr. Louro felt additional signage, verifying the location of the signs, and advance signage was the way to go. Mr. Hartman felt they could go with a flashing sign at least at the top of the hill near Dunkin Donuts, but they might have to bring in power to do so. For long-term, he would recommend the sidewalk.

Mr. Saenger questioned if the pedestrian count was totally accurate as it could reflect the same person crossing the street in both directions? He also asked about the traffic study done in 1987 and the recommendations presented at that time?

Mr. Hartman stated they would have to acquire land, and total costs could be around \$400,000, and the design has to be in accordance with certain standards, including improving both sides of Holliston Street for around two hundred feet in length.

Mr. Henry said they cannot simply change the controller and it cannot just be updated. Mr. Hartman stated that the intersection signalization is a given and an expensive proposition for the Town to rebuild under Massachusetts law. It cannot be done without the State's permission, and if given, has to be done by their standards.

Mr. Saenger felt it was an unsafe condition that has been allowed to exist rather than providing a light to eliminate some of the problems. Mrs. Rozanski reminded him that the signalization has been brought to the State's attention and the Town's reps' attention for a number of years.

Mr. Hartman felt it was not that they were unresponsive. They just don't have the resources to design and build it for us, but if we had the design and an appropriation, we would probably get it taken quickly. However, right now, most of the dollars are not coming here.

Mr. Saenger asked if the Town couldn't ask for an exemption or a variance for a light just to mitigate the situation that exists? Mrs. Rozanski stated that the Town was promised an upgraded signalization. Mr. Hartman added that the State is reluctant to grant waivers that could put federal funding in jeopardy.

Mr. Saenger asked if our reps couldn't put pressure on Mass. Highway? Mr. DeSimone felt the best approach was to go after a PWED grant. He thought the Town could pick up where the last PWED grant left off, and that we were letting the townspeople down with the amount of traffic the Town is now handling.

Public Works Economic Development

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Mr. Hartman told Mr. DeSimone there have been changes in the PWED grant since the Town last applied, and it is tied to whether the Town has adopted and fully implemented a formal affordable housing program in the community. Mrs. Rozanski stated it was executive order #418, a four-step process, which does not preclude the PWED program. She did note there was an opening for time if they moved fast toward the first year of seven points. Mr. Hartman said that our Consultant was very versed on this issue.

Ms. Lundy asked if a citizens group was needed, and what about Mr. Narducci's property? Mrs. Rozanski said that Mr. Narducci's property was counting toward the total points and this could be explored further, along with non-competitive means such as the Ready Resource Grant, PWED grant and Urban Self-Help Grant.

Mr. DeSimone felt it was important to look at the long-range picture and connect to the Route 109 Corridor.

Mr. Hartman felt that Mr. Louro's report provided good data for applying for a grant.

Mr. Louro went back to the three access/egress areas, and again limiting the traffic to the three and narrowing the others at least for now. There might be some give and take, and it would be helpful to know what the owners are willing to offer. Right now, they can work on the main plan. Mr. Hartman felt all three owners were very interested in doing what they can, especially Mr. Laperriere.

Mr. Laperriere stated he has spoken to people in the Town before about a traffic signal at the main entrance, but both the owner and the Town can't afford it. He said he was asked by the owner to come today and bring back information to him. With reference to the right-turn only signs, the owner would like to see the dimensions of the signs, and how they would be enforced.

Mr. Laperriere noted that CVS has thoughts of moving down the street. It was the position of the owner that if CVS moves, there would no longer be a shopping center, and any traffic concerns would be eliminated. Mr. Hartman stated that a site plan process has not started. He also added that the owner would not support ^{any} recommendations from the Town if the Town contributes to CVS moving down the street. Mr. Hartman said that the Town would like any commercial entity who occupies that corner to help upgrade that intersection.

Again – long term: signalization by applying restrictions on the driveways and reducing the number of curb cuts; mid-term: adjusting geometrics of curb cuts; short-term: plan with owners, or at least the Plaza, over the next two months. Mr. Hartman said he would work with Mr. Laperriere to address his and the owner's concerns, and then work with all three owners together. He would work out a plan but the goal is to have the owners be comfortable with the plan and be willing to do it voluntarily. It may take the two months to come to an agreement, first with Mr. Laperriere, and then with Mr. Laperriere and the owner.

With reference to the pavement markings, Mr. Hartman felt long-range to aim for the thermoplastic; for short-term, just the paint. We need to be sure this is what we want to do. He felt the design (three-T) was very effective, but there is a learning curve for the Town and its residents. Insofar as an engineering design, Mr. Hartman felt that VHB could probably lay it out as three twelve foot travel lanes and the balance being the shoulders. It was also important where they taper to make sure the transition is OK, especially near Cumberland Farms.

Again, Mr. Louro reiterated that Route 109 is not a State highway, but a State numbered road. We would have to do a four foot bike path if it ^{was} a State highway.

Mrs. Rozanski hoped that some action could be taken by the end of September.

Mr. Hartman said that they would bring the design back to the Board of Selectmen first for approval before it is put in place. He suggested placing a concept, not a plan, on the agenda for the Board for June 19th. He stated they need a clear direction from the Board if this is to be accomplished by the end of September.

BOARD OF SELECTMEN
ROUTE 109 WORKSHOP
JUNE 3, 2000

12:00 Noon – The workshop was adjourned.

Attached to these minutes is the sign-in sheet.

Also attached is Selectman Johnson's opinion since he could not be in attendance for the Workshop, which he asked be attached to these minutes.

Respectfully submitted,

M. J. Fredette
Secretary
mj
attachments

APPROVED

as amended
6/19/00

Route 109 Between Pond and Holliston Streets, Medway

An opinion

To be attached to the Minutes of the Traffic Meeting, June 3, 2000

Harry T. Johnson

I am sorry I cannot meet with you on June 3. May I use this note to express some of my concerns regarding improvements that may help make Route 109, between Pond and Holliston Streets in Medway, a safer road on which to travel.

SUGGESTIONS:

1. Do NOT widen this section of Rt. 109. However, you may find it beneficial to widen the intersection of Rt. 109 and Holliston Street.
2. The widening of the intersection at Rt. 109 and Holliston would allow directional turn signals and additional turn lanes. This will improve the flow of traffic.
3. Limit or REDUCE the number of curb cuts on Rt. 109 in this section.
4. Make all crosswalk signs a uniform distance from the actual crosswalk to give drivers ample warning. You may decide that 100 feet to 200 feet is adequate warning. Whatever distance is decided upon, it should be UNIFORM throughout the entire town. Right now, there is too much variation and drivers don't know what to expect.
5. A screen of shrubs should block out the parking lot at the shopping center so drivers are not distracted by activity in the lot.
6. A traffic light may be needed at Pond St. and Rt. 109.
7. A traffic light may be needed at the Shopping Center.
8. Turn lanes for the shopping center should be painted or otherwise located on Rt. 109.
9. Barriers could be located on Rt. 109 for 500 yards (or more) along the shopping center entrances. (This must be studied as an alternative to traffic lanes limiting left turns to one area, perhaps with a light.)
10. **THERE SHOULD BE SIDEWALKS ON BOTH SIDES OF RT. 109 through this area.**
11. A novel idea: You could put a street behind the shopping center, Medway Block, and Cumberland Farms to carry all traffic exiting the shopping center. All traffic would be forced to exit onto Pond Street. Drivers would only be permitted to ENTER the shopping center from Rt. 109. If this is a viable idea, lights would have to be installed at Pond Street and at the Shopping Center.

6/3/0

Please sign in

Name

Cheryl Saenger

Bruce Saenger

PAUL R. LAPERRIERE

Rick Holland

Paul J. Aleximov

Susan Bouchard

Lee E. Henry

Nancy Lundy

Raphaela

Dick

Joe

Mike

Steve

Business Name

The Saenger Organization

The Saenger Organization

MEDWAY SHOPPING CENTER

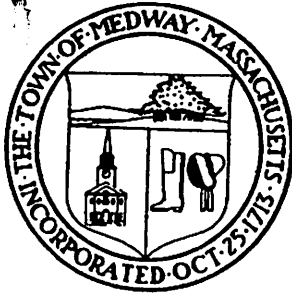
Milsons Dry News

I. D. C. CHAIRMAN

Disability Comm.

Medway Dept. of Public Services

Our Chorus



BOARD OF SELECTMEN
155 VILLAGE STREET
MEDWAY, MASSACHUSETTS 02053
(508) 533-3200 • FAX: (508) 533-3201

AGENDA

BOARD OF SELECTMEN

SANFORD HALL

MAY 22, 2000

7:00 p.m. – Open meeting.

1. Sign warrant.
2. Approval of minutes.
 - None.
3. Public comments.
4. Committee Reports.

7:15 p.m. – David Kaeli, Diane Borgatti, Jim Wieler

Re: Adult retirement community overlay districts.

5. Administrator's report.
6. Discussion items.
 - Liaison assignments.
 - Senior tax relief program.
 - Handling of re-appointments.
7. Action items.
 - Review of Municipal Building Committee rating form.
 - Review of status of Bresnahan gift.
 - Sign Blue Cross/Blue Shield Agreement for FY 2001.
8. For your information.
 - MBTA report.
9. Communications and correspondence.
 - Concern of two residents over air horn.
 - Gov. Cellucci's letter on the proposed early teacher retirement bill.
10. Future agenda items.
 - Review of current policies and procedures.
 - Discussion of Board goals for FY 2001.
 - Evaluation of Town Administrator and agreement to extend contract.
 - Joint meeting for appointment of Library Trustee.
 - Calendar of events.
11. Upcoming meetings.
 - June 5th, 12th, 19th (special election), 26th (special town meeting).
 - June 3rd, 9:00 a.m., Sanford Hall – Route 109 workshop.
12. Executive session.
 - If Board wishes to conduct contract negotiations with Mr. Hartman.

cc: Town Clerk for posting.

cc: AUB

MINUTES OF THE SELECTMEN'S MEETING
MAY 22, 2000

Present: Selectmen Harry Johnson, Raphaela Rozanski, John Williams, Joe Dziczek, Town Administrator Michael Hartman, Secretary M. J. Fredette. Selectman Richard Gildea was not in attendance.

7:00 p.m. – Open meeting.

- Mr. Johnson opened the meeting in Sanford Hall of Town Hall.
- 1. Sign warrant.
- Mrs. Rozanski moved the Board approve and sign warrant #48 in the amount of \$924,621.18 as read by Mr. Williams; Mr. Dziczek seconded; all aye.
- 2. Approval of minutes.
- None.
- 3. Public comments.
- Al Attubato of 14 Coffee Street asked for an update on the high school site process. Mr. Johnson noted receipt of a checklist from the Municipal Building Committee that the Selectmen were asked to review. He indicated all proposals were still open. Mr. Hartman added that the Committee had requested that an article be placed on the special town meeting warrant to evaluate additional sites. He said that the Committee will go further after the rating forms have been completed, and they will continue to meet every Wednesday until the end of the fiscal year.

Mrs. Rozanski asked if any other boards or committees had responded on the Selectmen's request for input on high school sites. Mr. Hartman noted none other than the four that had previously responded and the one on the table tonight. She suggested a follow-up letter, with Mr. Hartman noting they can give boards a deadline, and if there is no response, then it can be assumed there is no comment.

- 4. Committee reports.
- Mr. Dziczek and Mr. Williams had none.
- Mrs. Rozanski said she and Mr. Johnson had participated in Medway Pride Day.
- Mr. Johnson noted that the MMA backed the Governor's legislation on an amendment to the teacher early retirement bill per correspondence received in their packet.

Mr. Johnson stated that at the Norfolk County annual budget meeting, they passed the fifth supplementary budget for the County.

7:15 p.m. – Jim Wieler and David Kaeli came to speak to the Board concerning an adult retirement community overlay district proposal. Mr. Johnson noted this was the Planning Board's idea and Mr. Kaeli was assisting them as part of the original master plan committee.

Mr. Kaeli presented a summary of the proposed by-law, (copy attached) which was on the Planning Board's agenda for tomorrow night, as an amendment to the existing by-law. The proposal addressed the growing senior population of over 55 in Medway. They believed there were 40 parcels that had a minimum of 10 acres that could be utilized and dedicated as open space, with this being an option for developing land. He noted the Town's Consultant, VHB, assisted them by looking at other plans in Massachusetts to put together this proposal.

MINUTES OF THE SELECTMEN'S MEETING
MAY 22, 2000

In addressing the question of, "how do they know there is a need for senior housing", Mr. Kaeli noted that, according to MAPC, the population of those over the age of 55 in Medway will grow from 17.7% to 22.9% in 2010. Mr. Kaeli added a few more guidelines: there was no income limitation; and one person per household can be under the age of 55, but no limit to over 55.

It was noted the housing would not necessarily be affordable, but could be. With reference to the open space, it was suggested there be a differentiation between passive and recreation. It was also suggested that open space can be designated as "protected" through a covenant with the homeowners association. Mr. Hartman requested that a caveat be placed on the passive land that it should be actively maintained.

Mr. Hartman stated the intent of the individuals was to have the Board of Selectmen sponsor the by-law change, with Mr. Kaeli adding, minimally an endorsement. Mr. Williams felt it should be proposed by the Planning Board.

It was clarified for Mr. Johnson that the proposed by-law change does not mean a new zoning district, and there would be a "condo-type" association. Mr. Kaeli also stated that the deed could be made out either to the homeowners or the Town, or even a trust. It would be at the discretion of the developer, but the Planning Board would have purview over that.

Again, they both indicated they wanted to give the Selectmen an early introduction to the proposal, and that a public hearing would later follow. They were thanked for their presentation.

5. Administrator's report.

- Mr. Hartman stated that he had spoken to George Lee today and he had withdrawn his letter of May 4th, and consequently, the Board needed to take no further action on the Lee property.
- On the senior tax abatement program, Mr. Hartman referred to his follow-up memo dated today outlining a joint meeting that was held between himself, the Council on Aging, the Treasurer and the Administrative Assessor relative to the current program, and the resulting recommendations. This was in addition to the memo from the Treasurer detailing her past involvement with the program. He stated that the overwhelming consensus from the group was to not change anything except in the first year (FY'01), when they felt we should go to the abbreviated program of signing up now and that time be applied until November 1st, and after that the time would be applied to the 2001 tax bill. Insofar as the reimbursement rate was concerned, they cannot pay more than the Mass. minimum wage, with the State being \$5.45 per hour and the Federal being \$6.00. The group felt, with the minimum wage going up on 1/1/01, the rate should be the \$5.45 per hour.

Mr. Johnson noted the Treasurer states this is not an abatement; it is work performed, and there should be other areas where the talents of seniors can be used. Mr. Hartman believed seniors had not been utilized only by Water/Sewer and the Police, and agreed there should be better advertising of the availability of these seniors.

Mr. Johnson said he would work with Mr. Hartman during the week on a contract document and bring it back to the Board in two weeks.

6. Discussion items.

- Liaison assignments. Mr. Johnson questioned why certain assignments had been crossed out, including the Town Accountant. The Secretary explained she had deleted the ones under the Town Administrator's direct supervision as per Town Counsel's written opinion. Mr. Johnson believed that appointment never got clarified, but Mr. Hartman reiterated there was a ruling from Town Counsel, and the matter had been settled.

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Ed Reardon was present when a question about the existence of IDFA was brought up. He felt it should still exist even though they have not met as they approve the bonds for any industrial loan. Mr. Hartman said he would research that committee.

The Board did not have a problem with designating Mr. Hartman as alternate for Mr. Johnson to the MBTA. ^{the Chairman}
1

Basically, the Board felt the liaisons were alright the way they were, with a few minor changes. The Secretary will retype the outline for the Board to review.

- Senior tax relief program. This was already discussed.
- Handling of re-appointments. Mr. Johnson asked that the positions be advertised on cable and in the newspapers, and present holders of these positions can apply as well as others. Mr. Hartman agreed a letter can be sent to the incumbents thanking them for their service and inquiring if they wished to be re-appointed. Mr. Hartman was aware of several people already who did not wish re-appointment.

This brought the Medway Pride Day Committee to mind for Mr. Dziczek, and he suggested asking Nancy Honey-Lundy how Pride Day went and if she and the Committee can give a report to the Board. Mr. Johnson agreed expressing his thanks to those who organized Pride Day and helped out in any way.

Mrs. Rozanski believed the Open Space Committee had to exist because of an executive order, with Mr. Johnson believing a committee had to meet at least once a year. Mr. Dziczek thought a policy could be put into place whereby a Selectman could be appointed to be on a committee in order to fulfill the requirement of a quorum, i.e. the IDFA. Mr. Hartman said he would research this, but he knew that the Board has the authority to appoint one of its own to be a FinCom member. He felt the Board could choose to formalize this at a meeting, with Mr. Johnson adding if a by-law is needed, fine, otherwise it can just be a policy statement.

7. Action items.

- Review of Municipal Building Committee rating form. The Board went over the different factors noted for site selection with 0-5 in each of 11 categories, resulting in a maximum total of 55.

Mrs. Rozanski did not believe the objective data brought into account other areas of importance including police, safety, accessibility and traffic.

Mr. Williams was concerned that some factors should be weighed differently than others; that they were not on equal footing. Perhaps percentages should be applied.

Mr. Johnson felt that some factors would completely null and void a site.

Mr. Johnson asked that Mr. Williams and Mr. Hartman bring the Board's concerns back to the Municipal Building Committee.

Mr. Hartman noted he had suggested minimum criteria, but the Committee felt it was too objective. Still, they would defer to the Selectmen. He also noted the same form can be used over again as a process for elimination.

- Review of status of Bresnahan gift. Mr. Hartman stated that, back in March, the Board asked him to go back to Town Counsel to ask if the Selectmen were bound to the conditions under which the land was accepted by ConCom. Town Counsel came back to say that the Board has the right to approve or disapprove, but they can't change the conditions under which

MINUTES OF THE SELECTMEN'S MEETING
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acceptance was made. It was either yes or no to the gift, and noted the Land Management Agreement was still on the table. Mr. Hartman said the landing site can still be used as a canoe launch area.

Mr. Dziczek moved to accept the gift of the Bresnahan property of an .87 acre parcel of land opposite 56 Village Street through the Conservation Commission; Mrs. Rozanski seconded. Mr. Hartman noted the land had already been accepted. Mrs. Rozanski moved to sign the Land Management Agreement; Mr. Dziczek seconded. It was then understood that it needed to be removed from the table first. Mrs. Rozanski moved to remove the land management agreement from the table; Mr. Dziczek seconded; all aye. Mrs. Rozanski moved to approve and sign the Land Management Agreement; Mr. Dziczek seconded; all aye. Mr. Hartman noted it had been recorded at the Registry on December 17, 1999.

- Sign Blue Cross/Blue Shield Agreement for FY 2001. Mr. Hartman stated there were 41 people in total involved, with 40 of them being School Department employees, with some retirees. There were two annual agreements to be signed: the Governmental Unit Premium Account Agreement describes the terms of the arrangement between Blue Cross and the Town to provide health care benefits for employees; the Administrative Services Account Agreement describes the terms of the arrangement between Blue Cross and the Town to perform certain administrative services in connection with the health benefit plan for employees.

Mrs. Rozanski moved to approve both agreements and to authorize the Chairman to sign on behalf of the Board; Mr. Williams seconded; all aye.

8. For your information.

- The Board acknowledged receipt of the MBTA report Mr. Hartman received at a recent meeting he attended. Included in the documentation was a projected first year's budget. This is new as previously a bill was just sent to the towns; now the ~~towns~~ ^{MBTA} will have to live in a pre-determined budget. He noted the towns' budget is capped under legislation, and Medway will have to start paying next year.

9. Communications and correspondence.

- Concerns of two residents over air horn. Mr. Hartman noted that Chief Vinton had received a copy of the letter on the air horns and had responded to the Board. The Chief had indicated that the air horns are necessary and should continue to be utilized for public safety as part of the emergency broadcast system and school cancellations. It was noted that when these residents had moved in, the horns were not working properly and have since been repaired. Mr. Johnson asked that a response be conveyed to them indicating the Board does not feel the air horns are a nuisance.
- Gov. Cellucci's letter on the proposed early teacher retirement bill. This was already brought up, but some discussion ensued on senior teachers' salaries vs. new teachers' salaries and retirements. Mrs. Rozanski noted this was not up the Board like last time; this is up to the legislature now. Basically, rewarding teachers for doing well rather than letting them go.

10. Future agenda items.

- Review of current policies and procedures. The Secretary will produce another copy for the Board's discussion.
- Discussion of Board goals for FY 2001. Board members will reflect on this subject.

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- Evaluation of Town Administrator and agreement to extend contract. Mr. Johnson stated he would like to finish this up by the third week in June. He asked Board members to do an independent evaluation and forward them to him for compilation. Mr. Hartman again reminded the Board of the June 30th deadline for correspondence regarding the contract extension.
- Joint meeting for appointment of Library Trustee. Mr. Johnson expressed thanks to Elizabeth Wilson for her tenure on the Board of Library Trustees, and asked the Secretary to advertise the vacancy.
- Calendar of events. Mr. Johnson noted he had asked the Secretary to come up with a beginning working document of calendar of events for FY'01. He asked Board members to look it over and suggest anything they would like added.

11. Upcoming meetings.

- June 5th, 12th, 19th (special election), 26th (special town meeting). Mr. Johnson noted that the special election and the special town meeting were not necessarily related, but if people were interested in meeting the requirements for the Town, then to vote. There was no excuse for not showing up – it was their money that was involved. Residents could also vote absentee if need be. Mr. Johnson read the ballot question the residents will be voting on. He also explained this was an override – not a debt exclusion – and the first override the people of Medway have been asked to consider.

Mr. Johnson noted that, last week, he would not vote on the Board adopting a resolution of support for the override. He has since been corrected stating the Board could do this, but he still does not feel the Board should formally take a vote. He further stated the FinCom book indicates what the Selectmen approved for each line item. Mr. Dziczek asked the Board to have an open mind, and that they could vote on this at a future meeting. He might just re-address this again when Mr. Gildea was in attendance.

- June 3rd, 9:00 a.m., Sanford Hall – Route 109 workshop.

12. Executive session.

- If Board wishes to conduct contract negotiations with Mr. Hartman.
- None.

9:15 p.m. – Mrs. Rozanski moved the meeting be adjourned; Mr. Dziczek seconded; all aye.

Respectfully submitted,

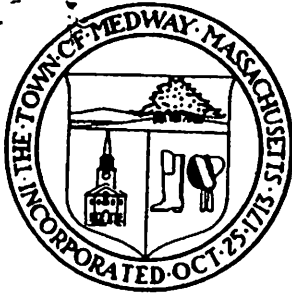
M. J. Fredette
Secretary
mj

APPROVED
6/5/00
as amended

Town of Medway Adult Retirement Community Overlay District

Summary of proposed bylaw:

1. Address the need to provide housing options for our growing senior population.
2. Provide an additional development option for developers.
3. Occupancy limited to persons who are at least 55 years of age (MGL Chapter 151B). For a single residence, there may also be one person who may be under 55 years of age.
4. Can be an overlay district for both AR-I and AR-II underlying districts (or a combination of these two underlying districts).
5. Minimum parcel size is 10 acres
 - a. Avoid spot zoning.
 - b. Include a significant number of potential parcels (40 parcels in Medway).
6. Allows for a variety of ARCPUD uses (Townhouses, Assisted Living, Long Care Facility).
7. Provides a density incentive to developers.
 - a. 3 units/acre (Detached Homes or Townhouse)
 - b. 6 units/acre (Assisted Living)
 - c. 9 units/acre (Long Term Care Facility)
8. Provides for dedicated Open Space
 - a. 40% of entire parcel must be maintained as Open Space
 - b. 20% of entire parcel must be Protected Open Space
 - c. 50% of the Open Space must be upland
9. Roads, sidewalks and solid waste removal are maintained by the development.
 - a. Reduce burden on Town services
10. Allows for the development of convenience businesses within the ARCPUD.
 - a. Self-contained services will help to maintain traffic flow
 - b. Convenience to residents
11. ARCPUD application uses a Special Permitting process managed by the Planning Board
 - a. Consistent with OSRD bylaw permitting procedure



BOARD OF SELECTMEN

155 VILLAGE STREET
MEDWAY, MASSACHUSETTS 02053
(508) 533-3200 • FAX: (508) 533-3201

AGENDA

BOARD OF SELECTMEN

SANFORD HALL

MAY 15, 2000

7:00 p.m. – Open meeting.

Announce re-organization of Board.

1. Sign warrant.
2. Approval of minutes.
 - Regular meeting minutes of May 1, 2000.
 - Regular meeting minutes of May 8, 2000.
3. Public comments.
 - David Hoag, Open Space Committee.
Re: Wilson property.
4. Committee Reports.

7:15 p.m. – Industrial Development Commission.

Re: reimbursable funds – final update Alder Street/Trotter Drive project.

5. Administrator's report.
6. Discussion items.
 - Liaison assignments.
 - Summer schedule.
 - Signs in barrels in public way.
 - Attendance at MMA Joint Conference on June 16th & 17th.
7. Action items.
 - Vote on Wilson property notice of intent.
 - Approve and sign order for pole location.
 - Set limit on senior citizen property tax work-off abatements.
 - Set date for override election – June 19th, 20th, or 21st.
 - Set date for special town meeting – June 26th.
 - Open warrant for special town meeting – today, May 15th.
 - Close warrant for special town meeting – June 2nd 1:00 p.m.
8. For your information.
9. Communications and correspondence.
 - Department of Housing & Community Development's announcement that Medway received Ready Resource Fund Grant for the Industrial Park.

CC: ALB

Selectmen's Meeting
May 15, 2000
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10. Future agenda items.
 - Review of current policies and procedures.
 - Discussion of Board goals for FY 2001.
 - Evaluation of Town Administrator and agreement to extend contract.
11. Upcoming meetings.
 - May 22nd, June 5th.
 - June 3rd, 9:00 a.m., Sanford Hall – Route 109 workshop.
12. Executive session.
 - None.

cc: Town Clerk for posting.

MINUTES OF THE SELECTMEN'S MEETING
MAY 15, 2000

Present: Selectmen Harry Johnson, Raphaela Rozanski, John Williams, Richard Gildea, Joe Dziczek,
Town Administrator Michael Hartman, Secretary M. J. Fredette.

7:07 p.m. – Open meeting.

- Mr. Johnson opened the meeting in Sanford Hall of Town Hall.
- Mr. Johnson introduced the Board members and their positions on the Board as re-organized the previous week.
- 1. Sign warrant.
 - Mrs. Rozanski moved the Board approve and sign warrant #47 in the amount of \$598,089.60 as read by the Clerk; Mr. Gildea seconded; all aye.
- 2. Approval of minutes.
 - Mrs. Rozanski moved approval of the regular meeting minutes of May 1st; Mr. Dziczek seconded. Corrections were made as follows: Mr. Williams amended the sentence of approval and “not to be released” as part of his motion and not Mr. Dziczek’s in the approval of executive session minutes of April 24th; Mrs. Rozanski added the sentence, “the Board expressed appreciation to the Wilsons for their generosity” after the Board voted to accept the land offered by them. Mr. Williams moved approval as amended; all aye.
 - Mrs. Rozanski moved approval of the regular meeting minutes of May 8th; Mr. Dziczek seconded; all aye.
- 3. Public comments.
 - Mr. Dziczek mentioned he had spoken to David Hoag of the Open Space Committee relative to the Wilson property and invited him to bring his comments to the meeting tonight. With the Wilson property as an example, Mr. Hoag presented documentation indicating the pros and cons of the Town buying available open space or allowing a developer to develop the land noting the resource protection payback numbers. He also indicated what the accumulated cost to the Town would have been if we bought the land in the first place and the number of years it would have been paid off. Mr. Dziczek agreed with Mr. Hoag that the Town should try and buy all the land it can. Mr. Hartman added what is relevant on this specific property is potential use – it is wrong for a public service facility, the Park Commissioners have no interest in athletic fields there, and the closeness to wetlands.

Mrs. Rozanski clarified there was no further information expected on the Wilson property; and with that, moved that the Board vote to not exercise their right of first refusal on the property, specifically the Wilson property, lots 1-14 defined as Redgate II, Clover Lane, per plan dated 8/28/98; Mr. Dziczek seconded; all aye.
- 4. Committee reports.
 - Mr. Dziczek, Mr. Gildea, and Mr. Johnson had none.
 - Mr. Williams asked about the Lovering Heights sidewalk, with Mr. Hartman indicating that 600 feet had been dug with the excavator and should be completed by the end of the fiscal year weather permitting, possibly even within three weeks.

Mr. Williams read a recognition award the Town of Medway received from ICMA as the formal acknowledgement by the ICMA membership and Executive Board of ICMA that a local government has established a position of professional management for its appointed executive.

MINUTES OF THE SELECTMEN'S MEETING
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Mr. Hartman further explained that the Town had to first have an appointed executive, and he nominates the Town of Medway. It was up to him to get the Town certified with recognition of the Town's by-law and the community of Medway, which is good for our bond rating.

- Temporarily held over the balance of committee reports for the IDC's scheduled appointment.

7:40 p.m. – Paul DeSimone on behalf of the IDC came to meet with the Board for a final update on the Alder Street/Trotter Drive project.

Mr. DeSimone noted they had just received word that the Town had received the Ready Resource Fund Grant for \$35,000 for sewer in the industrial park's 25 acres. He said this was what the IDC was all about – new industry and new jobs.

Mr. DeSimone touched on the Planning Board's site plan approval regulations, noting his concern about liability, and the Planning Board's trespassing on the rights of a private owner. He believed some of these industrial developers would not come to Town if they have to pay fees up front. Mr. Hartman explained the Planning Board makes up their own rules and regulations, and plans are professionally stamped by engineers. When asked what the Board's responsibility was on this, Mr. Hartman stated, ultimately approval rests with the Selectmen, and they have the right to set parameters, giving the Board a unique position. In conclusion, Mr. Hartman will check with Town Counsel on the above, and then he would ask the Planning Board to meet with the Selectmen, since the Planning Board acts as the Selectmen's agent.

Mr. Johnson, in his review of the Town's by-law, believed the Board hires the outside consultant, not the Planning Board. His understanding was that permission was not given for them to go to anyone other than VHB. Mr. Hartman stated their contract was with VHB, with a reference noted for site plan review. Where the Board has no authority is what is under the jurisdiction of the Inspector of Buildings on industrial lots, and the changes that were made to the by-law in 1996 which gave first site plan review to the Planning Board. He noted the by-law can always be amended to allow for greater coordination. Mr. Johnson asked that Mr. Hartman look into the implications and review same with the Planning Board, to see what has been replaced and changed, and have Town Counsel review the whole process further.

Mr. DeSimone brought up the Alder Street project noting that on October 29, 1999, the project was extended to May 31, 2000, with the contractor still owed around \$62,000. Mr. Hartman noted \$18,000 was included with a change order back in February, and they had to tap into Ch. 90 funds for about \$26,000. This was to accomplish what was not done since the project was stopped by ConCom, and they have spent the past year trying to work everything out to ConCom's satisfaction. The contractor had agreed to be back on April 1st of this year, and they have not been back. They will continue to do the paperwork this week and cut the check so the grant can be closed out; however, DCI advises not to give Bardon-Trimount the check until they have shown up at the site and completed the work. He stated one of the issues the Town had was guaranteeing in writing that the wetlands replication would work. They can cut the check and hold it, but basically everything else was done.

IDC secretary Marion Cole noted she needed to have everything by Tuesday morning. Mr. Hartman stated the check has to go through the warrant system, but that the check number will be available Tuesday morning. He and the Town Accountant agreed on the balance of the grant being \$39,654.71. The balance of the work to be done will be with Ch. 90 funds which comes to \$26,972 more than the grant. Mr. DeSimone noted the \$35,700 appropriated for the water pipe relocation, which Mr. Hartman said will probably not be a reimbursable cost. Mr. DeSimone believed a report would be available thirty days after the project is done, and that any audit would pick up deficiencies.

- Back to committee reports.

MINUTES OF THE SELECTMEN'S MEETING
MAY 15, 2000

- Mrs. Rozanski noted attending the MMA executive board meeting which included discussion on legislation for towers and the early retirement bill. She said the Governor was sending it back with an amendment with incentives so teachers don't retire early.
 - Mrs. Rozanski stated there was an executive order on economic development plans used to promote affordable housing. She asked Mr. Hartman how the Affordable Housing Committee was coming along, and he noted he was working with Mary O'Leary in its formation.
5. Administrator's report.

- On an update of the Lee property, Mr. Hartman stated that Town Counsel recommends they continue the process as dictated by the February 23rd letter, and if the most recent letter was meant to supercede that letter, then the offer is defective. The February 23rd option has not been withdrawn. The same purchase and sale was on both and the first notice was correct.
- With reference to the override figure, all are in agreement that the total is \$1,140,421.00 and offered the Board three dates to have a Town election – June 19th, 20th or 21st. Mrs. Rozanski moved to set the date for an override election to be June 19th at Medway High School from 8 a.m. to 8 p.m. for an amount of \$1,140,421.00; Mr. Dziczek seconded; all aye. Mr. Hartman added that the FinCom chairman was reminding the Board that the FinCom had asked for a single ballot question. Mr. Williams agreed it should be one question as we were acting as a community and it was just to maintain critical services; the Board agreed. The ballot question reads: "Shall the Town of Medway be allowed to assess an additional \$1,140,421.00 in real estate and personal property taxes for the purpose of funding the operating budget of the municipal government and public schools for which the monies from this assessment will be used for the fiscal year beginning July first two thousand."

Dawn Boyan, FinCom liaison to the Selectmen, thanked the Board for taking the FinCom's recommendation for a one ballot question, and asked if they planned to advocate as a Board or individually to help lead other Town boards on the issue. Mr. Williams stated, legally and technically as a Board, they could not, but individually he would be advocating for the override. Mr. Johnson agreed they had to be careful, and it was inappropriate to use public funds to promote the override, as they would have to give both sides of the issue. Ms. Boyan recalled that, last time, there was a joint effort between the School Committee, the Board of Selectmen and the FinCom with neighborhood coffees, discussions, etc. She felt that the Board had more authority than the FinCom who are appointed individuals. Mr. Dziczek noted Pride Day was coming up on Saturday and a good time to talk casually with residents.

Mr. Williams moved that the Board adopt a resolution to recognize the need for the override and to support it in order to maintain critical Town services; Mr. Dziczek seconded. Mr. Johnson agreed the Board should show leadership, but he did not feel the Board should adopt it as they represent all the people. The vote: Mr. Williams, Mr. Dziczek, Mr. Gildea – yes; Mr. Johnson, Mrs. Rozanski – no. Mr. Williams clarified what the resolution meant, and Mr. Gildea agreed he was not sure of the motion. Mr. Johnson asked for a second vote for the Board to support the override on the Town ballot: Mr. Williams and Mr. Dziczek – yes; Mrs. Rozanski, Mr. Johnson, Mr. Gildea – no. Motion fails.

6. Discussion items.

- Liaison assignments. Mr. Johnson asked if anyone wanted to change their assignments. Mrs. Rozanski noted Town Counsel goes to the Chairman by statute. Mr. Dziczek said he was happy with what he had before; the same for Mrs. Rozanski. A few other changes were made and the Secretary will retype it.

MINUTES OF THE SELECTMEN'S MEETING
MAY 15, 2000

- Summer schedule. Mr. Hartman noted in the past, the Board tried to meet every other week instead of every week. Mr. Dziczek moved the Board meet on July 10th and 24th, and August 7th and 21st; Mrs. Rozanski seconded; all aye.
 - Signs in barrels in public way. Mr. Hartman noted receipt of Town Counsel's official view on the subject wherein he indicated that Medway Pride Day itself should be mentioned as part of the advertisement. Mrs. Rozanski moved to grant permission to have barrels with flowers in Town advertising a private business; Mr. Dziczek seconded. Mr. Johnson noted their effort to beautify the Town with the intent of maintaining them, and amended the motion to revisit this one year from now; Mrs. Rozanski seconded the amendment. The vote: Mrs. Rozanski, Mr. Johnson, Mr. Dziczek, Mr. Gildea – yes; Mr. Williams – no to the amendment. Back to the main motion: to grant permission to have the barrels with signs, and to revisit the issue in one year as long as the Police have no objection; all aye except Mr. Williams – no.
 - Attendance at MMA joint conference. Mr. Johnson and Mrs. Rozanski will attend.
7. Action items.
- Vote on Wilson property notice of intent - already done.
 - Approve and sign order for pole location. Mr. Hartman explained that the public hearing had already been held, and the documentation just needed the Board's signature. Mrs. Rozanski moved that the pole petition for Haven Street pole relocation be approved; Mr. Dziczek seconded; all aye.
 - Set limit on senior citizen property tax work-off abatements. Mrs. Rozanski moved to set the limit of participants at 55; Mr. Dziczek seconded. Mrs. Rozanski added they were not allowed to set a limit on the amount of income, and the funds would be in the Assessors' overlay account. Mr. Johnson noted the minimum wage would be used. Mr. Hartman explained they were working on revising the contract today, and the Assessors will see it tomorrow night at their meeting since it will be administered by the Assessors. Paul Keefe clarified they would not be administrators of the program. Mr. Johnson felt prerequisites should be income and age. Mrs. Rozanski believed adoption and acceptance of the rules is by the Selectmen, and suggested it be brought back next week for its formal adoption.

Mr. Hartman believed the criteria included: age over 60; a \$500 abatement was the maximum amount you could receive; and you must own and live in your house. Mr. Johnson had other questions: what were the statutory requirements and who determines the skills. All aye on the motion to set the limit of 55 participants.
 - Set date for override election – already done.
 - Set date for special town meeting. Mrs. Rozanski moved that the special town meeting be held on June 26th; Mr. Dziczek seconded; all aye.
 - Open warrant for special town meeting; close warrant for special town meeting – Mrs. Rozanski moved that the special town meeting warrant be opened this evening and close on June 2nd at 1:00 p.m.; Mr. Dziczek seconded; all aye.
8. For your information.
- The listing of Planning Board members was circulated to the Board.
9. Communications and correspondence.

MINUTES OF THE SELECTMEN'S MEETING
MAY 15, 2000

- Department of Housing & Community Development's announcement that Medway received Ready Resource Fund Grant for the Industrial Park – already noted.
- 10. Future agenda items.
 - Review of current policies and procedures.
 - Discussion of Board goals for FY 2001.
 - Evaluation of Town Administrator and agreement to extend contract.
- 11. Upcoming meetings.
 - May 22nd, June 5th.
 - June 3rd, 9:00 a.m., Sanford Hall – Route 109 workshop.
- 12. Executive session.
 - Conversation centered around the Town Administrator's evaluation and contract. Mr. Hartman noted, technically, the evaluation should be done in March, however, the Board of Selectmen have to advise him by June 30th on the extension of his contract. Mrs. Rozanski agreed the evaluation should be done yearly, but could be done anytime. When asked if he had had a physical, he noted he had. Mr. Hartman was asked if any goals had been set last year for this year, and he noted the Board had not set any. Mr. Dziczek asked for clarification on the evaluation process and wondered if they should have a session together. Mr. Williams suggested Mr. Hartman write up what he believed were his accomplishments as he did not feel he could do a fair evaluation without them. Mr. Hartman noted he could not do a self-evaluation as the form stresses they are to be a team and rating effectiveness is as a team. He also noted that he may not define the job the way each Board member may define the job. Mrs. Rozanski believed there was a role of the Town Administrator and a role of the Board of Selectmen, and as elected officials, they evaluate the Town Administrator's performance as an employee allowing the Board of Selectmen to be effective. Mr. Hartman believed his performance should be evaluated as Town Administrator; not as an employee. Mrs. Rozanski agreed it was a partnership of the two.
 - None.

9:50 p.m. – The meeting was adjourned.

Respectfully submitted,

M. J. Fredette
Secretary
mj

APPROVED
6/5/00

file

MINUTES OF AUDIT COMMITTEE MEETING
MAY 11, 2000

Present: From the Audit Committee: Frank Danehy and Town Administrator Michael Hartman; Steve Barrasso came later on in the evening and had to leave shortly thereafter. Absent were: George Hale, Raphaela Rozanski and Kristen Diebus.

Others in attendance: from the Board of Selectmen: Harry Johnson and Joe Dziczek; from the Finance Committee: Barry Heller; also Treasurer/Collector Marjorie Sanford; Town Accountant Arti Mehta; School Director of Operations & Finance David Verdolino; from Melanson & Health, Frank Biron.

7:15 p.m. – Mr. Danehy realized there was not a quorum present of the Audit Committee; therefore, Mrs. Sanford suggested this be an exit conference instead of an official meeting. All present agreed. It was suggested, however, that in the future, alternate liaisons be designated so that there could be a quorum. Mr. Danehy noted it would be a matter of record, that this was an exit conference and if votes were needed for any official action, another meeting would be called.

Financial Statements.

Mr. Biron noted the audit indicates the Town is fully in accordance with general accepted auditing standards. Mr. Biron noted only a handful of Towns maintain a record of fixed assets; so far, Medway does not. They do not make a recommendation that it be maintained as they don't feel it is justifiable, but suggest a comprehensive annual financial report (CAFR), but unfortunately, is only supplementary information required by the Government Finance Officers Association (GFOA).

Mr. Danehy noted that the management report suggested the fixed assets inventory be done since it could be a positive impact on our bond rating and can be a savings to the Town.

Mr. Hartman stated that, in speaking with the FinCom, the funds are just not there for a CAFR and total fixed asset inventory, but we could use our auditing firm with an additional scope for the CAFR which would run under \$6,000. Then there would be an expense for the assets inventory of \$8,000 – 10,000.

Mr. Barrasso asked why the Town was thinking another audit for \$18,000 was necessary. He did not feel it was prudent and suggested investing that money to do the fixed assets inventory. Mr. Hartman said that, since it really is a dual entity, it has to include school, and if so, it would be more than \$12,000. Every asset over \$500 would have to be identified, tagged and inventoried. Mr. Johnson agreed this is an area that should be looked at since we cannot really say what we even bought last year. When asked how many Towns out of the 351 have such an inventory, Mr. Biron stated 6, with Mr. Hartman noting only 2 have been GFOA certified. Mr. Biron agreed it was a great deal of work, and generally an outside firm does the initial compilation.

Mr. Biron spoke briefly about the balance sheet on page 3 noting property tax receivables were up and tax collections were going okay, and there was \$480,000 in stabilization.

On page 4, revenues and expenditures, total revenues were over \$23,000, with expenditure also at over \$23,000.

On page 5, revenues and other sources, it was noted there was a variance of \$211,000, and technically, a revenue deficit of \$14,000, which should be raised on next year's recap.

Town Accountant Arti Mehta said there would probably be a negative free cash this year as they have scraped budgets down already.

Mr. Biron stated we were not too well on the revenue side, and to try and be conservative in estimating local receipts. Mr. Hartman noted we had overestimated two years in a row. Mr. Biron advised avoiding spending free cash for the operating budget, but noted we had used \$400,000 to reduce the tax rate and \$200,000 for the health fund. Mr. Hartman clarified the money was not used to reduce taxes but to avoid an override; there was no excess levy capacity around. Mr. Biron added any additional funds in the overlay should go into free cash.

MINUTES OF AUDIT COMMITTEE MEETING
MAY 11, 2000

Mr. Barrasso questioned why the initial letter to the Selectmen in the Financial Statements is dated 10/19/99 and yet it took until today to have this meeting? Mr. Biron believed it was in draft form in December. Mr. Hartman noted that, regardless of the date shown, Town records indicate that the management letter was not received for comment until late February.

Mr. Barrasso again asked why the rush to get the School audit presented, without the Committee being able to see it ahead of time, and now two months later, the Town audit is presented? Mr. Johnson reassured Mr. Barrasso there was no plot on behalf of the Town and the auditors. Mrs. Mehta went back to her office and noted the first draft of the management letter was received in her office on March 10th. She did explain the problem with the recap sheet, which was a first priority for the Town, after which the audit could be addressed. Mr. Hartman added the auditors had indicated there was no running balance of the overlay account. The Town took issue with this and it was just reconciled and resolved between Melanson, the Town Accountant and the Assessors two weeks ago.

Mr. Biron agreed it was unprofessional that at least the Chairman of the Audit Committee did not have a chance to review the School audit ahead of time. Mr. Hartman noted the contractual arrangement was December 31st. Mr. Biron assured everyone what occurred will not be repeated.

Management Letter.

Mr. Biron went to the "current year issues" on page 3, and noted there were three "prior year issues" remaining.

1. Reconciliations. The first was performing timely cash and receivable reconciliations, which Mr. Biron stated, has not been a smooth process. He noted they are hoping to now streamline the process under the new system and do them monthly, not just quarterly, to be documented and given to the Town Administrator. Mr. Johnson said we were supposed to be doing them, and the Board of Selectmen as negligent in not asking for them. Mr. Biron added the DOR was getting strict, and they will not certify free cash if they are not done.

Mr. Hartman said it has been suggested that, added to the scope of services, the auditors do an internal control audit study of the collection and revenue reporting system and make suggestions. With the new software, some changes are possible. It is proposed the auditors come in earlier in the fiscal year as well.

Mrs. Sanford agreed that cash reconciliations should be possible now on a monthly basis with the new software, but admitted, the new system seems to be better for her, but harder for Mrs. Mehta.

Mr. Verdolino asked if there was a detailed schedule of balances and variances available quarterly? Mr. Biron said it was available as work pages for them to use. Mrs. Mehta prepares them and send them on to them.

2. Tax Liens. Mr. Biron said that, in fiscal year 1999, the amount lienied was \$317,000. In fiscal year 1998, the amount was \$110,000. He reminded the Mrs. Sanford that she could begin the process 14 days after the due date. Mrs. Sanford stated liens through fiscal year 1999 will be lienied by the end of this fiscal year. She said there were difficulties in getting someone to do the title search. She stated the demands for fiscal year 2000 are out, and sometime after that, they will start the process in July. She noted there were 47 cases in land court.
3. CAFR. This was discussed earlier as part of the Financial Statements.
4. Property tax valuations. Mr. Biron stated they recommended a reconciliation of valuations because they believed the same numbers should be on the tax roll valuations per the commitment book as the valuations on the tax recap form. Mr. Hartman stated the same issue has been here for three audits. He had spoken to the Assessors Office and they indicated that the new software was

• MINUTES OF AUDIT COMMITTEE MEETING
MAY 11, 2000

not in use during all of the fiscal year, and it should soon go away. He noted they were two different lists prepared two different ways, and now the data should come from the same sources.

5. Receipt procedures. It was noted there were no formal written procedures established, outside of the Treasurer/Collector's office, for departments turning money over and records to that effect. Mrs. Sanford stated departments are now issued pre-numbered, pre-dated turnover sheets, which is working well. Mr. Hartman believed there was a need to do background policies and also to center collections around the Treasurer/Collector's office. Mrs. Sanford and Mrs. Mehta were supportive of this even though it has not been done yet. Departments should then be discouraged from collecting any monies.

Mr. Biron noted the policies and procedures between the Business Office and Town Hall was better this year.

Mr. Hartman agreed there was a time lapse between the time monies are received and then turned over to the Treasurer/Collector. When asked how much is turned in by departments, Mrs. Sanford noted there were many different accounts in the School Department (about \$250,000 per year); Police (about \$200 a week); Planning Board and ConCom (couple of thousand a week); Building Department, and then other committees.

Mr. Hartman suggested starting in Town Hall first. Mrs. Sanford felt it might be able to work now that all departments have the same hours, at least on Mondays.

Mr. Verdolino asked about ambulance receivables that was an issue last year? Mr. Hartman stated it was a closed issue now that a policy is in place with the Board of Selectmen. Mr. Johnson agreed saying the Fire Chief makes a recommendation to the Selectmen on an amount to be abated quarterly. Mr. Hartman added anything three years old or beyond has been written off.

Single Audit Report.

Mr. Biron stated there were really no issues here. Basically, the Town had received over \$300,000 in federal funding and everything was reported properly.

Mr. Biron said at the end of the fiscal year, the Schedule 1 will be audited this year. He said he would be meeting with the Department of Education on this on Monday. Starting with the fiscal year 2000 audit and thereafter, the Schedule 1 will be audited by the auditors. Mr. Verdolino said he believed the procedures were similar to the single audit to see that the Financial Statements agreed with the end of year report. He did ask what would be required of the School Department for the annual audit? Mr. Biron stated that the School Department is like any other department in the Town, i.e. the Police Department, the Fire Department. The only requirement is the single audit; no other separate audit is required.

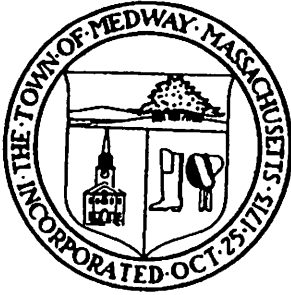
Mr. Hartman clarified the need for the expense reports to support the Schedule 1 numbers. The cost associated with this annually would be \$15,000 - \$18,000. Working on this again will be Jay Springfield and Frank Biron. The funding for the study previously discussed, and supported by FinCom, would be \$20,000 to \$22,000.

Mr. Biron said, with the new audit requirements that will be applicable in Medway for fiscal year 2004, the financial statements will look different and have more pages.

8:40 p.m. – The Audit Committee meeting (exit conference) was adjourned.

Respectfully submitted,

M. J. Fredette
Secretary
mj



BOARD OF SELECTMEN
155 VILLAGE STREET
MEDWAY, MASSACHUSETTS 02053
(508) 533-3200 • FAX: (508) 533-3201

AGENDA

BOARD OF SELECTMEN

ROOM 111

MEDWAY HIGH SCHOOL

MAY 8, 2000

6:30 p.m. – Open meeting.

Reorganize.

1. Sign warrant.
2. Approval of minutes.
 - None.
3. Public comments.
4. Committee reports.
5. Administrator's report.
6. Discussion items.
7. Action items.
 - Vote on Wilson property notice of intent.
8. For your information.
 - FinCom meeting, May 10th, 7:00 p.m., Sanford Hall.
 - Audit Committee meeting on Town audit, May 11th, 7:00 p.m., Sanford Hall.
 - Municipal Building Committee meeting, May 17th, 6:30 p.m., band room.
 -
9. Communications and correspondence.
10. Future agenda items.
11. Upcoming meetings.
 - May 15th, 22nd.
12. Executive session.

7:30 p.m. – Adjourn to new gym for annual town meeting.

cc: Town Clerk for posting.

cc: ASB

MINUTES OF THE SELECTMEN'S MEETING
MAY 8, 2000

Present: Raphaela Rozanski, Harry Johnson, John Williams, Richard Gildea, Joe Dziczek, Town Administrator Michael Hartman, Secretary M. J. Fredette.

6:35 p.m. – Open meeting.

- Mrs. Rozanski opened the meeting in a classroom at Medway High School. She noted, for the record, that this was a momentous occasion. This was the first time in over 10 years that the same Board of Selectmen had served two years in a row.
- Mrs. Rozanski brought up the May 2nd response received from the Office of the District Attorney concerning the open meeting law complaint of Charles Myers. She agreed the Board did not always carry out their meetings with the precision they should have.
- Reorganization.

Mrs. Rozanski asked for nominations for Chairman. Mr. Williams nominated Mr. Johnson; Mr. Gildea seconded. Mr. Dziczek nominated Mrs. Rozanski; there was no second. The vote was unanimous for Mr. Johnson being Chairman. Mr. Johnson thanked everyone and asked Mrs. Rozanski to continue the meeting tonight.

Mrs. Rozanski asked for nominations for Vice-Chairman. Mr. Dziczek nominated Mrs. Rozanski; Mr. Gildea seconded. As there were no other nominations, the vote was unanimous for Mrs. Rozanski being Vice-Chairman.

Mrs. Rozanski asked for nominations for Clerk. Mr. Johnson nominated Mr. Williams; Mr. Dziczek seconded. As there were no other nominations, the vote was unanimous for Mr. Williams being Clerk.

1. Sign warrant.
 - The Town Accountant would be bringing the warrants later on in the evening for signing.
2. Approval of minutes.
 - None.
3. Public comments.
 - None.
4. Committee reports.
 - Mrs. Rozanski stated she had attended the Court of Eagle Scout ceremony for Andy Marshall. His project had been the sign indicating the locations of different sites at Choate Park.
 - Mr. Williams said he had attended the Municipal Building Committee meeting. He noted they were looking at another site, #12A which was originally 12, located in the area of Summer and Adams Streets. He then attended the pre-town meeting.

Mr. Hartman added that Mr. Briggs and Mr. Whelan have given permission; Mr. Dunton and Phil Boczanowski have yet to give permission.

Mr. Williams noted Jim Brodeur had made accusatory comments that two Board members were in conflict of interest by voting to remove the school article from the annual town meeting warrant. If Mr. Brodeur had anything to say other than normal informational items, the Board may want to ask him to meet with them. Mrs. Rozanski felt maybe the Municipal

MINUTES OF THE SELECTMEN'S MEETING
MAY 8, 2000

Building Committee should be involved more than the Board. Mr. Williams added that Gerald Lindsey had recommended everyone disclose any connections they may have to avoid future problems.

Mr. Williams asked about the construction of the Lovering Street sidewalk. ^{get Lovering Heights} Mr. Hartman said it was his understanding they had started working there on May 1st. He added that Lovering Street needs to be added to the five-year plan.

- Mr. Dziczek advised the Board that the School Committee had voted against supporting the lower non-contingent budget amount for FY 2001, and instead voted in favor the contingent budget.

Mr. Dziczek also noted that the Medway Pride Day Committee was in support of placing whiskey barrel containers of flowers around on Town property, with an appreciation sign for different business in the barrels. Mr. Hartman felt a permit was needed, but was checking with Town Counsel on allowing a business to advertise in the Town's public way.

Mr. Johnson moved to allow the signs of limited size in the barrels; Mr. Dziczek seconded. Mr. Hartman noted that the signs do not mention Pride Day. Mr. Williams moved to amend the motion to table this discussion until next week; Mr. Dziczek seconded; all aye.

5. Administrator's report.

- Mr. Hartman mentioned that the Board would be receiving a letter from the Municipal Building Committee requesting the Board sponsor a warrant article for the June special town meeting for funds for evaluating different sites.

6. Discussion items.

- Mr. Johnson said the Board needed to schedule an election within 35-45 days for an override. Mr. Hartman assured Mr. Johnson the contingent vs. non-contingent budget proposal was approved by the DOR. He believed there were three ways it could be placed on the ballot: individually, cumulatively, or by department. Mr. Hartman noted the Superintendent had informed him non-tenured teachers have to be notified by June 15th per statute if they would not be returning next year.
- Mr. Dziczek suggested the Board consider a summer schedule for a future agenda item.

7. Action items.

- The vote on the Wilson property notice of intent was not taken up this evening, so it will be placed on next week's agenda.

8. For your information.

- FinCom meeting, May 10th, 7:00 p.m., Sanford Hall.
- Audit Committee meeting on Town audit, May 11th, 7:00 p.m., Sanford Hall.
- Municipal Building Committee meeting, May 17th, 6:30 p.m., band room.

9. Communications and correspondence.

- None.

10. Future agenda items.

- None.

MINUTES OF THE SELECTMEN'S MEETING
MAY 8, 2000

11. Upcoming meetings.
 - May 15th, 22nd.
12. Executive session.
 - None.

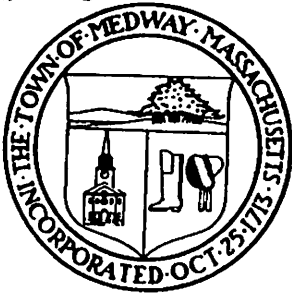
7:15 p.m. – Mr. Dziczek moved the meeting be adjourned to the new gym for the annual town meeting beginning at 7:30 p.m.; Mr. Gildea seconded; all aye.

Respectfully submitted,

M. J. Fredette
Secretary
mj

APPROVED

5/15/00



BOARD OF SELECTMEN
155 VILLAGE STREET
MEDWAY, MASSACHUSETTS 02053
(508) 533-3200 • FAX: (508) 533-3201

AGENDA

BOARD OF SELECTMEN

SANFORD HALL

MAY 1, 2000

7:00 p.m. – Open meeting.

1. Sign warrant.
2. Approval of minutes.
 - Regular meeting minutes of April 24, 2000.
 - Executive session minutes of April 24, 2000

7:15 p.m. – Lenore & Paul Wilson.

Re: donation of two lots of land to Town.

3. Public comments.
4. Committee reports.
5. Administrator's report.
6. Discussion items.
7. Action items.
 - Vote on Lee and Wilson properties notices of intent.
 - Sign contract with NEEDS for recycling and solid waste.
 - Accept gift from Medway Pride Day Committee to Fire Department.
8. For your information.
9. Communications and correspondence.
10. Future agenda items.
11. Upcoming meetings.
 - May 8th - 6:30 p.m. - Room 111- Medway High School - adjourning to auditorium for Annual Town Meeting at 7:30 p.m.
 - May 15th, 22nd.
 - June 3rd - 9:00 a.m. – Sanford Hall – Route 109 Workshop
12. Executive session.

cc: Town Clerk for posting.

cc: ALB

MINUTES OF THE SELECTMEN'S MEETING
MAY 1, 2000

Present: Raphaela Rozanski, Harry Johnson, John Williams, Richard Gildea, Joe Dziczek, Town Administrator Michael Hartman, Secretary M. J. Fredette.

7:00 p.m. – Open meeting.

- Mrs. Rozanski opened the meeting in Sanford Hall of Town Hall. She reminded everyone it was election day and there was time to go to the polls and vote.
- 1. Sign warrant.
- Mr. Johnson moved approval of warrant #45 in the amount of \$330,195.14; Mr. Dziczek seconded; all aye.
- 2. Approval of minutes.
- Mr. Williams moved approval of the regular meeting minutes of April 24th; Mr. Dziczek seconded; all aye.
- Mr. Williams moved approval of the executive session minutes of April 24th; Mr. Dziczek seconded ^{not to be released;} ~~but added, not to be released, as it was on-going litigation;~~ all aye.

7:05 p.m. – Lenore and Paul Wilson came to meet with the Board relative to two lots they wished to donate to the Town.

Mr. Wilson said the two lots, #1F and #1G on Lovering Street across from Howe Street, were 2.66 acres and unbuildable so they were giving them to the ConCom. Mr. Dziczek was a little concerned about any water flow on these lots overflowing on other lots, but Mr. Wilson assured him there were three 18" pipes in the causeway that would take care of any problems. Mr. Johnson noted the condition was pre-existing, and Mr. Hartman added any design work should have been made with the stream in mind.

Mr. Johnson moved to accept the ConCom's recommendation to accept the land with the noted purpose of the land; Mr. Dziczek seconded; all aye. *The Board expressed appreciation to the Wilsons for their generosity.*

- 3. Public comments.
- None.
- 4. Committee reports.
- Mr. Johnson just noted he would not be in attendance at the June 3rd Route 109 workshop, but would write up any comments he had for the Board.
- 5. Administrator's report.
- Mr. Hartman noted Town Counsel's comments on the Planning Board's questions relative to site plan approval regulations, and secondly, the Fontanella property. Mr. Johnson felt it would be prudent to meet with the Planning Board to iron out some of their concerns. Mr. Hartman said he would research the site plan approval issue further to determine if a meeting was necessary as final determination on site plan review belongs to the Selectmen.

With reference to the Fontanella property, Mr. Hartman believed the Planning Board was getting clarification on some of the issues so they could respond properly to the Selectmen as requested. However, he was aware that the Municipal Building Committee had already asked several questions of Town Counsel, and really should not have approached him. It was agreed if the Planning Board's concerns had to do with Planning Board issues, contacting him was appropriate.

MINUTES OF THE SELECTMEN'S MEETING
MAY 1, 2000

- Mr. Hartman stated he met with the three representatives of the Route 109 shopping centers; actually two owners and one representative. They all shared an interest in improving the traffic problems on the road and the meetings were positive ones.
- Mr. Dziczek brought up the recent FinCom meeting the previous week, noting the Police Department and the School Department were represented. He expressed the hope that residents of Medway understood there would be two budgets presented at town meeting: one, a balanced budget that the FinCom has to present; and second, a contingent budget representing a \$1.1 million override, which would then have to be on the ballot. Mr. Dziczek noted pre-town meeting was scheduled for Wednesday, May 3rd at 7:00 p.m. in the auditorium.

6. Discussion items.

- None.

7. Action items.

- Mr. Hartman reminded the Board that, with their knowledge, he had sought people for a land acquisition advisory committee. On March 28th, the committee met and gave their recommendation on the purchase of lot #1 of the Lee property for watershed protection. The committee, however, voted against the purchase of the other two one acre Lee lots, #3 and #4, and the Wilson property of fourteen lots.

Mr. Dziczek moved that the Board not exercise their right of first refusal on the Wilson property, lots 1-14 inclusive on Clover Lane, Red Gate II subdivision; Mr. Johnson seconded. At this point, Gerald Lindsey, who was in the audience, noted that the Municipal Building Committee had not been asked to comment on the property. Mrs. Rozanski stated, the next time they would be notified. Mr. Hartman felt the price was too high for a public works facility at \$50,000 per lot, but Mr. Dziczek amended his motion to postpone making a decision until May 8th; Mr. Gildea seconded. The vote: Mr. Dziczek, Mr. Gildea, Mr. Johnson, Mrs. Rozanski – in favor; Mr. Williams – opposed; amended motion carries 4-1-0. To the main motion: that the Board not exercise their right of first refusal on the Wilson property on May 8th; Mr. Gildea seconded. The vote: Mr. Dziczek, Mr. Gildea, Mr. Johnson, Mrs. Rozanski – in favor; Mr. Williams – opposed; motion carries 4-1-0.

Mr. Johnson moved that the Board exercise their right of first refusal by expressing the desire to purchase the Lee property, lot #1, for \$175,000 per plans submitted two weeks ago; Mr. Williams seconded.

At this point, Jim Brodeur, who was in the audience, asked for the record, if the Board should be meeting on election night. The Board was in agreement that they it was a regularly posted meeting.

Mr. Johnson amended his motion to identify the parcel as the Lee property, lot #1 on Adams Street as drawn up by DeSimone & Associates dated 2/12/00; Mr. Dziczek seconded; all aye. To the main motion: that the Board exercise their right of first refusal on the Lee property, lot #1 on Adams Street as drawn up by DeSimone & Associates dated 2/12/00 for \$175,000; Mr. Williams seconded; all aye.

- The contract with NEED for recycling and solid waste was presented to the Board. The Board noted receipt of a letter from the Board of Health recommending the contract be awarded to them.

Mr. Williams moved that the Board sign a contract with New England Ecological Development, Inc. for three years starting July 1, 2000 for recycling and solid waste collection; Mr. Johnson seconded; all aye.

MINUTES OF THE SELECTMEN'S MEETING
MAY 1, 2000

- A financial gift for equipment was presented to the Fire Department by the Medway Pride Day Committee. Mr. Johnson moved to accept the gift of \$3,000 as presented by the Pride Committee to the Fire Department for fire equipment they deemed necessary; Mr. Gildea seconded; all aye. Mr. Hartman noted the amount was under \$5,000 and, therefore, not a capital item.

8. For your information.

- Mrs. Rozanski acknowledged receipt of the documentation for the Town Administrator's evaluation the Board received in their packet. She suggested they discuss this in about two weeks.
- Mrs. Rozanski noted that John Williams, as chairman of the Good Government Association, had presented the Citizen of the Year award yesterday to Walter Sampson, along with the Selectmen's proclamation. She also stated that she had presented Representative Barbara Gardner with a certificate of appreciation on behalf of the Board for her many years of service as representative to Medway and area towns.
- The Board was asked to approve a solicitor's permit from Blue Chip Advertising receipt late today because of a faxing problem. The Secretary noted it was the same group that had appeared before the Board last year to promote Primavera, but this time, it was Papa Gino's.

Mr. Dzikczek moved to approve the solicitor's permit for Blue Chip Advertising for the month of May during daylight hours only; Mr. Gildea seconded; all aye.

9. Communications and correspondence.

- None.

10. Future agenda items.

- None.

11. Upcoming meetings.

- May 8th - 6:30 p.m. - Room 111 - Medway High School - adjourning to auditorium for Annual Town Meeting at 7:30 p.m.
- May 15th, 22nd.
- June 3rd - 9:00 a.m. - Sanford Hall - Route 109 workshop.

12. Executive session.

- None.

8:00 p.m. - Mr. Dzikczek moved the meeting be adjourned; Mr. Gildea seconded; all aye.

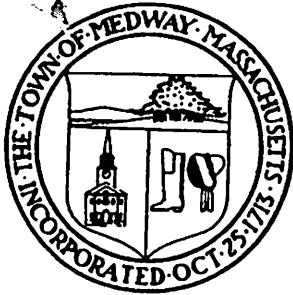
Respectfully submitted,

M. J. Fredette
Secretary

mj

APPROVED

as amended
5/15/00



BOARD OF SELECTMEN
155 VILLAGE STREET
MEDWAY, MASSACHUSETTS 02053
(508) 533-3200 • FAX: (508) 533-3201

AGENDA

BOARD OF SELECTMEN

SANFORD HALL

APRIL 24, 2000

7:00 p.m. – Open meeting.

1. Sign warrant.

7:05 p.m. – Notary Pat Sampson.

Re: signing of Appleby parcel deed before a notary.

7:10 p.m. – Town Clerk Maryjane White.

Re: attesting to Board's signatures for resolution.

2. Approval of minutes.
 - regular meeting minutes of April 3, 2000.
 - Audit Committee/Selectmen minutes of April 4, 2000.
 - regular meeting minutes of April 10, 2000.
 - All Boards Meeting minutes of April 15, 2000.

7:15 p.m. – Jim Cuddy of SMOC.

Re: purchase of 17 Holliston Street.

7:45 p.m. – Mike Manski, Youth Pastor of Community Church.

Re: solicitor's permit.

8:00 p.m. – Jim Brodeur on behalf of Municipal Building Committee.

3. Public comments.
4. Committee reports.
5. Administrator's report.
6. Discussion items.
7. Action items.
 - Vote on Lee and Wilson properties notices of intent.
 - Accept gift from Medway Lions for Town Clerk.
 - Appoint a citizen-at-large to Sithe Negotiating Committee.
 - Sign contract with NEEDS for recycling and solid waste.
 - Re-sign Apollo license.
8. For your information.
9. Communications and correspondence.
10. Future agenda items.

on ALB 5/12/00

Selectmen's Meeting
April 24, 2000
Page 2.

11. Upcoming meetings.
 - May 1st (town election), 15th, 22nd.
 - Annual Town Meeting – May 8th.
12. Executive session.

cc: Town Clerk for posting.

MINUTES OF THE SELECTMEN'S MEETING
APRIL 24, 2000

Present: Selectmen Raphaela Rozanski, Harry Johnson, John Williams, Richard Gildea, Joe Dziczek, Town Administrator Michael Hartman, Secretary M. J. Fredette.

7:00 p.m. – Open meeting.

- Mrs. Rozanski opened the meeting in Sanford Hall of Town Hall.
- 1. Sign warrant.
- Mr. Johnson moved approval of warrant #44 in the amount of \$839,701.98; Mr. Dziczek seconded; all aye.
- Mr. Williams read the proclamation and certificate the Board signed and will be presented to Walter Sampson on April 30th at the Good Government banquet.

7:05 p.m. – Notary Pat Sampson was present to witness the Board's signatures on a deed conveying the Appleby parcel, which is land lying in the Town of Oak Bluffs. By doing so, the Town will receive a check for \$1500.00 for conveying the parcel to Down Island Golf Club, Inc.

7:10 p.m. – Town Clerk Maryjane White was present to attest the Board's signatures on a resolution for Mr. Hartman. He explained the Board adopted the same resolution in 1998 naming the employer as trustee for his retirement. The understanding was that no contribution would go to Norfolk County Retirement, but as of January, that was occurring. The interim is not clear and separate, so now it is going from a deferred comp plan to a money purchase plan (401a) and is exempt from Norfolk County effective this past January. Mrs. Rozanski explained it was part of the intention of the Board that this was part of his contract, but outside of his contract. Mr. Williams moved to accept, adopt and sign the resolution; Mr. Dziczek seconded; all aye. The Chairman also signed the administrative services agreement.

- While the Town Clerk was present, the Board took an action item out of order concerning a gift from the Medway Lions to the Town Clerk. Mr. Johnson explained the Lions were donating \$1200 to the Town Clerk to restore marriages and births documents archives, and moved the Board accept the gift; Mr. Williams seconded; all aye. Ms. White explained the records go back to the 1700's and are the Town records for geneology.
- 2. Approval of minutes.
- Mr. Johnson moved approval of the regular meeting minutes of April 3rd; Mr. Williams seconded; all aye.
- Mrs. Rozanski suggested the minutes of the Audit Committee meeting held on April 4th be sent to the Audit Committee.
- Mr. Williams moved approval of the regular meeting minutes of April 10th; Mr. Johnson seconded; all aye.
- Mr. Williams moved approval of the minutes of the All Boards meeting of April 15th; Mr. Dziczek seconded; all aye.
- As a follow-up, Mr. Johnson asked about the workshop for Route 109 originally scheduled for May 6th. Mr. Hartman said he had met with one shopping center owner last week, and would be meeting with the other two owners of the shopping centers this week. He suggested they delay the workshop so that additional input can be received from departments and staff. The workshop was rescheduled to June 3rd at 9:00 a.m. in Sanford Hall.

7:25 p.m. – Jim Cuddy representing South Middlesex Opportunity Council, came to meet with the Board concerning their recent purchase of the old Maryland Rest Home at 17 Holliston Street. Accompanying

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him were two of his staff personnel: Susan Gentile, overseeing the shelter, and Heidi Sia, site manager and director.

Mr. Cuddy explained they have been servicing Medway since 1977 in one way or another, either with rental or fuel assistance. Two months ago, they purchased the Maryland Rest Home as an open family program shelter. There are six full-time staff in the shelter, providing 24-hour supportive services to families, of which there are ten at this time. They are in residence from one to five months, with their own rooms, but having a common kitchen, living room and bathrooms. Most are suffering from economic problems, and this provides a period of stability for them with educational and social goals, and a plan to search for permanent housing in the future. Mr. Cuddy explained this was being funded by the State through transitional assistance. Part of the renovations that were done included: fenced-in yard, handicap access, de-lead the rooms, new windows, revamped bathrooms. Insofar as children were concerned, they only had one child that would be entering the Medway School system so far. Mrs. Sia explained most of the children would be attending school in their own hometowns. Mr. Cuddy stated there would be few cars, and transportation would be provided to the residents through their own van and driver. He did not foresee any problems and invited everyone's comments. He noted there would be an open house on May 18th to which the Board would be invited.

7:40 p.m. – Mike Manski, Youth Pastor of the Community Church, came to speak to the Board concerning a solicitor's permit for collecting canned goods. He stated they submitted a request through World Vision for a 30-hour eating fast. As part of this fast, they would stay within a closed-in environment on May 5th and 6th, and also conduct a food drive. The pledges raised on the fast would go to World Vision and the canned goods to the food pantry. Mr. Williams moved to approve the solicitor's permit on May 6th from 10 a.m. to 2 p.m.; Mr. Dzikzek seconded; all aye. There would be no rain date.

- Mrs. Rozanski asked the Board to sign the certificate of appreciation to Rep. Garder that she would present to Rep. Gardner on behalf of the Board at the debate on April 25th.
- The Board took an action item out of order, that being to vote on the Lee and Wilson properties notices of intent. With reference to the Lee's lot #1 of 24 acres on Adams Street, Mr. Hartman stated it was the recommendation of the Land Acquisition Advisory Committee to purchase the lot for \$175,000. It was the recommendation of the Water/Sewer Department to also purchase the lot for protection of a well site. The intent would be, at this point, to go to town meeting in June and raise and appropriate the funds. Mr. Hartman noted they had received recommendations on the notice of intent from the Planning Board and the Board of Assessors, but the Conservation Commission had addressed a different issue. The Board requested an official recommendation from the Advisory Committee, as well as the appropriate recommendation from the Conservation Commission.

With reference to the other two lots of the Lees, #3 and #4 of 2 acres on Adams Street, Mr. Hartman said the Advisory Committee would recommend not purchasing the lots for \$200,000. Likewise, with reference to the fourteen Wilson lots on Clover Lane, Mr. Hartman stated the Committee recommended not purchasing the property since it was much more costly than the Lee property at \$728,000.

Lastly, the two lots the Wilsons wanted to offer to the Conservation Commission with restrictions on Lovering Street, ConCom wishes to accept. Mr. Hartman stated the Board has to accept the offer, restrictions and map layout. He will schedule this as a discussion item on next week's agenda. He will also place the notices of intent on the agenda with recommendations.

- Another action item was taken out of order, and that was the Class III license for Apollo. Mr. Hartman explained it was a simple name change of the business doing business as Apollo, but a new license is required to be signed by the Board. Mr. Johnson moved that the Board

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approve and sign the license of GEO Financial Corp., D/B/A Apollo; Mr. Dziksek seconded; all aye.

7:55 p.m. – Jim Hoodlet, Vice-Chairman of the Municipal Building Committee, came to speak to the Board on behalf of Jim Brodeur who could not attend. Frank Varrichione, a member of the Committee, was also in attendance.

Mr. Hoodlet stated that the Committee met last week and they voted unanimously to continue to review sites, get additional recommendations, obtain further information on site #1, and recommend additional sites.

Mr. Hartman asked the Board if they would be able to tap into the Selectmen's budget to review another site.

Mr. Hoodlet stated he would like to get feedback from the Board to present to the Committee, and then come back to the Board. He felt it was still valuable to get input on site #1 and other sites as well, but there were some hard questions to be faced. Mr. Hoodlet said he would be willing to coordinate comments received through Mr. Hartman, wanting to keep lines of communication open. When asked if any comments had been sent by Boards yet, Mr. Hartman noted only the Council on Aging Director.

Mr. Hoodlet asked for a liaison to the Committee, and Mr. Williams volunteered.

Mr. Johnson spoke about the many executive sessions the Committee had trying to negotiate for the purchase of the land, and thought that possibly that idea could now be abandoned. He felt that the item "disruption of a neighborhood community" should be on the matrix as well. He also believed there should be several sites recommended, not just one. Mr. Johnson believed that flat land was also an advantage vs. terraced.

Mrs. Rozanski suggested Mr. Williams go through the minutes to familiarize himself with the process thus far, recommended the Committee release the executive session minutes, and include the community more in their discussions.

Mr. Varrichione questioned what was their mission on negotiations. Mrs. Rozanski said the Committee was not involved in the acquisition of land; the Board of Selectmen would do that.

Mr. Hoodlet asked what should they do with those landowners who would not allow them to walk on their property. He felt certain facts would not come to light until after the acquisition of land. Mrs. Rozanski suggested concentrating on the good uses of a site.

Mr. Hartman noted three sites were tested for ground water and wetlands. If the Board wishes the Committee to look at sites #4 and #5, there would have to be additional funding. Mr. Johnson suggested just look at sites #2 and #3 again. As an example, Mr. Hartman noted the 50 acres on Winthrop Street they thought was all upland, and it was determined that only 25 acres was upland after testing.

Mr. Hoodlet asked if it was the sense of the Board that their charge is to still look for a site for a high school, or was that unresolved. Mrs. Rozanski suggested that they still go forward with the intent of placing an article on a future town meeting warrant.

Mr. Johnson stated that a while back, there were no means for renovations. Now, funding can be split between new construction and renovation.

Mr. Varrichione said he would recommend to his Committee no more executive sessions and that the Board of Selectmen were steering with them now.

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Mr. Hoodlet wanted to be advised if the Committee's charge changes.

With regard to the annual town meeting warrant articles, Mrs. Rozanski stated the articles were off; they were not ready. Mr. Williams clarified the language was not specific enough.

Again, Mr. Hoodlet asked for clarification: look at additional sites, or get more information on sites #2 and #3. Mr. Hartman believed that the Committee would probably gravitate away from sites #2 and #3. Mr. Hoodlet again stated it had not been concluded that site #1 won't work. He noted, however, that the work the Committee can do is limited. They need to develop recommendations and they may need expertise beyond the Committee. That would be an expense, but did the Board want that level of review. Mr. Hartman felt it would cost \$5500 per site review.

Mr. Johnson was disappointed with the board participation. Mr. Varrichione stated their meetings are open and, therefore, an open invitation for any board to join their meetings. He welcomed open dialogue. Mr. Johnson asked the public to come to the assistance of Mr. Hoodlet and Mr. Varrichione. He suggested sub-committees to their Committee who had expertise in certain areas and could perform various tasks.

Mr. Johnson did not feel the consultant gave the Committee much information. Mr. Hoodlet disagreed, and felt the consultant suffered a financial loss on this project. He added he was not ready to request additional funding yet anyway.

Mr. Williams agreed that the Committee should recommend two or three sites, but a site that would not have an impact on a neighborhood, concurring with Mr. Johnson that should be part of the matrix and as important in criteria.

Mr. Dzikczek suggested finding reasons why a site is precluded.

Mr. Varrichione asked that the public give the Committee more time as this was a work in progress.

3. Public comments.

Mrs. Rozanski then opened the discussion to the public.

Paul DeSimone was recognized. He said the people in the neighborhood asked him to speak for them requesting that site #1 on Coffee Street be abandoned for at least one reason, traffic. He noted cars were already backed up at 2:45 p.m. on Coffee Street with parents waiting to pick up their kids. He shared with the Board a letter from Lt. Malo and Officer Watson not recommending this site be chosen. Mr. DeSimone also clarified that land acquisition and site improvements were not reimbursable, and noted the water runoff already going on the land.

Mr. DeSimone noted some of the residents took it upon themselves to do some research and submitted what they had formulated with an objective view of the problems in the area. This included a cost analysis by Bill Hommel, who stated he was happy to help and would go to the Committee's meetings. Leo Lessard brought up student growth, and shared a chart which seemed to indicate the high school would outlive its usefulness around 2011, if the figure being used for students was 1200. He suggested the Committee take a hard look at the size of properties thinking some may already be too small. Mr. Hoodlet stated the School Committee had provided the figures they were working with.

Mr. Williams suggested Mr. Hoodlet and Mr. Varrichione take the information they received tonight back to their Committee. He stated, personally, he was not in favor of acquiring site #1. They again discussed no more executive sessions, and Mr. Hoodlet said he was afraid the openness would end up to be a free-for-all. He was not convinced to go this way was the best way, and yet, was not sure what was the best way. Again, he felt he needed to speak to the

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Committee as he did not think all the issues had been resolved and maybe the executive session minutes should not be released.

Charlie Myers asked everyone to remember the timelines that were set and why, going back to reiterate the formation of the different committees emanating from the School Master Plan study. Judy Lessard brought up the issue of the tax increase and the burden on taxpayers, indicating the high school was just one project. What about the other school projects, and any other municipal projects. She felt it was imperative that everyone look at the long view and how much could the residents afford.

Cheryl Harvey noted that, originally, the top peak figure would have been an \$800 increase on a resident's tax bill. They reworked the figures, spread the cost over more years, and came down to \$400 with a debt exclusion.

Mr. Gildea moved to eliminate site #1 from consideration; Mr. Johnson seconded. At this point, Mr. Williams said that they should hear from the Committee. Mr. Johnson then agreed, leaving the option open to them, and go from there. Mr. Williams then said the final decision rests with town meeting anyway. The vote: Mr. Gildea – to remove site #1; Mr. Johnson, Mr. Williams, Mr. Dzikczek, Mrs. Rozanski – to leave site #1 in; vote: 4-1-0.

4. Committee reports.

- Mr. Gildea and Mr. Dzikczek had none.
- Mr. Williams asked about the Lovering Street sidewalk. Mr. Hartman stated they have quotes, no formal bids were necessary, and they should be beginning on May 1st.
- Mrs. Rozanski noted the meeting in Franklin on April 25th. Mr. Johnson and Mr. Hartman would be attending.
- Mr. Johnson had asked the Secretary to copy the prop 2-1/2 ballot questions for the Board, and he suggested they review the document as there was valuable information contained therein.

5. Administrator's report.

- Mr. Hartman stated that another violation occurred at a local restaurant, and they would be coming back to the Board for another public hearing. More information would be forthcoming, but the incident occurred on April 18th involving four underage patrons.
- With reference to the FY 2001 budget, Mr. Hartman stated that, when FinCom met last week, they realized the \$1.9 million override would not go anywhere, so they recommended going for a \$1.1 million override instead. He indicated there would be contingency figures presented to the public at annual town meeting. Mr. Hartman noted the significant impact there would be on the Police Department, having two lay off two full-time police officers and eliminating all traffic crossing guards.

Mrs. Rozanski agreed it had to be presented at town meeting for the vote in that manner. Mr. Johnson noted that the appropriating authority is the Board of Selectmen or the City Council, rather than town meeting. Mr. Hartman believed their role was to place the override question on the ballot if approved. He said that Town Counsel has indicated the FinCom can show the figures in the FinCom book, one as a stand-alone, and one with a contingency. This negates the need for subsequent town meetings in accordance with DOR rules and regulations. Mr. Hartman also stated the overlay figure was placed at \$350,000, but has not been approved by the Board of Assessors – it was their call. Mr. Johnson noted they did not yet know what would happen with

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Sithe. He also said that the Senior Citizen abatement of \$500 off their taxes would now be coming out of overlay as an abatement.

Mr. Hartman brought up the FinCom's letter to the Board on the ballot override question. Mrs. Rozanski felt they needed to wait and see what happens at town meeting. When asked why FinCom wanted a single ballot question, Mr. Hartman stated the FinCom did not want to make a recommendation on every single line item on the omnibus article, and wanted to know if the Selectmen were on board with this. Mr. Williams said he supported the one question, and endorsed the one-figure concept.

Mr. Dziczek noted that the FinCom's charge is to present a balanced budget at town meeting, and they could not accept the Selectmen's recommended budget as it put us over. Mr. Johnson said that the Selectmen approved the budgets, but they never approved the education budget; they did all the others.

6. Discussion items.

- None.

7. Action items.

- The Board went over the balance of the action items, beginning with appointing a citizen-at-large to the Sithe Negotiating Committee. Mr. Williams moved to appoint David Verdolino; Mr. Johnson seconded. Mr. Dziczek suggested all the names be placed in nomination.

Mr. Williams stated Mr. Verdolino wrote a letter of interest, but Mr. Hartman noted the advertisement did not say that was a requirement. The other two applicants, Virginia Calapa and Joe Musmanno, called in their interest. Mr. Johnson felt the individual should be familiar with tax laws, have integrity and experience, such as Mr. Verdolino. Mr. Hartman commented if the Board wanted to use a Town employee, he would recommend someone other than the Director of Operations. Mr. Williams did not see Mr. Verdolino as an employee. Mr. Johnson agreed – he was just a citizen. As a procedural question, Mr. Hartman recommended the individual get at least three votes.

Votes cast in the first round: Mr. Dziczek for Ms. Calapa; Mr. Gildea and Mrs. Rozanski for Mr. Musmanno; Mr. Johnson and Mr. Williams for Mr. Verdolino; Ms. Calapa eliminated. Votes cast in the second round: Mr. Dziczek, Mr. Gildea and Mrs. Rozanski for Mr. Musmanno; Mr. Johnson and Mr. Williams for Mr. Verdolino. Mr. Musmanno is the appointed citizen-at-large.

Mr. Johnson suggested the Committee receive the services of a consultant and some funding.

Appointment slips for the whole Committee were signed by the Board as this was a vote that came out of town meeting.

- The last action item asked the Board to sign the NEEDS contract for recycling and solid waste. Mr. Hartman said that the Board of Health was anxious to get going, and everyone had signed off. The Board looked for a written recommendation from the Board of Health, but Mr. Hartman noted they had provided their input in the RFP. The contract came out of the scope of services. The Board of Health administers the contract; the Board of Selectmen signs the contract.

Mr. Johnson felt the Board of Health was the implementing agency so there should be something in writing from them. Mr. Williams agreed, and in addition, he had just received a copy of the contract this evening and wanted to read it over. Mr. Hartman clarified that Boards given input in the procurement process, not the contract process.

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Mr. Johnson brought up the four people who scored the RFP, and Mr. Hartman noted the Board of Health had requested the Health Agent and their Secretary serve for them. There was also Lee Henry, the DPS Director and himself.

Mr. Williams again requested the Board of Health's recommendation as a courtesy.

Mr. Dziczek assumed the Board was requesting that, from now on, whenever a contract needed to be signed, they wanted to have a cover letter from the affiliated board with a recommendation. Again, Mr. Johnson felt that, any elected board with their own budget, should make a recommendation.

8. For your information.

- None.

9. Communications and correspondence.

- None.

10. Future agenda items.

- None.

11. Upcoming meetings.

- May 1st (town election), 8th (annual town meeting), 15th, 22nd.

12. Executive session.

10:20 p.m. – Mr. Williams moved the Board adjourn to executive session for the purpose of continuing litigation, not to return to public session; Mr. Dziczek seconded; all aye. The vote: Mr. Gildea – yes; Mr. Dziczek – yes; Mr. Williams – yes; Mr. Johnson – yes; Mrs. Rozanski – yes.

Respectfully submitted,

M. J. Fredette
Secretary
mj

APPROVED

5/1/00

MINUTES OF THE ALL BOARDS MEETING
MUNICIPAL BUILDING COMMITTEE/BOARD OF SELECTMEN
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Present: Selectmen Raphaela Rozanski, Harry Johnson, John Williams, Richard Gildea, Joe Dziczek; Municipal Building Committee members Jim Hoodlet, Kelly O'Rourke, Robin St. Pierre; Town Administrator Michael Hartman; Secretary M. J. Fredette.

9:10 a.m. – Mrs. Rozanski opened the All Boards Meeting in Sanford Hall of Town Hall.

Mrs. Rozanski stated she will recommend to the Board of Selectmen that they remove articles 7 and 8 from the annual town meeting warrant for the technical reason that the article is not descriptive enough for what needs to be done per MGL Ch. 59 for a referendum ballot and eminent domain taking. Ms. O'Rourke understood that the article would be put on knowing the committee would make a decision as to which property would be chosen prior to town meeting. Mrs. Rozanski clarified it was not a proper posting; the statute was quite clear. When asked if it couldn't be amended, Mrs. Rozanski said, not the posting. Ms. O'Rourke disagreed, and stated if this does not make it on the annual town meeting warrant, there won't be sufficient time for a referendum vote during the summer.

Mr. Hartman inquired as to what constitutes a description? He just received the appraisal yesterday afternoon and could put language in this morning before the warrant is signed. He believed the caveat was that ultimately the Attorney General determines if the voters received enough information on the town meeting floor; he could reject or accept the action taken.

Mr. Johnson did not feel any committee endorsements were really needed as the voters of the town will ultimately decide, and if you rush forward, it will fail. Mr. Johnson moved to remove articles 7 and 8 from the annual town meeting warrant; Mr. Gildea seconded. Mr. Dziczek still felt it could be put on the warrant and voted on. Treasurer/Collector Marge Sanford stated if it goes to town meeting, then it becomes an article to borrow to bond counsel; they will let us know. The vote: Mr. Johnson, Mr. Gildea, Mrs. Rozanski – yes; Mr. Williams, Mr. Dziczek – opposed; motion carries.

9:35 a.m. – Mrs. Rozanski stated the purpose of the All Boards Meeting was to get input from other boards on the recommendation of the Municipal Building Committee, and introduced Vice-Chairman Jim Hoodlet.

Mr. Hoodlet introduced the other members of his committee who were in attendance which included Kelly O'Rourke and Robin St. Pierre. He then provided a history starting with the school's master plan, the formation of the School Needs Identification and Facilities Committee, and then finally the formation of the Municipal Building Committee.

Considerations given to the 14 sites included: 30-35 acres as a guideline, location, convenience, accessibility, safety, minimizing additional busses, and availability to water and sewer. Mr. Hoodlet then went over each of the 14 sites noting any concerns they had with them, eventually narrowing down the choices to, taking aerial photos of the remaining sites, and then calling the owners to request permission for site visits. Sites 1, 2 and 8 had on-site investigations conducted with a wetland and soil scientist.

After discussion with the committee, they voted unanimously that the Fontanella property was their choice. With the appraisal Mr. Hartman received yesterday, it has been determined that there are 26 acres. The committee feels it is large enough to support a high school and provide all the necessary components, including drainage and buffers, is convenient and accessible and could be engineered.

Some of those in attendance started asking questions about the other sites, but Mr. Hoodlet expressed the hope of the committee to just discuss this one site this morning. Board and committee members were asked to comment.

Concerns noted:

- sewer
- looked a bit small
- some did not want a school in their neighborhood
- different school at the location other than a high school

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- the property will have to be terraced
- traffic with the rezoning issue nearby
- don't have to build another track and field and stadium
- recommended traffic impact analysis

It was noted that the middle/high school complex would eventually become all middle. The State has not approved anything yet, but SMMA feel the documentation, as prepared thus far, would be approved by the State. It was also noted that the Town has to have ownership before the plan can be sent in to the State. Mr. Hoodlet also stated it behooves the town if all boards give consideration to the site as the committee would not want to go forward if it is not endorsed by a majority.

Mr. Johnson moved to ask Mr. Hartman to solicit comments from boards so the committee can have input on this site within seven days; Mr. Gildea seconded. Two weeks was then suggested. Some in attendance felt this was difficult as not all boards would be meeting within that time frame.

Mrs. Rozanski reminded everyone this was a proposed \$40 million project. When asked what was the next step if the articles don't appear on the annual town meeting warrant, Mrs. Rozanski stated, to get input from boards first. Some concern as to timelines being tight. Mr. Hoodlet explained the application has to be in by June 1st, with a needs conference by December 1st, and schematic in by March 1st. This may be changed, however, so that the application has to be in by March 1st, the needs conference by September 30th, and the schematic in by December 31st. Once the application is in, they have to sit and wait in cue, typically 3-5 years. Most towns begin the process in the hopes of reimbursement.

Mr. Hartman noted some changes were going on with the Governor, where new DOE standards have the State taking over on these projects; the Municipal Building Committee wants this under the old rule so the town is in charge, not the State.

There were many residents in attendance, and they now wanted to comment since the boards and committees seemed to have finished asking questions.

Leo Lessard: concerned with speeding in the area; does not know how Bruno allowed people to walk his property; was a forecast on the number of students done.

Jim Hoodlet: school is based on 1000 students, with a recommendation to expand the core facilities for 1200.

Maria Walzer: where is the room to expand the parking lot; there wouldn't be as many busses as cars; should have looked at other properties.

Jim Hoodlet: permission was received from Bruno to walk the property; 400 spaces for cars were given as being adequate.

Susan Wood: can't rush this through; who would care of track and field at present high school if athletic director is up at the new high school; can't understand how going from the new school to the present high school field was beneficial.

Jim Hoodlet: it was the committee's belief that they would be wasting tax payers' money to build new fields and instead could utilize the existing fields.

Don Hovey: was part of the infrastructure to build sidewalks; why can't a high school be built behind the present high school, and use part of the other lot for athletic fields; some of the students that are presently bussed would be walkers.

Frank Danehy: is a two or three story building being discussed.

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Jim Hoodlet: no design has been done yet; just a two story academic wing.

Kelly O'Rourke: the report already submitted will outline the land near the McGovern School is 39 acres including the schools.

Bill Hommel: if you have 26 acres including a 40 foot easement, then you're left with 24 acres; sloping will lower acreage to 20 acres; detention pond; \$12 million for retaining walls could be spent; all infrastructures would have to be replaced; the well would be 2500 feet from the detention basin and possible contamination with the Black Swamp nearby; many up-front costs.

Jim Hoodlet: if his questions could be sent in, the committee will review them.

Gary Jacob: he did not want the town to spend so much time and money on this piece of land and then get stopped; he hoped the committee could get more information on the sites that didn't get walked; there should be other ways to identify what is on those parcels of land; he did not want the committee to start from scratch again, but suggested looking at other sites in the time being in other ways.

Jim Hoodlet: he would like to finish review of this site first before going another way.

Jeff Grenon: was there a second choice.

Jim Hoodlet: no.

Ed Fontanella: spoke about the family and the history of ownership; told the committee they would be dealing with him, Bruno, and the land trust lawyer; prepared to take the town to court.

John Lally: noted their property was the eastern half of the site, with 200 feet wide swamp area in the upland; asked how important was it to get the drainage easement from them.

Jim Hoodlet: would speak to Town Counsel; they do not have engineered plans yet; did not know if the drainage easement had to be in place

John Lally: asked that the committee to let them know ahead of time what they need; suggested asking the Superintendent and Athletic Director for their input; the site may be a disservice to the town if the kids can't utilize fields easily.

Raphaela Rozanski: can add that to charge, along with traffic impact analysis.

Judy Lessard: brought up personal aspects such as impact on residents in that area; has seen the report; when she went to athletic events in other towns, they were in prominent locations on flat land; this site is undersized; did not feel Bruno was well-informed or knows full impact being in rehab; was not like Bruno to allow people to walk on his property; Ellis Street is a scenic road, what about the oak trees and stone walls; a two story building will block the sun for most people; athletic fields are used all the time during school time and on weekends and the traffic accompanying it; what is the cost of a stadium and a state-of-the-art track field; this is town's showpiece; don't shortchange people and inconvenience a neighborhood; the committee will find this is not the optimum site.

Al Attubato: felt impact was more than is being said; should discuss tremendous traffic problems; will destroy the neighborhood; hidden costs; where do we stand now on this; would have hoped this could have been voted down on May 8th and be over with it; other sites are better.

Raphaela Rozanski: we need more information; if it was voted down at town meeting, it could have come back, be rewritten, and reappear.

Jim Hoodlet: you can see we are here; the issue is still open; that is how decisions are made.

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Al Attubato: no one was notified of anything; it was by word of mouth.

Don Hovey: if land is being taken by eminent domain, remember what happened with the fire station when there was a settlement and land cost; price will go up.

Raphaela Rozanski: the committee believed they had a willing seller.

Jim Hoodlet: what happened with the fire station is a normal way to clear title.

Leo Lessard: Bill Hommel brought up good points; we are both engineers; the consulting firm can answer the questions he raised; there can be different arguments from different people; it bothers him that there are still unanswered questions when they've gone this far; if there was established criteria first of 30-35 acres, and what would be a "go" and what would be a "no go", there would have been a "no go" with 26 acres.

Jim Hoodlet: the State is not saying it is a "no go"; the consultant is not saying it is a "no go".

Leo Lessard: disagrees; the committee has made assessments, but he can come up with other opinions.

Jim Hoodlet: what components of a school are missing.

Audience: football field; access to Coffee Street.

Leo Lessard: it is a poor reason to say other sites were not looked at because they couldn't be walked.

Jim Hoodlet: this is helpful dialogue, but disagrees on that issue; 30-35 acres is a guideline, not a mandate; the consultant says the land will support the school; why is it too small; only hearing because of no football field or track and field.

Raphaela Rozanski: you did hire a consultant; was more than one site tested.

Jim Hoodlet: yes.

Leo Lessard: he was getting the sense they did not do everything.

Jim Hoodlet: there was only so much funding; they did not do engineering, a traffic study or detailed plan for off-site improvements; they will have to be done.

Leo Lessard: those things should be done before voting on the property.

Raphaela Rozanski: the Board of Selectmen will have to decide on those same points, if this is the site, or something else; need to look at the issues; feels Mr. Hoodlet and the committee should be given a hand.

M. Attubato: if you widen the road, the traffic will make it an open freeway; it's terrible now, and not just on Coffee Street.

Dawn Boyan: what is the direction from the Board of Selectmen to the Municipal Building Committee; they did what they were asked to do; now what; no decision can be made.

Raphaela Rozanski: need input from Boards; Mike Hartman will coordinate as he is also staff to the committee; it can't be done in 7 days though, but phone calls can be made; copies of the report need to be made and given out.

Kelly O'Rourke: their next meeting is Wednesday, April 19th at 6:30 p.m. in the band room of the high school.

MINUTES OF THE ALL BOARDS MEETING
MUNICIPAL BUILDING COMMITTEE/BOARD OF SELECTMEN
APRIL 15, 2000

Raphaela Rozanski: the All Boards Meeting will close now; thanks to everyone for coming.

Al Attubato: do residents get a copy of the report.

Raphaela Rozanski: no.

Al Attubato: at what point will a decision be made and we can vote on it; what is the next date we need to look for.

Raphaela Rozanski: assuming the Board of Selectmen vote this is the best site, it would take a minimum of 5 weeks to put in on a special town meeting warrant.

Al Attubato: people have to be aware of what's going on.

Raphaela Rozanski: be a part of this; the town has the final say; call the Municipal Building Committee; they are public servants.

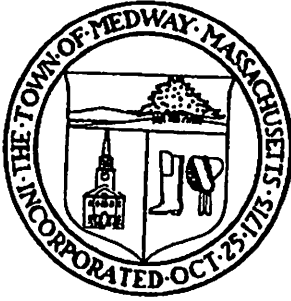
12:00 Noon – The meeting was adjourned.

Respectfully submitted,

M. J. Fredette
Secretary
mj

APPROVED

4/24/00



ch

BOARD OF SELECTMEN
155 VILLAGE STREET
MEDWAY, MASSACHUSETTS 02053
(508) 533-3200 • Fax: (508) 533-3201

MEMORANDUM

Date: April 5, 2000

To: All Department Heads, Boards/Committees/Commissions Chairpersons

From: Board of Selectmen
Municipal Building and Site Selection Committee

Re: All Boards Meeting

We would like to invite you to an important All Boards Meeting on Saturday, April 15th at 9:00 a.m. in Sanford Hall of Town Hall.

The purpose of the meeting is to receive a presentation by the Municipal Building Committee relative to their findings on property to locate a new high school.

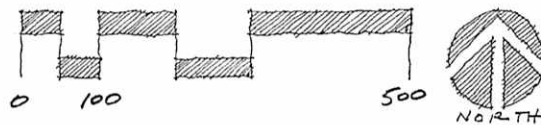
To reiterate the charge given to the Committee, the following is what was voted at the Special Town Meeting on June 28, 1999:

To create a standing Municipal Building and Site Selection Committee for the purpose of studying and analyzing the need for and administering the undertaking of municipal building construction, expansion, and renovation projects, and related professional services including school projects with the understanding that a new high school shall be their first charge and highest priority.

Their findings evolve after eight months of meetings and discussions on fourteen potential sites in Medway.

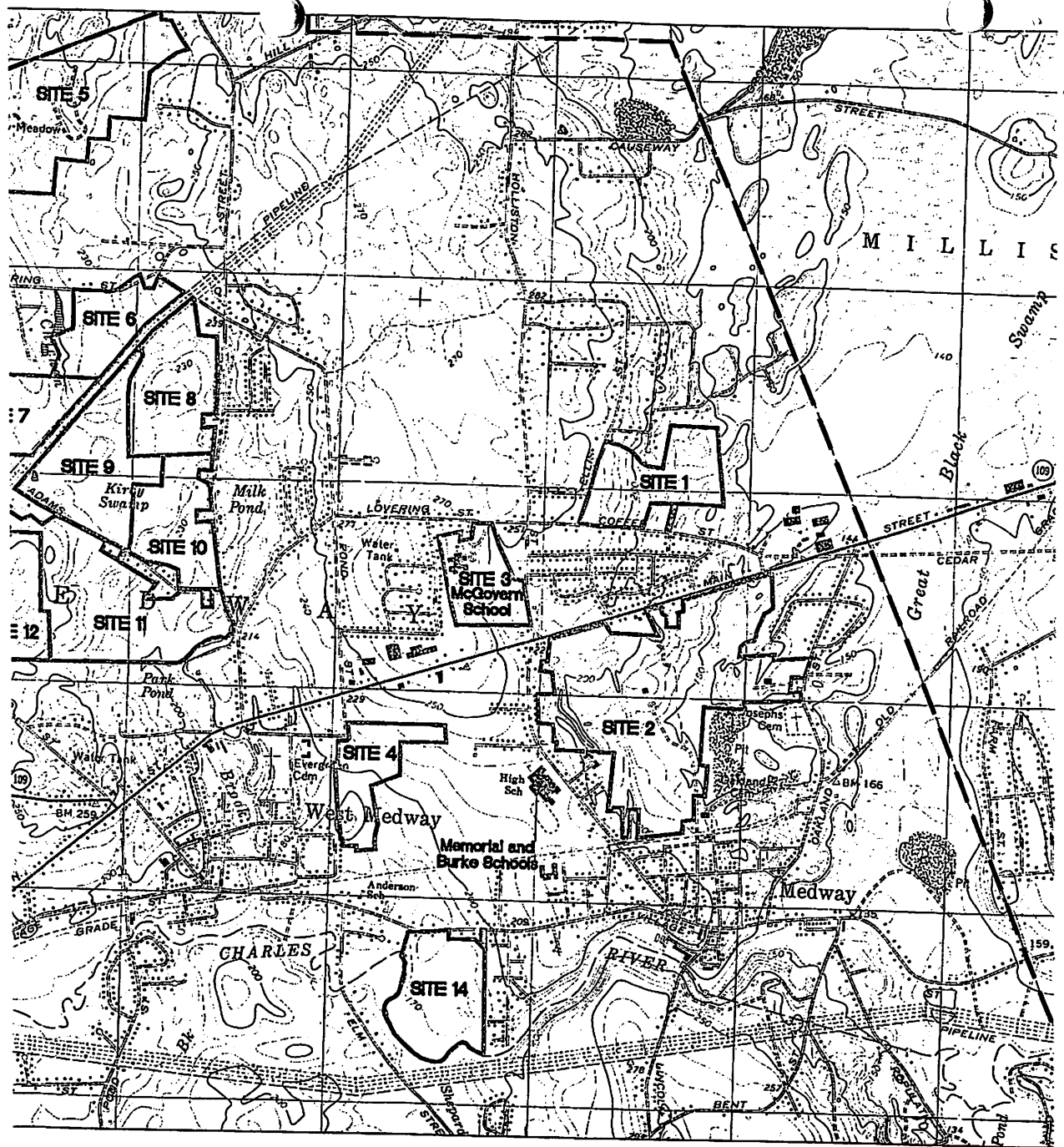
We urge you to attend this meeting so that elected and appointed officials alike can hear all the facts and we can receive your input prior to the Annual Town Meeting.


Light refreshments will be served.

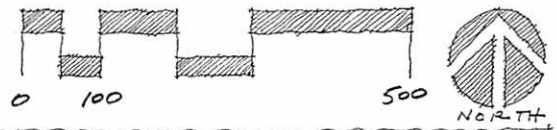


SMMA

Symmes Maini & McKee Associates

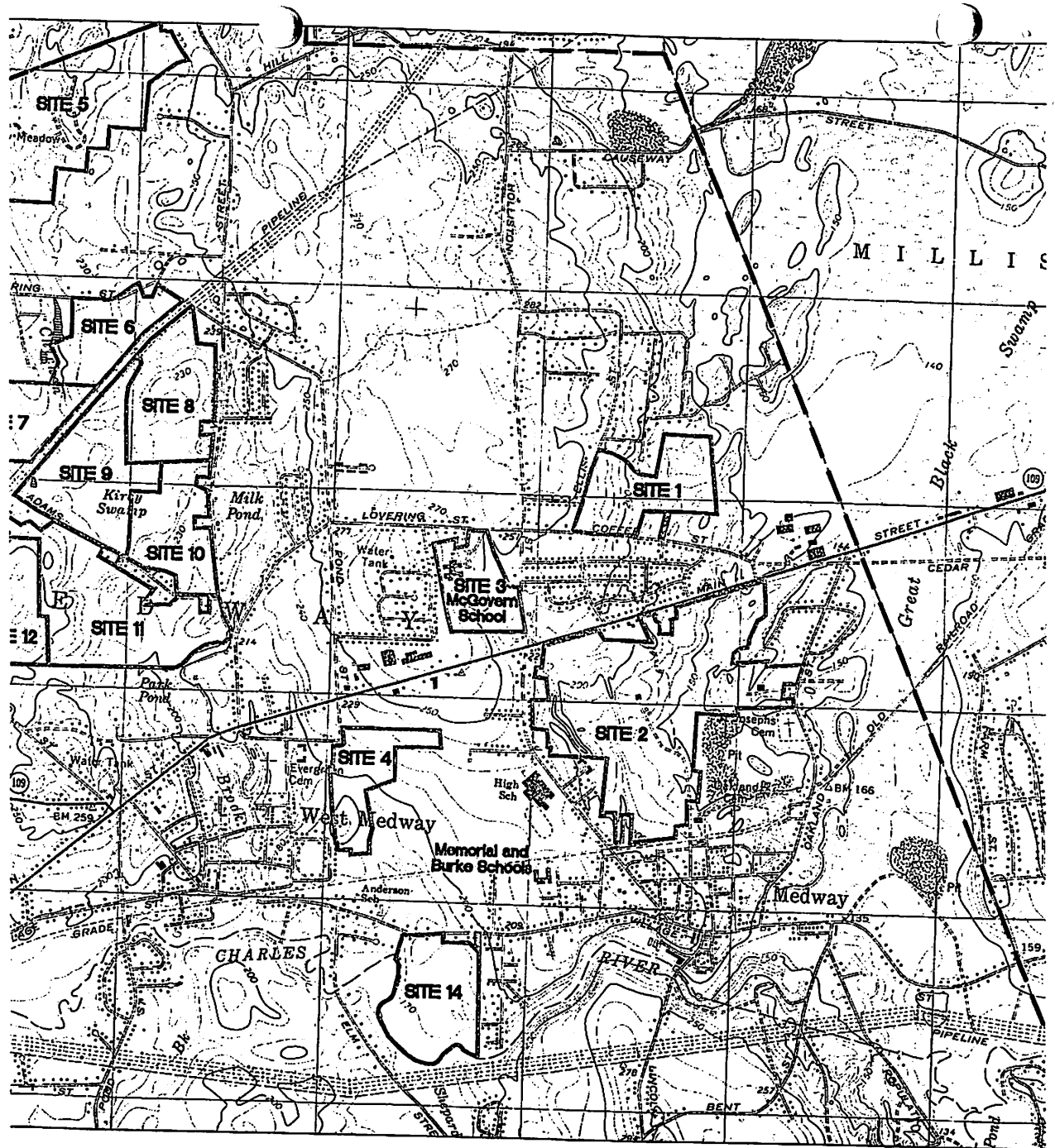


 SMMA Symma, Maini & McKee Associates 1000 Massachusetts Avenue Cambridge, MA 02138	LOCUS MAP		DATE 3-28-00	FIG. 1		
			SCALE 1"=2000'			
	Medway Site Selection Study Medway, Massachusetts		DR. BY ---		CK. BY ---	JOB NO. ---



SMMA

Symmes Maini & McKee Associates



SMMA

Symmes, Maini & McKee Associates
1000 Massachusetts Avenue
Cambridge, MA 02138

LOCUS MAP

Medway Site Selection Study
Medway, Massachusetts

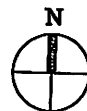
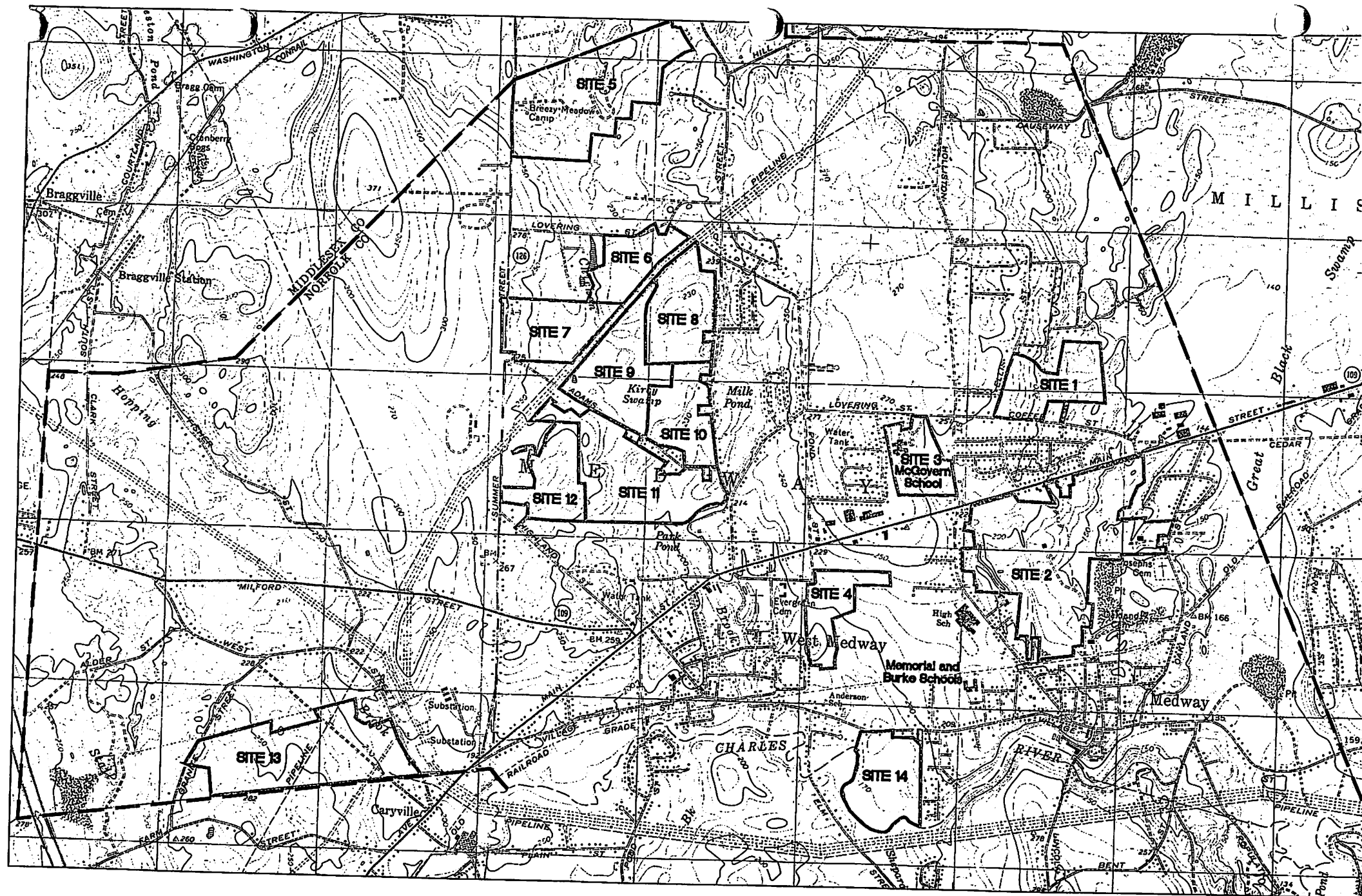
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3-28-00

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1"=2000'

DR. BY
C.R. BY

FIG.
1

JOB NO.



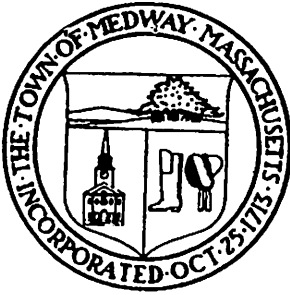
SMMA

Symmes, Maini & McKee Associates
1000 Massachusetts Avenue
Cambridge, MA 02138

LOCUS MAP

Medway Site Selection Study
Medway, Massachusetts

DATE	3-28-00	FIG. 1
SCALE	1"=2000'	
DR. BY	CK. BY	JOB NO.



BOARD OF SELECTMEN
155 VILLAGE STREET
MEDWAY, MASSACHUSETTS 02053
(508) 533-3200 • FAX: (508) 533-3201

AGENDA

BOARD OF SELECTMEN

SANFORD HALL

APRIL 10, 2000

7:00 p.m. – Open meeting.

1. Sign warrant.
2. Approval of minutes.
 - None.
3. Public comments.
4. Committee reports.
5. Administrator's report.
6. Discussion items.
7. Action items.
 - Approve and sign annual town meeting warrant.
8. For your information.
 - Upcoming holidays – Town Hall closed on April 17th and May 29th.
 - Joint All Boards (Municipal Building Committee and Selectmen) – April 15th, Sanford Hall, 9:00 a.m.
9. Communications and correspondence.
 - Census 2000 reminder.
10. Future agenda items.
 - SMOC's representative Jim Cuddy.
11. Upcoming meetings.
 - April 24th, May 1st (town election), 15th, 22nd.
 - Annual Town Meeting – May 8th.
12. Executive session.

cc: Town Clerk for posting.

W. ALB
4/26/00

MINUTES OF THE SELECTMEN'S MEETING

APRIL 10, 2000

Present: Selectmen Raphaela Rozanski, Harry Johnson, John Williams, Richard Gildea, Joe Dziczek, Town Administrator Michael Hartman, Secretary M. J. Fredette.

7:05 p.m. – Open meeting.

- Mrs. Rozanski opened the meeting in Sanford Hall of Town Hall.
- 1. Sign warrant.
- Mr. Johnson moved approval of warrant #42 in the amount of \$1,137,915.53 as read by Mr. Williams; Mr. Dziczek seconded; all aye. Mr. Johnson noted that "town bills" was unusually high because it included \$400,000 transferred to the health insurance trust fund.
- 2. Approval of minutes.
- None.
- 3. Public comments.
- Wendy Rowe and Mary O'Leary of the Good Government Association came before the Board to state that this year they were honoring Walter Sampson as "Citizen of the Year" at their banquet on April 30th at the VFW. They requested the Board proclaim April 30th as "Walter Sampson Day" in the Town of Medway. Mr. Johnson so moved; Mr. Williams seconded; all aye. A proclamation will also be presented to Mr. Sampson.
- Cheryl Harvey, Chairman of the School Committee, stated that the Democratic Town Committee was sponsoring a Candidate's Night on April 25th at the Senior Center with Rep. Barbara Gardner as the moderator. Ms. Harvey asked that the Board present her with a proclamation as this would be one of her last official acts in Medway. Mrs. Rozanski instead suggested a certificate of appreciation. Mr. Johnson moved that the Board present a certificate of appreciation to Rep. Gardner for her many years of service to the community and the district; Mr. Williams seconded; all aye. Mrs. Rozanski will do up the certificate.
- Ed Fontanella voiced his concern that the Fontanella property was being considered as the potential site for a new high school. His concerns included:
 - a holding pond on the property and yet the Building Committee did not find any wetlands;
 - the sixty-five foot drop on the property;
 - the idea of parking lots exiting onto Ellis Street;
 - first the committee was looking for 40 acres, then 30, and he has 23;
 - run-off from Virginia Road to the farm property;
 - nearness to the Black Swamp;
 - why not get one larger piece of property for two buildings instead of one;
 - there was better property in town to look at.He stated he would use every legal means to stop the town, even with eminent domain.
- Al Attabatto inquired at what point do the Selectmen get involved? Mrs. Rozanski said the Board takes the recommendation and then it is placed as an article on the town meeting warrant, and then raise the money if approved. Mr. Johnson added they do seek Town Counsel's advice on the process.
- Larry Connelly of Granite Street brought up the letter he drafted on the neighborhood's concerns over future development in his area. He said he hadn't heard of any progress of the safety issues brought up. Mr. Hartman stated, when he had addressed all their concerns, he would provide one document to the Board of Selectmen. Mr. Hartman hoped to have answers

MINUTES OF THE SELECTMEN'S MEETING

APRIL 10, 2000

in a month as another traffic count had to be conducted. The Secretary was asked to send Mr. Connelly a copy of the meeting minutes when their concerns were addressed with the Board.

- John Lally stated there were two problems he was concerned with: the well site and the high school. He believed he was indirectly involved with the selection of the Fontanella property. He noted he had already been asked to give 10-12 acres to the Water/Sewer Commissioners for the well. Now, he was finding himself reconsidering that decision feeling it was a lot for one family to be doing. He stated if the well goes through, then forget his property for the high school. Mr. Hartman explained the Municipal Building Committee's interest in his property was for a drainage easement.

4. Committee reports.

- Mr. Gildea and Mr. Dzikczek had none.

- Mr. Williams spoke briefly about the School Audit as it related to the Audit Committee and the by-law. Mrs. Rozanski clarified the School Audit does not include a financial statement; it was evaluating procedures. Mr. Hartman noted the School Audit was put before the Audit Committee as endorsed by the Selectmen, and the Audit Committee did not take the initiative to do the audit. Mr. Johnson added that since the School Department was the largest budget, the Board felt it should be done.

Mr. Williams inquired about the possible auditing of the Treasurer's Office and that it had not been recommended by the Audit Committee. Mr. Hartman explained they would take the auditor's recommendations to the Audit Committee when the report is finalized, but they do recommend an in-depth look at one department each year. He hoped the town's audit would be completed in about two weeks. He also clarified for the public that authority for an audit rests with Article 23 of the Town by-law and the State statute under Mass. General Laws. The Board of Selectmen can call for an audit at any time. Mr. Hartman said the procedure for the town audit is always the same: the town's comments are incorporated into the audit when the draft is received, then forwarded to the auditors for their final report, and then a meeting is scheduled. Mr. Johnson believed there should be a meeting after the audit is presented to review the deficiencies noted and their follow-up. their last meeting.

Mr. Williams acknowledged some good points were raised with the School Audit, and hoped the committee follows through with the auditors. Mr. Hartman noted there are items that are reportable and non-reportable. When there are reportable items, they should meet more often; the last three years there have been non-reportable problems.

- Mr. Johnson had nothing to report except his interest in site selection for the new high school, and he was getting phone calls from residents on the issue.
- Mrs. Rozanski had nothing to report, but asked about the Lee and Wilson properties. Mr. Hartman stated that the advisory committee has met and has a recommendation to give to the Board, but he is waiting for responses from the three boards that were also sent certified letters.

5. Administrator's report.

- Mr. Hartman provided to the Board the budgets sheets that had been formulated stating at the FinCom meeting Friday night, the FinCom voted to look at presenting two budgets at town meeting: a budget with override, one without, and the contingency amount, so that another town meeting would not have to be held. The municipal side was being asked to cut \$470,000 from its budgets, taking out offset receipt accounts, debt service, health fund, and employee funds. The base is \$4.5 million which is a 10.4% cut. On the school side, the cut is \$975,000 which represents a 5.9% cut on their \$16.6 million budget. To this is added the CIPC cut of

MINUTES OF THE SELECTMEN'S MEETING

APRIL 10, 2000

\$474,000 except for 2nd and 3rd year lease commitments. The override number at this time was \$1.9 million for a \$28,540,605 budget; without the override \$26,625,198. He noted revenues were down, from \$27,526,000 to \$26,625,476. The FinCom plans on meeting again on Wednesday at which time they would like a rendering of the impact of the cuts. Mr. Hartman believed it would include layoffs of existing personnel and staff.

Mr. Dzikczek appreciated the efforts Mr. Hartman and Dr. Bettencourt were exerting to work the figures, and that they were being relied upon to determine where the cuts should be. Mr. Johnson disagreed saying there were independently elected boards and the budgets should be presented to them before going forward. Mr. Hartman stated he had a Department Head meeting on Friday morning at which time he asked them to go back, review their budgets, and determine where they could cut 10%. He hoped Department Heads would go back to their boards indicating what cuts they had come up with, and then back to him to bring to FinCom on Wednesday. He believed the Department Heads should be making the cuts now; they know their budgets. On health insurance, he knew that it had already been cut from \$2.1 million to \$1.9 million. Mr. Hartman indicated the FinCom would like to go to the printer for the FinCom book around the 15th if possible.

6. Discussion items.

- None.

7. Action items.

- The Board was asked to approve and sign the annual town meeting warrant. Mr. Williams was concerned that there was no alternate site, that the warrant article was geared to acquire a specific site, and that Town Meeting can't choose another site. Mrs. Rozanski stated that the Board can choose not to accept the recommendation of the Municipal Building Committee. She asked if the Board felt there should be a special town meeting just for this issue? Mr. Hartman commented that if the Board chooses to pull the article, or not accept the recommendation, they owe the committee the courtesy of telling them what you want to do before you do it. Mr. Williams stated, by default, he supports the Municipal Building Committee, agreed they should be allowed to speak if any changes are made.

The warrant was not signed at this time.

8. For your information.

- Upcoming holidays include April 17th and May 29th when Town Hall will be closed. Mr. Hartman reminded the public that on those following Fridays, Town Hall will remain open to 4:00 – 4:30 p.m.
- A reminder of the joint all boards meeting (Municipal Building Committee and Selectmen) on April 15th in Sanford Hall at 9:00 a.m.

9. Communications and correspondence.

- Mrs. Rozanski noted the letter received from the Bureau of the Census indicating that 68% of the town had responded to the census by April 2nd.

10. Future agenda items.

- It was noted that Jim Cuddy of SMOC would be meeting with the Board on April 24th to discuss the changeover of the Maryland Rest Rome. Mr. Hartman explained it was an educational institution, and the change in use is not subject to local zoning. Mr. Johnson felt they should at least be doing a PILOT.

MINUTES OF THE SELECTMEN'S MEETING
APRIL 10, 2000

11. Upcoming meetings.

- Future meetings are on April 24th, May 1st, 15th and 22nd, with the annual town meeting on May 8th.

12. Executive session.

- None.

9:15 p.m. – Mr. Dziczek moved the meeting be adjourned; Mr. Williams seconded; all aye.

Respectfully submitted,

M. J. Fredette
Secretary
mj

APPROVED
4/24/00

MINUTES OF AUDIT COMMITTEE WITH BOARD OF SELECTMEN, FINANCE COMMITTEE,
SCHOOL COMMITTEE AND DEPARTMENT, TREASURER/COLLECTOR
APRIL 4, 2000

Present: Audit Committee members: Frank Danehy, George Hale, Raphaela Rozanski (Selectmen's rep), Steve Barrasso (School Committee's rep), Kristen Diebus (FinCom's rep); Town Administrator Michael Hartman was not in attendance.

Selectmen: Raphaela Rozanski, Harry Johnson, John Williams, Joe Dzikczek; Richard Gildea was not in attendance.

School Committee: Cheryl Harvey, Charlie Myers, Frank Varrichione, Robert Haskins, Steve Barrasso; Diana Faust was not in attendance.

Superintendent: Arthur Bettencourt.

Director of Operations & Finance: David Verdolino.

FinCom: Kristen Diebus, Jay Leader, Barry Heller, Steve Forbes, Allan Fraser; John Collett, Carla Cataldo, Mike Creed, Diane Coulter, Joan Sheridan, Dawn Boyan were not in attendance.

Treasurer/Collector: Marjorie Sanford.

Town Accountant: Arti Mehta was not in attendance.

Melanson, Heath & Company: John Sullivan and Karen Roberts.

7:05 p.m. – Chairman Frank Danehy called the meeting to order in Sanford Hall of Town Hall. Mr. Danehy explained the by-law to have an audit committee had been on the books for 5-6 years and was instituted to ensure compliance with the law. This year, the Board of Selectmen asked that an audit be conducted of the Schools as it was the biggest Town budget, and to ensure that the best audit practices were in place, with all methods and procedures that were needed being met. Usually, the committee meets with the auditors and then the report is forwarded on to the Board of Selectmen. It was felt that meeting jointly would have everyone in the same room at the same time to review the document together. Mr. Danehy introduced those sitting at the table, and then asked Mr. Sullivan and Ms. Roberts to make their presentation.

At this point, Mr. Barrasso voiced his concern that the audit was received just this evening, and especially for members of the Audit Committee, did not feel this was the best practice. They should have received the report ahead of time so it could have been reviewed. He also did not know why this meeting had to be scheduled so quickly. Mr. Danehy explained that Dr. Bettencourt and Mr. Verdolino had met with the auditors prior to the drafts being prepared so responses could be incorporated into the document before the final printing.

Mrs. Rozanski agreed that the draft copy Dr. Bettencourt and Mr. Verdolino saw could have been shared with Mr. Barrasso as a member of the School Committee at that time. This meeting tonight was a rescheduled meeting as the auditors requested additional time to incorporate the latest revisions from the School Department. Mrs. Rozanski noted that two of the Selectmen as well met with Mr. Sullivan prior to the first draft being prepared as the board commissioning the audit. Mr. Barrasso again voiced his displeasure that the Audit Committee was not given the courtesy of first review of the audit.

Mr. Sullivan stated fieldwork had been completed on January 11th at which time they gave a verbal report to Mr. Hartman and School Administration, and then a first draft was submitted to them. They then went to meet with School Administration to discuss their findings. Apparently, School had additional information they did not see the first time, so the draft was redone to include their responses which is standard practice, the first meeting cancelled, and another meeting set up to review the audit. A draft copy of the document received this evening was faxed to Mr. Hartman on April 3rd as he would not be in attendance this evening.

MINUTES OF AUDIT COMMITTEE WITH BOARD OF SELECTMEN, FINANCE COMMITTEE,
SCHOOL COMMITTEE AND DEPARTMENT, TREASURER/COLLECTOR
APRIL 4, 2000

Mr. Sullivan then proceeded to go through the audit, beginning with the outline of scope of services. He noted there were specific procedures they followed, and that this was not the town's or school's regular audit.

I. Classification of Expenditures. He noted that the detailed chart of records includes more than is needed for state and budgeting purposes. They did find mis-classified expenditures, but it was not unusual to pay some of the bills where they ended up. He stated Mr. Verdolino sent out a memo in April of 1999 (exhibit 1 of appendix III) requesting departments follow a more specific guideline for the placement of expenditures and procurement accounting procedures. Mr. Sullivan recommended a further review be done in this area.

It was noted FinCom members saw many transfers being done, and were disappointed they could not see where the negatives and positives were so they knew where different accounts had been underfunded and overfunded. Mr. Sullivan believed School Administration should be following up on expenditures now, which was the proper time, almost a year after the memo was sent out. Dr. Bettencourt requested to read the School Department's response on this issue, which he did. He said they would send that memo out every year and orally communicate their request as well. When asked why the memo had been sent out, Dr. Bettencourt indicated it had been an on-going topic for a number of years with both he and Mr. Verdolino recognizing the need to come up with a mechanism to monitor the budget.

II. Student Activity Funds. In the first area of compliance with statute requirements, Mr. Sullivan felt this was the weakest area of controls in Massachusetts, not mis-use or mis-appropriations. He did not feel the handling of these funds was the proper way to expend fundraising funds, and recommended 100% of those funds be deposited in the town's bank accounts through approved warrant procedures. He felt the funds in the accounts should be limited to that raised by the students and spent by the students. In the second area of adequacy of internal controls and reconciliation of accounts, this was being done but the town and school were doing their own reconciling, and consequently, one did not necessarily agree with the other. The Town Accountant's records did not reconcile with either the Treasurer or the School. The Treasurer explained this was because the School maintains one student activity account, where the Town Accountant keeps a separate account for each school.

Insofar as timely transfers of funds, Mr. Sullivan said the town has a savings account which earns interest. Bills, however, are paid out of the checking account and the savings account reimburses that account; however, the town lost out on interest because the money was not in the savings account to be transferred, and only two transfers were made. The Treasurer explained that a lot of money comes in at the end of the year, but also on the other hand, a lot of money is spent at the end of the year. Then it is realized there is no money left because many bills were being paid at one time. It was also noted that some cash was not deposited in the checking account, choosing to use some of the cash when needed even though they monitored receipts of what was paid out. Mr. Verdolino requested to read the School Department's response on this issue, which he did. He stated they have drafted an internal audit program, which was not included as an exhibit in this report, but will be conducted at least annually at each school.

III. Revolving Funds. Mr. Sullivan felt the athletic account was in good shape but records maintained by the athletic director will be done by School Administration. There is no prohibition on having surplus, but found they over-expended by \$21,000. Some expenditures, he believed, should have been charged here and weren't. He stated the purpose of raising funds is to be allowed to expend from that account without going through an appropriation. Dr. Bettencourt agreed it was unusual but it happened. When asked who determines what gets paid out of the revolving fund, Mr. Sullivan said it was the athletic director and then the business office. When asked about adjusting errors, Mr. Sullivan stated these errors cannot be corrected now, but during this fiscal year, they can be until the books are closed. With regard to the surplus, Mr. Verdolino indicated they have planned for utilization of the revolving fund.

Mr. Sullivan said that the custodial/building use fund is building up in surplus. Some expenses could be charged off to this account and he recommended that. Normally, you can carry over surplus, but not building surplus, and indicated you can charge maintenance or upkeep to building use, even the cost of

MINUTES OF AUDIT COMMITTEE WITH BOARD OF SELECTMEN, FINANCE COMMITTEE,
SCHOOL COMMITTEE AND DEPARTMENT, TREASURER/COLLECTOR
APRIL 4, 2000

maintenance people if it is related. Mr. Sullivan noted they can go to town meeting and ask that the surplus be used for something else if they so choose.

With regard to tuition, Mr. Sullivan felt their expenditures for the kindergarten program should be related to revenue coming in, but at this point, he did not see the full costs.

On adult/community education, this is the same situation and School Administration will be setting up other accounts for better control and monitoring. Mr. Sullivan recommended more frequent turnovers, especially with cash, as at this point they were large and infrequent. With regard to how offsets would be tracked, Mr. Sullivan felt it was up to the Town Accountant as she maintains the accounts, but responsibility for oversight belongs in the School Business Office. Mr. Verdolino noted if the Business Office had better handled these accounts, none of this would have been in print. He clarified his office reconciles with the Town Accountant on a monthly basis. Dr. Bettencourt requested to read the School Department's response on this issue, and he did.

IV. Procurement Procedures. Mr. Sullivan stated 30B was complicated, and found problems here that were typical because of the \$1,000 threshold for three phone quotes for purchases under \$10,000. He stated they did multiple purchases less than \$1,000 to avoid making the phone calls, but did not see purchases higher than the average. Mr. Sullivan said 30B was circumvented, here and in the area of bid splitting apparent from multiple invoices to the same vendor within a few days timeframe, as evidenced in Appendix I. They made several random phone calls looking at transactions, and some could not recall the School's phone call; however, there was no definitive denial that the call had been made. Mr. Sullivan stated 30B had been in effect since 1994, and did not believe the three phone calls was too difficult as an answer could be received by mail, fax or phone. He reiterated that the process has to be complete with the appropriate documentation as backup. When Mr. Verdolino was asked who conducts the procurement process, he stated whoever is doing the purchasing has shown to be the most efficient in following though. Compliance with 30B was shared by his office and the Town Accountant; they both check. When asked why the law was put in, Mr. Sullivan stated there are procurement standards, one of which allows the purchaser to make selections other than the lowest bidder if the three meet the basic qualifications. When asked if a vendor can be asked to match a bid already received, Mr. Sullivan noted as long as all are given the same question. He noted School Administration and the Town Accountant will now probably do their own phone checks.

Mr. Sullivan stated the School purchases got complicated because of multiple funding sources, i.e. on a state grant, they had a state vendors list and felt only one could meet the specs. It was hard for the auditors to know who was qualified and who wasn't, but the School felt they did everything to get the best price; it couldn't be verified. It's a matter of judgment and how much effort was put into it. The telephone system was not all paid for with local funds, and even though a complicated purchase, they could have sought other vendors on the approved list. Mr. Verdolino verified the amount of the purchase was \$180,000, funded with \$20,000 from the intercom money on CIPC's list, \$65,000 from the technology bond grant, and \$100,000 from the CIPC article on technology. He indicated a reimbursement of \$50,000 was forthcoming from the E-rate program. Mr. Sullivan stated that telephones and equipment were put in; the wiring, cable and infrastructure was okay but not the actual phones. When asked if this purchase would affect the school's technology plan, Dr. Bettencourt said it would not. Mr. Sullivan said they addressed the complete phone system, and the plan was adjusted the following year.

A question on the distribution and receipt of the rebate was brought up, and Mr. Verdolino said it was available to the School Department, in a sense, found money back to the schools. The question was posed that since \$50,000 was being returned to the town, and CIPC is the town, why couldn't \$50,000 less come off of the school's CIPC budget? Mr. Verdolino noted it could be done, but the law specifies the funds benefit school and library. Dr. Bettencourt said they don't have the money yet, and will make a decision when it is received. Mr. Verdolino requested to read the School Department's response on this issue, and he did.

MINUTES OF AUDIT COMMITTEE WITH BOARD OF SELECTMEN, FINANCE COMMITTEE,
SCHOOL COMMITTEE AND DEPARTMENT, TREASURER/COLLECTOR
APRIL 4, 2000

Mr. Verdolino stated they will follow up on questionable items in the future and do spot checks. When asked what form these spot checks would take and how they would be done, Mr. Verdolino said what was important was compliance with the law and not the steps taken as they are moving to look at substance rather than form. Mr. Sullivan noted the Town Accountant can do spot checks as well. When asked if the School Committee got involved in any of this, Mrs. Harvey stated they knew they were doing it, and they knew about the E-rate program. They were pleased it came in \$50,000 less than they thought it would and how it related to the funds set aside. No vote is needed by the School Committee.

V. Special Education Department. Mr. Sullivan stated certain costs were mandatory and costs were increasing. In trying to keep costs down, they are educating as many as possible within the district, and hired additional paraprofessionals going from 27 to 54, and in this way, funding for out of district tuition decreased. Because of the additional staff, it is important to realize the possible impact on the town side for benefits and there should be continued coordination between the two. Dr. Bettencourt felt they have been aggressive in their strategy in this area knowing that student placements and transportation can be expensive. Insofar as benefits were concerned, he said there was a misconception that the large increase in health benefits was in this area, because it was not. He said the paraprofessional were not responsible for any major increase or impact. Dr. Bettencourt asked that this be put in perspective and not make more out of this than there is. Mr. Verdolino said, as of one month ago, SPED paraprofessionals were at 46 and the number of on the insurance plan was 8.

VI. Other Issues. With Medicaid, they felt confident that they went through the proper procedures with parental consent, and more money was coming in than anticipated. The Treasurer noted the funds would be coming in to reimburse the School Department. Mr. Verdolino agreed \$7,000 were received in revenues, but anticipated \$40,000 - \$50,000 annually hereafter. Mr. Sullivan noted Medicaid receipts go into the general fund, and the School Department will be proposing a special fund for SPED expenses.

On school choice, Mr. Sullivan felt there were no problems here, as the School Committee has to approve its use. In 1999, he found the charges to school choice were done by journal entry transfer for \$125,000, but not the remainder of the transfer and recommended they process vouchers.

With financial software, Mr. Sullivan did not feel it was as functional as others he had seen, and recommended seeking alternative evaluative software applications.

Trend analysis compared favorably, as evidenced in Appendix II.

Mr. Verdolino requested to read the School Department's response on these issues, and he did, basically concurring with the comments as stated by Mr. Sullivan with the intention of implementing some of the suggested changes.

Just a general question to the Treasurer asking where we were in tying School and Town into the software. She believed that would be accomplished in the third step of the plan; we were at the second step now.

When Mr. Sullivan was asked what was the next step, he said the School audit was done in response to a specific request by the Town. Mrs. Rozanski stated the report was delivered to the Board of Selectmen.

Mr. Barrasso noted the Town audit still needed to be done and reviewed, and felt it deserved the same equal representation and broadcast as this audit report received.

9:25 p.m. – The meeting was adjourned.

Respectfully submitted,

M. J. Fredette
mj

✓ Press (Ten)

AUDIT COMMITTEE:

- ✓ FRANK DANEHY
- ✓ GEORGE HALE
- MICHAEL HARTMAN - Absent
- ✓ RAPHAELA ROZANSKI, SELECTMEN'S REP
- ✓ STEVE BARRASSO, SCHOOL COMMITTEE'S REP
- ✓ KRISTEN DIEBUS, FINCOM'S REP

SELECTMEN:

- ✓ RAPHAELA ROZANSKI, CHAIR
- ✓ HARRY JOHNSON, VICE-CHAIR
- ✓ JOHN WILLIAMS, CLERK
- RICHARD GILDEA - Absent
- ✓ JOE DZICZEK

SCHOOL COMMITTEE:

- ✓ CHERYL HARVEY, CHAIR
- ✓ CHARLIE MYERS, VICE-CHAIR
- DIANA FAUST
- ✓ FRANK VARRICHIONE
- ✓ ROBERT HASKINS
- ✓ STEVE BARRASSO

FINCOM:

- JOHN COLLETT, CHAIR
- CARLA CATALDO, VICE-CHAIR
- ✓ KRISTEN DIEBUS, CLERK
- ✓ JAY LEADER
- ✓ BARRY HELLER
- ✓ STEVE FORBES
- MIKE CREED
- ✓ ALLAN FRASER
- DIANE COULTER
- JOAN SHERIDAN
- DAWN BOYAN

TREASURER/COLLECTOR:

- ✓ MARJORIE SANFORD

TOWN ACCOUNTANT:

ARTI MEHTA - Absent

SUPERINTENDENT:

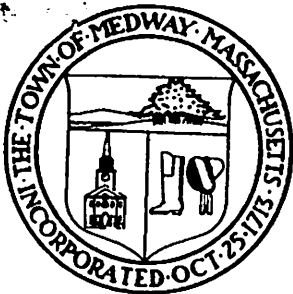
- ✓ ART BETTENCOURT

DIRECTOR OF OPERATIONS & FINANCE:

- ✓ DAVID VERDOLINO

TOWN ADMINISTRATOR:

MICHAEL HARTMAN - Absent



BOARD OF SELECTMEN
155 VILLAGE STREET
MEDWAY, MASSACHUSETTS 02053
(508) 533-3200 • FAX: (508) 533-3201

AGENDA

BOARD OF SELECTMEN

SANFORD HALL

APRIL 3, 2000

7:00 p.m. – Open meeting.

1. Sign warrant.
2. Approval of minutes.
 - Regular meeting minutes of March 6, 2000.
 - Regular meeting minutes of March 13, 2000.
 - Regular meeting minutes of March 20, 2000.
 - Regular meeting minutes of March 27, 2000.
3. Public comments.
4. Committee reports.

7:15 p.m. – Mark Louro, Town's Consultant from VHB.

- Re: Route 109 Pedestrian Safety Evaluation.
5. Administrator's report.
 6. Discussion items.
 - Finalization of annual town meeting warrant.
 - Request for June election.

7:45 p.m. – Patti and Ray MacNeill

- Re: Voluntary toll for HOPE (Helping Other People Everywhere)

8:00 p.m. – Municipal Building Committee

- Re: Recommendation to Selectmen for High School site.

7. Action items.
8. For your information.
9. Communication and correspondence.
10. Future agenda items.
11. Upcoming meetings.
 - April 10th, 24th.
12. Executive session.

cc: Town Clerk for posting.

cc: AUB
4/26/00

MINUTES OF THE SELECTMEN'S MEETING
APRIL 3, 2000

Present: Selectmen Raphaela Rozanski, Harry Johnson, John Williams, Richard Gildea, Joe Dziczek, Town Administrator Michael Hartman, Secretary M. J. Fredette.

7:05 p.m. – Open meeting.

- Mrs. Rozanski opened the meeting in Sanford Hall of Town Hall.
- 1. Sign warrant.
 - Mr. Johnson moved approval of warrant #41 as read by the Clerk in the amount of \$412,435.04; Mr. Dziczek seconded; all aye. Mr. Williams noted, according to the Superintendent, this warrant probably included the last of the school building bills.
- 2. Approval of minutes.
 - Mr. Johnson moved approval of the regular meeting minutes of March 6th; Mr. Gildea seconded; all aye.
 - Mr. Johnson moved approval of the regular meeting minutes of March 13th; Mr. Dziczek seconded; all aye.
 - Mr. Williams moved approval of the regular meeting minutes of March 20th with the amendment that when Mrs. Rozanski came into the meeting, Mr. Johnson turned the meeting over to her; Mr. Dziczek seconded the amended motion; all aye.
 - Mr. Williams moved approval of the regular meeting minutes of March 27th; Mr. Dziczek seconded; all aye.
- 3. Public comments.
 - Ed Reardon voiced his concern for the increase in taxes every year, and how that affects senior citizens. He also noted the dangerous traffic situation at Holliston and Main. To this concern, Mr. Hartman noted there is still an active request with the State, submitted fifteen months ago, for the intersection to be upgraded and modernized. With reference to tax relief, Mr. Johnson stated there was a deferred tax program seniors could utilize.
 - Frank Varrichione thanked all involved for resolving the crossing guard situation at the Memorial School.

7:30 p.m. – Mark Louro, Town's Consultant from VHB came to meet with the Board concerning the Route 109 pedestrian safety evaluation that was conducted.

Mr. Louro apologized that the Traffic Engineer could not attend this evening, but detailed that the report he had submitted to the Board covered their study from Pond Street westerly to Holliston Street as the easterly limit. Some of the report's findings concluded:

- traffic weekdays averaged 27,000 on weekdays and 25,000 on Saturdays, indicating a 25% increase since the study conducted by Norfolk County in 1996.
- head counts at the two pedestrian crosswalks were not high – between 24 and 26 in 4 hours.
- average median speed was 34 mph. (According to the Police, Mr. Hartman indicated speed had been reduced by 10 mph since zero tolerance was instituted.)
- over the past two years, there had been 121 accidents on Route 109, with 24 at Holliston; 17 at Dunkin Donuts; 13 at Shell, with 4 out of 10 being rear-end accidents.

MINUTES OF THE SELECTMEN'S MEETING
APRIL 3, 2000

Recommendations included:

- limiting access to three driveways with at least the one main control light at the main entrance. (Mr. Hartman noted roughly each signal light costs \$250,000, not including pavement changes.)
- minimize curb cuts which would still benefit businesses.
- thermoplastic pavement markings.
- additional warning signage for crosswalks, including beacons and advance signs.
- for every approach, left and right turns and straight-a-way.
- possible additional sidewalk on south side.
- no mid-block crossings.

Mr. Louro reminded the Board that the traffic counts are current, and if too much time goes by, a recount will have to be done.

Mr. Hartman noted the State might be willing to fund only the design work, and Chapter 90 funds would have to be used for the balance of the work.

Mrs. Rozanski believed that costs need to now be applied to each of the recommendations, and the Board would be reviewing the document. Mr. Hartman suggested trying to adopt some of the recommendations and go forward with a plan. He believed they should try working with the owners first to see if they would be willing to make voluntary changes which would be to their benefit. A working group session would try and be scheduled for May 6th with the owners being provided a copy of VHB's report prior to the session.

8:10 p.m. – Patti and Ray MacNeill were scheduled to speak to the Board concerning a request for a voluntary toll for HOPE (Helping Other People Everywhere). Instead Frank and Sharon McComb came to speak on their behalf. The toll would be set up at the corner of Highland and Main Streets on Saturday, April 8th from 8 a.m. to 3 p.m. In response to Mr. Williams' question, they noted that 42% of their funds go to the hospitals in Cambodia, but still trying to meet the needs of others. Mr. Johnson moved to approve the voluntary toll for Saturday, April 8th from 8 a.m. to 3 p.m. at the corner of Highland and Main Streets; Mr. Dzikczek seconded; all aye.

8:20 p.m. – Members of the Municipal Building Committee, along with Consultant Phil Poinelli, came to meet with the Board to give a presentation on their findings for a site for a new high school, which was given the first priority.

Town Administrator Michael Hartman stated that the Town had appropriated funds to evaluate up to three sites by extending the scope of services of SMMM by an additional \$18,000.

Co-Chairman Jim Brodeur began the presentation indicating they evaluated fourteen sites, with individual maps, looking for 30-35 acres of contiguous upland to support a high school. Co-Chairman Jim Hoodlet confirmed that part of their matrix included eliminating sites that had no gas, sewer or water hookup accessibility. Mr. Hartman had contacted landowners to see if they could receive permission to walk their property, and eventually narrowed the choices down to three parcels. Those three sites were walked with a Civil Engineer, a Wetlands Consultant, Mr. Poinelli and Mr. Hartman.

The three properties were: Fontanella, Cassidy and Sidurski. The Fontanella property area under consideration was considered with the hope of utilizing the Lally property as a potential site for a well and drainage easement. The next was the Cassidy land, and finally the Sidurski/Whalan property, with both giving permission to walk the property.

The Committee and Mr. Poinelli explained why those three sites were chosen over the others, including such concerns as utilities accessibility, high tension wires, infrastructure improvements, wetland crossings, wetlands, and those that utilized their property for personal profitable income from a business.

MINUTES OF THE SELECTMEN'S MEETING
APRIL 3, 2000

Mr. Hartman explained the Municipal Building Committee has met with Town Counsel and they are aware of the Fontanella will and the related legal issues, as well as interests in trusts. Mr. Hoodlet mentioned that Mr. Fontanella was amenable to the idea of a high school and understood he was the trustee.

Mr. Brodeur further explained that this committee had been looking for the best site for the money for the town. Price was not really the main issue because they knew they would have to pay fair market value, even if they took it by eminent domain.

Mr. Poinelli noted that all fourteen sites were privately owned, and that the taking of land would be necessary on all fourteen, with Town Counsel explaining that would clear the title.

Mr. Hoodlet indicated that what they had aspired for included:

- that the buildable site would meet or be close to their expectations.
- that the site would be able to accommodate a 188,000 sq. ft. building.
- that the site would be able to have a 300-400 parking lot and playing fields.
- that the building could fit on the site.
- that the site was close to the center of Town and major roadways.
- that the site would try and take advantage of nearby playing fields.

Mr. Poinelli provided an example with a drawing of what the site could look like with the building and fields, and noted their report also included overhead aerial photographs of the fourteen sites.

Residents were given the opportunity to speak and ask questions.

Al Abbabatto – Coffee Street: felt the high school would diminish property values of everyone on Coffee Street. He also felt the acreage that was stated for the Fontanella property was not accurate. Mr. Hoodlet confirmed there was 28+ acres, and the 30 acres is a guideline, not a requirement.

Bill Hummel – Coffee Street: was concerned about one and one-half acres for a detention basin. Mr. Poinelli indicated there would be water management, and it would be controlled.

Susan Wood – Coffee Street: was concerned they were not able to walk all fourteen potential sites before making a determination. Mr. Poinelli indicated their results were based on sites walked.

Mr. Lindsey pointed out that only certain funds were available to them, and much of the information gathered was based on the Town Assessors' records.

Jeff Brennan – Coffee Street: concerned about additional traffic on Coffee Street.

Mr. Lindsey said no one wanted to take a working business' land. He noted the Committee had only reached a decision on which piece of property was their number #1 choice two weeks ago, and felt no matter which property the Committee chose, some people would be unhappy about it.

Mr. Brodeur felt that there was a timeline to keep, and suggested an all boards meeting.

Mrs. Rozanski suggested closing this portion of the presentation hearing.

Ms. O'Rourke recommended a public informational forum.

Mr. Varrichione agreed it was important to have all boards get together and get their input, out of courtesy.

MINUTES OF THE SELECTMEN'S MEETING
APRIL 3, 2000

Mr. Brodeur believed it was important to win over the boards in Town, and then to try and win over the public.

April 15th at 9:00 a.m. in Sanford Hall was agreed upon, with the Selectmen co-hosting.

10:30 p.m.

4. Committee reports.

- Mrs. Rozanski noted receipt of the tentative decision on Sithe.
- It was noted that Kathy Reed of the Bureau of Accounts was being transferred to the Boston District, and we would be assigned a new local rep.
- Mr. Williams asked for a further update on the Lovering Street sidewalks, and also noted an overflowing dumpster at Flair Cut.

Mr. Hartman believed the sidewalk renovation would be commencing within the next week or two, and he would ask the Police to check out the dumpster as it fell under the penal by-laws.

- Mr. Johnson noted attending the legislative breakfast.
- Mr. Johnson also noted a new number from the classification hearing for total value for commercial, personal and residential properties of \$862,362,920, with an understated amount of \$18,997.83. Mr. Williams moved that the document be attached to the minutes so stating; Mr. Dziczek seconded; all aye.

5. Administrator's report.

- Mr. Hartman noted he and the Superintendent were aware of certain funds that would be accessible in the event of an emergency shortfall, including FinCom reserve.

6. Discussion items.

- The Board discussed finalization of the annual town meeting warrant. Several articles had already been dropped, and the Board went over the remaining articles.

The article on a budget process formally becoming a by-law for the FinCom brought some discussion among the Board members. Mr. Williams believed the Board already had the authority, but Mr. Hartman explained the School Committee, specifically, did not submit their budget in a format on schedule thereby necessitating the formation of the by-law for compliance. Mr. Williams again believed the FinCom should not be setting policy as they were advisory, but Mr. Hartman reiterated some guidelines need to be in place for everyone so that budgets can be required to be submitted on time. He noted the Board and the FinCom adopted a budget process which was presented to all boards in October, and yet the FinCom received a figure from the School Committee two weeks ago even though it was due at Christmas. Mrs. Rozanski, Mr. Gildea and Mr. Dziczek voted in favor of leaving the article in.

The following article on allowing capital items under the jurisdiction of the Town Administrator also brought some discussion. Mr. Hartman stated this article was proposed by both the CIPC and the FinCom. The intent is to form a budget center by itself, as the procedure now is to charge back the funds to each individual department. Again, a specific reference was the School Department where funds seem to be entirely spent without returning any balance back go the Town.

MINUTES OF THE SELECTMEN'S MEETING
APRIL 3, 2000

Some discussion on the article for funds to repair the School roofs. Mr. Hartman believed this should be referred to the Municipal Building Committee, as it was never part of the School budget and the study was not done in time to add to the CIPC budget priorities.

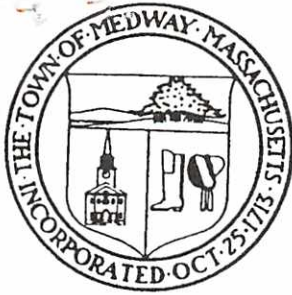
7. Action items.
 - none.
8. For your information.
 - none.
9. Communication and correspondence.
 - none.
10. Future agenda items.
 - none.
11. Upcoming meetings.
 - April 10th and 24th.
12. Executive session.
 - none.

12:15 a.m. – Mr. Dziczek moved the meeting be adjourned; Mr. Gildea seconded; all aye.

Respectfully submitted,

M. J. Fredette
Secretary
mj

APPROVED
4/24/00



BOARD OF SELECTMEN

155 VILLAGE STREET
MEDWAY, MASSACHUSETTS 02053
(508) 533-3200 • FAX: (508) 533-3201

AGENDA

BOARD OF SELECTMEN

SANFORD HALL

MARCH 27, 2000

7:00 p.m. – Open meeting.

1. Sign warrant.
2. Approval of minutes.
 - Regular meeting minutes of February 28, 2000.
3. Public comments.
4. Committee reports.

7:15 p.m. – Continuation of Tax Classification hearing.

5. Administrator's report.
6. Discussion items.
 - Rough draft of annual town meeting warrant.

7:30 p.m. – Doug Schmidt, Project Manager for Sithe.

- Re: Sithe Site Plan.
- 7. Action items.
 - Approve street opening standards and adopt fees as proposed.
 - Authorize Chairman to sign agreement between Commonwealth of Mass. and DEP for recycling grant.
 - Request for June election.
 - Approve and sign quarterly ambulance abatement.
 - Approve and sign change order number #3 for the Idylbrook park project.
 - Approve a voluntary toll for HOPE.
- 8. For your information.
 - MMA Municipal Update Meeting Schedule.
- 9. Communication and correspondence.
 - DOR's notification of preliminary certification for real and personal property classes.
 - Attorney Dugan's letter noting affirmative action steps of Golden Jade.
- 10. Future agenda items.
 - Municipal Building Committee.
- 11. Upcoming meetings.
 - April 3rd, 10th, 24th.

CE:ALB 4/4/00

March 27, 2000
Selectmen's Meeting
Page 2.

12. Executive session.
 - None.

cc: Town Clerk for posting.

MINUTES OF THE SELECTMEN'S MEETING
MARCH 27, 2000

Present: Selectmen Raphaela Rozanski, Harry Johnson, John Williams, Richard Gildea, Town Administrator Michael Hartman, Secretary M. J. Fredette. Selectman Joe Dziczek was not in attendance.

7:00 p.m. – Open meeting.

- Mrs. Rozanski opened the meeting in Sanford Hall of Town Hall.
- 1. Sign warrant.
- Mr. Williams moved to approve and sign warrant #40 in the amount of \$971,797.24; Mr. Gildea seconded; all aye.
- 2. Approval of minutes.
- Mr. Williams moved approval of the regular meeting minutes of February 28, 2000 as amended with a name correction; Mr. Gildea seconded; all aye.
- 3. Public comments.
- None.
- 4. Committee reports.
- Mr. Gildea, Mr. Williams, Mr. Johnson had none.
- Mrs. Rozanski reminded everyone of the Audit Committee meeting on the school audit on April 4th in Sanford Hall at 7:00 p.m.

7:15 p.m. – Continuation of tax classification hearing.

- Members of the Board of Assessors and Administrative Assessor Paul Keefe were present for the discussion. He noted he had taken the handout distributed last week and updated it to reflect \$17.39/\$1000. They asked that Form LA-5 be signed by the Board. Mr. Williams moved that the tax rate for FY'2000 be set at \$17.39/\$1000; Mr. Johnson seconded; all aye. Mr. Johnson moved to accept that they were informed by the Board of Assessors that the excess levy capacity was understated at \$23,222.00; Mr. Williams seconded; all aye. Mrs. Rozanski declared the hearing closed.
- 5. Administrator's report.
- Mr. Hartman stated that the Municipal Building Committee has requested to meet with the Board next week, April 3rd at 8:00 p.m. to submit a recommendation for the location of the new high school.
- Mr. Hartman said that Mark Louro of VHB would be meeting with the Board next week, April 3rd at 7:15 p.m. to discuss the pedestrian safety evaluation they conducted for the Town.
- Mr. Hartman stated they had received notice from the Norfolk County District Attorney's office relative to allegations of violation to the open meeting law, which he has referred to Town Counsel. Mrs. Rozanski told the Board she was advised of receipt of the document penned by Charles Myers in the office on Friday, and agreed it should be turned over to Town Counsel for his review. The D.A.'s office was notified as to the action taken.
- Mrs. Rozanski asked about the Lee and Wilson properties' notices of intent. Mr. Hartman stated there was an existing committee and they would be meeting Tuesday night to go over both properties. He reminded the Board that the Lees had previously submitted defective

MINUTES OF THE SELECTMEN'S MEETING
MARCH 27, 2000

notices of intent, which this committee had reviewed. He believed the same committee could also review the Wilson property.

6. Discussion items.

- The Board had received a rough draft of the annual town meeting warrant, and were not prepared to discuss it this evening. It was, therefore, tabled until next week, April 3rd. Mr. Hartman reminded the Board that the FinCom book, with the approved articles, needs to be sent to the printer around April 15th.

7:30 p.m. – Doug Schmidt, Project Manager for Sithe came before the Board for the site plan review. He was accompanied by John O'Brien, Attorney David Rosenzweig and Attorney Claire Blaine.

Mr. Schmidt provided the Board with a recap of the Sithe expansion project since the initial purchase back in 1999. He indicated they had written to 80 nearby residents, noting they had taken aerial photographs and were willing to show them the overhead views and any impact to them and their neighbors. They received replies from ten residents. Mr. Schmidt reassured the Board that noise control was an obvious concern but believed the residents did not have cause to be alarmed. He stated that, originally, they had intentions of starting construction during the first quarter of 2000, but now that intention was moved to the third quarter of 2000 with a twelve-month construction timeframe. He also assured the Board they would work out a traffic mitigation and control plan. With reference to the site plan, he stated they met with the Planning Board and received their approval and recommendation to the Board. With reference to the access road, Mr. Schmidt stated they would be utilizing an existing Boston Edison driveway and path to access the plant, and then loaming an seeding the area when they were done. With reference to the number of peaking hours, Mr. Schmidt stated there would be no more than 2500 hours per year, with no limit as to how it was distributed.

Mr. Johnson moved approval of the site plan as presented this evening; Mr. Williams seconded; all aye.

7. Action items.

- The street opening standards were brought up, and Mr. Williams had one recommendation – that was to change the last date of being able to work on the streets from December 1st to November 15th to keep it current with our present roadway access permit guidelines.

Mrs. Rozanski asked about the fees. Mr. Hartman stated they were consistent with the fees imposed by the neighboring communities' consortium when they met with DTE, noting utility companies also have to adhere to our standards. He asked that their vote for adoption be two separate motions – one for the standards and one for the fees.

Mrs. Rozanski asked if there was a method to waive the standards. Mr. Hartman stated every application for a roadway access/street opening permit requires a plan to be submitted. Once it is filed, it would be reviewed by DPS and other departments. If there are any special conditions, the Highway Foreman would take note of them. Mr. Hartman was confident that the standards could be met. He also noted the standards were being adopted by the Board as the Town's Road Commissioners. If there ever was a situation that warranted something to be waived or changed, he would come back to the Road Commissioners, and give the Board other recommendations.

Mr. Johnson moved to adopt the street standards as proposed, with any changes to the standards being brought to the Board of Selectmen for consideration acting as Road Commissioners; Mr. Williams seconded; all aye,

MINUTES OF THE SELECTMEN'S MEETING
MARCH 27, 2000

Mr. Williams moved to accept and adopt the fees as proposed by the Town Administrator; Mr. Johnson seconded; Mr. Gildea opposed at first but then changed his mind so the vote was unanimous; all aye.

- The Agreement between the Commonwealth of Mass. and DEP for the recycling grant was next discussed, with Mr. Hartman noting this was the annual contract between the Town and DEP. Mr. Johnson moved to approve and authorize the Chairman to sign the Agreement; Mr. Gildea seconded; all aye.
 - The request for a June election was deferred to next week's agenda, April 3rd.
 - Mr. Hartman presented to the Board the quarterly ambulance abatements for March. Mr. Johnson moved the Board of Selectmen abate the outstanding ambulance balance of \$1,000.65 as recommended by the Fire Chief and sign the official notification; Mr. Williams seconded; all aye. Mr. Hartman noted a copy of the minutes would accompany the notification going to the Accountant and the Treasurer/Collector.
 - Change order #3 for Idylbrook was presented to the Board for their approval and signature. Mr. Hartman recapped that, last Fall, \$20,000 was deleted from the Idylbrook budget to be revisited at a future town meeting. At the town meeting on March 20th, \$20,000 was transferred back into the account bringing the total cost of the project back to \$249,000. He recommended the Board's approval so they could start work tomorrow. Mr. Johnson moved to approve and authorize the Chairman to sign change order #4 for \$20,000; Mr. Williams seconded; all aye.
 - The HOPE organization had written the Board a letter requesting a voluntary toll at the intersection of Highland and Main Streets on April 8th. Mr. Williams had some questions and asked that they meet with the Board next week, April 3rd. He also asked that Mr. Hartman check with the Safety Officer on the location and safety.
8. For your information.
- MMA's municipal update meeting schedule was noted.
9. Communication and correspondence.
- The DOR's notification of preliminary certification for real and personal property classes was acknowledged, which was formally certified tonight.
 - The Board noted receipt of Attorney Dugan's letter enclosing the Golden Jade's affirmative action steps they would be taking to ensure compliance with the Town's request. Mr. Hartman stated he has asked the Police Department for their recommendations as well, and will come back to the Board at that time. The Board was receptive to the fact that management had taken steps to avoid violations.
10. Future agenda items.
- Municipal Building Committee, next week, April 3rd.
11. Upcoming meetings.
- April 3rd, 10th, 24th.
12. Executive session.
- None required.

MINUTES OF THE SELECTMEN'S MEETING
MARCH 27, 2000

- Prior to adjournment, Mr. Johnson wanted to bring up the removal of property from the Highway Barn. Even with the memo from Mr. Hartman addressing the issue, he still had questions and felt the issue was still open. He stated that part of the Town Administrator's contract was to establish a property book for the Town of Medway, and felt that both were inter-related. Mr. Johnson believed it was done by oversight of a process, and not done on purpose. Mrs. Rozanski questioned if there should be a formal procedure. Mr. Hartman noted that his contract does not include a reference to keeping an inventory.

Mr. Hartman stated he has requested money from the Finance Committee to conduct a fixed asset inventory and both times it was turned down due to lack of funds. He noted that none of the surplus equipment would have been included in the inventory. He noted, however, he had no authority for property assets for the schools. Mrs. Rozanski suggested Mr. Hartman come up with a procedure and proposal for the Selectmen.

Mr. Hartman reiterated the FinCom was receptive to doing an inventory sometime, and the auditors as well have said for two consecutive years, it should be done.

Mr. Johnson demanded no more property leaves the Town from now on. For the record, Mr. Hartman clarified that everything was done in accordance with State law, and if Mr. Johnson wished to pursue this further, urged him to complain to the Inspector General. He believed that there were allegations of impropriety being discussed here and wanted the minutes to reflect that Mr. Johnson's conjecture was challenged. Mr. Johnson again said he did not feel proper procedures were followed, and wanted a record of what was coming up for sale and how much.

Mr. Hartman explained, in this instance, ultimately the Town received \$1,000 as credit on future purchases after having contacted five salvage operators, with only one willing to come and get the equipment. Mr. Johnson believed the money should have gone back into general revenue, and maybe it wasn't what we wanted, but what was legal.

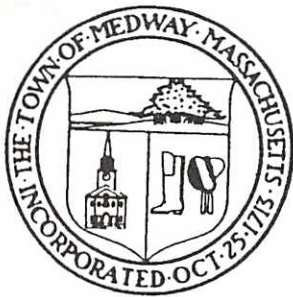
Mr. Williams felt that Mr. Johnson was more irritated with calls not being returned, but hoped that could change. Mr. Williams also noted that he had read the law and agreed that the matter was handled in accordance with the law. Mr. Johnson recalled that information was to come back to the Board so that an auction could be held, but Mr. Hartman referred to his memo to the Board clarifying that intent.

8:45 p.m. – Mr. Johnson moved the meeting be adjourned; Mr. Gildea seconded; all aye.

Respectfully submitted,

M. J. Fredette
Secretary
mj

APPROVED
4/3/00



BOARD OF SELECTMEN
155 VILLAGE STREET
MEDWAY, MASSACHUSETTS 02053
(508) 533-3200 • FAX: (508) 533-3201

AGENDA

BOARD OF SELECTMEN

ROOM 111

MARCH 20, 2000

6:00 p.m. – Open meeting.

1. Sign warrant.
2. Approval of minutes.
 - None.
3. Public comments.
4. Committee reports.

6:15 p.m. – Tax Classification hearing.

5. Administrator's report.
6. Discussion items.
 - Notices of intent received on Lee and Wilson properties.
7. Action items.
 - Approve street opening standards and adopt fees as proposed.
 - Approve petition of New England Telephone and Boston Edison for removal of pole on Village Street.
 - Approve and sign Tower License Agreement with Crown Castle.
8. For your information.
 - DEP's acknowledgement of report on test well site.
 - CIPC's process for capital items expenditures.
 - Board of Health's letter on regional hazardous waste collection site.
 - School Committee's memo of vote approving FY'01 budget of \$16,205,499, not including negotiated salary increases.
9. Communication and correspondence.
 - Attendance at Franklin's dinner meeting on April 25th.
 - Attendance at signing of TRIAD agreement on March 23rd.
10. Future agenda items.
 - Site plan.
11. Upcoming meetings.
 - March 27th.
 - April 3rd, 10th, 24th.
12. Executive session.
 - None required.

cc. AUB 4/4/00

Selectmen's meeting.
March 20, 2000
Page 2.

7:00 p.m. – Adjourn to auditorium for special town meeting.

cc: Town Clerk for posting.

MINUTES OF THE SELECTMEN'S MEETING
MARCH 20, 2000

Present: Selectmen Raphaela Rozanski, Harry Johnson, John Williams, Richard Gildea, Joe Dziczek, Town Administrator Michael Hartman, Secretary M. J. Fredette.

6:07 p.m. – Open meeting.

- Mr. Johnson opened the meeting in Room 111 of Medway High School.

1. Sign warrant.

- Mr. Williams moved to approve and sign warrant #39 in the amount of \$353,304.69; Mr. Dziczek seconded; all aye.

- *As Mrs. Rozanski joined the meeting, Mr. Johnson turned the meeting over to her.*

2. Approval of minutes.

- None.

3. Public comments.

- None.

4. Committee reports.

- Mr. Gildea, Mr. Williams, Mr. Dziczek had none.

- Mr. Johnson noted attending the legislative breakfast on March 31st at the Norfolk Agricultural School.

- Mrs. Rozanski took two items out of order that appear in communication and correspondence. She reminded the Board about the upcoming signing of the TRIAD Agreement at the Senior Center on March 23rd at 11:00 a.m. The TRIAD Agreement being an exchange of information between law enforcement, supportive services and senior citizens formed by the Medway Police and Fire Departments, Council on Aging, and the Norfolk County Sheriff's Office.

She also reminded the Board about the dinner buffet/joint meeting of towns hosted by the Town of Franklin on April 25th at 6:30 p.m. at Dean College, with a response deadline of April 3rd.

6:15 p.m. – Mrs. Rozanski opened the tax classification hearing public hearing with Mr. Williams reading the ad that appeared in local papers. In attendance from the Board of Assessors were Chairman John Creighton, June Murray, Administrative Assessor Paul Keefe, Assessors' Secretary Carol Niedbala.

Mr. Keefe provided a synopsis of the documentation being provided indicating residential has grown a bit faster than industrial and commercial. He still has not finalized figures and recommended the hearing be continued to next Monday night, March 27th.

He was asked about contributions to the various rates. Mr. Keefe indicated that 3,400 single family homes, 400 2- and 3- family homes, and 400 multi-family residences contribute 85% to the tax rate; 200 commercial and industrial contribute to the balance of 15% tax rate. The value of the Town is up 11% from last year, now at \$862,000.

On behalf of the Board of Assessors, Mr. Creighton recommended to the Selectmen that they adopt a residential factor of one. Mr. Johnson moved to accept the recommendation of the Board of Assessors for a residential factor of one; Mr. Dziczek seconded; all aye. Mr. Johnson moved to continue the public hearing to March 27th at 7:15 p.m. in Sanford Hall of Town Hall; Mr. Dziczek seconded; all aye.

MINUTES OF THE SELECTMEN'S MEETING
MARCH 20, 2000

5. Administrator's report.
 - None.
6. Discussion items.
 - Mr. Hartman noted that the notices of intent received on the Lee and Wilson properties have been determined to be bona fide offers by Town Counsel, and he would be re-activating the Land Acquisition Committee for discussion of the properties. Mrs. Rozanski asked for any other information available for March 27th. Mr. Johnson inquired who set up the Committee, and Mr. Hartman replied he had when the original Lee property notice of intent was submitted.
7. Action items.
 - The Board discussed the street opening standards and fee schedule again as postponed from last week. Mr. Johnson believed the Board had asked for corrections to be made to the format. Mr. Hartman understood that could be done once the standards and fee schedule were approved. Mr. Williams agreed no action should be taken until the proper document with the Town inserted in the language was completed. The Board also postponed taking no action on the fees, along with the standards, until next week's meeting on March 27th.
 - A joint petition had been received from New England Telephone Company and Boston Edison which did not require a public hearing. The petition was NET&T #00-01 to remove pole #33S on Village Street, on the southerly side approximately 185 feet east of the CRPCD driveway. Mr. Hartman noted the pole needs to come down as they went underground on private property for utilities with the permission of Mr. and Mrs. Bresnahan. Mr. Dziczek moved to grant and sign approval of petition #00-01; Mr. Johnson seconded; all aye.
 - The Tower License Agreement with Crown Castle was given to the Board for their approval and signature. Mr. Hartman explained this was the agreement for Police & Fire Communications to have space on the pole with their at 113 Main Street. He noted Crown Castle owns the pole and this is the final agreement after revisions were made by Town Counsel. The fee is \$1.00 per year with a special permit granted by the ZBA through Police & Fire Communications. Mr. Johnson moved to approve the agreement subject to Crown Castle signing the agreement per their letter dated March 15th; Mr. Dziczek seconded; all aye.
8. For your information.
 - The Board noted receipt of DEP's acknowledgement of the report on the test well site dated November 1999 prepared and submitted on the Town's behalf by Haley & Ward.
 - The Board noted receipt of the memo to all department heads from CIPC relative to capital expenditures being overseen by the Town Administrator. Mrs. Rozanski asked that this subject be on next week's agenda on March 27th.
 - The Board noted receipt of the Health Agent's memo dated March 1st relative to the location of a regional hazardous collection site at CRPCD. Mr. Johnson stated he would have liked to have seen a recommendation from the Board of Health rather than the Health Agent, and that the Board had voted to recommend approval on Article #1.
 - The Board acknowledged receipt of the School Committee's memo to them and the Finance Committee dated March 17th of their vote approving the FY'01 budget of \$16,205,499, not including negotiated salary increases.

MINUTES OF THE SELECTMEN'S MEETING
MARCH 20, 2000

- Relative to tonight's special town meeting, Mr. Hartman indicated that Articles #5 and 12 would be changed insofar as the sources of funding. He also noted that, at Saturday's FinCom meeting, the Planning Board requested that some of the monies that were to be transferred from their consulting budget tonight not be done. They, therefore, had to look for alternatives and did find them as late as this afternoon, allowing them to retain \$16,800 they would have transferred.

The \$15,000 from the Planning Board would now come from: \$11,500 from the Camp Sunshine Building Fund with the permission of the Park Commissioners, \$2,900 from CRPCD and \$600 from Law expense. Mr. Hartman explained the Park Commissioners agreed to the transfer since it was for the good of the children, and \$8,300 that was donated by a pro player is still being set aside for Camp Sunshine. The director of Camp Sunshine is aware of this as well.

Mr. Hartman also stated that he and Dr. Bettencourt will try and fill any funding holes that may occur to try and leave \$40,000 of the additional \$50,000 grant the Schools received until the end of the year in case it is needed.

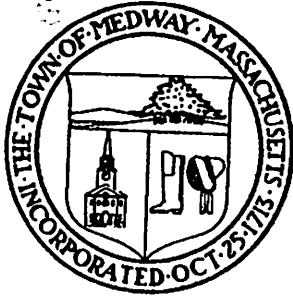
- Mr. Johnson said he wanted an action item on next week's agenda for March 27th of the disposal of properties that are being done improperly, and there may be impropriety involved. Mr. Hartman did not feel this was an appropriate item for a meeting, and any allegations of impropriety should be brought to the attention of the Town Administrator.
9. Communication and correspondence.
- Already covered by Mrs. Rozanski earlier in the evening.
10. Future agenda items.
- Sithe site plan on the March 27th agenda.
11. Upcoming meetings.
- March 27th.
 - April 3rd, 10th, 24th.
12. Executive session.
- None.

6:50 p.m. – The meeting was adjourned to the auditorium for the special town meeting.

Respectfully submitted,

M. J. Fredette
Secretary
mj

APPROVED
95 9m mld
4/13/00



BOARD OF SELECTMEN
155 VILLAGE STREET
MEDWAY, MASSACHUSETTS 02053
(508) 533-3200 • FAX: (508) 533-3201

AGENDA

BOARD OF SELECTMEN

SANFORD HALL

MARCH 13, 2000

7:00 p.m. – Open meeting.

1. Sign warrant.
2. Approval of minutes.
 - Executive session minutes of 6/1/99.
 - Executive session minutes of 11/1/99.
 - Executive session minutes of 11/8/99.
 - Executive session minutes of 12/13/99.
 - Executive session minutes of 12/20/99.
 - Executive session minutes of 12/27/99.
 - Executive session minutes of 1/10/00.
 - Executive session minutes of 1/18/00.
3. Public comments.

7:15 p.m. – Tata & Howard of Westborough.

Re: Report on wastewater disposal alternatives for the Industrial Park (Alder Street/Trotter Drive).

8:00 p.m. – Larry Connelly, spokesperson Granite St. neighborhood.

Re: Concerns on the proposed subdivision – Granite Estates.

8:15 p.m. – Nancy Honey-Lundy.

Re: Medway Pride Committee and contributions to the Town.

4. Committee reports.
5. Administrator's report.
6. Discussion items.
 - Medway Business Council's letter on liquor license violation policy.
 - Proposed annual town meeting warrant articles by Selectmen.
7. Action items.
 - Signs on Route 126 for Bellingham power plant construction.
 - Proposed street opening standards and adoption of fees.
 - Vote to accept offer regarding Appleby parcel in Oak Bluffs, MA.
8. For your information.
 - Documentation provided at 3/9/00 public hearing on Route 126.

cc. AL & 4/4/00

Selectmen's meeting
March 13, 2000
Page 2.

- 9 Communication and correspondence.
 - Further information from Rep. Gardner on the Upper Charles River Corridor.
 - Sithe West Medway LLC's response to information.
10. Future agenda items.
11. Upcoming meetings.
 - March 20th, Room 111 of Medway High School, 6:00 p.m.
 - March 20th – Special Town Meeting – 7:00 p.m. – High School auditorium.
 - March 27th.
12. Executive session.
 - None required.

cc: Town Clerk for posting.

MINUTES OF THE SELECTMEN'S MEETING
MARCH 13, 2000

Present: Selectmen Raphaela Rozanski, Harry Johnson, John Williams, Richard Gildea, Joe Dziczek, Town Administrator Michael Hartman, Secretary M. J. Fredette.

7:00 p.m. – Open meeting.

- Mrs. Rozanski opened the meeting in Sanford Hall of Town Hall.
- 1. Sign warrant.
- Mr. Dziczek moved approval of warrant #38 in the amount of \$992,743.77; Mr. Gildea seconded; all aye.
- 2. Approval of minutes.
- Mr. Williams moved to release executive session minutes already approved: June 1, 1999, November 1, 1999, November 8, 1999, December 13, 1999, December 20, 1999, December 27, 1999, January 10, 2000 and January 18, 2000; Mr. Dziczek seconded; all aye. Mr. Hartman noted there was only one executive session left not released.

7:15 p.m. – Jack O'Connell, Project Manager of Tata & Howard came to speak to the Board concerning their report on wastewater disposal alternatives for the Industrial Park at Alder Street and Trotter Drive. He was accompanied by Paul Sirois, Project Engineer. Gino Carlucci, the Town's consultant was in attendance as well.

Mr. O'Connell stated there were four routes for pumping. Applying the DEP guidelines of 20 gallons per days per employee, the projected wastewater flow rate would be about 80,000 gallons per day. The options were:

- Take and pump down from Alder Street, to 495 to Milford. The advantages to this would be less wetlands impacts and less force mains. Disadvantages were that Mass. Highway permitting would be required, expensive pipe jacking, mandatory ENF and EIR permitting, an intermunicipal and buy-in fee, and special legislation. Estimated cost about \$1,390,000. This could take from 9 months to 2 years through MEPA.
- Collect to the top of hill of Trotter Drive down route 109 to Milford. The advantages to this would be less capital cost and less wetlands permitting. Disadvantages were that there would be construction of sewer on 109, Mass. Highway permitting would be required, mandatory ENF and EIR permitting, loss distance force main, an intermunicipal agreement and special legislation. Estimated cost about \$1,200,000.
- Follow Stallbrook to Bellingham and tie in there. The advantages to this would be no pumping station required and no maintenance of equipment or pumping stations. Disadvantages would be many wetlands permitting issues, mandatory ENF and EIR permitting, an intermunicipal agreement, special legislation and water supply protection requirements. Estimated cost about \$1,770,000. This is also the longest connection.
- On-site treatment, but it would need a secondary system. The advantages to this would be no EIR required and less wetland issues. Disadvantages would be operation and maintenance requirements, ground water discharge permit and hydrogeological evaluation, limits future build-out due to design flow restriction, and wetlands permitting requirements. Estimated cost about \$1,560,000. This would also be under local control and no other communities are involved.

The costs noted above include permitting and a 25% contingency factor.

MINUTES OF THE SELECTMEN'S MEETING
MARCH 13, 2000

Mr. Hartman stated that Route 109 is not a State road; it is a State-numbered road, and may not require Mass. Highway permitting. Mr. Johnson determined that there was a cost if only highway permitting is required from where Medway and Milford hit.

Mr. Hartman said the disadvantage to #4, the last one, is that there is not just one owner involved, there are about 11, but the Town owns the street.

Mrs. Rozanski asked, when you switch to different Towns, how do you handle the difference in what Mass. Highway requires and what we can put down? Mr. Hartman explained that the State has DTE standards, so that becomes a moot point as the standard requires flowable fill, and if that is the Town standard as well as the State standard.

On #3, Mr. Hartman said going to the Charles River requires no pumping but gravity flow.

Mr. Dziczek asked if it was possible to have a holding facility at CRPCD? Mr. O'Donnell said it was, but expensive. With the projected number of gallons, it could cost \$10,000 - \$20,000 a year.

Mrs. Rozanski agreed the industries were looking to see if the infrastructure is there.

Mr. Dziczek also asked if we didn't start for five years, what would the cost be then? Mr. O'Connell felt the cost would go up a minimum of 3% if not more.

Mr. Hartman explained Tata & Howard did the preliminary work so the IDC could apply for the grant. He believed we would never see that area developed if we don't put in sewer; this was our last chance. Mr. Johnson agreed saying unless we make these improvements, we would never see the high bracket commercial or industrial businesses. Mrs. Rozanski noted that last week, the Board had signed the Ready Resource Grant application for this specific purpose. The next step is the actual grant to build the system. Mr. Dziczek noted this could also open up opportunities for development in that area with other towns as well.

Mr. Carlucci agreed that the Ready Resource Grant application was the first submittal. Now we have to take the next step to make the decision among the four alternatives. It could be built in phases if need be.

Mr. O'Connell commented that they have worked in Millis and Milford on similar projects.

3. Public comments.

- There were none.

8:00 p.m. - Lonnie MacDonald of 11 Granite Street came to speak to the Board about the Granite Estates subdivision on behalf of Larry Connelly would could not attend.

He stated the neighborhood's concerns were on safety issues and wanted to cover some points they had. Recently, they met and discussed their concerns. They agreed on a letter to be sent and signed a petition.

- They felt the street cannot handle any more traffic basically because there are no walkways and the street is narrow. He wondered if emergency vehicles could make it up the street and around the turns?
- They felt there was non-residential traffic taking short cuts to get to the Home Depot shopping center.
- They felt there was excessive speeding on the street.

MINUTES OF THE SELECTMEN'S MEETING
MARCH 13, 2000

- They felt the kids' bus stop was not in the best location, and maybe the guardrail was the problem. The people were not asked if it should be there.

Their recommendations were:

- To conduct a study of the flow of traffic and let the residents see the results.
- More signage.
- A three-way stop at Stallbrook, Granite and Daffodil Streets.
- Speed bumps.
- More Police presence.
- They did not want the street to change.
- They were concerned about the growth in Medway and the strain on the water supply.

Mr. Gildea stated that the same problems they were having occurs all over Town as well.

Mr. Dzikczek said whatever they can do for safety, they will do, but some dangers are caused just by people being parked where they are.

Mr. MacDonald said he spoke to Officer Watson and he did take a look at the area at 11:00 a.m., but that was not the best time, which is at 7:00 a.m.

Mr. Johnson stated he had heard most of what Mr. MacDonald was saying before. He felt the sidewalk might eventually be good if the buses don't go up the road, and the developer is asked to put the sidewalks in. He said we normally waive the second sidewalk, but they should at least connect the sidewalks in a development. Some of these sidewalks we were talking about are not part of the sidewalk plan.

Mrs. Rozanski asked how could we plan what a development would look like?

Mr. MacDonald said they feel people have the right to build as long as safety issues were addressed.

Mrs. Rozanski stated they can look at getting more signs; they can speak to the Safety Officer about a three-way sign; but there cannot be any speed bumps.

Mr. Hartman agreed we would have trouble with our insurance company on speed bumps.

Mrs. Rozanski felt they ought to be looking at the design of bus stops. Mr. Hartman noted they redesigned this particular bus stop about three years ago at the request of the Safety Officer because of all the kids that gather there. Fixing one problem on West Street may have caused another problem on Granite Street. Mr. MacDonald said maybe the guard rail was just too extended. Mrs. Rozanski said that things do change, and when it happens, they have to look at the situation.

Bert Goemaere of 40 Granite Street asked if the Town could discourage commuters from using the street as a cut-through? He believed the horse farm near the Bellingham side would soon go up for sale because of all the traffic that is on the road. Mrs. Rozanski said they could check into a one-way option.

MINUTES OF THE SELECTMEN'S MEETING
MARCH 13, 2000

Mr. Hartman had some thoughts. He did not know if additional signs were warranted by the traffic flow, but if it was, it was a matter of appropriation. He would check on the bus stop again. He felt, however, that the problem here was that the town has standards, which he did not feel they should waive, but the standard is that there is no safety sidewalk, but a 66" sidewalk. He knew that Granite Street was a scenic road, and felt a sidewalk could be justified, even if the design of the road was not good. There are things they can do, but one thing they cannot is change State Law. The speed limit is 25 mph, but they have the street posted at 20 mph. He agreed better enforcement by the Police is a good idea. The problem goes back to that the street is a public way, and if you don't abandon it, there is not much we can do. If they do traffic counts, then they may find out we should upgrade. If we have to upgrade, they might not like the results because some existing land may have to be taken. He would check with Norfolk County on the traffic counts.

Mr. Johnson agreed if you widen a street, stone walls might have to go, and with a wider street, the traffic will probably go faster.

8:30 p.m. – Nancy Honey-Lundy, Chairman of the Medway Pride Day Committee, came to meet with the Board at their request.

Ms. Honey-Lundy explained that Medway Pride Day had been on-going since 1995, and this year it was on May 20th from 10:00 a.m. to 4:00 p.m., with a road race prior to the event. She exhibited to the Board the various tee shirts that were sold each year. She explained back in 1995, she and others had the idea of Pride Day, coincidentally the Medway Business Council had come up with the same idea, so they joined forces.

The Committee, over the years, has wanted to recognize the community so they bought flowers for the various barrels in town and the Girl Scouts planted them. They also put up the Welcome to Medway sign on Route 109 in Medway. They have purchased bicycles for the Police Department and donated money to the Fire Department for a purchase of their choice.

This year, she stated the Committee will be recognizing various individuals and groups in the community who made Medway famous outside of the Town boundaries. At Pride Day this year, they are trying to get away from being business-oriented to a more sociable atmosphere.

Mr. Johnson suggested she start planning for the Medway's 300th anniversary in 13 years.

He also encouraged citizens to help clean up the Town, not just in front of their own houses. Possibly, a clean-up on a larger scale can be organized, and a sub-committee under Ms. Honey-Lundy can be formed.

She stated she could always use new people and suggested they contact her if interested in any way. She would talk to the Board in a couple of years about the 300th anniversary.

4. Committee reports.

- Mr. Gildea and Mr. Dziczek had none.
- Mr. Williams noted going to vote in the primary and what a mess it was to park in front and on the side of the school. Mr. Hartman explained that he had requested \$117,000 last year to take care of the access road and the parking lot, but it was not approved. This year, CIPC is recommending an amount of money just to put in the access road, but not the parking lot.
- Mr. Johnson said he attended the legislative breakfast and went to the MMA meetings and a meeting with the Norfolk County Advisory Board. He also went to a meeting at the State House with Frank Varrichione on the public hearing on school construction. The architect, Phil Poinelli, was also there representing both Medway and Lexington.

MINUTES OF THE SELECTMEN'S MEETING
MARCH 13, 2000

- Cheryl Harvey, Chairman of the School Committee, was present and stated they got an additional \$50,000 over the original \$15,000 pot hole grant which they were very pleased to receive.
- 5. Administrator's report.
 - Mr. Hartman said he was still not sure of the status of the Lee property notice of intent. He noted that the entire piece is 61A, but was being sold as three lots. Mr. Johnson believed, however, there were 33 acres not in the proposal sent to the Board. Mr. Hartman stated there was a Committee that would be advising them and he hoped to have an answer next week. With reference to the Wilson property notice of intent, he noted that the land is not being subdivided, but he would speak to Town Counsel about both properties.
 - Mr. Hartman noted receipt of the correspondence from Rep. Barbara Gardner relative to the Upper Charles River Corridor, and that the exact figure for Medway's Fiscal Year 2002 contribution to the MBTA will be \$14,502.
 - Mr. Hartman noted the Sithe material in their packet for their review pending site plan approval.
 - Mr. Hartman had provided Mrs. Rozanski with a copy of the by-law relative to unregistered vehicles, #12-12. He noted it was quite clear that it was a penal law enforced by the Police Department. The owner has to cure the problem in thirty days from when the Officer has seen it, and then follow-ed up with a letter before the Court would consider taking action. With reference to the violation in question, the owner has been cited, and the matter will probably go to Wrentham District Court in two weeks.
 - Mr. Hartman noted that Mass. Highway had a design public hearing on the Route 126 reconstruction project last week. He said they will have additional public hearings in addition to what Mass. Highway requires as per the agreement with VHB. Mr. Hartman stated that work would be starting this year, with eighteen months to complete. The funding is there with \$2.3 million being the current estimate; it was \$1.7 million. \$160,000 of Chapter 90 money will be spent on the project.
- 6. Discussion items.
 - The Board noted receipt of the letter from the Medway Business Council asking the Board to reconsider their liquor license violation policy. Mr. Williams said he was disappointed in the comments. He felt it was a valid letter, but more from a business point of view. He believed there should be zero violations, and thought they were more than fair. Again, he said it was a well done letter, but he took a dim view of their position.

Mr. Gildea asked if there should be a formal policy? Mr. Johnson felt that each situation was different, but they had the responsibility to the citizens to monitor the establishments. He stated it was a privilege to have a license, and we just don't take it away without a hearing.
 - Mr. Williams brought up the annual town meeting warrant articles. Mr. Hartman went on to Mr. Williams' question about putting an article on the warrant converting the office of Treasurer/Collector from elected to appointed. He said, in speaking with Town Counsel, the article can appear on the warrant as it would only be changing the by-law; it would not have to be a ballot question. This again posed some concern, so Mr. Hartman said he would investigate further.

On that basis, Mr. Williams said he would like to suggest an article be placed on the warrant to make the position of Treasurer/Collector appointed. He felt this was a professional position and would provide a larger search of qualified candidates.

MINUTES OF THE SELECTMEN'S MEETING
MARCH 13, 2000

Mrs. Rozanski believed that the appointment should be by the Board of Selectmen since the Town Administrator appoints the Town Accountant.

Mr. Johnson noted that the outstanding Treasurer in North America is the elected Treasurer of the Commonwealth of Massachusetts which is elected. We need to look at other towns and see how they are handling this. He again said he felt the position should be elected, not appointed, and that not enough study had been done on it to bring it up.

Mrs. Rozanski asked that Mr. Hartman get a copy of the law and they could discuss it further. Mr. Johnson agreed they could discuss it again then.

7. Action items.

- Mr. Hartman stated that ANP needed to get permission from the Town to put signs up on Town property relative to traffic flow for the Bellingham power plant construction project. He said we would be doing the same, directing construction traffic away from the residential areas. The traffic plan has been approved and they are requesting permission from the Town to place five signs in the Town's right of way for approximately 23 months. Mr. Hartman noted the signs meet the by-law requirement, and would be placed at: 126 southbound north of 109, 109 westbound east of Main Street, Main Street east of the 126 intersection, Main Street at 126 and Franklin Street south of 109.

Mr. Williams moved to grant permission to ANP for placement of the five signs as outlined by the Town Administrator subject to the proper height not to impede pedestrian and traffic sight; Mr. Dziczek seconded; all aye.

- Mr. Hartman brought up the proposed street opening standards, along with the proposed fee schedule. He asked for the Board's approval for the Town to adopt the same standards as the State applies. He noted they are already applying the State's guidelines to 90% of the Town's projects. Adoption of the standards would extend the requirement for work done by major utility companies. Mr. Hartman also wanted to re-impose fees with the proposed fee schedule. He stated at one time, the Town required a bond from anyone opening a street in Medway. It was determined the Town could not do that, but they could impose fees; however, that process was never set up.

Mr. Williams requested the standards be formatted for Medway. Mr. Hartman said if the Board adopts the State standards and fee schedule, it would be re-formatted on the Town's stationary denoting Medway in all the proper locations.

Mr. Williams asked what differences there were between the Town by-laws and Planning Board rules and regs? Mr. Hartman explained since we changed consultants, the new rules and regs have been reviewed and one of the distinctions picked up was that our standards were not the same as the State's. He said the State specs for road construction are not the same as the State specs for road restoration, which these are. Planning Board's rules and regs are for new road construction and so are different from these which are for restoring roads back to the condition they were in prior to work commencing. Mr. Hartman added when reviewing the by-laws with Town Counsel, this was one area they looked at.

Mr. Williams asked if street opening permit dates could be reviewed, i.e. opening and closing? Mr. Hartman noted emergency permits can still be issued for emergency situations.

The Board asked that this subject be tabled until next week.

- Mr. Hartman stated that the Town had received, as an heir of Polly Norton, a parcel of land in Oak Bluffs. The Town has now been offered \$1,500 for the Town's interest in the parcel, and Town Counsel has suggested we accept the offer, noting he indicated the Selectmen could

MINUTES OF THE SELECTMEN'S MEETING
MARCH 13, 2000

accept the offer on behalf of the Town. Mr. Dziczek moved to accept the offer of \$1,500 for a parcel of land in Oak Bluffs, Massachusetts through the recommendation of Town Counsel; Mr. Williams seconded; all aye.

8. For your information.

- The Board noted receipt of the information provided at the public hearing on Route 126 by Mass. Highway on March 9th.

9. Communication and correspondence.

- The Board noted receipt of further information from Rep. Gardner on the Upper Charles River Corridor.
- The Board noted receipt of Sithe West Medway LLC's response to information required of them.
- The Board noted receipt of a letter from the Town of Milton asking for the Board's support in objecting to the MMA's wireless communications facilities legislation. Mr. Johnson asked if the Board was in agreement on this? Mr. Hartman commented it was not an issue in Medway at least. The Board agreed with Milton, and asked Mr. Hartman to draw up a simple letter to be sent to Rep. Gardner and Sen. Magnani, with a copy to Rep. Parente. Mr. Dziczek so moved; Mr. Williams seconded. Mr. Dziczek then amended the motion to authorize the Chairman to sign on behalf of the board; Mr. Williams seconded; all aye.

10. Future agenda items.

- Mrs. Rozanski reminded everyone of the Census 200, to complete their census and send it in.
- Mr. Johnson reminded everyone of the tax classification hearing at 6:15 p.m. in Room 111 of Medway High School on March 20th.

11. Upcoming meetings.

- March 20th, Room 111 of Medway High School at 6:00 p.m., then to the special town meeting in the auditorium at 7:00 p.m.
- March 27th.

12. Executive session.

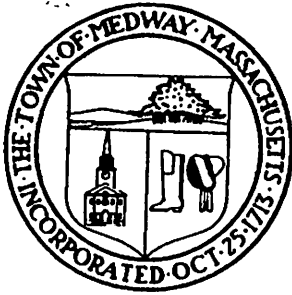
- None.

10:00 p.m. – Mr. Gildea moved the meeting be adjourned; Mr. Dziczek seconded; all aye.

Respectfully submitted,

M. J. Fredette
Secretary
mj

APPROVED
4/3/00



BOARD OF SELECTMEN
155 VILLAGE STREET
MEDWAY, MASSACHUSETTS 02053
(508) 533-3200 • FAX: (508) 533-3201

AGENDA

BOARD OF SELECTMEN

SANFORD HALL

MARCH 6, 2000

7:00 p.m. – Open meeting.

1. Sign warrant.
2. Approval of minutes.
 - None.
3. Public comments.

7:05 p.m. – Treasurer/Collector.

Re: Signing of one note for \$3,400,000.

4. Committee reports.

7:15 p.m. – Public Hearing.

Re: Golden Jade

5. Administrator's report.
6. Discussion items.
 - Participation in Medway Pride Day with a booth.
7. Action items.
 - Approve and sign Bresnahan Landing Agreement if acceptable.
 - Approve and sign Ready Resource Grant.
 - Sign letter of support on the land tax bill to legislators.
 - Renew solicitor's permit for Ron Young.
 - Approve extension of Sabina Doyle's live entertainment license.
8. For your information.
9. Communication and correspondence.
10. Future agenda items.
11. Upcoming meetings.
 - March 9th - Mass. Highway – 7:00 p.m. – Re: Summer Street – Sanford Hall.
 - March 20th – Special Town Meeting – 7:00 p.m. – High School auditorium.
 - March 13th, 27th.
12. Executive session.
 - None required.

cc: Town Clerk for posting.

Ci. ALB
7/4/00

MINUTES OF THE SELECTMEN'S MEETING
MARCH 6, 2000

Present: Selectmen Raphaela Rozanski, Harry Johnson, John Williams, Richard Gildea, Joe Dziczek,
Town Administrator Michael Hartman, Secretary M. J. Fredette.

7:00 p.m. – Open meeting.

- Mrs. Rozanski opened the meeting in Sanford Hall of Town Hall.
- 1. Sign warrant.
 - It was moved and seconded that warrant #37 in the amount of \$408,594.08 be approved and signed; all aye.
 - Col. Michael Matondi was surprised and pleased by the Board's proclamation on the occasion of his 80th birthday, and having March 8th proclaimed as Mike Matondi Day in the Town of Medway.
- 2. Approval of minutes.
 - There were none.
- 3. Public comments.
 - There were none.

7:05 p.m. – Treasurer/Collector Marjorie Sanford came to Board to have one note signed, accompanied by Town Clerk Maryjane White for notarization.

Mrs. Sanford explained we were really rolling over short-term borrowing to mature in one year for bonding. Mr. Williams moved the Board vote to approve and sign the note in the amount of \$3,469,900 at 4-1/2% with State Street Bank; Mr. Dziczek seconded; all aye.

7:15 p.m. – Mr. Williams read the ad that appeared in local papers for the public hearing for the Golden Jade. Mrs. Rozanski declared the public hearing open.

In attendance were John Dugan representing the Golden Jade and members of the Ngo family, Officer David McRoberts, Lt. Richard Malo and Chief David Lambirth of the Medway Police Department.

Officer McRoberts was asked to report on the alleged violations of their liquor license. He noted the Police Department began their investigation in late October with eight weeks of observation and undercover work. The primary objective was to investigate narcotics activity, which was found in the first three weeks), and then observed illegal gaming and gambling activity with violations turned over to him five times. They also observed drinking after 1:00 a.m. twice and patrons leaving with beer twice.

On December 20, 1999, the Police went with an arrest warrant and observed football cards and a video game. They then took out criminal charges on three people. The criminal matter is still pending.

Attorney Dugan then introduced himself as representing the Golden Jade. He noted members of the family that were present. Wing "Peter" Ngo, the manager, was in attendance but was instructed not to speak. Other family members were there including Wing's wife and two sons, brother Kwong "David", who is the Treasurer and Cook, and Wing's daughter Casey.

Attorney Dugan said the Officer was there to look into drug activity, but the Ngo's were not involved in that. With reference to the football cards, that is pending in Wrentham District Court.

MINUTES OF THE SELECTMEN'S MEETING
MARCH 6, 2000

Nothing has been going on there since this happened, and there are no more machines. With reference to the open bottles, Kwong has said he stands at the door to ensure patrons don't leave with liquor since they don't approve of that activity. With reference to the closing time, they stop serving alcohol at 12:45 A.M., and consumption ends at 1:00 a.m. He stated the Golden Jade was shut down from January 1st to January 14th. In essence it was a two-week suspension which cost a loss in revenue of \$10,000 and made it a hardship for them to pay their mortgage, taxes, real estate taxes, insurance and utility bills. Also, his corporate lawyer is Attorney Cataldo of Milford and there are fees for him as well.

Attorney Dugan agreed the Ngo family is concerned, worried and intimidated. He asked what the end goal was here as they would like to work with the Town?

Kwong Ngo and Casey joined Attorney Dugan. Kwong explained he was the chef, cook, cleans up the bar, orders food, and is there every day. He did the same job at another restaurant they had for 15 years before that. It was noted that Wing orders alcohol, and he assists in bartending after food preparations are completed around 10:30 p.m. He said he watches people leaving at 12:45 a.m. When asked what his action would be if he saw someone leaving with alcohol, Kwong replied he goes after that person and corrects the action.

Kwong's son, Robin, joined his father and said his mother serves alcohol too in the dining area and checks I.D.'s. He agreed with his father that they are very careful to see that alcohol does not leave the premises.

When asked who the owners of the Golden Jade were, Attorney Dugan said that it was a corporation and Peter and Kwong were the principals. They sold their business in Lynn and came to Medway in 1989. There was a third brother, Tony, who worked at the Golden Jade but left in 1995.

Mr. Williams asked if they were not denying there was after hours drinking? Attorney Dugan stated they would not argue with the Police Department, but they stick to the 12:45 and 1:00 a.m. times.

Mr. Williams asked if they were not denying people were leaving the premises with alcohol? Attorney Dugan stated if they see people doing that, they are followed.

Mr. Williams asked if they were not denying there was a video poker machine? Attorney Dugan stated it was not used for gambling; it was just a game.

Mr. Johnson asked Lt. Malo asked if the Board could only ask about after hours drinking and open bottles outside on the premises? Lt. Malo deferred to Town Counsel, Richard Maciolek, but in his opinion felt the Board could address all issues with reference to violations to the licenses, but not the criminal activity. Attorney Maciolek stated the major thrust is the violations. He stated the Police Department brought allegations to the Board of Selectmen, and you can ask questions and consider on those allegations.

Mr. Johnson asked if they allowed gambling to occur on the premises? Attorney Dugan spoke on his behalf with "no comment".

Mr. Johnson asked if it was true that alcohol was served after the hour that is stated on the liquor license? Mr. Hartman asked for clarification from Mr. Johnson if he meant consumed and not served? He did, and restated the question to be, consumed after the hour that is stated on the liquor license? Casey spoke for her father and stated there was no consuming or selling after 1:00 a.m.

Officer McRoberts spoke about one of the machines that had a counter on the side giving out gift certificates. He stated they were charged with being directly involved as there was a winner and

MINUTES OF THE SELECTMEN'S MEETING
MARCH 6, 2000

pay-off of one of the cards to an undercover agent. He stated he personally observed drinking after 1:00 a.m. on November 12th and 19th, and leaving the premises with beer on December 1st and 19th.

Mr. Johnson again asked if gaming took place? No comment.

Mr. Johnson asked if they were aware gaming took place? No comment.

Mr. Johnson asked why the poker game was there? Casey stated it was for a trial run. Robin added they were told three times by the company that it was legal.

Mr. Gildea queried if anyone can get a license to sell football cards? No one knew.

Mrs. Rozanski inquired of Attorney Dugan what were they asking of the Board? Attorney Dugan stated that the time served for what may have been criminal be enough. If the Board felt it was necessary to put a handle on the situation, that it be probationary. Mrs. Rozanski stated they have four recognized liquor violations, and then the issue of criminal charges. She asked the Board for their comments.

Mr. Johnson said there were other matters he did not feel were appropriate for the Board, but asked Town Counsel for his opinion on withdrawing the licenses? Attorney Maciolek said they would be willing to discuss the criminal charges in Superior Court if, in the Board's judgment, time was served.

Mr. Williams sympathized with the Ngo's, but did note there was a sign on the door during that two-week time period in January that they were on vacation. He moved to suspend the liquor license of the Golden Jade for twenty-four days, six for each of the four separate violations, but deducting fourteen days already served, leaving ten days commencing on March 20th; Mr. Dziczek seconded for discussion. He stated, in the past, the Board has suspended six days for the first violation with a one-year grace period, and on the second violation, would add six more days.

Mr. Williams stated he did not feel it necessary to have a probationary period; there were many happenings in a short period of time. Mr. Dziczek did not want to be setting a precedent. Mrs. Rozanski replied each hearing they have held was separate.

Mr. Hartman asked for clarification, is the motion only to suspend the liquor license? Mr. Williams replied that was his motion.

Mrs. Rozanski said she would like to also see the cut-off time of alcohol consumption addressed, and could suggest that would also be an appropriate motion with the ten days being a probation to allow them to put something in place. Mr. Hartman noted to the Board that when licenses are regularly renewed, there is no last-call time placed on the licenses, only one one-day special extension licenses.

Lt. Malo asked if it would help to have a list of calls the Police had to make to the Golden Jade, which culminated in the charges placed before them?

Since May of 1997, they have responded fifty-three times; twenty-four of those for after-hours operation, from ten minutes after the hour up to forty-five minutes after the hour. The Golden Jade was either told or called.

They responded ten times for fighting inside or outside because of intoxication.

They responded ten times and taken into custody ten people who were intoxicated.

MINUTES OF THE SELECTMEN'S MEETING
MARCH 6, 2000

The remaining nine calls were miscellaneous for larceny, breaking and entering, larceny by a patron, etc.

Over a period of thirty-four months, it has been very active.

Lt. Malo continued that in October, it was reported there was drug activity going on and they started their undercover work and discovered this activity. He did not feel they have demonstrated the responsibility of someone who holds a liquor license. He believed if it is allowed to continue, some serious modifications will have to be made to bring it back in line.

Chief Lambirth agreed stating he knew the Board could only act on the violations before them, but it was important for them to know what led to the action on the part of the Police Department.

Attorney Dugan stated they cannot blame everything on the Ngo's, and to Lt. Malo, asked if there were not other places that may be operating after their closing time? Lt. Malo agreed.

Mrs. Rozanski asked if they had received suspensions before? The reply was no.

Kwong stated the Police Department has always been very professional and they will do what they say.

Mrs. Rozanski asked Attorney Maciolek about addressing these issues later on? Attorney Maciolek stated the question should be, has the holder of the license violated the law, and if you have received satisfactory proof, you can act on it. Any sanctions you impose are because of tonight's hearing.

Mrs. Rozanski said there is a motion on the floor for a ten-day consecutive suspension on the liquor license, not the common victualler license.

Mr. Johnson stated the Law says the Board can take the alcohol and the common victualler licenses away from them, and was making them aware of that. He asked them to be mindful that, even if they did not answer a question, it does not mean it did not happen.

Mrs. Rozanski asked if there was an amendment to Mr. Williams' motion; there was none.

Mrs. Rozanski said she would like to further add to see a plan to prevent this from happening to the Board of Selectmen by March 30th.

Mr. Dziczek moved to add the plan to the motion and that the suspension also include the automatic amusement device entertainment licenses; there was no second; the amendment does not carry. Mr. Williams clarified his motion did not include a plan, just a ten-day suspension.

Mr. Hartman asked Mrs. Rozanski if she would like to request a plan of action be submitted? She agreed that it could come in the form of a letter and they did not have to meet with the Board.

Mr. Dziczek moved to amend Mr. Williams' original motion to be that the Golden Jade be completely closed down for ten days with all devices and all licenses; Mr. Johnson seconded. The vote on the amendment: Mr. Gildea and Mr. Williams no; Mr. Johnson, Mr. Dziczek and Mrs. Rozanski yes; amendment carries.

The vote on the original motion: Mr. Johnson, Mr. Dziczek, Mrs. Rozanski yes; Mr. Gildea and Mr. Williams no; original motion carries.

4. Committee reports.
- Mr. Gildea had none.

MINUTES OF THE SELECTMEN'S MEETING
MARCH 6, 2000

- Mr. Dziczek stated he and Mr. Hartman were at a meeting recently on the budget, but deferred to Mr. Hartman's report later on.
- Mr. Williams asked Mr. Hartman if he would inquire of the Zoning Enforcement Officer if the sign belonging to Franklin Sign Company was in compliance. He remembered the Board required the sign not be lit past 8:00 or 9:00 p.m. at night, but it seems to be on a lot longer than that, occasionally until 11:30 p.m. Mr. Hartman thought they would going to be put it on a timer, but would check.

Mr. Williams reminded all about the national primary coming up, and then went over the list of those who had pulled papers for the seats available in the annual town election.

- Mr. Johnson noted to the Board receipt of the budget and summary of the School Department they had received, along with the preliminary FY'01 chapter 70 aid and spending requirements from the Department of Education.
- Mr. Williams asked if the Board was going to discuss any articles they may want to appear on the annual town meeting warrant? For example, he was interested in pursuing converting the office of Treasurer/Collector being appointed on the warrant, or could that only be on a special town meeting warrant? He asked Mr. Hartman to check.
- Mr. Dziczek thought the Board might be interested in placing articles on the warrant for improving the by-laws, for example, unregistered vehicles. Mrs. Rozanski agreed they could pass a local by-law. Mr. Hartman stated they already have a strong by-law on unregistered vehicles which is enforceable by the Police Department as it is a penal law, not the Inspector of Buildings. Mr. Dziczek thought the Chief was frustrated on that subject, but Mr. Hartman corrected the Chief was not, as he has met with him, Attorney Maciolek and the Building Inspector on that issue, however, they need to take out a warrant. The problem was enforcement of the by-law, and they need to follow through.

5. Administrator's report.

- With reference to the snow removal budget, Mr. Hartman stated that on March 3rd, they had spent \$132,221.48, and therefore were in the hole by \$76,000. He noted that over the last ten years, we had been averaging \$140,000 - \$150,000 per year.
- With reference to the Planning Board Secretary's position, there was limited response but they would be interviewing two applicants.
- On speaking about the Planning Board, Mr. Johnson said the Planning Board has asked that he be replaced as liaison because the Assessors meet on the same night as they do. He asked if someone would be an alternate? Mr. Dziczek said he would.
- Mr. Hartman stated last week, he met with some of the members of the FinCom, the School Committee and the Superintendent concerning funding needs focusing on two areas, the Health fund and special education. At that time, FinCom agreed to try and reserve \$60,000 of the FinCom reserve for special education or Health. Mrs. Rozanski noted that was really not the purpose of the reserve fund, but Mr. Johnson said both areas qualify as "unknown", and it did fall into a rightful purpose. Mr. Hartman commented that based on what they know now, estimated additional Health claims would be \$433,000.
- With reference to the special town meeting warrant, Mr. Hartman stated areas of fund transfer would be identified. Cheryl Harvey, chairman of the School Committee, who was in attendance, said the School Committee has decided they would go with the transfer of \$171,208.75 to the School Department's budget. The \$15,000 pothole grant was separate and would be going directly to the Schools also.

MINUTES OF THE SELECTMEN'S MEETING
MARCH 6, 2000

Mr. Dziczek felt there were really two managers overseeing the budget, Mr. Hartman and Dr. Bettencourt, and supported their pulling it together.

- Mrs. Rozanski asked about the scheduled Audit Committee meeting? Mr. Hartman said it had been postponed to allow School staff time to provide extra documentation to questions posed by the auditors. Since Mr. Sullivan would be away on vacation, they would be rescheduling the meeting upon his return. Mr. Johnson encouraged the Board members to read the draft that was in the Office.

6. Discussion items.

- The Board was polled if they wanted to participant in Pride Day this year. Mr. Johnson moved that they rent the space; Mr. Williams seconded; all aye. Other Boards who don't have a booth will be encouraged to sign on with the Board.

The Board was curious as to how the Medway Pride Day Committee was fairing after all these years, and in what manner the funds raised are spent. The Chairman will be contacted to make a presentation.

- Mr. Johnson noted he spoke to residents of the Granite Estates neighborhood at the Planning Board meeting last week. Coincidentally, Mr. Hartman said he met with a representative of the group and they will be coming to speak to the Board next week to voice their concerns. He noted it was a 21-house subdivision with no waivers, which was unusual. He stated their main concerns were with the size of detention areas and traffic, but it was already posted 20 mph. Mr. Hartman explained there could be no speed bumps.

7. Action items.

- The Bresnahan Landing Agreement, which is a proposed land management agreement with DEP for a canoe launch, was brought up. Mr. Hartman explained the Conservation Commission accepted the land, and one of the conditions they accepted was the name, but the Board of Selectmen did not agree on this. If the Board votes to accept the agreement, but not necessarily with the stated conditions, he would have to refer the matter to Town Counsel. He noted the Board was concerned about potential pollutants, but Conservation Administrator Virginia Briggs said it was not contaminated. Mrs. Rozanski asked Mr. Hartman to also check with Town Counsel about the possibility of having to go back to town meeting for the name when he spoke to him about the conditions.

Mr. Johnson brought up other pieces of land given to the Town that have deeds recorded. He asked if those deeds mean the Town has accepted the land? Mr. Hartman said the Board does vote to accept Conservation Commission land, but not any other boards; those boards can accept land as gifts themselves. Mr. Johnson noted if those people owe back taxes, we end up with it. Mrs. Rozanski felt there should be a procedure in place. Mr. Hartman said he would speak to Town Counsel about that as well.

- The Board was in receipt of the Ready Resource Grant application for sewer in the industrial park on Alder Street and Trotter drive that was discussed last week. Mrs. Rozanski clarified if we don't get the grant, we don't proceed any further. Mr. Williams moved the Chairman be authorized to sign the application on behalf of the Board; Mr. Gildea seconded; all aye. Mr. Hartman reminded the Board that Tata & Howard would be meeting with the Board next week to discuss the preliminary engineering work for the project.
- Ron Young had presented his annual request for a pedler's permit to sell hubcaps at 16 Main Street. Mr. Dziczek moved the request be granted; Mr. Williams seconded; all aye.

MINUTES OF THE SELECTMEN'S MEETING
MARCH 6, 2000

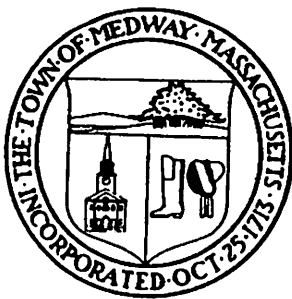
- The Board was in receipt of a request from Sabina Doyle's to have their live entertainment hours extended on their license on March 17th to begin at 2 p.m. instead of 6 p.m. Mr. Johnson so moved; Mr. Gildea seconded; all aye.
- 8. For your information.
- It was noted that the Lee property's notice of intent was referred to Town Counsel to determine if it was a bona fide offer. Mr. Hartman said there had been previous submissions but they were not bona fide offers. Mrs. Rozanski noted the 120-day clock would have started on March 1st, and this property has the second best site for a wellhead. Mr. Hartman said he would advise them as soon as he heard from Town Counsel.
- 9. Communications and correspondence.
- Mr. Hartman noted the Rojee's were offering right of first refusal on their property, and looked to the Board for some guidance. Mrs. Rozanski suggested getting the history and DEP records.
- 10. Future agenda items.
- Mr. Johnson noted there would be a tax rate classification hearing before the special town meeting on March 20th in Room 111 of Medway High School at 6:15 p.m.
- 11. Upcoming meetings.
- March 9th – Mass. Highway – 7:00 p.m. – Re: Summer Street – Sanford Hall.
- March 20th – Special Town Meeting – 7:00 p.m. – High School Auditorium.
- March 13th, 27th.
- 12. Executive session.
- None.

9:45 p.m. – Mr. Williams moved the meeting be adjourned; Mr. Dziczek seconded; all aye.

Respectfully submitted,

M. J. Fredette
Secretary
mj

APPROVED
4/3/00



BOARD OF SELECTMEN
155 VILLAGE STREET
MEDWAY, MASSACHUSETTS 02053
(508) 533-3200 • FAX: (508) 533-3201

AGENDA

BOARD OF SELECTMEN

SANFORD HALL

FEBRUARY 28, 2000

7:00 p.m. – Open meeting.

1. Sign warrant.
2. Approval of minutes.
 - Regular meeting minutes of January 31st.
 - Joint budget meeting minutes of February 5th.
 - Regular meeting minutes of February 7th.
 - Regular meeting minutes of February 14th.
 - Executive session minutes of February 14th.
3. Public comments.
4. Committee reports.

7:15 p.m. – Public Hearing.

Re: Ready Resource Planning Grant – Alder Street/Trotter Drive.

7:30 p.m. – Maureen McPike.

Re: Census 2000 representative to encourage residents' participation.

7:45 p.m. – Site Plan.

Re: Maxcraft – 23 Marc Road.

5. Administrator's report.
6. Discussion items.
 - STM warrant.
7. Action items.
 - Sign proclamation for March as Red Cross Month.
 - Approve and sign one-day liquor license for St. Joseph Parish.
 - Board to approve and Chairman to sign F. M. Generator agreement.
 - Board to review and approve proposed ambulance rates.
8. For your information.
 - Bresnahan Landing land agreement.
9. Communication and correspondence.
 - Tech Environmental's written recommendations from February 7th meeting.
 - Rep. Parente's letter concerning cell towers legislation.

cc ALB 3/31/00

Selectmen's Meeting
February 28, 2000
Page 2.

10. Future agenda items.
 - Public hearing for Golden Jade.
 - Set dates to open and close warrant for annual town meeting.
11. Upcoming meetings.
 - March 9th - Mass. Highway – 7:00 p.m. – Re: Summer Street – Sanford Hall.
 - March 20th – Special Town Meeting – 7:00 p.m. – High School auditorium.
 - March 6th, 13th, 27th.
12. Executive session.
 - None required.

cc: Town Clerk for posting.

MINUTES OF THE SELECTMEN'S MEETING
FEBRUARY 28, 2000

Present: Selectmen Raphaela Rozanski, Harry Johnson, Joe Dziczek, Richard Gildea, Town Administrator Michael Hartman, Secretary M. J. Fredette. Selectman John Williams was not in attendance.

7:00 p.m. – Open meeting.

- Mrs. Rozanski opened the meeting in Sanford Hall of Town Hall.
- 1. Sign warrant.
- Mr. Dziczek moved approval of warrant #36 in the amount of \$902,911.18; Mr. Gildea seconded; all aye.
- 2. Approval of minutes.
- Mr. Johnson moved approval of the regular meeting minutes of January 31st; Mr. Dziczek seconded; all aye.
- Mr. Dziczek moved approval of the joint budget meeting minutes of February 5th; Mr. Gildea seconded; all aye.
- Mr. Johnson moved approval of the regular meeting minutes of February 7th; Mr. Dziczek seconded; all aye.
- Mr. Johnson moved approval of the regular meeting minutes of February 14th; Mr. Gildea seconded; all aye.
- Mr. Johnson moved approval and release of the executive session minutes of February 14th; Mr. Dziczek seconded; Mr. Gildea abstained; aye.
- 3. Public comments.
- There were none.
- 4. Committee reports.
- Mr. Gildea and Mr. Dziczek had none.
- Mr. Johnson stated he went to the DEP hearing as a result of a DEM violation since 1993. After two hours, he was unsure of where they stood, but it seemed as if some the meter readings when pumping were not accurate. A letter will be forthcoming from DEP for compliance with their regulations; then DEM will tell Medway what the requirements are for the permit to pump water. He felt when the letter arrived, the Selectmen should get together with the Water/Sewer Commissioners to get the Town into compliance with the consent decree, which might include reading meters again. He noted Haley & Ward were representing the Town. Mr. Hartman noted the Water/Sewer Department started reading meters today.

7:20 p.m. – Mr. ^{Dziczek}~~Williams~~ read the public hearing notice that appeared in local newspapers concerning the Ready Resource Planning Grant for Alder Street and Trotter Drive. Gino Carlucci as consultant was present, along with IDC members Jim Mucci, Fred Rossetti, and Paul Mitchell.

Mr. Carlucci explained this was the next step in upgrading the infrastructure since talking to the State about grant funding. The larger grant for about \$1 million is for the actual construction. This grant for \$35,000 is to begin the process for marketing and design for which a public hearing is required. The marketing feasibility study will indicate the demand for industrial space, with preliminary engineering providing an analysis to determine which option is the best, followed by a

MINUTES OF THE SELECTMEN'S MEETING
FEBRUARY 28, 2000

MEPA review to determine the preliminary layout for the sewer system. Mr. Carlucci noted that, with an industrial park, there is usually one owner. That was not the case here, so the State wanted to establish an association for common ground and purpose. The exact duties will be part of a planning effort, i.e. any zoning changes, and maintenance may be part of the duties of the association. Mr. Carlucci noted that jobs and tax revenue would be a benefit to the region. He could only assume sewer is a given, but what would be options – to tie in with Bellingham, or with Milford, or on-site treatment?

Mr. Hartman noted that Tata & Howard would be meeting with the Board on March 13th to further discuss this issue.

There were no comments from the public.

Mr. Carlucci asked that the Board approve the application and that the Chairman signs it for submittal. He noted there was no deadline as it was on a rolling basis. Once it is awarded, the process begins.

The Board asked that this be placed on next week's agenda for approval following Town Counsel's review.

The public hearing was closed.

7:35 p.m. – Maureen McPike, a Federal census recruiter representing Census 2000, was present to encourage residents' participation in the census.

McPike noted this was not the Town Census. Every ten years, the federal government does their census which provides input for congressional representation. She stated this was confidential and that responses are due by April 1st. After that, census takers were contact those who have not responded. She advertised for local people who could be hired as census takers and counters, noting they would be at the Library on Mondays.

Mrs. Rozanski said that the Complete Count Committee consisted of herself, Missy Dziczek, Frank Varrichione and Maryjane White.

7:50 p.m. – Mark Cerel representing Maxcraft was present to discuss the site plan for that business to be located at 23 Marc Road. Bill Greenburg was the primary individual involved with Maxcraft along with Steve Poole, engineer.

Mr. Hartman noted that the Planning Board had approved the site plan with certain recommendations, those of which seemed to be in compliance with Mr. Poole's letter of today's date and after consultation with the Planning Board's agent and the Town's Consulting Engineer. Those recommendations included having the tank be H20 rated, two access covers to grade on the tank, and they would enlarge the 4" pipe connections to 8". Mr. Hartman recommended the Board's approval on the site plan.

Mr. Johnson moved approval of the site plant along with Mr. Poole's letter dated February 28, 2000; Mr. Dziczek seconded; all aye.

5. Administrator's report.

- Mr. Hartman again noted Tata & Howard's scheduled meeting with the Board on March 13th to discuss an alternative analysis for providing sewer on Alder Street and Trotter Drive.
- Mr. Hartman stated that members of the Educational sub-committee of the Finance Committee met with members of the School Committee to go over the FY'01 budget.

MINUTES OF THE SELECTMEN'S MEETING
FEBRUARY 28, 2000

- Mr. Hartman stated that Town Counsel will be in attendance at the March 6th public hearing with the Golden Jade, at which time we would be focusing on the other charges, i.e. staying open past closing time and alcohol being prevalent in the parking lot.
- When asked what positions were available in the Town, Mr. Hartman replied we were presently advertising for Planning Board Secretary, Outreach Worker and Firefighters.
- Mrs. Rozanski asked about the sidewalk on Lovering Street, to which Mr. Hartman replied that due to the by-law, no work could commence before April 1st.
- Mr. Dziczek asked about the progress of the Municipal Building Committee? Mr. Hartman explained they were still negotiating for property, with the goal of placing an article on the annual town meeting warrant, which was still doable. He said they need to get a site and then the appropriation since the Town cannot enter into an agreement without an appropriation. They would then ask for funding for the site and then design services at the annual town meeting – a two-step process – if they have the site. They can also try at the June special town meeting if the annual town meeting was unattainable.
- Mr. Johnson noted the bill for providing taxes back to the Town for open space was not dead and could still use support. Mrs. Rozanski asked Mr. Hartman to draft a letter to our local legislators urging their support on the bill.
- Mrs. Rozanski stated that an open meeting was scheduled with the auditors and the School Committee for March 2nd at the Library to discuss the school audit.

6. Discussion items.

- Mr. Johnson moved to open the warrant for the special town meeting to be held on March 20th at 7:00 p.m.; Mr. Dziczek seconded; all aye.

David and Jim Cassidy were present to discuss an article that involved a zoning change which had been submitted as a citizens petition. The petition was to change some of the property to commercial so that it could be made to accommodate some potential businesses on Route 109. Mrs. Rozanski stated that, since it was a citizens petition, it would be on the warrant.

At this point, the Board went over the rough draft of the warrant and the articles submitted.

Once the articles were discussed, Mr. Dziczek moved for the warrant to consist of 16 articles and that the warrant be closed; Mr. Gildea seconded; all aye.

7. Action items.

- With reference to the proclamation for March as Red Cross Month, Mr. Johnson moved that the Board approve and sign the proclamation; Mr. Dziczek seconded; all aye.
- With reference to the one-day liquor license for St. Joseph Parish, Mr. Johnson moved that the Board approve the one-day license for March 17th; Mr. Dziczek seconded; all aye.
- With reference to the agreement with F. M. Generator, Mr. Dziczek moved that the Board approve and the Chair sign the agreement; Mr. Johnson seconded; all aye.
- The Board was asked to review the proposed ambulance rates which Mr. Hartman explained, would ensure that we get the maximum amount from Medicare. Mr. Dziczek moved to authorize the Fire Chief to increase the charges for services of the Medway Fire Department Ambulance effective March 1, 2000, and to maintain those rates with the Medicare Maximum

MINUTES OF THE SELECTMEN'S MEETING
FEBRUARY 28, 2000

Allowed Charges, all as per the Fire Chief's letter of February 10th; Mr. Johnson seconded; all aye.

8. For your information.

- The Board noted receipt of the Bresnahan Landing land agreement, and asked that this be an action item on the March 6th agenda.

9. Communication and correspondence.

- The Board noted receipt of Tech Environmental's written recommendations from the February 7th joint meeting with the Selectmen.
- The Board acknowledged receipt of a letter from Rep. Parente concerning cell towers legislation, and asked that this subject be placed on the March 6th agenda as well.

10. Future agenda items.

- The Board noted the public hearing with the Golden Jade on March 6th, and that they need to set dates to open and close the warrant for the annual town meeting. Mr. Hartman noted that the FinCom's deadline for input into their FinCom book is April 15th.

At this point, the Board felt they might as well set those dates, so Mr. Dziczek moved that the Board open the warrant for the annual town meeting this evening and close it at the close of business on March 20th. When he was advised that was the same date as the special town meeting, Mr. Johnson amended the motion to close the warrant at the close of business on March 21st at 4:30 p.m.; Mr. Dziczek seconded; all aye.

11. Upcoming meetings.

- Mrs. Rozanski noted future meetings included Mass Highway's presentation of the 25% plan of Summer Street on March 9th at 7:00 p.m. in Sanford Hall; again the special town meeting on March 20th; and Selectmen's meetings on March 6th, 13th, and 27th.

12. Executive session.

- None is required.

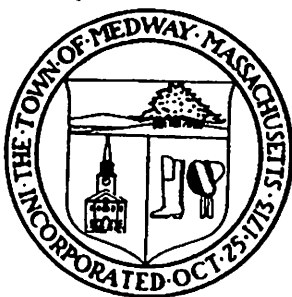
9:20 p.m. – Mr. Gildea moved the meeting be adjourned; Mr. Dziczek seconded; all aye.

Respectfully submitted,

M. J. Fredette
Secretary
mj

APPROVED

*approved
as amended
3/27/00*



BOARD OF SELECTMEN
155 VILLAGE STREET
MEDWAY, MASSACHUSETTS 02053
(508) 533-3200 • FAX: (508) 533-3201

REVISED AGENDA

BOARD OF SELECTMEN

SANFORD HALL

FEBRUARY 14, 2000

7:00 p.m. – Open meeting.

1. Sign warrant.
2. Approval of minutes.
 - None.
3. Public comments.
4. Committee reports.

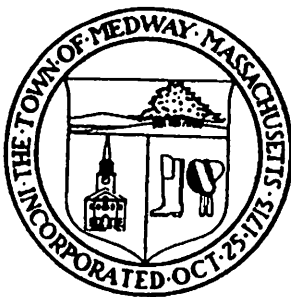
7:15 p.m. – Cathy Chenard, Chairman Board of Health.
Re: Pay as you thrown program.

7:30 p.m. – State Senator David Magnani.
Re: Update on State-related activities.

5. Administrator's report.
6. Discussion items.
 - Need for STM; school budget problem; other potential STM business; potential dates.
7. Action items.
 - Sign State Primary notice.
 - Re-appoint Paul Wilson as rep to C.R.P.C.D.
 - Accept gift of land.
 - Acknowledge site plan for Dunkin Donuts.
8. For your information.
 - DOE's Chapter 70 trends and FY'00 Budget Conference Summary.
9. Communication and correspondence.
10. Future agenda items.
11. Upcoming meetings.
 - February 28th.
12. Executive session.
Re: Potential litigation.

cc: Town Clerk for posting.

cc: cm, ALB
3/2/00



BOARD OF SELECTMEN
155 VILLAGE STREET
MEDWAY, MASSACHUSETTS 02053
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AGENDA

BOARD OF SELECTMEN

SANFORD HALL

FEBRUARY 14, 2000

7:00 p.m. – Open meeting.

1. Sign warrant.
2. Approval of minutes.
 - None.
3. Public comments.
4. Committee reports.

7:15 p.m. – Cathy Chenard, Chairman Board of Health.
Re: Pay as you thrown program.

7:30 p.m. – State Senator David Magnani.
Re: Update on State-related activities.

8:00 p.m. – Cheryl Harvey, Chairman School Committee.
Re: Special Town Meeting.

5. Administrator's report.
6. Discussion items.
7. Action items.
 - Sign State Primary notice.
 - Re-appoint Paul Wilson as rep to C.R.P.C.D.
 - Accept gift of land.
 - Acknowledge site plan for Dunkin Donuts.
8. For your information.
 - DOE's Chapter 70 trends and FY'00 Budget Conference Summary.
9. Communication and correspondence.
10. Future agenda items.
11. Upcoming meetings.
 - February 28th.
12. Executive session.
Re: Potential litigation.

cc: Town Clerk for posting.

MINUTES OF THE SELECTMEN'S MEETING
FEBRUARY 14, 2000

Present: Selectmen Raphaela Rozanski, Harry Johnson, John Williams, Joe Dziczek, Town Administrator Michael Hartman, Secretary M. J. Fredette. Selectman Richard Gildea was not in attendance.

7:05 p.m. - Open meeting.

- Mrs. Rozanski opened the meeting in Sanford Hall of Town Hall.
- 1. Sign warrant.
- Mr. Dziczek moved approval of warrant #34 in the amount of \$935,963.85; Mr. Williams seconded; all aye. The Town Accountant was present and noted that health insurance totaled \$89,000 during the first week of February; \$56,000 the second week, and \$130,000 the third week.
- 2. Approval of minutes.
- None.
- 3. Public comments.
- None.
- 4. Committee reports.
- Mr. Dziczek had none.
- Mr. Williams brought the Board and the public up to date on those taking out nomination papers for the May town election. Basically, it stands the same as last week. The last day to take out papers is March 9th to be returned by March 13th. As a reminder to those who want to vote in the March 7th primary, the last day to register is February 16th at 8:00 p.m.
- Mr. Johnson spoke on his attendance at the meeting at Dean College, at which Mrs. Rozanski also attended, on the I-495 initiative. He said there were many dignitaries present and many speeches given, a bit too much to squeeze into a half-day session. It seemed that the local towns were merging together as a regional body on this issue; however, the towns should not lose their individual sights on what they want considered. He thought it was still a good session and was glad he attended to see there might be a balance between industrial, commercial and residential interests.
- Mrs. Rozanski attended the session as Mr. Johnson stated, and was glad to see discussions on transportation, water/sewer, congestion and permit streamlining issues.

7:15 p.m. - Cathy Chenard, Chairman of the Board of Health came to speak to the Board and the public about the "pay as you throw" program. She was joined by Jeff Comeau of the Recycling Committee.

Mrs. Chenard began with a prepared statement. She indicated the unit based pricing system or bag system has, all of a sudden, become a topic of discussion. She has not heard one comment since approved at town meeting last May. No one has ever attended their meetings, asked to be on their agenda, nor has she received any calls from residents. Health Agent Bill Fisher and Secretary Jackie Ammering have received phone calls, but as far as she knew, the residents' questions were answered. In December of 1999, the Board of Health formally voted to put the bag system into effect on July 1st. They then sent their implementation plan to DEP and received \$40,000 in grant money to be used before June 30th of this year. To begin the bag system program, five-30 # bags will be distributed to each resident free. Brochures explaining the program will go out in April. The Town will have

MINUTES OF THE SELECTMEN'S MEETING
FEBRUARY 14, 2000

stay on this program for a minimum of two years, but the contract will be for three. Mrs. Chenard stated that the RFP was sent out the beginning of February with proposals due back on the 28th. At that time, more information will become available, but the fixed fee to each resident is estimated to be \$51. Predicted cost of the 30 # bags is \$1.50; for 15 # bags \$.75. The maximum weight limit is 35 lb. They still have a contract with Wheelabrator for the solid waste and with BFI Recyclery for recyclables. Interested stores will sell them after the Memorandum of Agreement is signed, but they can start stocking their stores on May 1st. Once the program is set in place, forums will be held and DEP will come to provide information for the residents, as well as bringing education to the schools through REAPS. Mrs. Chenard felt that the senior citizens would be the primary ones benefiting from the program, i.e. 1-15 gal. bag per week plus the annual cost of \$51 would save them \$66 per year; 1-30 gal. bag per week plus the annual cost of \$51 would save them \$27 per year. This is a projection until the actual numbers come in.

With regard to how the stores would handle selling the bags, Mr. Comeau believed, in the beginning, the manufacturer will invoice the Town, then the Town invoices the store for i.e. \$1.45 per bag or \$.70 per bag. They were trying to find stores in the Bellingham, Millis and Milford areas to sell them, as well as at the Senior Center.

With regard to extra personnel, Mrs. Chenard believed that would not be needed, only additional accounting functions. She noted there were 3,800 households in Medway.

Sandy Bennett, who was in the audience, asked how nursing homes and those that are disabled would be able to use the program, and commented the major problem was that they did not know what the program would cost.

Mrs. Chenard pointed out that this program has already been voted on at town meeting, the contract will soon be awarded, they got the grant money, and bags will soon be in the stores – the program is already a “go”. Mr. Hartman informed the Selectmen that he hoped to have a contract to them for signing by Mid-March.

Mr. Dziczek asked about municipal buildings, and Mrs. Chenard stated nothing changes with them, only the residents.

As an aside the money coming into the Town from residents has been \$592,800 (3,800 residents times \$156 annual fee).

Doing her math, Mrs. Rozanski thought if each resident put out 2 – 30 # bags a week (\$3 x 52), that would be the same as the current annual fee, but you would have to add the \$51 proposed annual fee on top of that, and they would be paying more than they do now.

Mrs. Chenard believed costs are on the increase anyway, with Mr. Comeau adding, historically the trend is for recycling to be on the increase with the program, and on the decrease with trash.

Mrs. Chenard noted that the Recyclery turned away some of the C. B. trucks, with no advance notice to the Town, that plastic bags, styrofoam, and wire hangers could no longer be recycled. They do have the option to do this and the Board of Health has no control over it. She did note that the plastic bags can go back to the markets, and the wire hangers to the cleaners.

Mrs. Chenard stated that 98 towns are in the UBPS program, with only 3 or 4 towns getting a grant, and Medway was one of them.

MINUTES OF THE SELECTMEN'S MEETING
FEBRUARY 14, 2000

5. Administrator's report.

- Mrs. Rozanski had a punch list of outstanding issues for Mr. Hartman, and proceeded to ask him the first one: how was the overlay fund? Mr. Hartman said he is awaiting that information from the Board of Assessors.
- She asked about the status of the health benefits trust fund, including the \$275,000 spent in the past three weeks? According to the Treasurer/Collector, they are looking at approximately \$700,000 to be spent during the balance of the fiscal year; it was still too close to call. With reference to the health insurance trust fund, and it is a trust fund according to Town Counsel referring to Section 3 of 32B, the money may not be removed.

8:20 p.m. - Mr. Hartman's report was interrupted temporarily since Senator Magnani had arrived.

- Senator Magnani apologized for not being able to keep his appointment last week, but was pleased to be able to be here this evening. He believed Representative Gardner covered most of the information on State-related activities so he did not feel a formal presentation was necessary, and would take the Board's questions.

Mrs. Rozanski asked about the circuit breaker tax and how much would it be? The Senator said it was a tax cut, not a tax. It doesn't cost the Town anything, and the intent is to recognize that incomes are going up and people are purchasing new homes. He believed income tax revenues were growing faster than property tax revenue. Now there is a surplus in the federal level and the state level. If they were to cut taxes, they would be cutting income tax, not property tax. Now, this gives the legislature a chance of cutting property taxes. For example, if someone's property tax is 10% of their gross income, they would be eligible for a credit. They would pay the same, but get a credit on their income tax, and would be a reduction from the State's general fund.

Senator Magnani brought up the \$500 tax relief credit for senior citizens, noting that the seniors were not to be taxed for that credit, but the IRS says they are employees, or change the definition to volunteers. Some towns put more money into the fund than the \$500, i.e. \$535 or \$550 so the seniors get the full amount without paying a tax. He thought volunteers could get the \$500 credit through the circuit breaker tax and would check.

Mr. Dzikczek asked about adding funding for communities noting they are all suffering on education costs? The Senator felt that, among his eight towns, Medway was doing well since there had been a 187% increase in chapter 70 since 1993. He felt Medway would do better if they focused on special ed and not chapter 70 since it is funded on the number of kids – no income or means test. If there are huge tax cuts, there is no additional revenue. He felt the issues were water/sewer costs, the Big Dig, etc. The Superintendents have a proposal and consensus of taking the real special ed problems out of district, thereby being reimbursed 90% of the costs. It should be recognized these are social services where \$66 million is included. He will be spending a great deal of time focusing on special ed and chapter 70 this year. Mr. Johnson thought the Senator's comments were placing him in the right direction.

The Senator spoke briefly about the Maximum Feasibility Benefits. He felt the legislature wanted to focus on the circuit breaker tax and not the maximum feasibility benefits, and to change the formula on the school building assistance program. He noted the potential option of design built plans where you appoint someone as an overseer and use same similar specs.

Mr. Williams brought up another sore issue, chapter 90, and how the lack of funds was hurting the towns. The Senator said they authorized \$150 million, but the governor authorized \$100 million for roads. The legislature does not have control. He reminded the

MINUTES OF THE SELECTMEN'S MEETING
FEBRUARY 14, 2000

Mrs. Rozanski mentioned to the Senator that, at the Mass. Selectmen's Association meeting, they did pass a resolution that a portion of the gas tax be put in a trust fund for local roads.

The Senator was told it was illegal for tolls on 93, but he was also told on new construction, it doesn't apply. On old construction, they could apply for a waiver. Tolls at the New Hampshire and Rhode Island borders would help the roads.

9:10 p.m. – Back to the Town Administrator's report.

- Mrs. Rozanski asked Mr. Hartman about the stabilization fund? He stated the balance as of today was \$484,734.28.
 - Mrs. Rozanski asked if he met with the FinCom on the status of the Schools/Town account? Mr. Hartman said he looked at Town accounts and assumed the Schools were looking at theirs. If need be, some things can be undone or be deferred, but he could squeeze out between \$65 and \$70 thousand.
 - She asked what was the FinCom's recommendation? He stated, when they met Wednesday night, the general agreement was to set a date for a special town meeting, and the strong consensus of 9 out of 11 was not to touch the stabilization fund, but to look at other sources of funding.
 - Mrs. Rozanski asked about the library grant? Mr. Hartman said he met with a representative of the DOR. Originally, he and the Board had looked at the library grant to pay for a portion of the principal and interest of debt for this fiscal year, and to transfer the appropriated funds to the health insurance fund. We were already in the process of making the first payment of \$40,000, with \$131,000 left to pay. At that time, DOR advised we could not utilize the grant money and it would have to roll over to free cash, but now, Kathy Reed of the DOR is saying we can use it. Based on the information we had at the time in December, questions were asked over the phone and a decision given. The proforma had not been completed then. Therefore, the funds are now available for appropriation this year elsewhere. We don't have the money yet, but the expectation is that it is coming. If it doesn't come in, we have more of a problem compounded of \$500,000.
 - Mr. Hartman brought up a letter received from the DEP. We have heard this before and Superintendent Mark Flaherty is aware of it, but now we have been formally cited. We are pumping more water than the permit allows us to pump since 1993. I have been asked to attend the enforcement conference with DEP and Mr. Flaherty will go as well. They are also asking for a member of the Water/Sewer Commission and a Selectman to attend as well. Mr. Johnson said he would go.
 - Mr. Hartman went over the preliminary draft from VHB concerning the Route 109 pedestrian safety evaluation. He will be speaking at the Medway Business Council on Wednesday and this was some of the information he will be going over with them. A more technical report will be submitted around the end of the month. Again, Mr. Hartman explained Route 109 is a State-numbered road, but a Town road, and the State has to approve any type of safety signals. At this point, the State feels it does not warrant any traffic lights, possibly warning beacons instead of lights. However, the option is still there that we meet with the State.
6. Discussion items.
- Mrs. Rozanski brought up the subject of a special town meeting. She stated it was the request of the Chairman of the School Committee to bring it up this evening, and the consensus seems to be to set a date. She believed the earliest they could do it was March 13th to be posted February 28th. Since the Selectmen do not meet again until February 28th, the 13th was not a

MINUTES OF THE SELECTMEN'S MEETING
FEBRUARY 14, 2000

to be to set a date. She believed the earliest they could do it was March 13th to be posted February 28th. Since the Selectmen do not meet again until February 28th, the 13th was not a good date. In speaking with Carla Cataldo, Mrs. Rozanski said the FinCom would suggest waiting until after the FinCom has their next meeting, which is on March 8th. The Secretary noted, in checking with the High School, the 13th and 20th were already reserved. Dr. Bettencourt, who was in attendance, said he would check those dates out and advise Mr. Hartman of his findings on Tuesday.

On that basis, Mr. Williams moved to call a special town meeting for March 20th, and if that date was not available, March 27th; Mr. Dziczek seconded; all aye.

At this point, Ms. Harvey, who was in the audience, submitted two articles to the Board for the special town meeting – one for money being transferred to the School Department, and one for money from the stabilization fund to be transferred to the School Department. It was noted the \$15,000 pothole money needs to be transferred at the STM in order to be accessed. Mr. Hartman commented Town Counsel still reviews all the articles before the warrant is posted. Mrs. Rozanski also told Ms. Harvey the “sum of money” needs to be an amount. She asked that the Board be provided with copies of potential articles. With reference to the School’s articles, she asked that Town Counsel be consulted as to who should sponsor them, or as Mary O’Leary suggested, co-sponsored. Mr. Hartman asked if they would probably open and close the warrant the same day; and Mrs. Rozanski believed they would.

7. Action items.

- The Board signed the State Primary notice.
- Mr. Dziczek moved to re-appoint Paul Wilson as representative to C.R.P.C.D. through 3/1/03; Mr. Williams seconded; all aye.
- Mr. Hartman brought up the gift of land from the Bresnahan to the Town. He stated, back in November, the Conservation Commission voted to accept this land. He stated that ConCom can purchase land, but they cannot accept a gift of land, per Town Counsel’s ruling which the Selectmen received a copy of; only the Selectmen can. The use of the canoe launch would be part of the land management agreement with the Division of Wildlife and Fisheries. The Board asked to see the agreement, which Mr. Hartman said he would provide to them, but first, they had to decide if they wanted to accept the gift of land.

Mr. Johnson had some reservations when ConCom accepts land such as this since now it belongs to the State of Massachusetts, not to Medway even if it is a public boat launch. He saw no problem as long as it was not restricted. Mr. Hartman stated that 99% of the complaints we receive is on land owned by ConCom because it does not get maintained. Mr. Johnson suggested, after looking at the management plan, we sign an agreement with Concom to keep the property maintained. Mr. Hartman said we can’t be because the land was offered to ConCom.

Mr. Johnson suggested addressing the gift of land after the Board has observed the management plan. Mrs. Rozanski asked if he wanted to delay acceptance until after they have reviewed it? Mr. Hartman said they can accept the land, but not the use for a boat launch.

Mr. Williams moved that the Board of Selectmen accept the gift of the Bresnahan property, .87 acre opposite the property at 56 Village Street; Mr. Dziczek seconded; all aye. Mr. Hartman said the Board will look at the agreement before it is discussed further with ConCom. Mr. Dziczek was concerned about any pollutants. Mr. Hartman said it will be mentioned to ConCom.

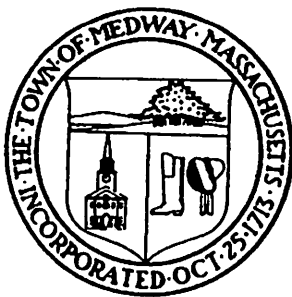
MINUTES OF THE SELECTMEN'S MEETING
FEBRUARY 14, 2000

- The site plan for Dunkin Donuts at 42 Summer Street was brought up, and was acknowledged by the Chairman.
 - 8. For your information.
 - The DOE's chapter 70 trends and FY'00 budget conference summary from Representative Gardner was noted in their packet.
 - 9. Communications and correspondence.
 - None.
 - 10. Future agenda items.
 - Ready Resource grant hearing for sewer on Alder Street/Trotter Drive.
 - 11. Upcoming meetings.
 - February 28th.
 - With reference to the upcoming special town meeting, Mr. Hartman noted he and FinCom were aware of at least a \$40,000 salary shortfall for the Police Department, and most of general government salaries were off one way or another, and \$5,300 still needs to be appropriated.
 - 12. Executive session.
- 10:00 p.m. - Mr. Johnson moved the Board adjourn into executive session for the purpose of discussion of potential litigation, not to return to open session; Mr. Dziczek seconded; all aye. The vote: Mr. Johnson – yes; Mr. Dziczek – yes; Mr. Williams – yes; Mrs. Rozanski – yes.

Respectfully submitted,

M. J. Fredette
Secretary
mj

approved
APPROVED
2/28/00



BOARD OF SELECTMEN
155 VILLAGE STREET
MEDWAY, MASSACHUSETTS 02053
(508) 533-3200 • FAX: (508) 533-3201

AGENDA

BOARD OF SELECTMEN

SANFORD HALL

FEBRUARY 7, 2000

7:00 p.m. – Open meeting.

1. Sign warrant.
2. Approval of minutes.
 - Joint budget meeting minutes of January 22nd.
 - Regular meeting minutes of January 24th.
3. Public comments.
4. Committee reports.

7:15 p.m. – State Senator David Magnani and State Representative Barbara Gardner.
Re: Update on State-related activities.

8:00 p.m. – Keith Kennedy and associates – Tech Environmental.
Re: Site environmental assessment report.

5. Administrator's report.
6. Discussion items.
7. Action items.
 - Approve two automatic amusement device licenses for Sabina Doyle's.
8. For your information.
9. Communication and correspondence.
 - Notification from Mass. Highway on Route 126 public hearing.
10. Future agenda items.
11. Upcoming meetings.
 - February 14th and 28th.
12. Executive session.
None.

cc: Town Clerk for posting.

cc: Mark Low 5/2/00
cc: CM, ALB
3/2/00

MINUTES OF THE SELECTMEN'S MEETING
FEBRUARY 7, 2000

Present: Selectmen Raphaella Rozanski, Harry Johnson, John Williams, Richard Gildea, Joe Dziczek,
Town Administrator Michael Hartman, Secretary M. J. Fredette.

7:00 p.m. – Open meeting.

- Mrs. Rozanski opened the meeting in Sanford Hall of Town Hall.
- 1. Sign warrant.
- Mr. Johnson moved approval of warrant #33 in the amount of \$1,068,052.13; Mr. Dziczek seconded; all aye.
- 2. Approval of minutes.
- Mr. Williams moved approval of the joint budget meeting minutes of January 22nd; Mr. Gildea seconded; all aye.
- Mr. Williams moved approval of the regular meeting minutes of January 24th; Mr. Gildea seconded; all aye.
- 3. Public comments.
- There were none.
- 4. Committee reports.
- Mr. Gildea and Mr. Dziczek had none.
- Mr. Williams stated that the Town Clerk had requested that he, as her liaison, announce the offices up for election in May. Of those not running for re-election include: Andrea Knupp and Virginia Mansfield, Library Trustees; Fred Sanford, Planning Board. She has not heard from: Harry Johnson, Assessor; Catherine Chenard, Board of Health; Ron Wilson, Water/Sewer Commissioner.
- Mr. Johnson reported that the bill on open space is not entirely dead.

Mr. Johnson also encouraged more people to run for election on boards and committees.
- Mrs. Rozanski reported on the state budget shortfall, and that eight ABCC investigators were being laid off. Mr. Williams felt this was forcing the local people to do more than expected.

Mrs. Rozanski said she had received a copy of the MMA video on the "pay as you throw" program that she will give to the Board of Health.
- 5. Administrator's report.
- Mr. Hartman updated the Board on what has been spent on snow removal so far, which was \$68,690.95.
- Mr. Hartman stated that the Office had received a citizens petition for elimination of the "pay as you throw" program for inclusion in the annual town meeting warrant, as well as a non-binding question to place on the May 1st ballot asking the voters if they were in favor of its implementation, a copy of which the Board received. Mr. Hartman said the Board has the option to place it on the ballot, otherwise 750 signatures of registered voters will be required to place it on the ballot. The Town Clerk must have the petition by mid-March.

MINUTES OF THE SELECTMEN'S MEETING
FEBRUARY 7, 2000

Mrs. Rozanski commented that the Board of Health still has the right to do as they wish, but believed further discussion should happen. Mr. Dziczek did note there were many unknowns at the meeting approving the program.

Mr. Hartman stated that the RFP is out now, which include the "pay as you throw" program starting July 1st. It also indicates we are seeking a grant in the RFP, but if it does not happen, the cost is assumed by the vendor.

Again, Mrs. Rozanski thought a discussion would be helpful. Mr. Johnson moved to forward a letter to the Board of Health indicating the Selectmen were interested in resolving this problem as a facilitator with the community rather than going to the ballot; Mr. Williams seconded but amended to include a timeline as time was of the essence; Mr. Johnson amended the motion to the end of March; all aye.

- Mr. Hartman stated that the working group on host benefits had a preliminary meeting with Sithe. He has indicated he would like special counsel, which would not have to go through the bid process, but he would have to seek bids if looking for a consultant. Mr. Johnson wanted further discussion on this. Mr. Hartman added that the level of expertise they need to look at is legal counsel who has negotiated host town benefits. In checking with four other towns, all used special counsel of some type. Mr. Gildea asked about cost, but Mr. Hartman did not feel that should be discussed in open session, but did say it would be comparable to rates paid to other special counsels. Mr. Hartman said that the attorney he was considering has negotiated three out of the four towns' agreements. He noted each agreement was unique to each community and required town meeting approval.

Mr. Williams said he would like the cost and structured idea of the payback. Charlie Myers, who was in the audience, commented that the special counsel who helped them with the cable agreement helped with structure and they did not spend a lot of money.

Mrs. Rozanski asked Mr. Hartman to provide the Board next week with more criteria, scope, and hours for cost and payback.

- Mrs. Rozanski commented on Mr. Hartman being the guest speaker at the Medway Business Council meeting next Wednesday. Mr. Hartman said he would be giving the Board an update on the subject of discussion, the Route 109 study, on Monday prior to the MBC luncheon/meeting. He felt most of the traffic work study by VHB had been done, but they were waiting for information from the police department.

7:45 p.m. – Representative Barbara Gardner came to update the Board on State-related activities. Senator Magnani had not arrived yet.

A synopsis of Ms. Gardner's comments:

- the governor's budget subcommittee hopes to confer timely and quickly this year.
- the chapter 70 formula providing an additional \$94 million was a victory.
- relating to the elderly, prescription drug allowance has increased, and if receiving catastrophic drug costs, will get assistance.
- for the elderly, there is circuit breaker legislation for property owners, where they will get a 10% tax credit with a maximum of \$350 the first year and \$750 the second year.
- more financial assistance is going out to the communities for the library, policing grant, hazardous waste and for firefighters.
- the tobacco settlement was a windfall for Massachusetts providing \$250 million for the next 28 years putting 70% in interest-bearing bonds and 30% on tobacco-related health services.
- \$85 million in additional lottery money coming in.
- it's too late to work on a different education formula. She and Sen. Magnani's priority is to do something on special ed and the high enrollment growth.

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- on school building assistance, the governor has filed a report indicating he feels this is popular and will continue to be funded; however, temporary structures may be allowed, and the use of more land is being looked at. "Budget buster" was not being supported in the house, which is allowing 15% for small repairs believing it is routine maintenance in municipalities, as 3% of the operating budget should be going into maintenance. There were \$180 million in requests for small repairs.
- the house passed the transportation bond bill and commuter rail stations for Southboro, Ashland and Westboro, and now on to the Senate to act on it.
- in chapter 90 monies, \$150 million has not been released by the governor, which has held up the completion of Route 109 with millions going to the Big Dig.
- she encouraged support of the I-495 Initiative with their third annual conference upcoming on Saturday. She said they received a grant of \$250 million for the transportation study and are trying to get people in the corridor to work together. They were also hoping to have GIS mapping done in these areas.
- they were expanding Logan Express in Framingham by 1000 spaces.
- the MBTA is refinancing.
- with reference to growth, there is a sustainable growing act which will help provide technical assistance.
- the community preservation act passed in 1999 on the house version where they would set the percentages.
- there was a bill going around on cluster zoning by right than by permit.
- the chapter 61 bill has loopholes they are trying to correct.
- she passed out chapter 70 trends from 1993-2000, which the Secretary will copy for the Board.
- the MMA was trying to protect local decision-makers on cell towers.
- she was asked to serve on a special task force for 40B, knowing support and incentive are needed. The task force is involved with planners, trying to find out how communities can provide more affordable housing and State help. She recognizes there are some houses in the lower range of the scale in Medway, and do want to help the lower income people.
- there is a \$5 million pothole account which Dr. Bettencourt applied for the maximum of \$250,000 and received \$15,000.

Mr. Dzikczek asked about the Charles River and if there were any plans to place funding into cleaning or protecting it? Ms. Gardner said she spoke to the Watershed Association about it. She also noted many residents have e-mailed her about the Ennis property. She has information on the land and water conservation fund, and will send it to those people in time for the Planning Board meeting tomorrow night.

Ms. Gardner said she would like this Board to revisit the boat ramp issue and as a way of fostering stewardship of the river. The State will try to pay for it and build it.

8:30 p.m. - Tech Environmental came to speak to the Board concerning their environmental assessment report on Sithe sent in December, copies of which were distributed to various Town departments. The representatives were Keith Kennedy, Vice-President; Bill Archeri,; and Frank DiLiberto, Service Environmental Engineer.

Mr. Kennedy explained they focused on environmental issues and did not evaluate the electromagnetic fields and safety. They have also done a number of these reviews. Since the plant was existing, other issues seemed more important, and it takes special expertise on EMF's requiring additional resources. The siting board has some expertise in this area anyway. They had looked at other sites including Weymouth, Dracut, North Smithfield, Rhode Island and Sandwich and they do permitting for developers.

At this point, the three representatives went over their summary, attached hereto as part of the minutes. Their summary focused on a comparison between the existing facility and the proposed expansion, air quality, noise, traffic, visual, wetlands/stormwater, water use, wastewater discharge,

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chemical storage and solid waste. Some noteworthy comments made by Tech Environmental include:

- Overall, the proposed expansion was very well designed.
- They evaluated air controls, which are state-of-the-art, and peakers far exceed some.
- They were glad the expansion is strictly natural gas.
- No problem was foreseen on air quality if and when the plant is running at full capacity.
- They were still a little skeptical on the noise issue. Not all information asked of Earth Tech was received to draw a conclusion.
- It was felt the Town should have certain procedures in place involving construction noise.
- Noise control as proposed complies with DEP just marginally, and they recommend looking at control levels.
- The Town's noise ordinance may not be complied with, but did not feel the by-law should be modernized more to measure noise quality.
- They recommend the Town makes clear they want data verifying noise predictions. It was noted a 10 decible increase is audible and people will notice the difference.
- They believe the facility is in compliance with DEP for air quality and noise.
- Sithe is spending \$12.6 million on noise control.
- They recommend follow-up with Boston Edison on any outstanding issues.
- There should be a pollution plan available on site, and a condition of special permits with other towns is to have a copy on file with the Town as well.
- Coverage in newspapers during construction period is recommended. They should also do a plan for construction activity and operation.
- Vegetation should be monitored for one year for growth.
- Exhaust plumes rise 300 feet over stacks.
- It was believed that the gas and water lines would not be extended through the buffer zones – this should be checked. There was also no provision for any negative impact.
- The erosion control line is placed very close to wetland flags which would indicate there should be additional data available.
- About 890 gallons of water is predicted to be used per day, more if there is wash-down.

Mr. Hartman suggested working some of Tech Environmental's comments into the site plan review, and would speak to Mark Louro of VHB concerning this. He also understood that the Board would like further evaluations on any noise data we can get from Sithe. Tech Environmental stated they would put their recommendations in writing to the Board.

10:15 p.m. – Senator Magnani came during Tech Environmental's presentation and asked to be placed on next week's agenda.

6. Discussion items.

- None.

7. Action items.

- Mr. Johnson moved to approve two automatic amusement device licenses for Sabina Doyle's; Mr. Dziczek seconded; Mr. Johnson amended his motion to include a Sunday entertainment license as well; Mr. Dziczek seconded; all aye.

8. For your information.

- None.

9. Communications and correspondence.

- The Board acknowledged receipt of Mass. Highway's notice on the public hearing for the Route 126 project being held in Sanford Hall at 7:00 p.m. on March 9th. Mr. Hartman added

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that the waiver has been approved by the State and incorporated into the 25% plan, which was to have a smaller than standard width and shoulder width.

- Mr. Hartman asked the Board if they would sign the contracts for the rehabbing of the wells on Village and Oakland Streets, bid out in 1999, and approved by the Water/Sewer Commissioners this evening. They are trying to begin early to avoid potential problems. The wells were pumping 400-500 gallons per minute; now it is down to 100-150 gallons per minutes. He noted the contract was to F. G. Sullivan Drilling Company of Lancaster in the amount of \$39,434, and everyone else had already signed off. His recommendation was to approve the contract and get the project going right away. Mr. Dziczek moved they sign the contract; Mr. Gildea seconded; all aye.

Mr. Johnson thought they might be rushing in judgment on this. They were not looking at the ramifications that could occur, such as at the water tower. The Board should be more aware of these things and are not being kept current. Mrs. Rozanski agreed this needed to be done quickly, but suggested it would be helpful if they had some sort of written guideline as to what was coming into the Office that would require Board approval.

- Mr. Hartman said a number of issues came up Saturday, February 5th, that he wanted to bring up. Mrs. Rozanski agreed saying there were a number of on-going situations with the health-care benefits fund, and they needed to be vigilant. She officially asked if Group Benefits Strategies could come in. Mr. Hartman said he would like to clarify that GBS only makes a recommendation once per year. The balance of the year rests with Town financial staff. What is projected in July is what is carried forward as a flat line for the year. Mrs. Rozanski said she would then like the Treasurer to give the status.

Mrs. Rozanski said they should formally request a certification from the Board of Assessors on the status of the overlay account. Mr. Johnson then moved that a communication signed by the Chairman be sent to the Board of Assessors as required by statute reporting on the overly status; Mr. Gildea seconded; all aye.

Mrs. Rozanski asked about the stabilization account, and Mr. Hartman stated there was \$483,800. Mrs. Rozanski asked to see the amount in writing. She also said they were willing to offer assistance to go through the status of accounts for Town and Schools. Mr. Hartman said that the status of budgets was just done by the Finance Committee subcommittees. He also noted that he was asked to continue his research of accounts for the Finance Committee meeting on Wednesday. Mrs. Rozanski suggested getting a recommendation from the Finance Committee on the use of the stabilization fund as well. Mr. Dziczek agreed.

Mr. Williams asked about the status money articles with leftover money? Mr. Hartman said that anything that was left over was taken by the Finance Committee at the special town meeting; only certain capital items have not been spent.

- A reminder to Mr. Hartman by Mr. Dziczek on a policy for third-time liquor license violators.
10. Future agenda items.
- None.
11. Upcoming meetings.
- February 14th and 28th.
12. Executive session.
- None.

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10:40 p.m. – Mr. Gildea moved the meeting be adjourned; Mr. Dziczek seconded; all aye.

Respectfully submitted,

M. J. Fredette
Secretary
mj

moved
APPROVED
2/28/00

MEDWAY EXPANSION PROJECT PEAKING POWER PLANT

Existing Facility

- The Power Plant Is Located On A 94 Acre Site at 9 Summer Street.
- 180 MW Peaking Power Plant
- Three, 63.5 MW Turbines Using Natural Gas Or Distillate Oil.
- No Operating Restrictions

Proposed Expansion

- Three, 180 MW Turbines Using Natural Gas
- The Existing And Expansion Turbines Would Be Restricted To 2,500 Hours Per Year Per Unit

Air Quality

- ✓ Air Pollution Controls/Emissions Are Among The Most Stringent For Peaking Power Plants
 - ✓ Dry Low NO_x (DLN) Combustors (LAER for NO_x)
 - ✓ Natural Gas-Firing (BACT for other pollutants)
- ✓ Expansion Project Impacts To Ambient Air Quality Are Predicted To Be Insignificant.
- ✓ Emissions Offsets Will Be Obtained For NO_x.

Noise

- ✓ Existing Noise Conditions Are Representative Of A Rural/Suburban Environment.
- A Pure Tone Condition Exists In The West And Main Streets Area Presumably From Boston Edison Transformers. We Are Not Aware That A Plan To Remedy The Situation Has Been Implemented.
- Construction Noise Associated With Heavy Earth Moving Equipment May Be Noticeable To Residences In The Immediate Area.
Recommend: 1) Prohibit Construction Activities That Generate Significant Noise Before 8 AM Or After 6 PM, and 2) Establish A Program To Receive, Log And Respond To Community Complaints.
- ✓ In Addition To Noise Controls For The Expansion Units, The Existing Units Would Incorporate New Noise Controls
- Operational Phase Noise Impacts Appear To be In Compliance With DEP's Noise Policy. However, The Predicted 10 dBA Increase May Not Represent Best Available Noise Control Technology (BANCT), And Compliance With the Medway Noise Ordinance Has Not Been Demonstrated. (TEI Is Unable To Verify Operational Noise Impact Calculation Results Because These Calculations Were Not Provided.)
- When Both The Existing And Expansion Units Are Operating The Incremental Noise Increase Will Be Clearly Audible To Residences In The Local Area.

Traffic

- ✓ Traffic Impacts During The 12-Month Construction Period Are Not Expected To Be Significant. Construction Traffic Would Avoid Peak Morning And Afternoon Commuter Traffic Hours.
- However, Temporary Impacts To Local Traffic During Construction For The Delivery Of Heavy Equipment May Be Unavoidable.
- ✓ During Plant Operations, No Adverse Traffic Impacts Are Expected.

Visual

- ✓ Views Of The Plant From Residential Locations East Of The Site, Along Old Summer Street And Route 126 Are Partially Screened By Vegetation. From View North of the Plant, The Plant Is Effectively Screened By Vegetation.
- The Plant Is Visible From West Street To The South And West Of The Site.
- ✓ The Height Of The New Stacks Would Not Exceed The Height Of The Existing Stacks.
- ✓ Future Views Of The Plant With The Expansion Project Would Not Change Significantly In Character Or Quality From Current Views.
- Exhaust Plumes Will Be Visible, Particularly During Winter Operation.

Wetlands/Stormwater

- Two Intermittent Streams Are Located Adjacent To The Project Site And Bank and Bordering Vegetated Wetlands (BVW) Are Associated With These Streams.
- Part Of The Existing Facility Is Located In The Wetlands Buffer Zone.
- ✓ They Are No Known Rare Plants, Animals Or Ecologically Significant Natural Communities In The Project Area.
- ✓ Construction Would Avoid Wetland Areas.
- ✓ Wetland Impacts During Construction Are Expected To Be Minimal.
- ✓ The Total Peak Stormwater Discharge After Development Is Estimated To Be Less Than Pre-development Levels.
- ✓ The Increase In Runoff From The Less Pervious Developed Areas Would Be Mitigated By The Extended Detention Basin.

5)

Water Use

- ✓ The Expansion Project Would Have Minimal Water Demand.
- In The Event The Municipal Supply Could Not Satisfy The Water Needs During Plant Maintenance Overhauls, Water Would Be Trucked To The Site.

Wastewater Discharge

- ✓ There Would Be No Wastewater Discharge To Surface Waters.
- ✓ All Process Wastewater Would Be Directed To A Holding Tank And Disposed Off-site By A Licensed Contractor.
- ✓ Sanitary Wastewater Would Be Treated By A New On-site Septic Tank And Leach System.

6

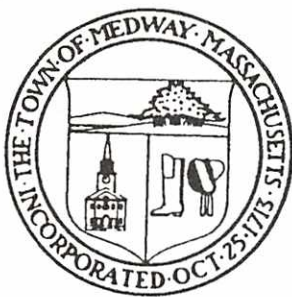
Chemical Storage

- ✓ The Storage Of Chemicals During Construction And Operation Is Expected To Be Minimal.
- ✓ With Appropriate Storage And Containment Measures, No Adverse Impacts Are Expected.

Solid Waste

- ✓ No Adverse Impacts From Solid Waste Are Expected During Either Construction Or Operation.
- ✓ Solid Waste Would Be Hauled Off-site By A Licensed Contractor For Recycle Or Disposal.

7)



BOARD OF SELECTMEN
155 VILLAGE STREET
MEDWAY, MASSACHUSETTS 02053
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AGENDA

BOARD OF SELECTMEN/TOWN ADMINISTRATOR/FINANCE COMMITTEE

JOINT BUDGET MEETING

FEBRUARY 5, 2000

EDUCATION SUBCOMMITTEE

SANFORD HALL

- 9:00 a.m.
- Open meeting.
 - FY'01 Budgets - Medway Schools.
FinCom – Carla Cataldo, John Collett, Jay Leader.
 - Sources of funding.
FinCom – Allan Fraser.
 - Other.

*cc: ALB, cm
Carla, Jay, John
3/2/00*

JOINT BUDGET MEETING
BOARD OF SELECTMEN/TOWN ADMINISTRATOR/FINCOM
FEBRUARY 5, 2000

Present: Selectmen Raphaela Rozanski, Harry Johnson, John Williams, Richard Gildea, Joe Dziczek, Town Administrator Michael Hartman, FinCom members Carla Cataldo, John Collett, Jay Leader, Allan Fraser, Secretary M. J. Fredette.

9:02 a.m. – Mrs. Rozanski opened the joint meeting in Sanford Hall.

- The education budget was being discussed today. After an introduction of all present at the table, Ms. Cataldo, the education subcommittee chairman, explained the budget process that had been adopted by the FinCom and the Board of Selectmen. She noted this process involves the Selectmen more so they can be well-versed on all the budgets since they are the only ones who could recommend an override if necessary.

Mrs. Rozanski went over the different programs, what can lead to tax cuts, and what has to be dedicated to schools. She went over the ed finance formula:

<u>Finding Credit</u>		<u>Debit/Budget Expenses</u>
chapter 70		programs
	SHOULD	
% property tax earmarked		maintenance
	EQUAL	
% fees minus expensed fees		equipment
		salaries
		benefits
		(FICA)
		(health benefits)

Mr. Hartman explained, at the request of the FinCom subcommittee, had prepared a preliminary budget recommendation for the School Department. He stated he started with an estimate of revenue and was conservative with \$25,717,200, with additional chapter 70 dollars accounted in this figure. This is a preliminary figure estimated for new growth. Mr. Hartman noted the requested budget in the amount of \$17,033,390, is a first blush from department heads, as the Superintendent had not even really looked at it and neither had the School Committee. Right now Mr. Hartman's recommendation was for \$16,176,411. At this point, the overall Town budget would be \$26,310,000 with no contractual obligations for schools included. He noted, if cuts have to be made, the budgets on the Town side would have to be revisited. Mr. Hartman stated he had looked at the entire picture, when traditionally, only one side is looked at – expenditures.

Mrs. Rozanski referred to the Department of Education's Compliance Summary and specifically the total of FY'00 net school spending of \$16,378,303 (which includes \$289,128 for Tri-County) in relation to the chapter 70 required net school spending amount as the total FY'00 requirement that has to be spent on education, which was \$14,608,997, less than budget. In her analysis, her figures came close to Mr. Hartman's, even though he approached the issue one way, and she another. With reference to terminology, the word is "minimum" not "adequate" that the State uses to refer to dedicated funds.

Ms. Cataldo noted that CIPC items for schools ends up on the Town side of the budget.

David Verdolino stated that the "city and town numbers" on page two of the "Compliance Summary" are from the Town Accountant, but had not received supporting documentation yet.

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BOARD OF SELECTMEN/TOWN ADMINISTRATOR/FINCOM
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The subject was brought back to the FY'01 budget with Mrs. Rozanski saying the Schools should use the same worksheet as all the departments in Town use. Mrs. Cataldo noted, with these worksheets, they can observe a snapshot picture of actuals of the past two years, what was budgeted this year, and the department's request for all line items.

Dr. Bettencourt referred to "II - Professional Development Compliance, FY98 to FY00" on the "Compliance Summary" stating we were not in compliance and about \$36,000 short, and will have to revisit this area in the budget. With reference to enrollment figures, usually October 1st is used as the snapshot time for determining numbers. He noted he did not level service expenses.

Mr. Williams stated, when he looks at the numbers, it looks like required increases. He was of the opinion that they would have to revisit the area of the shortfall with input from the schools back to the Town.

Mr. Verdolino explained the threshold went up from \$75 to \$100 to \$125 per student in the three years as reported on the schedule 19. The budget put together in May was based on \$100 per student. If they are given additional chapter 70 monies, they want an additional \$25 per student. Dr. Bettencourt stated Administration will try to meet the requirement.

Mrs. Rozanski suggested the FinCom educational subcommittee work with the Schools.

Mr. Collett asked how the School Committee came up with a \$17 million budget? He knew it was preliminary but asked if this was a "wish list"? He was told, it was. He also inquired if for every 1% on a salary contract, what was the dollar value set aside? Mrs. Harvey said they had not voted on this yet.

Dr. Bettencourt said, in preparing the budget, Administration goes to each classroom, and the teacher's concerns are written into the budget.

Mr. Collett stated the total FY'00 budget was overstated at \$15,205,625 as the figure really should be what was appropriated which was \$15,005,625. This brought the subject of the \$200,000 recently transferred at a Town Meeting from the schools into the discussion. He said he did not want to spend a great deal of time on this as the case was presented at Town Meeting. Mrs. Rozanski ruled this discussion out of order.

Mr. Collett reinstated Ms. Cataldo's sentiments that the budget format as presented by the School Department is always in a "budget and projected" format, not including any actuals from FY'99, and is not in a format as presented by ed reform or to the other departments by the Town Accountant. He would like to see their format changed so it was more presentable and, in this way, added value and you could more readily see the trends. There is also no history being shown as the other departments can show.

Dr. Bettencourt agreed if the other departments are being showing their actuals, it can be done for them as well; however, he added the caveat, if the School Committee authorizes him to do it, but he would talk to them.

Mr. Leader asked when would they be provided firmer numbers? Mrs. Harvey stated the management team first reviews it and then there is a hearing process; there is a schedule.

Ms. Cataldo pursued this asking when could they get the Superintendent's recommendation including budgets reflecting level service and level funding, as three budgets were asked from all departments? Dr. Bettencourt stated the School Committee determines the base.

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BOARD OF SELECTMEN/TOWN ADMINISTRATOR/FINCOM
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Mrs. Rozanski stated the best estimate right now was \$16 million with Mr. Hartman's recommendation.

Mr. Barrasso said that, actually, they have nothing to do with the final numbers given to the School Committee. Mrs. Rozanski felt that programs needed to be looked into.

Ms. Cataldo referred to page two of the budget overview and asked for a breakdown of the actual numbers reflected in the salaries, i.e. number of staff and what staff is included in that specific salary line item. She noted they do publish a FinCom book to the residents prior to town meeting and it was helpful if the text could be as informative as possible.

Mr. Hartman agreed they need to know the total number of benefit eligible employees per chapter 32B to determine the set-aside amount for the health insurance fund. He asked for a list of employees by name and how many hours per week they work. He said it was driven by 32B who is benefit eligible. Mrs. Rozanski noted the affecting factor was 20 hours per week.

Mr. Dzikczek agreed there is a definite minimum requirement that must be met, i.e. funding per pupil, special ed, contractual agreements. If you take those out of the equation, then you are looking at smaller numbers. Mrs. Rozanski felt he was looking at the expense side, not the revenue side, but suggested they look at where they can consolidate.

Mr. Leader was confused in that the largest increase in staff was in the high school, but the busting enrollment was in the lower grades? Dr. Bettencourt explained this was the ballooning effect now reaching the high school, at the same time as it is ballooning at the lower levels.

Ms. Cataldo asked how many hours per day a teacher worked? Dr. Bettencourt stated between 6-1/2 and 6-3/4.

Mr. Myers felt that many of the questions being asked could be answered at a School Committee meeting. There is also a management meeting of building principals which he felt was excellent to attend, and there was a budget calendar to look at to determine budget cycles.

Mr. Collett believed that the School Committee should be able to convey their needs to the Board of Selectmen and Finance Committee rather than requesting attending School Committee hearings. All representatives cannot attend all meetings, which was why this meeting was being held on Saturday. He noted that they need to change their budget schedule as the Schools want until March or April to have a public hearing. The budget needs to be approved by the School Committee by early March. End of March/beginning of April time frame is not enough time to know what need is real to determine if an override is necessary. The high school, when opened, will require additional funding and staffing. Information needs to be known so they can present the numbers to the Town with knowledge. School has the biggest budget, so you're talking 60-65% of the tax rate, with capital items, debt, insurance and FICA in the general government side as well. ✓

Mrs. Rozanski reiterated the questions the Board of Selectmen had: the number of employees who were benefit eligible and actual fixed costs. The Finance Committee questions were: programs and actual spending figures for FY'99.

Dr. Bettencourt stated March 2nd was the date he would be recommending the budget to the School Committee. Mrs. Harvey added that then there would be a public hearing, then discussion and deliberation.

Ms. Cataldo said there were also revenue questions. She asked what made up the athletic revolving account? Dr. Bettencourt stated it was from gate receipts and fees, basically the

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BOARD OF SELECTMEN/TOWN ADMINISTRATOR/FINCOM
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kids' money. Usually \$60,000 is automatically put in annually. He noted \$45,000 is in there as part of the operating budget to include transportation. That would leave \$15,000 for incidentals, but it can be carried forward past July 1st to be used for repairing fall equipment. The bottom line was \$45,000, and less if transferred over, but it has to be spent on athletics.

Ms. Cataldo asked about grants and who pursues them? Dr. Bettencourt stated they have a number of grants, including a technical grant of \$30,000 this year; last year it was \$10,000. Sometimes, they also get private corporate grants.

Ms. Cataldo suggested another meeting of the subcommittee with Schools. Dr. Bettencourt suggested getting a handle on the Assessors' overlay figure ahead of the meeting. Mr. Johnson stated they do not have a dollar figure available, but they will look at a procedure to expedite funds. Dr. Bettencourt said if they know how much the Assessors will put in the overlay in FY'01, it will help to determine the available funds. Mrs. Rozanski reminded all that the overlay was strictly within the authority of the Board of Assessors.

Administrative Assessor/Appraiser Paul Keefe was present and reviewed the overlay process. He said he would not know the figures until the fourth quarter preliminary tax bill goes out. Mr. Johnson noted that the Treasurer/Collector uses the overlay account for funds not collected by her office for outstanding accounts.

Mr. Keefe also explained when funds are released from the overlay, they go into the overlay reserve; the overlay surplus goes into free cash.

Mr. Collett noted that the FinCom usually goes to the Assessors before a town meeting to review the overlay account to see if there are any funds that can be released, and ask them to minimize the amount to be set aside to the overlay reserve.

Mr. Fraser was introduced as working on the source of funding for the FinCom. He noted they were still in the preliminary estimates and working on the projections of chapter 70 and state aid.

Mr. Dzikczek noted that there was a network administrator included in the school's budget. Mr. Hartman agreed it was one of the proposals. Dr. Bettencourt felt it was a payoff working together in technology so we could all be linked. When Mr. Hartman was asked about the cost, he indicated both sides would be appropriating funds for the installation of the I-loop network.

Dave Peterson, a resident in the audience, asked that all departments try to keep with the notices and meeting schedules on the cable bulletin board as it was very informative to those who did not have the time to look at the papers. Mrs. Rozanski noted that all meetings are posted with the Town Clerk.

Mr. Johnson moved to urge the Town Clerk, in addition to the posting, to forward to Rick Holland of Community Newspaper and Medway Cable Access, notices of meetings; Mr. Dzikczek seconded for discussion but said some people will say they don't get the papers as much as others will say they don't have cable, and suggested putting an announcement bulletin board outside of Town Hall; all aye on the motion.

Mr. Collett stated that the FinCom will probably outline the balance of their meeting through April 15th very soon, but most meetings are scheduled on an on-going basis.

Mr. Williams agreed on pursuing the announcements on cable. Mr. Gildea suggested a dedicated phone line with up to date information, with a resident suggesting that information

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be on an answering machine. Mr. Hartman agreed, technologically, some of the suggestions could be done, but someone has to do it.

- At this point, Mr. Williams said he would like to bring up the FY'00 budget under "other" and the deficit of the School Committee and their pending issues looking for ideas of how to find the additional funds.

Mrs. Rozanski said, since this was new to the agenda and not a specific agenda item, she asked for a vote of the Board to add this to the agenda. Mr. Gildea - abstained; Mr. Dziczek yes; Mr. Williams - yes; Mrs. Rozanski - yes; Mr. Johnson had left the room; motion carries.

Mr. Williams he was taking a neutral stand, but knew there were some funding needs and they were struggling. He did not think they would solve this today, but all the key players were here now and felt it should be discussed.

Mrs. Rozanski stated this was not actually a FinCom meeting; these members were here at the Board's invitation. The FinCom has declined to meet with the School Department, and it is a courtesy that they are here.

Mr. Dziczek agreed the shortfall should be discussed. He stated the Schools have looked and there is no money, and are looking for a special town meeting. He knew the different departments were going to look for money and was eager to hear what was found.

Ms. Harvey reiterated they had been to the FinCom and the Selectmen and indicated there is a real need, mostly due to special ed. She said the School Department is in trouble and they have asked Administration to identify sources. They have also met with the Assessors and Dr. Bettencourt has asked them to check other things out. They still have inquiries about the insurance account.

Mr. Hartman said he did not have the Consultant's report yet due out between the 10th and 15th, but knew that the report would indicate \$172,557.58 had been expended for January, more than other months. He also knew there was \$140,000 in bills on the next warrant, leaving a balance of \$550,000 as of yesterday afternoon. He noted the bulk of the business is with Pilgrim, whose billing had slowed down with the receivership and possibly corporate headquarters, and now seemed to be going back up again. When asked about transferring funds out of the account, Mr. Hartman said it was a trust fund and did not believe it could be done, but would talk to Town Counsel about it. He reiterated it was not a reserve; it was money that was not spent yet, with GBS having originally predicted \$1.4 million, and they only make one prediction each year.

Mr. Collett said he asks Mr. Hartman every month before a Finance Committee meeting the status of the health insurance account, and felt it was premature to know how this account would fare out until April at least. With regard to the overlay reserve, they need to look at the recap sheet. With reference to having tapped all available funds on the recap sheet, if so, then the only two areas left are the overlay and the stabilization account.

Mrs. Rozanski asked Mrs. Harvey if it would help to bring the auditors in to help them look at their accounts and determine where there might be available funds, along with asking the Town Accountant to work with Mr. Verdolino? Ms. Harvey stated she did not want to turn down help, but they don't want someone to come in and tell them where to take money from. Mrs. Rozanski commented they should not have been overspending their appropriation, but Ms. Harvey said they had to spend those funds on special ed. She felt they might have to take the funding from a program.

JOINT BUDGET MEETING
BOARD OF SELECTMEN/TOWN ADMINISTRATOR/FINCOM
FEBRUARY 5, 2000

Dr. Bettencourt thought there might be a credibility problem. The report shows there is overfunding on health insurance, and it represents a source of funding, as does the stabilization and the reserve fund. They have all that and maybe overlay. They could cut the operating budget half-way through the year, but is that the appropriate way to go when they can go someplace else? Mrs. Rozanski did not feel it was overfunding, but maybe they can analyze it and look at it again. We have to show stability in the stabilization fund if we are going to build a new high school.

Mr. Hartman stated he could have Kevin from Group Benefits Strategies come in and make a presentation, but he would basically be reiterating the same things he had said.

Mr. Fraser had a comment. The perception here is that we are all one Town. We are cognizant we all want a good education for our children but we want to be fiscally responsible for the whole Town, and that this is being looked at in a vacuum. Ms. Cataldo agreed indicating they're hoping they can manage to get through this year. ✓

Mr. Collett stated that the School Department is projecting a higher deficit now than earlier. He asked if that number was going to go up or down, would what they have to do without, has something been done and increased it? He said he would like to see a revised number if there is something the School Committee can do.

Ms. Harvey said special ed is the movable number, and keeps getting worse, not better. Some help from the Town is necessary. She would like to request to be placed on Monday night's agenda with the Selectmen to discuss the consideration of a special town meeting, She knows there are funds available.

Mrs. Rozanski stated she would take her request under advisement, but she is not hearing there is additional money, and does not want to promise anything. Ms. Harvey indicated that that may be incorrect from the figures in the report they were looking at. Mr. Johnson had a problem with that as he did not have the report she was referring to, which was a report from Group Benefits Strategies.

Mrs. Rozanski ruled the discussion out of order. Mr. Williams felt when a report comes out, all should be able to see it. Mr. Hartman said the report is not wrong per his 1997 underwriting; it is just not being understood.

Mr. Varrichione asked when the audit was going to be available? Mrs. Rozanski stated at this point, there have been only verbal remarks. Mr. Hartman clarified there were two audits – one for the Town and one for the Schools, both for FY'99. He stated he spoke to Melanson last week and they were in the process of writing it up. He expected something soon, and the audits would require comments on both before issuance.

Mr. Williams said he would rather wait to set a special town meeting.

Mr. Leader made some comments. It seemed to him: they don't know the number from the School Committee, and there was a clear misunderstanding of the status of the health insurance account, and suggested we bring in Group Benefits Strategies. Then the special ed figure keeps changing. If funds are available, then it is best to sit on it and cut programs in the schools. ✓

Mr. Hartman tried to clarify the issue on GBS. They are not the custodians of the fund. They only help us with a figure for financing and claim review. They project a figure for us once a year. The status of the fund is not shared with GBS. The Treasurer/Collector holds the fund and can report on its status. GBS does what we pay them to do. He noted he, the Treasurer/

JOINT BUDGET MEETING
BOARD OF SELECTMEN/TOWN ADMINISTRATOR/FINCOM
FEBRUARY 5, 2000

Collector and the Town Accountant got together and looked at the balance of the year and projected the rest of the year. Mrs. Rozanski suggested the Treasurer give a presentation on the fund.

Mr. Barrasso said he was less concerned about the source of funding. He wanted the people to know what the problem is. The Superintendent can give the scope now and what happens the rest of the fiscal year if they don't get the money. Mrs. Rozanski said, if they have to live within the appropriation, what is the outcome?

Dr. Bettencourt stated the deficit right now was \$268,000. Unless they find \$200,000 or something to mitigate, they will be forced to cut \$200,000 from the budget. He does not want to reduce staffing. He will have to go to programs or then athletics. He has applied to the State for grant (pothole grant) for \$15,000. He has tried all different areas.

Mr. Johnson noted they had already absorbed \$375,000 in their budget for special ed.

Mr. Leader asked about a deadline, and Dr. Bettencourt replied they needed a strategy in place by the end of the month.

Mr. Dziczek said, assume there will be no extra money, and you know what exists, then we'll have to make a decision, and it will probably be to have a special town meeting.

Mrs. Rozanski stated they need to know what is in the stabilization fund, etc.

Mr. Verdolino said he is having the School Department look at Town sources. In FY'99, he read that \$243,000 was unspent so that money was used for other things. Mrs. Rozanski stated that comment was out of order.

Mr. Verdolino continued to say that his recollection was in the review of the recap sheet. Someone should be projecting where there may be money that might go unspent in this fiscal year, as in FY'99. He noted the windfall of library construction money, and it appeared to him that a great deal of money came from the State. Mrs. Rozanski stated that the library money has to be applied to the debt exclusion.

Mr. Collett stated that Mr. Hartman and the Finance Committee will be reviewing all budgets, including the DPS salary account, road paving, other insurance, CRPCD. They would be looking at every avenue. Mr. Hartman noted that \$183,000 out of the library money went at the last special town meeting, and we spent it. He said he would urge the Treasurer for a presentation.

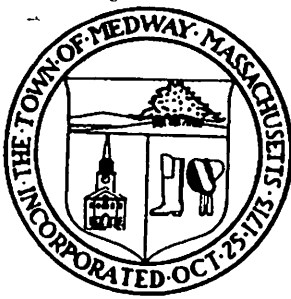
Everyone was thanked for their input.

12:45 p.m. – The meeting was adjourned.

Respectfully submitted,

M. J. Fredette
Secretary
mj

M. J. Fredette
APPROVED
2/28/00



BOARD OF SELECTMEN
155 VILLAGE STREET
MEDWAY, MASSACHUSETTS 02053
(508) 533-3200 • FAX: (508) 533-3201

AGENDA

BOARD OF SELECTMEN

SANFORD HALL

JANUARY 31, 2000

7:00 p.m. – Open meeting.

1. Sign warrant.
2. Approval of minutes.
 - Joint budget meeting minutes of January 18th.
 - Executive session minutes of January 18th.
3. Public comments.
4. Committee reports.
5. Administrator's report.

7:30 p.m. – Tri-County School Budget.

Tri-County Supt. Jack Jones and Medway rep Bob Heavey.

6. Discussion items.
7. Action items.
 - Board to vote to overspend on snow budget (balance of \$538.88).
 - Approve and sign contract for Lycott Environmental.
 - Approve and sign contract for Texas-Ohio Gas, Inc.
8. For your information.
9. Communication and correspondence.
 - Rep. Gardner seeking input on Chapter 40B.
 - Selectmen attendance at Norfolk County Selectmen Association meeting,
 - Town of Nantucket re: steamship authority.
10. Future agenda items.
 - Senator Magnani and Representative Gardner.
 - Tech Environmental Inc.
11. Upcoming meetings.
 - February 5th, 7th, 14th, 28th.
12. Executive session.

cc: Town Clerk for posting.

cc: AUB, C.M.
Carla John,
3/2/00 Jay

MINUTES OF THE SELECTMEN'S MEETING
JANUARY 31, 2000

Present: Selectmen Raphaella Rozanski, Harry Johnson, John Williams, Richard Gildea, Joe Dziczek,
Town Administrator Michael Hartman, Secretary M. J. Fredette.

7:00 p.m. - Open meeting.

- Mrs. Rozanski opened the meeting in Sanford Hall of Town Hall.

1. Sign warrant.

- Mr. Johnson moved approval of warrant #32 in the amount of \$1,085,977.31; Mr. Gildea seconded; all aye.

2. Approval of minutes.

- Mr. Williams moved approval of the joint budget meeting minutes of January 18th; Mr. Dziczek seconded; all aye.

- Mr. Williams moved approval of the executive session minutes of January 18th, not to be released; Mr. Dziczek seconded; all aye.

3. Public comments.

- There were none.

4. Committee reports.

- Mr. Gildea and Mr. Dziczek had none.

- Mr. Williams noted attending the MMA annual meeting the past weekend, and in particular the municipal law, and the true cost of wages and benefits to employees.

- Mr. Johnson also spoke of attending the MMA annual meeting, and congratulated the chairman being elected the second secretary to the MMA and second vice-president to the MSA. He mentioned info he picked up on the sessions involving MCAS testing, schools and ed reform, and another on the DOR and public lands and taxation. He also went to the trade show which he felt could have been better.

- Mrs. Rozanski also attended the MMA meeting, and apologized for not being at the Selectmen's meeting on January 24th but she was receiving an award from the dietetic association. She noted finishing the term as chairman to WEMO. She also stated she could possibly be chairman of the MMA because of holding three positions. She noted attending various sessions at the MMA meeting and will share some of that info with Board members, in particular affordable housing and economic development.

5. Administrator's report.

- Mr. Hartman noted he went to the meeting with Norfolk County for the nine area towns at Tri-County, which also covered the presentation document put together by Framingham State College on trends and development among the towns. Mr. Hartman noted the document indicated that Medway and Medfield, out of the nine towns, had a school population making up 25% of the population.

- Mr. Hartman noted he would be looking later for the Board to overspend on the snow budget with \$10,000 in bills in hand.

MINUTES OF THE SELECTMEN'S MEETING
JANUARY 31, 2000

- Mr. Hartman brought up the letter sent by the VFW attempting an appeal to the Board of Selectmen rather than the ABCC for the liquor license suspension. The Selectmen, as local licensing authority, can review the suspension; however, if they want the staff's advice, they should stick to what they did as it would set a negative precedent.

Mrs. Rozanski said this was difficult for her as she was not at the meeting the suspension was given; however, Mr. Williams did not see a reason to review as nothing had changed. Mr. Johnson agreed there was not an action they could take, so this was a moot point. He did not want to penalize them, but wanted instead to correct the situation. Mr. Gildea noted the bartender in question was discharged.

Mrs. Rozanski asked if the Board wanted to take action on the request? Mr. Gildea moved to review the decision of January 4th on February 7th; there was no second; motion dies.

Mr. Hartman said he would inform them accordingly.

Mr. Dzikczek again asked Mr. Hartman to work up a policy for a third violation. Mr. Hartman did state again, that he would not have started with a six-day suspension on the first offense. Mr. Johnson suggested contacting the ABCC as any hearings they had for liquor license violations are a matter of public record and may provide some guidelines.

7:40 p.m. – Tri-County Superintendent Jack Jones and Medway rep Bob Heavey were present to discuss the Tri-County budget as it relates to Medway's assessment.

Mr. Johnson, first of all, congratulated Mr. Jones on the cleanliness of his building and facilities.

Mr. Jones stated this was his twenty-third year at Tri-County, and then proceeded to explain he had line item explanations if needed. There has been no official number given yet from the DOR, or the DOE, but what he had done was to stick to the current minimum contribution adjusted by population and then backed into the budget by multiplying it times the municipal growth rate of 5.55% times 4%.

He brought up 100% reimbursement for school transportation, and that we were one of 350 communities unfulfilled, the issue of which was gaining more response. He also went over per pupil costs and that they had spent \$250,000 in the past three years on textbooks. Mr. Johnson inquired about the result of his efforts with the textbooks? Mr. Jones felt the results were poor, but what has to be kept in mind: it was a different sample group, what school did they come from, and how were they assessed in other areas. He honestly believed they had to track students in the first, third and fifth year for the best indication, and it was not important how many went on to college, but how many graduated.

Mr. Jones stated that, twice a year, he calls in employers of Tri-County students, as a quality control group, to see how they're doing, and how to improve.

Mr. Heavey added the budget was well based and should be approved. Mr. Jones noted his board has not approved the budget until they get the real figures, but the assessment needs to be presented to each town.

He noted he had a staff of 142; 96 of which were teachers. Students in grades 9 through 12 numbered 850. Insofar as capacity was concerned, the School Committee felt capacity was 1000, but they are starting to feel the capacity situation now. Growth was nominal as the current graduating class numbers 155, with a freshman class of 250.

Insofar as maintenance of snow removal was concerned, Mr. Jones stated they were responsible for that, but the town helps with sand and salt.

MINUTES OF THE SELECTMEN'S MEETING
JANUARY 31, 2000

With regard to health insurance, it was recommended two years ago to go self-insured. They now have a consultant and stop gap insurance at \$35,000. He said they saved \$200,000 last year which goes into the trust fund, part of the \$500,000 already in the trust fund.

Mr. Hartman recommended approval of the higher assessment of \$254,130 to be sent on to the FinCom.

Mr. Williams moved to approve the Tri-County budget #601 in the amount of \$254,130; Mr. Dziczek seconded; all aye.

6. Discussion items.

- None.

7. Action items.

- Mr. Hartman brought up the issue of the snow budget. He explained the balance in the account was \$538.88 with \$10,000 worth of bills waiting to be paid. He said they can overexpend the appropriation but need authorization from the Selectmen.

Mr. Johnson moved to authorize overexpenditure on the snow removal budget; Mr. Williams seconded; all aye. Mr. Johnson also asked Mr. Hartman to keep the Selectmen informed as to the status of this budget about twice a month.

- Mr. Hartman asked the Board to approve and sign the contract for Lycott Environmental, a company hired by the Park Commissioners to manage Choate Pond for algae for the upcoming season. Mr. Hartman explained that since Town Counsel has said that the Selectmen have to sign all contracts, that includes this one.

Mr. Williams moved to approve the Lycott contract for management of Choate Pond, and to authorize the Chairman to sign; Mr. Dziczek seconded. Mr. Johnson wanted to be assured that the contract had received the approval of the elected body that administers the contract; it had; all aye.

- Mr. Hartman asked the Board to approve and sign the contract for Texas-Ohio Gas, Inc. Mr. Johnson thought that the Board shouldn't be signing contracts; that the Procurement Officer should be signing them per Article 23 with the recommendation of the Town Administrator since he is procuring on behalf of the Selectmen. Mr. Hartman explained Town Counsel has said contracts must be entered into by the Board of Selectmen because they are binding the Town. If it is a quote, he would sign off on the procurement.

Mr. Hartman noted that this contract was for five buildings, excluding the schools, since they have their own program with another aggregation for gas savings. He noted the fee is driven by savings off our current utility rate. His recommendation is to do it. This was the result of a process that the Town started before he got here. The Town would be agreeing to purchase gas through Texas-Ohio for one year through March 31, 2001 at about \$4.00 DT.

Mr. Johnson moved to approve the contract as written; Mr. Gildea seconded; all aye. Mr. Gildea amended the motion to authorize the Chairman to sign; Mr. Williams seconded; all aye.

8. For your information.

- None.

MINUTES OF THE SELECTMEN'S MEETING
JANUARY 31, 2000

9. Communications and correspondence.

- A letter was received from state representative Barbara Gardner looking for input from various boards involved in the Chapter 40B comprehensive permit process since she was serving on a task force dealing with this issue. Mrs. Rozanski noted she picked up some information on the law dealing with 40B at the MMA annual meeting, which she will share with the Board.
- The Board was polled for attendance at the Norfolk County Selectmen Association's meeting. Mr. Williams, Mr. Gildea, Mr. Johnson and Mrs. Rozanski will attend.
- The Board acknowledged receipt of a letter from Natucket looking for support on defeating the steamship authority rider to the transportation bond bill. Since it was really not in our region, the Board agreed to not respond.

10. Future agenda items.

- Senator Magnani and Representative Gardner.
- Tech Environmental Inc.

11. Upcoming meetings.

- February 5th, 7th, 14th, 28th.

12. Executive session.

- None.

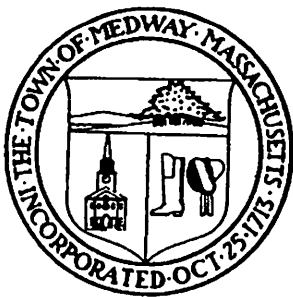
8:50 p.m. – Mr. Dziczek moved the meeting be adjourned; Mr. Williams seconded; all aye.

Respectfully submitted,

M. J. Fredette
Secretary
mj

approved

APPROVED
2/28/00



BOARD OF SELECTMEN
155 VILLAGE STREET
MEDWAY, MASSACHUSETTS 02053
(508) 533-3200 • FAX: (508) 533-3201

AGENDA

BOARD OF SELECTMEN

SANFORD HALL

JANUARY 24, 2000

7:00 p.m. – Open meeting.

1. Sign warrant.
2. Approval of minutes.
 - Regular meeting minutes of January 3rd.
 - Joint budget meeting minutes of January 8th.
 - Regular meeting minutes of January 10th.
 - Executive session minutes of January 10th.
3. Public comments.

7:15 p.m. – Public Hearing.

Re: V. F. W. Post #1526, 123 Holliston Street.

7:45 p.m. – Public Hearing.

Re: Cormar Inc., D/B/A Main Street Café, 74 Main Street.

8:15 p.m. – Public Hearing.

Re: Papa Gino's Inc., 74 Main Street.

8:45 p.m. – Public Hearing.

Re: Liquid Assets, Inc., 116 Village Street.

9:15 p.m. – Public Hearing.

Re: Elm Social Club of Medway, Inc., 2-4 Sanford Street.

9:45 p.m. – Public Hearing.

Re: Golden Tiger, Inc., D/B/A Golden Jade Restaurant, 75 Main Street.

4. Committee reports.
5. Administrator's report.
6. Discussion items.
 - Preliminary subdivision plan for River Run Estates (comments by 2/8).
7. Action items.
8. For your information.
9. Communications and correspondence.

cc: cm
AUB

Selectmen's Meeting
January 24, 2000
Page 2.

10. Future agenda items.
 - Senator Magnani and Representative Gardner.
 - Tech Environmental Inc.
11. Upcoming meetings.
 - January 31st, February 7th, 14th, 28th.
12. Executive session.

Note: Selectman Raphaela Rozanski will not be in attendance.

cc: Town Clerk for posting.

MINUTES OF THE SELECTMEN'S MEETING
JANUARY 24, 2000

Present: Selectmen Harry Johnson, John Williams, Joe Dziczek, Richard Gildea, Town Administrator Michael Hartman, Secretary M. J. Fredette. Selectman Raphaela Rozanski was not in attendance.

7:10 p.m. – Open meeting.

- Mr. Johnson, as Vice-Chairman, opened the meeting in Sanford Hall of Town Hall.
- 1. Sign warrant.
 - Mr. Dziczek moved approval of warrant #31 in the amount of \$295,375.94 as read by the Clerk; Mr. Gildea seconded; all aye.
- 2. Approval of minutes.
 - Mr. Williams moved approval of the regular meeting minutes of January 3rd; Mr. Dziczek seconded; Mr. Gildea abstained; all aye.
 - Mr. Williams moved approval of the joint budget meeting minutes of January 8th; Mr. Dziczek seconded; Mr. Gildea and Mr. Johnson abstained; aye.
 - Mr. Williams moved approval of the regular meeting minutes of January 10th; Mr. Gildea seconded; all aye.
 - Mr. Williams moved to approve but not release the executive session minutes of January 10th; Mr. Dziczek seconded; all aye.
- 3. Public comments.
 - There were none.

7:15 p.m. – Mr. Williams read the ad that appeared in local papers for the public hearing for the VFW Post #1526, 123 Holliston Street.

Lt. Richard Malo was in attendance and read part of the Investigative Report into the “sting” operation conducted on December 16, 1999 at all 15 establishments having a liquor license. The Lieutenant noted that Town Administrator Michael Hartman had written to all 15 licensees on September 1, 1999 advising them that undercover operations were to be held to assure all were in complete compliance. Lt. Malo stated that Officers McRoberts and MacDougall were the undercover police officers in the operation and followed all proper procedures. On December 16th, four were found to be in violation of Chapter 138, Section 64, and one in violation of Chapter 138, Section 12.

Specifically dealing with the VFW, Lt. Malo stated that two undercover operators entered the VFW at 7:45 p.m., were not asked for their ID's, purchased two beers, and left the premises at 8:10 p.m.

Mr. Johnson asked the Board members if they had any questions; they did not.

Mr. Johnson asked the public if they had any questions; they did not.

Mr. Johnson asked if the proponents wished to speak. President Bob Goode of the VFW asked that a letter they had written be read into the record; Mr. Williams did so. Basically, the letter stated that the bartender was the same individual who was involved in the first offense and has since been fired. Ken Bosselman, who does the catering for the VFW, stated he did not want to see outside patrons punished for what occurred among club members. A fine was requested in lieu of suspension, but Mr. Johnson stated that the Board of Selectmen do not have the authority to

MINUTES OF THE SELECTMEN'S MEETING
JANUARY 24, 2000

impose a fine, only to suspend, revoke, or modify a license. Town Counsel Richard Maciolek was present and confirmed this; however, he did say they could suspend on a staggered basis so people who had rented the facility would not be hurt.

Mr. Williams said he did not want to set a bad precedence, and if they had to suspend, would go along with the staggered suspension to assist those who had reserved rooms at the VFW for a function.

Mr. Johnson reminded Board members that they had taken a certain action last time with respect to the November 15th public hearing with the VFW, at which time they had suspended a six-day suspension, not specifically stating how the six days would be determined. Mr. Johnson asked if anyone did not agree that the suspension was violated; no one disagreed with this. Now, he stated, they had to determine how to carry out the suspension of the six days. The second violation was another matter.

It was understood this was an employee problem, not a management issue.

Mr. Johnson noted they have six days to suspend, and will respect others' rights not to have a function interfered with. Mr. Dziczek did not feel an upstairs function interferes with the downstairs bar, but Mr. Maciolek stated only one license is granted to an establishment, not two. He noted his personal preference was to suspend six consecutive days, but that was only his opinion, and would listen to the rest of the Board members.

Lt. Malo, in the VFW's defense, stated the VFW was the only establishment to come to the Police Department looking for help to their problem. He noted management was concerned after the first violation to be in compliance, especially since the same individual was involved in the second offense. He felt possibly six consecutive days was severe since they had made the effort and should be taken into consideration.

When Mr. Dziczek asked who was in charge, Mr. Goode stated the bartender was in this case. He said if the Board was to suspend them six days consecutively, they would have to appeal to the ABCC.

Mr. Bosselman was asked when there were no functions going on in the very near future. Mr. Bosselman stated there were functions scheduled February 3rd and 5th, and then nothing until the second week in February.

On that basis, Mr. Williams moved to suspend the liquor license of the VFW for six days: February 1st and 2nd, and February 7th, 8th, 9th, and 10th, for the first violation of October 8th; Mr. Dziczek seconded for discussion. Mr. Johnson stated they cannot ignore the violation, and they can still be open without serving alcohol. The vote on the motion: Mr. Williams, Mr. Dziczek, Mr. Johnson aye; Mr. Gildea no because the days were not suspended consecutively; motion carries 3-1-0.

With reference to the second violation of December 16th, Mr. Johnson stated it had already been established that a violation occurred on that date.

Mr. Gildea moved that there be a six-day consecutive suspension. At this point, Mr. Johnson asked Mr. Bosselman about the dates that were booked. Seeing none, Mr. Gildea continued his motion that the six days be February 13th through the 18th inclusive; Mr. Williams seconded; all aye. Mr. Hartman reminded Board members and VFW members that they have five days to file an appeal with the ABCC.

7:45 p.m. – Mr. Williams read the ad that appeared in local papers for the public hearing for Cormar Inc., D/B/A Main Street Café, 74 Main Street.

MINUTES OF THE SELECTMEN'S MEETING
JANUARY 24, 2000

Again, Lt. Malo read part of the Investigative Report dealing with Main Street Café, noting that the undercover operatives entered Main Street Café at 8:50 p.m., were not asked for their ID's, purchased a beer, a drink, and food and left the premises at 9:13 p.m.

Mr. Johnson asked the Board members if they had any questions; they did not.

Mr. Johnson asked the public if they had any questions; they did not.

Mr. Johnson asked if the proponents wished to speak. Scott Corvi, manager for the Main Street Café, stated the only excuse he could give was that it was a busy time and it was just a mistake. The Lieutenant noted it was a first offense and there has been no past history of problems.

Mr. Dzikczek asked if there is a manager on the premises. Mr. Corvi stated he or one of his managers is always on. When the incident occurred, he had a meeting with all his people reiterating the importance of asking for ID's. The individual in question received a one-day suspension without pay.

Taking into account the action the Board took with reference to the October 8th violations, Mr. Williams moved to suspend the liquor license of Main Street Café for six days but to hold the suspension for one year until February 1, 2001, and if the same violation occurs again in the year's time, then the Board of Selectmen, after notice and a public hearing, would consider enacting the suspension; Mr. Dzikczek seconded; all aye.

8:00 p.m. – The Board was ahead of schedule, and decided to take Committee Reports at this time.

- Mr. Gildea had none.
- Mr. Dzikczek stated he and Mr. Williams had attended the recent School Committee meeting where sources of funding had been discussed. He noted the School Committee had stated they were in dire straits, and a sub-committee would be talking to people in Town Hall about their concerns. He said he would follow up with comments made and will go to their next meeting on February 3rd.
- Mr. Williams had nothing more to report.
- Mr. Johnson noted receipt of the environmental report by Tech Environmental on Sithe, and that the Board had asked other departments to respond back to the Town Administrator by February 4th with any concerns they might have had.

Mr. Johnson went back to Mr. Williams on a study he had done with vendors. Mr. Williams said that he had asked the Town Accountant to see her 600 page report on vendors, and just picked out various vendors at random noting how much the Town had paid them during FY'99. Reviewing the report, Mr. Williams suggested the Board periodically look at it on an annual basis. Mr. Johnson noted the report was available for public viewing with the Town Accountant.

Mr. Dzikczek asked if there were volume discounts available with some of the vendors? Mr. Hartman said it was not permitted unless it was included as part of the bid specs, but most municipalities are given a discount. He noted there was legislation out there to increase the bid minimum from \$10,000 to \$25,000. He stated that, since the Town already accepted Chapter 30B, the change would not require Town Meeting action if adopted.

8:15 p.m. – Mr. Williams read the ad that appeared in local papers for the public hearing for Papa Gino's Inc., 74 Main Street.

Again, Lt. Malo read part of the Investigative Report dealing with Papa Gino's, noting that the undercover operatives entered Papa Gino's at 7:00 p.m., were not asked for their ID's, purchased a

MINUTES OF THE SELECTMEN'S MEETING
JANUARY 24, 2000

beer, and left the premises at 7:30 p.m. Lt. Malo stated that the undercover operatives disposed of the beer prior to leaving the premises because of the young adults that were there.

Mr. Johnson asked the Board members if they had any questions; they did not.

Mr. Johnson asked the public if they had any questions; they did not.

Mr. Johnson asked the proponents if they wished to speak. Joseph Santos, manager for Papa Gino's, said he could not defend what occurred. He had trained his people, even seeing senior citizens carded, knows his responsibility, and apologized to the Town of Medway for what happened.

Mr. Dziczek asked if there is a manager is on the premises. Mr. Santos said if he was not on, a shift leader and alcohol server are on.

Mr. Williams felt Papa Gino's was a more critical area to have had this occur because of the increased exposure to the youth. Mr. Williams moved to suspend the liquor license of Papa Gino's for six days but to hold the suspension for one year until February 1, 2001, and if the same violation occurs in the year's time, then the Board of Selectmen, after notice and a public hearing, would consider enacting the suspension; Mr. Dziczek seconded adding that better signage be posted indicating no one under 21 would be served; all aye.

8:25 p.m. - Since there was time before the next public hearing, the Administrator's report was taken.

Mr. Hartman gave an update on the budget process. He stated the budget process was complete with the Selectmen, the only budgets left to approve were the schools and Tri-County scheduled for January 31st. Charlie Myers, who was in the audience, stated they were only preliminary figures.

- With regard to personnel, Stephen Negrotti has been hired as the new Equipment Operator for the Water/Sewer Department effective January 31st.
- Mr. Hartman told the Board the preliminary subdivision plan for River Run Estates was available to Board members for review with comments to be received by the Planning Board by February 8th. Mr. Dziczek hoped the master plan was being taken into consideration with these subdivisions.

Mr. Hartman noted this does give DPS and everyone else to comment, but the proposed land to be deeded to the Town, voluntarily, is in the center and is not developable. Again, Mr. Dziczek hoped they were looking at trying to eliminate problems, i.e. drainage.

- Mr. Hartman stated they were looking at different possibilities of staffing with the Planning Board. This Planning Board has been pro-active to get developers to be held accountable for the work they do in the town. Mr. Williams asked how they pull the bond. Mr. Hartman said that was up to the Planning Board, but new regulations set the timelines.
6. Discussion items.
 - Already discussed.
 7. Action items.
 - Mr. Johnson noted that certain seats were up for election, and Mr. Williams proceeded to read those seats, along with the names of the incumbents up for re-election.
 8. For your information.

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- Mr. Hartman reminded the Board that Keith Kennedy of Tech Environmental was coming to meet with the Board on February 7th to further go over his report on Sithe. He noted, again, that under the by-law, there are certain noise requirements, so he has asked Mr. Kennedy to spend a lot of time in this area. Mr. Johnson asked about State standards and if we were in compliance, but Mr. Hartman said we meet the State standards.
- Mr. Dziczek asked about the Municipal Building Committee. Mr. Hartman said that it was voted by members of the Committee to appoint a negotiating sub-committee to assist the Town Administrator. Jim Brodeur and Jim Hoodlet were appointed. He noted they would like to come to a friendly agreement with the landowners, then come back to the Committee, and then to a Town Meeting. If possible, the intent is to co-locate a Department of Public Works facility on the same land.

8:45 p.m. – Mr. Williams read the ad that appeared in local papers for the public hearing for Liquid Assets, Inc., 116 Village Street.

Again, Lt. Malo read part of the Investigative Report dealing with Liquid Assets, noting that the undercover operatives entered Liquid Assets at 6:45 p.m., were not asked for their ID's, purchased a bottle of wine, and left the premises at 6:47 p.m. He noted there was no one else in the store at the time.

Mr. Johnson asked the Board members if they had any questions; they did not.

Mr. Johnson asked the public if they had any questions; they did not.

Mr. Johnson asked the proponents if they wished to speak. Anthony Fruci, owner of Liquid Assets, found this all very disturbing, especially since his father was in law enforcement himself for 20-plus years. He said he had developed a reputable business after 18 years, and his policy has been to card anyone looking under 30 years of age for tobacco or alcohol. The individual involved has been with him for ten years and is aware of the law. Mr. Fruci said he has learned from this experience, but noted he has attended ABCC seminars every year. He said it will not happen again.

Lieutenant Malo noted the Police have responded to his establishment when they called for assistance.

Mr. Williams moved to suspend the liquor license of Liquid Assets for six days but to hold the suspension for one year for one year until February 1, 2001, and if the same violation occurs in the year's time, then the Board of Selectmen, after notice and a public hearing would consider enacting the suspension; Mr. Dziczek seconded; all aye.

Mr. Dziczek asked the Town Administrator to do some research as to what should happen on a third offense. He asked Lt. Malo if the Police do other periodic checks, i.e. lottery. Lt. Malo said the Board of Health does tobacco compliance operations.

8:55 p.m. – Since it was still too early for the next public hearing, Mr. Johnson suggested they take a fifteen-minute recess and come back at 9:10 p.m.

9:15 p.m. – The Board returned from recess.

- Mr. Williams read that appeared in local papers for the public hearing for the Elm Social Club of Medway, Inc., 2-4 Sanford Street.

Again, Lt. Malo read part of the Investigative Report dealing with the Elm Social Club, noting that the undercover operatives entered the Elm Club at 9:20 p.m., doors were not locked with duct tape over the teeth of the lock, they were not asked for membership cards, were asked for ID's after

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coasters were placed in front of them, and left the premises at 9:21 p.m. At this point, Officers McRoberts and MacDougall entered the premises and asked to see membership cards of those present. Two of the females did not have membership cards nor did they sign the guest book; three other females had membership cards which were not signed. Lt. Malo clarified that this violation was not like the others who had served minors; the Elm Club had a club license which is only supposed to admit members.

Mr. Johnson asked the Board members if they had any questions; they did not.

Mr. Johnson asked the public if they had any questions; they did not.

Mr. Johnson asked the proponents if they wished to speak. Barbara Junkins, manager of the Elm Club, stated she spoke to the Board on December 13th and told them she was working on the door, at which time the Board gave her until January 15th to have it taken care of. She told the Board the "sting" operation took place three days after she met with the Board, so she had not come into compliance yet, but has been locked since January 4th. Ms. Junkins stated that many members are long-time members and no longer have cards. She also stated that only guests sign the guest book, not members. Since January 5th, members now have keys.

Mr. Hartman again reiterated the alleged violation is that non-members were offered service prior to asking for ID's, and were not asked for membership cards.

Mr. Williams went over what had occurred at the hearing on November 15th, and read from the minutes of that meeting, where it was stated, "they are to be fully compliant with the Law by December 1st by having the key card system in place or that someone is standing at the door to check for club membership". He agreed that, on December 13th, the Board granted an extension of time to repair the door until January 15th. He felt that the Board had been more than generous in allowing something of this nature to be repaired.

Lieutenant Malo stated that management had come to the Police looking for assistance prior to the "sting" operations. He stated they have not been there on that many occasions and are quick to correct and address any problems. Mr. Dziczek was aware that they carded people, and escorted others out who were a problem, as well as getting rid of a cigarette machine that attracted kids.

As an aside, Mr. Hartman stated that the two liquor establishments that have a club license need to give a key card to the Police Department.

Mr. Johnson stated that a violation occurred, same as last time, and people would have been served without a membership card. He said he would like to see a two-day suspension for the October 8th violation.

Mr. Williams moved to suspend the liquor license of the Elm Club for two days, February 1st and 2nd, for the first violation of October 8th; Mr. Gildea seconded; all aye unanimously.

Mr. Johnson brought up the second violation noting they could increase the number of days of suspension because it was a second offense.

Mr. Williams moved to suspend the liquor license of the Elm Club for two days, February 7th and 8th, for the second violation of December 16th; Mr. Gildea seconded; all aye unanimously.

9. Communications and correspondence.
- None.
10. Future agenda items.

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- Senator Magnani and Representative Gardner.
- Tech Environmental Inc.

11. Upcoming meetings.

- January 31st, February 7th, 14th, 28th.

12. Executive session.

- None.

9:35 p.m. – Mr. Williams read the ad that appeared in local papers for the public hearing for Golden Tiger, Inc., D/B/A Golden Jade Restaurant, 75 Main Street.

Present from the law firm of Dugan and Cannon was Edward Cannon and Peter Ngo's daughter, Casey. Mr. Johnson stated that a letter had been received from the attorney asking for a continuance until after the hearing on February 22nd. He stated the Police Department can read their report now or at the Board's next meeting after February 22nd, which would be February 28th. Mr. Cannon stated that Ms. Ngo would be away on February 28th and unavailable to come to a meeting that night. Mr. Johnson suggested the next date of March 6th. That was acceptable to all; therefore, this public hearing is continued until March 6th at 7:15 p.m.

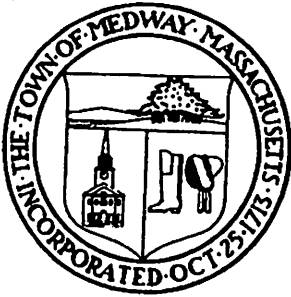
When asked by a reporter what was the nature of the illegality, Mr. Johnson said alleged gaming activity as reported in his newspaper.

9:45 p.m. – The meeting was adjourned.

Respectfully submitted,

M. J. Fredette
Secretary
mj

APPROVED
2/7/00



OFFICE OF TOWN ADMINISTRATOR

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Michael J. Hartman
Town Administrator

AGENDA

BOARD OF SELECTMEN/TOWN ADMINISTRATOR/FINANCE COMMITTEE

JOINT BUDGET MEETING

JANUARY 22, 2000

PUBLIC & SOCIAL SERVICES SUBCOMMITTEE

SANFORD HALL

8:45 a.m. Selectmen meet with Chief David Lambirth/Lt. Richard Malo
Re: School Resource Officers (continued from January 10th Selectmen's meeting).

Budgets:

9:00 a.m.	Open meeting
9:05	Traffic Signals (# 293)
9:15	DPS (# 422)
9:30	Snow Removal (# 423)
9:45	Street Lighting (# 424)
10:00	Solid Waste (# 438); Other Waste-CRPCD (# 439)
10:15	Sewer (# 440); Water (# 450)
10:30	Cemetery (# 491)
10:40	Council on Aging (# 541)
10:55	Veterans Services (# 543)
11:10	Library (# 610)
11:25	Recreation Summer (# 630)
11:40	Camp Sunshine (# 631)
11:55	Park (# 650)
12:10	Historical Commission (# 691)
12:25	Memorial Committee (# 692)
12:35	Tree Warden (# 698)

cc: ALB
CM
Steve, Dianna,
Dawn

BOARD OF SELECTMEN/TOWN ADMINISTRATOR/FINCOM
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Present: Selectmen Raphaela Rozanski, Harry Johnson, John Williams, Joe Dziczek, Richard Gildea,
Town Administrator Michael Hartman, Secretary M. J. Fredette.

8:55 a.m. – Chief David Lambirth and Lt. Richard Malo came to meet with the Board to continue their discussion on the proposed school resource officers.

Mrs. Rozanski asked Lt. Malo if he was able to provide information for a positive outcome and goals? Lt. Malo said he had contacted the National Association of School Resource Officers, but that information had not arrived yet. However, he spoke to them on the phone in Florida. He stated there was a membership of 5,000 officers with training provided. He also spoke to the Prevention for School Violence Association, who stated this SRO program has been a success. He noted 75% of all middle/high schools have something similar to the SRO program, and 52% of all elementary schools have some form of program geared to the younger kids, including DARE.

Lt. Malo stated he went on the Internet and received more information from another Florida group that said they had been well received. He noted the only drawbacks were that the schools had a tendency to call the SRO instead of 911; they forget he is not their employee, but a police officer. Another group in New Hampshire had reservations at first that he was like an armed guard and school administration had problems adjusting to it, but now they feel the SRO is a resource. He also received information from a group in Illinois with a number of SRO's and juvenile police officers.

Mr. Johnson said he still stands on his first resolve. He had received some feedback since this was first discussed on January 10th – some in favor and some questioned why was this necessary? He felt we were not treating the kids as students, but more as citizens, and also did not see why.

Mr. Williams acknowledged that there did not seem to be a crisis in the schools, but felt they could agree to the SRO as it was not irrevocable and could be terminated.

Mr. Dziczek saw the SRO more as a preventative way of serving the people. He thought fear may be felt by students and teachers alike but not always admitted. He felt the SRO's presence would make it a community action.

Mr. Gildea did not like the direction of this as a solution.

Mr. Johnson asked how often the police had responded to the schools? Lt. Malo stated six times before Christmas and twice since school began.

Wendy Rowe had a problem with the SRO and stated her feelings in a letter to the Board. She was present today and reiterated her concerns. She felt police presence in the schools was a good thing if they were invited to share information, but not if they were stationed there.

Mrs. Rozanski stated people were concerned for safety in the schools but did hear the goals being brought up. She felt the standard operating procedures of the police are the highest priority. She knew DARE was in the schools to assist as well, not to take over. She recommended conditional approval until the end of the school year and then review it again. Different incidents needed to be recorded to see how it was handled.

Lt. Malo stated they didn't know if it would work if they didn't try. He didn't feel it was important so much for them as it was for school administration and their goals.

Chief Lambirth stated he believed the kids wanted a safe environment, but they may hesitate to say so. He believed the parents wanted the same for their kids.

At this point, Mr. Gildea suggested a trial period.

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Mr. Williams moved to approve the Police Department's job description for a school resource officer and to institute same until the end of the 1999-2000 school year, and to bring the issue back to the Board for review before the beginning of the next school year; Mr. Dziczek seconded. Mr. Williams then amended his motion then to institute the SRO until the end of the 1999-2000 school year; Mr. Dziczek seconded. In favor: Mr. Williams, Mr. Dziczek, Mr. Gildea, Mrs. Rozanski; opposed: Mr. Johnson.

9:30 a.m. – Public and Social Services budgets were next to be discussed. Present were Subcommittee Finance Committee members Stephen Forbes, Diane Coulter and Dawn Boyan.

- Since Paul Wilson was present, the CRPCD (#439) was taken first. Mr. Wilson indicated the amount requested reflected a 2.5% increase. Mr. Hartman added that, in the past, the budget has been as high as \$254,000, but variables during the year and external revenues affect the final figure.

Mr. Wilson gave a brief update: they take sewage from 4-1/2 towns and septage from 7 towns; it is owned by Franklin and Medway; overseeing the plant is DEP in Boston; license comes from the EPA; the \$14 million DEP-guided modification/expansion will be done in May/June; the two Towns appoint the Commissioners; the Towns handle the sale capacity; if funding is needed, they have to come back to the Towns. Mr. Hartman clarified Medway is both an owner and a customer, and this budget relates to being a customer.

Mr. Johnson moved to approve the CRPCD budget (#439) as outlined: expenses and total \$210,658.00; Mr. Dziczek seconded; all aye.

- DPS Director Lee Henry was next with his budgets, first being Traffic Signals (#293). Mr. Hartman noted most repairs occur because of accidents and the Town goes after the insurance company first. If there is no insurance, the repairs come out of this budget. Mr. Henry noted the lights are State property, but the Town is responsible for maintenance.

Mr. Johnson moved to approve the Traffic Signals budget (#293) as outlined: expenses and total \$4,000; Mr. Dziczek seconded; all aye.

- Mr. Henry's next budget was DPS (#422). Mr. Hartman noted no new staff was proposed, except for the one person that was only funded for one-quarter of the year this year, still leaving seven men to take care of 80 miles of roadway. As an aside, Mr. Henry said for every 10 cul de sacs, they are equal to one more mile of roadway. Mr. Hartman stated the budget also restored the Selectmen's five-year sidewalk and paving plan.

Asking for clarification on line #205, "telephone", Mr. Henry explained it really should be called "telephone/communications" as it included radio communications, cell phones, pagers and two phone lines. Asking for clarification on line #512, "police details", Mr. Henry explained this was to have police at the municipal rate on duty for roadwork, which was part of #333, "paving", but is now separately broken out. Mr. Hartman noted his recommendation on road repairs was lower than Mr. Henry's request, but reflects that the Town's infrastructure has been neglected for some time, but is now based on the five-year plan. Asking for clarification on line item #201, "electricity", and that Mr. Henry increased the amount from last year, Mr. Henry said indications were that costs would increase.

However, Mr. Dziczek recommended changing that line item amount to \$4,000 and to approve the budget as outlined: salaries \$421,193.00; expenses \$95,200.00; road repairs \$167,500.00; town vehicle repair \$63,000.00; total \$746,893.00; Mr. Johnson seconded; all aye.

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Mr. Dzikczek asked about a new highway barn? Mr. Hartman noted the Municipal Building Committee was looking at the possibility of a new school site with a public works facility in the same location.

- Next was the Snow Removal budget (#423). Mr. Henry explained sometimes this budget is used more for ice than snow, but on the average the amount spent is around \$150,000. Mr. Hartman stated he changed Mr. Henry's recommendation back to the current level plus \$10,000 in keeping with the Town's philosophy of underfunding snow removal. Mr. Johnson recalled the Board at said at a previous meeting to be more realistic instead of taking it off the top of the recap sheet each year. In a sense, we were getting delayed satisfaction. Ms. Boyan noted the figure cannot be lowered when it is set as per State law, for this budget only. Mr. Henry noted the Board has the authority to overspend on this budget alone. Mr. Hartman believed if the appropriation is not used in one fiscal year, it can be rolled forward to the next fiscal year. Mrs. Rozanski noted, however, if all the money that is appropriated is not spent, you could appropriate that much less the following year. Mr. Dzikczek noted those funds can also be used for snow removal equipment repairs. As an aside, Mr. Henry noted that they went out snow plowing five times last year, and twenty-two times sanding. At this point, Mr. Dzikczek said he would rather underfund. Again, Mr. Hartman said there has been a tradition of funding last year's snow removal cost to this year. Mr. Williams said he would support the \$150,000 appropriation, but he would rather put the funds up front where needed for the operating budgets. Mr. Forbes agreed that increasing this budget would mean other programs would not be able to be funded. Mr. Hartman did note, for the record, that someday the Town should be more realistic, even though this may not be the year.

Mr. Johnson moved that the Snow Removal budget (#423) be approved as outlined: salaries \$15,000.00; expenses \$51,500.00; total \$66,500.00; Mr. Gildea seconded. Mr. Williams moved to amend the total figure of \$66,500.00 to \$100,000.00; there was no second. Back to the original motion – all aye.

- The next budget was Street Lighting (#424). Mr. Henry explained this was just the cost of power to traffic and street lights. Mr. Hartman added that, as a result of aggregation, some savings in deregulation had occurred in 1/3 of the charges, while charges in transmission and transition had increased. He also noted this budget only reflects the current street lights, and if the intent is to increase street lights, then this budget would have to be increased as well. Mr. Johnson did voice his concern with cross walks being lit, or at least to try and have crosswalks and lights more synchronized. Mrs. Rozanski believed this was a management issue and could be addressed separately.

Mr. Johnson moved that the Street Lighting budget (#424) be approved as outlined: expenses and total of \$92,500.00; Mr. Gildea seconded; all aye.

- Mr. Henry also handled the operating budget for the Park Department (#650). Mr. Hartman explained that, through the memorandum of understanding, Mr. Henry does the budget and supervises the staff for the Park Department. Mr. Henry had requested two additional staff people, but Mr. Hartman was not recommending it. Mr. Hartman noted there were blended costs as the park and highway personnel are utilized where needed on a joint venture basis. Mr. Dzikczek noted that line item #606 "repair school fields" was already in the budget so Park personnel already work on school property and should not be a difficult transition. Mr. Hartman agreed, however, he felt the present two staff personnel could not handle the overall maintenance. Mr. Henry asked everyone to remember that Idylbrook Park would soon be on line and an additional ten acres to maintain regardless of school grounds. He felt they were continually expanding, which was the reason why he asked for additional staff. Mr. Hartman noted, if the intent is to put in a nature trail at Idylbrook and have it maintained by Mr. Henry, then at that time, additional staff would have to be considered.

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Mr. Johnson moved that the Park Department budget (#650) be approved as outlined: salaries \$96,665.00; expenses \$29,090.00; total \$125,755.00; Mr. Williams seconded; all aye.

- At this point, the Board of Health budget (#519) was brought up. Rob Collum, a member of the Board of Health was present. In review of this budget from January 18th with Bill Fisher, Health Agent, Mr. Hartman said he eliminated postage, but left the telephone line item #205 at \$400 to include the cost of the cell phone. With reference to professional/technical expenses, Mr. Fisher stated it was not a problem where it was in the budget as long as it was included. With regard to responsibilities of the Health Agent on solid waste, Mr. Hartman told the Board they had received a copy of his job description which included his involvement in that area.

Mr. Williams moved to approve the Board of Health budget (#519) as outlined: salaries \$50,785.00; expenses \$19,375.00; total \$70,160.00 which included the change of line item #205 from \$700 to \$400, line item #219 from \$200 to -0-, and line item #220 from \$600 to -0- placing that \$600 in line item #204; Mr. Dziczek seconded; Mr. Gildea abstained as he was not present at the original presentation of this budget; aye.

- The Board then addressed the Solid Waste budget (#438). Mr. Hartman noted this was a difficult budget to set up as they will be going out to bid soon. He noted that they did not know at this time if the "pay as you throw" bag program would work and would the effect would be. Mrs. Rozanski anticipated there would be less cost in recycling and a higher cost in trash pickup with the new system. Mr. Collum explained whoever puts out more trash would pay more, but everyone would probably still pay at least \$51.00 a year plus cost of bags. Mr. Hartman explained he hoped the RFP's would go out soon with opening of bids in April, and awarding of the contract after review by the Board of Health. Ms. Boyan asked if they would be able to see the cost prior to the annual town meeting, and both Mr. Collum and Mr. Hartman said that was the intent. Both also said that line items #230 and #232 could change with the RFP. With reference to staff allocation of time, Mr. Hartman believed the ratio was 60% Board of Health and 40% solid waste. Ms. Coulter asked why nothing had been paid out in salaries. Mr. Hartman believed the Accountant had not redistributed the figures as they are charged back to the Board of Health at the end of the year. With reference to line item #299 "shared town hall cost", Mr. Hartman explained it was printed \$2,000.00 in error and should be adjusted to \$20,000.00.

Mr. Williams moved to approve the Solid Waste budget (#438) as outlined: salaries \$30,468.00; expenses \$692,850.00; total \$723,318.00; Mr. Johnson seconded. When Mr. Hartman noted he could allocate a percentage of benefits to line item #299 as the Board requested, Mr. Johnson amended the motion to be that the total reflects the pro-rated benefit changes in the budget in that line item; Mr. Williams seconded allowing Mr. Hartman to make the corrections without having to come back to the Board for another approval; all aye.

- The Sewer Dept. budget (#440) was next, with Superintendent Mark Flaherty present, but the Water Dept. budget (#450) was discussed more thoroughly at the same time. Mr. Flaherty explained they utilize the salary line item under Water before the Sewer line item kicks in. He noted the increase in line item #201 "electricity" in Water was due to the three corrosion control buildings coming on line. Line item #219 "postage" in Water was increased to reflect the flyers EPA requires to be sent out to residents. Also noted was line item #299 "shared town hall cost" in Water increased because of additional staff.

Mr. Johnson moved to approve the Sewer budget (#440) as outlined: salaries \$24,226.00; expenses \$1,000.00; sewer system repairs \$1,000.00; total \$25,326.00; Mr. Dziczek seconded; all aye.

Mr. Johnson moved to approve the Water budget (#450) as outlined: salaries \$218,731.00; expenses \$270,410.00; total \$489,141.00; Mr. Gildea seconded; all aye.

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- Cemetery Commission budget (#491) was next. As there were no changes, Mr. Johnson moved to approve the Cemetery Commission budget (#491) as outlined: expenses and total \$1,087.00; Mr. Dziczek seconded; all aye.
- The Council on Aging budget (#541) was next. Mr. Dziczek excused himself from the room for this budget as his wife is the Director. Mr. Hartman noted the salary line items were increased. Because of the number of people utilizing the services of the Senior Center, he recommended increasing the Director's hours from 19 to 30 hours in the full-time line. Since the part-time personnel are now really working 52 weeks since the Center opened instead of 45 weeks, the increase in that line item is to reflect the increase in hours worked. Ms. Dziczek noted this included two van drivers at 12 hours each and the arts and crafts director. Mr. Hartman referred to line item #200 "heating oil" and #201 "electricity" which have increased. Line item #210 "other purchased services" includes a cleaning service coming in once a week because of the amount of use the building receives. Mr. Hartman noted he would speak to the vendor, who also cleans the Town Hall, about the two buildings. Ms. Dziczek said she used grant funds to take care of extraordinary cleaning. With reference to line item #513 "misc. other expenses", Mr. Hartman said he reduced the amount because there were extra computers around and did not need to be included. Mr. Johnson voiced his concern over the high electricity bill, which at one time had been attributed to the contractor using their power source. Ms. Dziczek noted that Mr. Henry would be doing an energy audit on the building. Mr. Forbes asked about other transportation, and Ms. Dziczek said they were applying for a grant for a bus. Insofar as programs are concerned, certain fees are charged to offset some of the cost.

Mr. Williams moved to approve the Council on Aging budget (#541) as outlined: salaries \$59,779.00; expenses \$28,161.00; total \$87,940.00; Mr. Gildea seconded; all aye. Mr. Dziczek returned to the room.

- Library budget (#610) was taken next. Mr. Hartman stated that the budget reflects an increase in staffing personnel. Director Phil McNulty was present and clarified that the staffing included: one additional person for 20 hours, one person for 15 hours to do circulation, and one person going from 30 hours to 35 hours. Mr. McNulty explained the increase in circulation and use that had occurred but with very little increase in staffing. Discussions had occurred as to whether staffing should be increased or the hours of the present staff, and a compromise was reached. Mr. Hartman noted there was no overtime, and the Library provided a tangible service, with the service level justifying the increase in staffing. He said there was a clarification in the definition of personnel that was different in previous years, for example, 20 hours vs. 30 hours being part-time or full-time.

Mr. Williams moved to approve the Library budget (#610) as outlined: salaries \$269,900.00; expenses \$100,213.00; total \$370,113.00; Mr. Johnson seconded; all aye.

- The Recreation Summer budget (#630) was brought up next. Park Commission chairman Al Magliaro was present and said there was no change in the budget.

Mr. Dziczek moved to approve the Recreation Summer budget (#630) as outlined: salaries \$39,890.00; expenses \$1,000.00; total \$40,890.00; Mr. Gildea seconded; all aye.

- The Camp Sunshine Program budget (#631) was taken next. Park Commission chairman Al Magliaro was present for this budget as well. Again, no changes noted.

Mr. Williams moved to approve the Camp Sunshine Program budget (#631) as outlined: salaries \$16,170.00; expenses \$5,000.00; total \$21,170.00; Mr. Dziczek seconded; all aye.

- The Veterans Services budget (#543) was brought up next. Mr. Hartman said he would like to recommend a change at this time of \$970 as line item #210 "other purchased services" to reflect

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the purchasing of grave flags at an improved discount rate. He also recommended decreasing line item #505 "veterans benefits". Mr. Williams moved to approve the Veterans Services budget (#543) as outlined: salaries \$5,500.00; expenses \$2,045.00; total \$7,545.00; Mr. Dziczek seconded; all aye. Mr. Johnson voiced his concern about this budget and asked Mr. Hartman to give his recommendation next year to see if the budget can be justified by finding out how many people are interviewed and serviced and the amount of benefits they received. Mr. Hartman noted it is State-mandated that the Town have a Veterans Agent, but it is not mandated that he is paid.

- The Memorial Committee budget (#692) was taken up next. Col. Mike Matondi was present. When asked what flags are purchased are line item #381 "flags", the Colonel stated all municipal flags for all municipal buildings. Looking back at actual 1999, it was felt that the figures may have been switched in error between line items #309 "food and food services" and #381 "flags".

Mr. Williams moved to approve the Memorial Committee budget (#692) as outlined: expenses and total \$2,750.00; Mr. Dziczek seconded; Mr. Johnson abstained as he served on this Committee; aye. Col. Matondi noted he would like to occasionally put flags in front of Town Hall on different occasions.

- The Tree Warden/Moth Agent budget (#698) was brought up. Mr. Hartman noted that line item #210 "other purchased services" was increased because of the number of trees that had been taken down and placed at the Highway Garage, with the pile getting bigger all the time. When asked if people knew that this wood was there, Mr. Dziczek explained some of the trees are 15 to 30 feet long and 30 to 40 inches thick making it difficult for anyone to cut into them. He also brought up the point of liability and it would not be a good thing to advertise it to the general public. Although Mrs. Rozanski noted they cannot say it isn't a safe area, Mr. Hartman said he could look at coming up with a policy, but the pile is problematic and needs to be addressed. He noted it was cheaper to have someone come in and cut them up to 8 and 10 lengths on site.

Mr. Johnson moved to approve the Tree Warden/Moth Agent budget (#698) as outlined and to resolve the other issues later: salaries \$1,250.00; expenses \$23,500.00; total \$24,750.00; Mr. Dziczek seconded; all aye. Mr. Hartman said this year they hoped to take care of the pile of trees, and next year look at all the stump grinding that needs to be done.

- The last budget to be taken up was the Historical Commission budget (#691). Mr. Johnson excused himself from the room for this budget as his wife is on the Historical Commission. Mr. Hartman said that the only line item that possibly could be eliminated was line item #219 "postage", but as there was no one present to validate this be done, it was left as is. When asked why line item #221 "education and training" had gone up, Mr. Hartman believed it was for their new members.

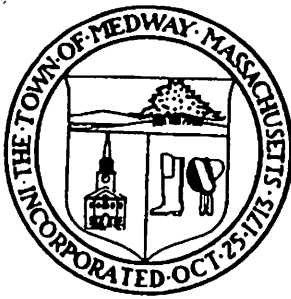
As there were no other comments, Mr. Dziczek moved to approve the Historical Commission budget (#691) as outlined: expenses and total \$750.00; Mr. Gildea seconded; all aye. Mr. Johnson returned to the room.

1:05 p.m. - Mr. Gildea moved that the joint meeting be adjourned; Mr. Dziczek seconded; all aye.

Respectfully submitted,

M. J. Fredette
Secretary
mj

APPROVED
2/7/00



BOARD OF SELECTMEN
155 VILLAGE STREET
MEDWAY, MASSACHUSETTS 02053
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AGENDA

BOARD OF SELECTMEN/TOWN ADMINISTRATOR/FINANCE COMMITTEE

JOINT BUDGET MEETING

JANUARY 18, 2000

GENERAL GOVERNMENT SUBCOMMITTEE

TOWN ADMINISTRATOR'S CONFERENCE ROOM

6:30 p.m. Selectmen vote on approval of budgets.

PUBLIC SAFETY

SANFORD HALL

7:00 p.m. Open meeting
7:05 Police (# 201)
7:20 Fire (# 220)
7:35 EMS (# 232)
7:50 Building Department (# 241)
8:05 Emergency Management (# 291)
8:20 Animal Control (# 292)
8:25 Police/Fire Communications (# 299)
8:40 Board of Health (# 519)
9:00 Executive session for Board of Selectmen
Re: potential litigation

REMINDER: NEXT MEETING: 8:45 a.m., January 22nd.

cc: ALB
CM
Kristen, Sean, Paul, John
Mike, Steve

BOARD OF SELECTMEN/TOWN ADMINISTRATOR/FINCOM
JOINT BUDGET MEETING
JANUARY 18, 2000

Present: Selectmen Raphaela Rozanski, Harry Johnson, John Williams, Joe Dziczek, Town Administrator Michael Hartman, Secretary M. J. Fredette. Selectman Richard Gildea was not in attendance. Subcommittee FinCom members Kristen Diebus, Joan Sheridan and Barry Heller were present for the General Government portion of the meeting.

6:42 p.m. – Mrs. Rozanski opened the meeting in Sanford Hall of Town Hall.

- Sign warrant.

Mr. Johnson moved approval of the warrant in the amount of \$986,020.22 as read by the Clerk; Mr. Dziczek seconded; all aye.

- The joint meeting to discuss approval of the General Government budgets discussed on Saturday, January 8th was convened. Since Selectman Johnson had not been in attendance at that meeting, he abstained from approval of those budgets.

Some questions were asked, i.e.:

- the extra postage in registration (#163) is due to the 10-year census.
- some of the funding placed in office supplies for ConCom (#171) was cut back to \$1200 to be taken out of technology for computer-related items. Mr. Hartman noted any computer equipment that was Y2K compliant was kept; anything that was not was disbursed to others. He noted additional usage of the computer systems by the Conservation Agent and Secretary.
- ZBA (#176) will be looking at their fee schedule. Mr. Hartman noted he will be asking the Board of Selectmen to adopt a resolution for all departments to review their fee schedules.
- Ms. Diebus asked about the FICA amount (#173 under Employee Benefits). Mr. Hartman stated the Treasurer recommends that figure noting it was taking 1.45% of all the salaries, and that there were many employees prior to 1986.

At this point, Mr. Williams moved approval of all the General Government budgets reviewed on Saturday on the recommendation of the Town Administrator, with the one exception being the decrease this evening in ConCom's budget to a total of \$9,926; Mr. Dziczek seconded; Mr. Johnson abstained; aye.

For the record, these are the budgets and the amounts:

- Board of Selectmen (#129): salaries \$137,771.00; consultants \$10,000.00; expenses \$26,600.00; total \$172,371.00.
- Finance Committee (#131): salaries \$1,650.00; expenses \$5,850.00; reserve fund \$100,000.00; total \$107,500.00.
- Accountant (#135): salaries \$89,333.00; expenses \$2,710; total \$92,043.00.
- Board of Assessors (#141): salaries \$120,443.00; expenses \$12,500.00; mapping program \$-0-; appraisal services \$50,000.00; total \$182,943.00.
- Treasurer/Collector (#145): salaries \$143,002.00; expenses \$57,650.00; total \$200,652.00.
- Law (#151): salaries \$20,000.00; expenses \$11,300.00; total \$31,300.00
- Information Center (#155): expenses and total \$56,350.00.
- Town Clerk (#161): salaries \$71,999.00; expenses \$1,920.00; total \$73,919.00.
- Election (#162): salaries \$5,292.00; expenses \$8,850.00; total \$14,142.00.
- Registration (#163): salaries \$300.00; expenses \$6,400; total \$6,700.00.
- Conservation Commission (#171): salaries \$6,526.00; consultants \$1,000.00; expenses \$2,400.00; total \$9,926.00.
- Planning Board (#175): salaries \$14,409.00; consultants \$50,000.00; expenses \$4,430.00; total \$68,839.00.

BOARD OF SELECTMEN/TOWN ADMINISTRATOR/FINCOM
JOINT BUDGET MEETING
JANUARY 18, 2000

- Zoning Board of Appeals (#176): salaries \$4,363.00; expenses \$2,150.00; total \$6,513.00.
- Industrial Development Commission (#189): salaries \$2,788.00; expenses \$3,400.00; total \$6,188.00.
- Town Hall (#192): salaries \$19,625.00; expenses \$49,633.00; total \$69,258.00.
- Annual Town Report (#195): expenses and total \$2,500.00.
- Capital Improvement Committee (#199): salaries \$505.00; expenses \$170.00; total \$675.00.
- Debt (#700): sewer debt \$224,980.00; general debt \$1,580,796.00; water debt \$181,213.00; total expenses \$1,986,989.00.
- Employee Benefits: county retirement (#911) \$573,586.00; unemployment compensation (#913) \$10,000.00; FICA/Medicare \$150,000.00; Town Hall education incentive \$1,000.00.
- Insurance: health insurance (#914) \$2,110,000.00; other insurance (#950) \$141,064.00; municipal property insurance \$5,000.00.

7:15 p.m. – On to Public Safety budgets. Subcommittee FinCom members Mike Creed, Steve Forbes and Joan Sheridan were involved in this discussion.

- Police (#201): Mr. Hartman explained the Town was ahead by approximately \$15,000 by adopting the Quinn Bill and reimbursement; increase was necessary in uniforms as part of the bargaining agreement, and he believed where originally the vests had been a CIPC item, the items rightly belong under operational.

With reference to overtime, Chief Lambirth felt the amount should be \$135,000, not \$90,000 as he recommended, with Mr. Hartman decreasing that figure to \$72,500. Mr. Hartman noted the amount of time officers have been out on sick leave, necessitating other officers coming in at a higher cost, but hopefully, this year, it would not be so high. With regard to Mr. Creed's question on reimbursement on overtime, Mr. Hartman stated reimbursement occurs only if declared an emergency through FEMA.

With reference to detail rate, Mr. Hartman noted that for Town projects, the cost is related to actual hours on the job, whereas with outside details, the minimum is four hours.

As an aside, Mr. Hartman stated that FICA is an employee benefit under the General Government budget paid by the Treasurer, and is not funded under this budget. He also noted the revolving fund for details is self-supporting.

Mr. Johnson moved to approve the Police budget as outlined (#201): salaries \$1,245,189.00; expenses \$91,800.00; total \$1,336,989.00; Mr. Williams seconded; all aye.

- Police/Fire Communications (#299) since the Police Chief was in attendance. Mr. Hartman had nothing significant to report.

With respect to Mr. Dziczek's question on overtime being decreased, Sgt. Saleski stated he had one less full-time employee, and greater use of part-time employees.

No further questions. Mr. Dziczek moved to approve the Police/Fire Communications budget as outlined (#299): salaries \$164,821.00; expenses \$7,000.00; total \$171,821.00; Mr. Williams seconded; all aye.

- Now that Chief Vinton had returned from a fire call, the Fire budget was next (#220).

The Chief explained that the new line item #343 "fire alarm supplies", was the old #600 "construction" line item. He noted they provide they wire service, and the contractor provides the

BOARD OF SELECTMEN/TOWN ADMINISTRATOR/FINCOM
JOINT BUDGET MEETING
JANUARY 18, 2000

underground service. He explained they also have a regular maintenance line item for clothing, which Mr. Hartman stated should also be operational, rather than a specific CIPC item. However, he said there needs to be the creation of an equipment replacement fund with funds specifically dedicated and solely used for that purpose. When Mrs. Rozanski suggested that the committee be a sub-committee of the CIPC, Mr. Hartman noted the overwhelming number of infrastructure requests in excess of \$1 million made to CIPC, and possibly CIPC should focus on infrastructure needs. Mr. Creed noted the funds already spent on three-year leases, to which Mrs. Rozanski agreed requires some form of policy and procedure. With regard to certain line items still showing up in the budget, Mr. Hartman stated the Accountant asks that it show as long as there is a history to go along with it. With reference to line item #200 "heating, fuel, oil & gas", Mr. Johnson suggested changing it to \$7,000, but Mr. Hartman recommended \$6,000, and the Chief agreed.

Mr. Williams moved to approve the Fire budget (#220) as outlined; salaries \$139,664.00; inspection fees \$500.00; expenses \$56,300; total \$196,464.00; Mr. Dziczek seconded; all aye.

- Emergency Medical Technicians (#232) was next with Chief Vinton. Mr. Hartman noted the Chief had asked that the part-time secretary be increased to full-time, however, Mr. Hartman explained that the additional staff in his budget would be able to accommodate some of the extra help the Chief needed. He hoped to utilize someone familiar with purchasing and personnel to be utilized 5 hours with the Fire Chief, 5 hours with the Building Inspector, 10 hours as a floater, and 20 hours in his office. He believed the purchasing function should be centralized but they just did not have the staff to accommodate that. The Chief said he had requested two full-time firefighters/EMT's, but Mr. Hartman did not include that in his recommended budget, although Mr. Hartman stated that, in the long run, the Town may have to seriously consider it. The Chief clarified that if he has to report to work on a day that is one of his eleven holidays, he is entitled to an extra day's pay. Mrs. Rozanski asked if there was a contract with the Chief? Mr. Hartman explained the Chief works under a Memorandum of Understanding. Mr. Hartman added that the Town of Millis has contacted the Chief with regard to regionalization.

Mr. Dziczek moved to approve the Emergency Medical Technicians budget (#232) as outlined: salaries \$79,546.00; expenses \$14,950.00; total \$94,496.00; Mr. Johnson seconded; all aye.

- Emergency Management (#292) was taken next. Mr. Hartman explained he had decreased the line item #399 "supplies" from \$8,480 to \$800 because he believed the funding was more of a capital nature and should go to the Equipment Committee for review. Mr. Cicciu stated he had been to Ft. Devons, which is a clearing house through MEMA. Mrs. Rozanski asked if the Selectmen should be looking at increasing the number of emergency generators in the Town? Mr. Hartman said the Committee continues to have a problem with storage of equipment they feel is required, which is the reason he felt their needs should be referred to the Equipment Committee. Mrs. Rozanski asked what policies were in place? Mr. Hartman stated they had just had a meeting the previous week and there was a plan in place which they are updating. He noted the equipment they have is shared equipment with other Town departments, i.e. generators. He also noted the plan specifies the location of emergency shelters.

Mr. Dziczek moved to approve the Emergency Management budget (#292) as outlined: expenses and total \$800.00; Mr. Williams seconded; all aye.

- Building Department (#241) was next. Mr. Hartman noted the request for increase in part-time personnel to full-time, but again explained that the request for additional staffing in his office should be able to take care of this department. Mr. Dziczek asked about the higher amount in education and training, which Mr. Hartman said was in relation to the Building Inspector annually being certified for 40 hours, and this year's long class was at Amherst. Mr. Creed asked for clarification on the inspection fees, line item #208, which Mr. Hartman indicated reflects \$17 per inspection per inspector.

BOARD OF SELECTMEN/TOWN ADMINISTRATOR/FINCOM
JOINT BUDGET MEETING
JANUARY 18, 2000

Mr. Johnson moved to approve the Building Inspector's budget (#241) as outlined: salaries \$70,295.00; inspection fees \$28,000.00; expenses \$4,850.00; total \$103,145.00; Mr. Dziczek seconded; all aye.

- Animal Control (#292) was next. Mr. Hartman explained this was an annual contractual obligation, and we assume 50% of the cost of the program.

Mr. Johnson moved to approve the Animal Control's budget (#292) as outlined: expenses and total \$23,001.00; Mr. Dziczek seconded; all aye.

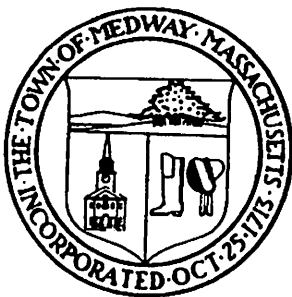
- The Board then went to budget Board of Health (#519). Mr. Hartman explained there was a significant change in the salary line as the Accountant has changed the way the Town is charged back for offset receipts, as the Water Department will be addressed in the same way. There was some confusion as to the responsibilities of the Board of Health Agent, and the Board requested copies of his job description. Mr. Hartman suggested that telephone, line item #205, be reduced as well as postage, line item #219, that was included in their budget. Questions on professional/technical, line item #204, was also brought up. He explained that trash and Board of Health were two separate issues, but suggested this budget be postponed until Saturday, January 22nd, at which time, members of the Board of Health would be invited.

9:20 p.m. – As all the budgets had been discussed, Mr. Johnson moved the Board adjourn to executive session for the purpose of discussion of potential litigation, not to return to public session; Mr. Dziczek seconded; all aye. The vote: Mr. Dziczek – yes; Mr. Williams – yes; Mr. Johnson – yes; Mrs. Rozanski – yes.

Respectfully submitted,

M. J. Fredette
Secretary
mj

APPROVED
1/31/00



BOARD OF SELECTMEN
155 VILLAGE STREET
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(508) 533-3200 • FAX: (508) 533-3201

AGENDA

BOARD OF SELECTMEN

SANFORD HALL

JANUARY 10, 2000

7:00 p.m. – Open meeting.

1. Sign warrant.
2. Approval of minutes.
 - Regular meeting minutes of December 27th.
 - Executive session minutes of December 27th.
3. Public comments.
4. Committee reports.

7:15 p.m. – Lt. Richard Malo.

Re: School Resource Officer (grant).

5. Administrator's report.
6. Discussion items.
7. Action items.
8. For your information.
9. Communications and correspondence.
10. Future agenda items.
11. Upcoming meetings.
 - January 18th, 22nd, 24th, 26th, 31st.
12. Executive session.
 - Potential litigation.

cc: Town Clerk for posting.

cc: cm
ALB.

MINUTES OF THE SELECTMEN'S MEETING
JANUARY 10, 2000

Present: Selectmen Raphaela Rozanski, Harry Johnson, John Williams, Joe Dziczek, Richard Gildea,
Town Administrator Michael Hartman, Secretary M. J. Fredette.

7:03 p.m. – Open meeting.

- Mrs. Rozanski opened the meeting in Sanford Hall of Town Hall.
- 1. Sign warrant.
 - Mr. Johnson moved approval of warrant #29 in the amount of \$434,344.21; Mr. Dziczek seconded; all aye.
- 2. Approval of minutes.
 - Mr. Johnson moved to approve the regular meeting minutes of December 27th; Mr. Dziczek seconded; all aye.
 - Mr. Williams moved to approve but not release the executive session minutes of December 27th; Mr. Johnson seconded; all aye.
- 3. Public comments.
 - Anthony Burns of 15 Kings Lane came to speak to the Board. Mrs. Rozanski explained Mr. Burns had spoken to her and she was allowing him to now speak to the Board. Mr. Burns stated he had a re-occurring water leak at his residence where the curb meets the valve since 1997-1998. He said the subdivision he is in has not been accepted. He informed the Water/Sewer Superintendent of the situation, and he turned the water off, and the leak stopped, but he was told the problem was his. Mr. Burns said he called the developer and he refused to get involved, so he hired a contractor to dig up the lawn and found the gash was there from the valve to the pipe. It was fixed at his expense, which included 6" copper piping being cut off and reinstalled, for \$1,170. Everyone is sympathetic, but he still has a problem, and it still seems to be his, especially since Town Counsel has stated the Town has no business touching private property after the Water/Sewer Board asked him specific questions. Mr. Burns feels there is probably 30% unmetered water in Town even with a water shortage. He does not feel the issue with the valve was ever resolved, and believes that it is the brunt of the problem, and the pipe is the symptom. He did not believe the Planning Board has the authority in the rules and regs to not have the developer complete what he started. He said he has written letters trying to find out what plans are in place to ensure subdivisions get completed, and their enforcement, and what is the process if repairs have to be done.

Mr. Hartman explained that, because of situations such as Mr. Burns, there are now guidelines that exist. The previous rules and regs did not have these guidelines, and under which his subdivision was built. He noted the Town is trying to capture bonds of developers that pose these types of problems, and have done so with four projects so far they are trying to close out. Mr. Hartman noted they have changed the way bonds are assessed, and with the current engineer, are reviewing them again. He explained the Planning Board is the only board with jurisdiction to pull bonds. Everyone involved is aware there are 14 miles of unaccepted streets in the Town.

Mr. Burns said he has only received a copy of Town Counsel's letter; he has no other written response. It stated the distribution system is in the road, and the Town does not own the road, but he knows there are others out there with the same problem. He surveyed his area and 17 out of 54 houses have valve stems above grade, which Mr. Hartman agreed should be below grade. Mr. Burns was aware, however, that a valve was replaced for a neighbor across the street by the developer.

MINUTES OF THE SELECTMEN'S MEETING
JANUARY 10, 2000

Mr. Burns stated that he was told by PMP that no as-built plan was submitted for houses in that phase. He believed the Crestview Avenue area was done in phase 2; Kings Lane in phase 2; and Villa Road in phase 3.

Mr. Hartman stated if it is still an active subdivision, it is still private, but certain subdivisions that were done in phases may have had bonds assessed differently during those phases. He reiterated that you can bill a contractor for work with the contractor's permission, but jurisdiction for this matter is with the Planning Board and the Water/Sewer Board; not the Board of Selectmen.

Mr. Johnson said that Mr. Burns is still not satisfied, and it should get fixed; however, Mr. Hartman again said Town Counsel has stated it is not the Town's pipe.

Mrs. Rozanski felt the \$1,200 repair should get reviewed, and someone needs to figure out how to solve the problem. She felt further research was needed and further conversation with Town Counsel. She asked Mr. Burns to call Mr. Hartman the next day, but Mr. Hartman said he would not have an answer the next day. He said he would start again with the Planning Board, and it might take several weeks, but he will not start a war among elected boards.

7:50 p.m. – Lieutenant Richard Malo, accompanied by Chief David Lambirth, came to speak to the Board about School Resource Officers. Lt. Malo said he began the program in September by meeting with the Superintendent. He took a pro-active approach on violence and policing, and found that police presence seems to be one of the best deterrents. He drafted a job description and met with faculty. The problem was funding, but he found some through the policing grant.

Mrs. Rozanski asked if an Officer would be in school all day? Lt. Malo said he and Officer Watson came up with 8 hours a week starting in January through June. This would be accomplished by various Officers, 75% of which when asked were interested. He said he asked for office space from school, just enough for a private meeting, and finally an area was located. This program is separate and distinct from the lower grades, which has the DARE program.

Mr. Dzikczek felt this was a great idea, but asked about accountability for time? Lt. Malo said the Officers still have law enforcement responsibilities, but feels eventually, it is something that is needed full time.

School Committee Chairman Cheryl Harvey, who was present, said the school system supports it wholeheartedly.

Mr. Johnson did not believe the SRO would solve anything, and would be more of a "Big Brother" situation, but that was his opinion. He felt the schools had already hired other staff people that could handle certain situations.

Lt. Malo felt it was more intervention than anything else. He was aware that citizens want service and would accept this type of service.

Mr. Williams felt it was unfortunate that this type of approach was necessary, but believed it was a good thing. Mr. Gildea agreed this was good for faculty as well, and was another resource.

Chief Lambirth stated the schools, at first, may have been hesitant, but now they see the SRO in a different light, and believed that a rapport can be developed.

Mr. Johnson asked if other towns have tried this? Lt. Malo knew Milford has done this with positive results in the high school full-time for three years.

Mr. Johnson still discouraged the Board from voting on this tonight and to research this more. He would like feedback from other towns.

MINUTES OF THE SELECTMEN'S MEETING
JANUARY 10, 2000

Mr. Hartman told the Board he had asked the Lieutenant not to start the program until he spoke to the Board since the Police Department was under the Selectmen. He believed information could be gathered from different school committees, superintendents' associations, police chief associations, etc.

Ms. Harvey stated she still felt it would benefit the kids and the Town, and encouraged the Board to support the program.

Lt. Malo was asked to give the references of his contact to the Board.

Mr. Williams respected Mr. Johnson's opinion, but felt they should draw upon the professionals in this case. Mr. Johnson stated he was not saying he would not support it; he just wanted more information since they were just hearing about it tonight for the first time, and believed part of their policy is not to vote on something you just heard about.

Lt. Malo understood the Board's concern and said he could hold off. Mr. Dziczek suggested taking a vote and allowing the program for the interim. Mrs. Rozanski suggested a follow-up on either the 18th or 22nd. Mr. Dziczek moved this be an agenda item for the 22nd; Mr. Williams seconded; all aye.

4. Committee reports.

- Messrs. Dziczek and Gildea had none.

- Mr. Williams said he had attended the School Committee meeting, and wanted to bring up the health insurance issue again. He said the school committee had met with the FinCom about transferring the \$100,000 prior to the Special Town Meeting, and they voted 4-2 not to support the transfer. He said the kids and the Superintendent were the losers. He felt it was a Town problem, as they were all Town employees. He knew they were projecting a \$234,000 unfavorable variance, and part of that \$234,000 was \$224,000 unanticipated special ed. He hoped they could find the \$100,000 and put it back in the school budget. He noted they were servicing 25% of the population.

Mrs. Rozanski had a problem with taking 75% of the budget to service 25% of the population.

Mr. Johnson said he did not see this as a problem of the schools or the Town, as the schools are a part of the Town, and the lion's share of the health insurance bill is for schools. He just wanted to be sure that we were not spending money incorrectly, so that funds were then not there for when you needed the money.

Based on the recent School Committee meeting, Mr. Hartman stated that it was the School's assumption the schools are entitled to any extra Ch. 70 money the Town may get. There is no such agreement; FinCom did not make that commitment. The only way the schools are entitled to that money is if we did not meet the statutory minimum requirement.

Ms. Harvey said they went into Town Meeting at below level services last year. When they asked FinCom what would happen to any extra Ch. 70 money that came in, their response was, "where else would it go?" She acknowledged that her agreement with FinCom was to present the plan of transferring \$100,000 from their budget, but the School Committee did not agree. Mrs. Rozanski noted, however, Town Meeting made a choice.

- No reports from Mrs. Rozanski or Mr. Johnson.

5. Administrator's report.

MINUTES OF THE SELECTMEN'S MEETING
JANUARY 10, 2000

- Mr. Hartman noted, a their joint meeting on Saturday, January 8th, no decisions on budgets with the General Government subcommittee were made. Every budget was discussed, some briefly, changes were made as requested, and now the Board has those revised budgets on the table.

He said he broke out the number of people benefit-eligible, those receiving benefits, and FICA. On the Insurance budget, he broke out schools to be \$1,633,380 and Town \$466,620 of the total \$2.1 million budget, with no additional contracts and no new employees at \$5,500 per person, which indicates 77.78% for the School cost center. At the end of December, there were 357 contracts; as of last week - 360. The ratio is 80 for the Town and 280 for schools including retirees on both sides.

On Debt, he noted he had broken it down, and explained this was the Town's mortgage. Out of the nearly \$2 million debt, over \$1 million was schools; about \$500,00 for Water/Sewer, and the rest broken down between Police, Fire, Highway.

- With reference to Idylbrook, Mr. Hartman said it was moving along. They will stop for the winter, but as long as the weather is good, will continue to screen loam.
- Insofar as the Audit for FY'99 is concerned, it is just about done. He received a preliminary copy for the Town's side on Friday. He still feels they should have it by December 31st, but this was close. It will next be presented to the Audit Committee, and then to the Board.
- On Sithe, they are on the Planning Board's agenda for January 18th. What was notable was the environmental assessment of the expansion project received from Tech Environmental discussing the noise level, which they don't feel will be in compliance with the Town's by-law. Tech Environmental was asked to come in and make a presentation to the Board. Mr. Johnson asked that the report be distributed to Board involved with Sithe, i.e. ConCom, Police, Fire, Planning Board, with a cover letter asking for written responses or comments by February 5th. Mr. Hartman noted that Sithe will be coming back to the Board for their site plan review after we have received written recommendations from the Planning Board, and then the Board can ask any questions they have.
- Insofar as the IDC and Tata & Howard are concerned, Mr. Hartman said he is going to the FinCom on Wednesday for a transfer of funds. He noted he has not seen the final report or the final bill yet.
- With regard to Mr. Revell, Mr. Hartman knew he met with the Water/Sewer Board and the matter has been referred to Town Counsel. Mr. Johnson said he got copies of their minutes, and the Water/Sewer Board will inform Mr. Revell and Mr. Lally when they go on the land. Mr. Hartman noted they don't have written permission from Mr. Revell yet; only Mr. Lally.
- Relative to Harvard Pilgrim, it is better now for protection that they are in receivership. Open enrollment will be in June, and again, more will be finalized during the Insurance Committee meeting this month. Hopefully, they can review proposals in February and March, and come to a conclusion during March and April. Mr. Williams thought it would be good to see something on this issue in the annual town report. Mr. Hartman felt it might be best to include a benefits report under the Town Administrator's report, since State law dictates who is benefit-eligible.
- With reference to the Planning Board secretary's position, it is an administrative matter and he will advertise when he is ready. The only other position which will soon be filled is for the Water/Sewer Department, and we will be advertising shortly for call firefighters since we are down 4 or 5. Mr. Hartman noted we were working on providing work stations for those that require them on a part-time basis.

MINUTES OF THE SELECTMEN'S MEETING
JANUARY 10, 2000

- On the snow budget, Mr. Hartman stated that \$13,000 has already been expended, with \$380 of that on personnel on January 1st; \$9,818 getting equipment set up and repaired during the Fall; and \$2,654 on chemicals and salt. There was roughly \$42,000 left.
- With reference to the 14 miles of unaccepted streets, Mrs. Rozanski asked to see another list. Mr. Hartman stated the as-builts were one of the most important items of a subdivision project. The mylar and deed are given to Town Counsel to get filed and recorded in Dedham and entered in the land records.
- Mrs. Rozanski asked about legal issues before Town Counsel? Mr. Hartman said his breakdown of costs associated with his salary lists some of those issues. It will be on file in the office since some of it may be confidential; it will not be circulated.
- Mrs. Rozanski said she would not be in attendance at the meeting on the 24th since she was receiving an award from the Dietician's Association.
- Mr. Hartman noted the Board had received a chronological history of situations with the Elm Club as requested. He said a letter was received in the office from Ms. Junkins indicating the door to the Elm Club has been replaced, the door is now locked, with keys for membership issued last week.

With reference to Ms. Junkins' request for lowering of fees, Mr. Hartman noted, until this current year, there were maximum fees that could be assessed. That has now changed, and the Board can now set their own fees; it is a local issue. Mrs. Rozanski said they still need a criteria for what the fees should be. Mr. Hartman said he would start a survey. He also stated that there are functions at certain places that should be coming to the Board for one-day licenses, but there was legislation now pending that would exempt them. He will still do more research on these issues.

6. Discussion items.
 - None.
7. Action items.
 - None.
8. For your information.
 - None.
9. Communications and correspondence.
 - None.
10. Future agenda items.
 - Public hearings on the 24th; Senator Magnani and Representative Gardner on the 7th.
11. Upcoming meetings.
 - January 18th, 22nd, 24th, 26th, 31st.
12. Executive session.

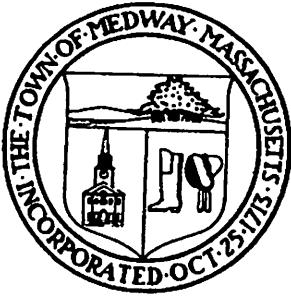
MINUTES OF THE SELECTMEN'S MEETING
JANUARY 10, 2000

9:40 p.m. – Mr. Williams moved the Board adjourn to executive session, not to return to public session, for the purpose of discussion of potential litigation; Mr. Dziczek seconded; all aye. The vote: Mr. Gildea – yes; Mr. Dziczek – yes; Mr. Williams – yes; Mr. Johnson – yes; Mrs. Rozanski – yes.

Respectfully submitted,

M. J. Fredette
Secretary
mj

APPROVED
1/24/00



OFFICE OF TOWN ADMINISTRATOR

155 VILLAGE STREET
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Michael J. Hartman
Town Administrator

AGENDA

BOARD OF SELECTMEN/TOWN ADMINISTRATOR/FINANCE COMMITTEE

JOINT BUDGET MEETING

GENERAL GOVERNMENT SUB-COMMITTEE

SANFORD HALL

JANUARY 8, 2000

9:00 a.m.	Open meeting
9:05	Selectmen
9:15	Annual Town Report
9:20	Town Hall
9:30	Town Hall Renovations
9:40	Other Insurance Premiums
9:45	Municipal Property Insurance Fund
9:50	Group Health Insurance
10:00	Education Reimbursement
10:05	Assessors
10:15	Law
10:20	In-House Computers/Technology
10:30	Town Accountant
10:35	Treasurer/Collector
10:45	Municipal Interest & Principal & Debt
10:50	Norfolk County Retirement
10:55	Unemployment Compensation
11:00	FICA
11:05	Finance Committee
11:10	Finance Committee Reserve Fund
11:15	IDC
11:20	Conservation Commission
11:30	ZBA
11:40	Town Clerk
11:45	Elections
11:50	Registrars
11:55	CIPC
12:00	Planning Board

cc: CM
ALB
Kris. Bergman,
Tenn

JOINT BUDGET MEETING
BOARD OF SELECTMEN/TOWN ADMINISTRATOR/FINCOM
JANUARY 8, 2000

Present: Selectmen Raphaela Rozanski, John Williams, Joe Dziczek, Town Administrator Michael Hartman, FinCom members Kristen Diebus, Barry Heller, Joan Sheridan, Secretary M. J. Fredette. Selectmen Richard Gildea and Harry Johnson were not in attendance.

9:17 a.m. – Mrs. Rozanski opened the joint meeting in Sanford Hall.

- For everyone's information, Mr. Hartman first noted that the salary matrix may be adjusted from time to time, but all employees are on the same matrix except for schools and police. There are now 5 steps instead of 8, and the increase from step to step is higher. Overall, the matrix advances 3% per year.

He then provided a recap on the budget process stating that the budget worksheet indicates what is being recommended by him after his review of the departments' budgets. He did not cut budgets of any elected board, except Planning Board for the Secretary's salary since a new individual will be hired at a lower step.

Procedurally, once the Selectmen approve a budget, the column headed "recommended to Selectmen" will be changed to "Selectmen approved" to be sent on to FinCom.

Ms. Diebus asked if the salary lines were accurate? Mr. Hartman said the numbers are accurate and based on current personnel. With reference to FY'00, certain salary line items will be corrected at a special town meeting, however, the money, which is about \$5,500, has been budgeted; it just needs to be transferred. The only shortfall is in the Police budget which the FinCom is aware of.

Mr. Hartman went back to this year's budget process stating that one reason they changed the budget process this year was to have one person aware of all the numbers so there were not different figures. He asked everyone not to pay attention to the page numbers at the top right, but to note the revision dates at the top left.

Mr. Hartman said he asked departments to provide three budgets: level service, which is what they have now; level-funded, which is their current budget plus 2.5%; and a wish list, of what they would want if they could.

Ms. Diebus asked Mr. Hartman for copies of level-funded budgets submitted for comparison

Mr. Hartman noted all departments will prepare impact statements in case cuts are needed.

At this point, Mr. Hartman needed to clarify, for those who saw the recent school committee meeting on cable, that certain figures being discussed were for debt service and the health insurance fund, which is a personnel function. A major portion of those budgets does belong to the schools.

Mrs. Rozanski stated she would like to see each budget broken down for employees, including: how many are benefit-eligible; how many are actually receiving benefits; and the amount of FICA. Mr. Hartman said he would figure out a way to provide that information; however, a quick guess would be that 98% on the town side are actually receiving benefits, and about 63% on the school side. He noted, under State law, Ch. 32B, it states the Town must provide a particular health package to all employees who work 20 or more hours per week. Mr. Hartman clarified, even though he will break down each department's budget for that information, the actual money itself is located in another budget. We also know what our obligation to the trust fund is.

Insofar as breaking down that information for schools, Mr. Hartman felt it would be difficult because of the varied hours each employee works, and that the FTE's might not be accurate. He said he would do his best, but the actual was, at last count, 357.

JOINT BUDGET MEETING
BOARD OF SELECTMEN/TOWN ADMINISTRATOR/FINCOM
JANUARY 8, 2000

At this point, Ms. Diebus expressed the expectation that the FinCom members would get their questions answered, so they proceeded to the first budget, Selectmen #129.

Mr. Hartman explained the increase in professional/technical was for the basic services of our consulting firm as a town engineer on an as-needed basis when needed for issues such as drainage when expertise is required. Mrs. Rozanski added this line item also includes grant writers when required, or seed money for other projects. Mr. Hartman also included title search of properties since there is no appropriation for the municipal building projects.

Mr. Hartman explained the reasoning behind the increase in the advertising line item was for the centralized personnel, RFP's, public hearings, and procurement ads.

Mr. Hartman explained the education and training line item is based upon five Board members and two employees who attend conferences and sessions.

Mr. Hartman noted the increase in the salary line item was for an additional staff person, which resulted in his refusing the request from two other departments for full-time instead of part-time personnel, feeling this additional person will be able to meet the needs of all three departments.

10:00 a.m. – The next budget was the Assessors' budget #141, with Chairman June Murray and Administrative Assessor Paul Keefe present.

Mr. Hartman explained the complex mapping program was paid for out of technology, and will shift to the GIS budget next year to maintain the system, so that is now zeroed out, and then there will not be two lines of #204.

Mr. Keefe explained the reval process which is done every three years, with recertification occurring every nine years. The next one is in 2003, with the review beginning the summer of 2002, at a cost of \$50,000 per year. He noted there were just under 4,000 parcels costing about \$20-25 per parcel if we do the data entry in house; otherwise it costs \$40-50 per parcel to go out of house. Mr. Hartman added they were both mandated by law.

10:15 a.m. – Next under discussion was the Accountant's budget #135 with Town Accountant Arti Mehta present. She noted her equipment line item was being zeroed out and going to technology.

- On to Information Center, #155. Mr. Hartman explained we not making the most efficient use of the Accountant's time because of time spent on computers and other equipment. This budget included employing an outside vendor with the necessary expertise, allowing the Accountant to concentrate on finances, since she is the only employee with professional experience in municipal financial administration. He noted the information center will be a sub-program under Ms. Mehta, but he would be more actively involved, taking her out of the hardware business and allowing that responsibility to fall on to department heads.

It was noted line item #204 was mostly for the maintenance of software, Kapinos and Data National.

10:35 a.m. – Treasurer/Collector Marjorie Sanford was present to discuss her budget #145. Line item #204 was acknowledged basically for Comstar and ambulance billing administration. Mrs. Rozanski asked for a 5-year average.

On line item #509, Mrs. Sanford noted she would be retiring in a year and wanted her staff to get all the training and certification necessary before that, and possibly one of them could run for her position.

JOINT BUDGET MEETING
BOARD OF SELECTMEN/TOWN ADMINISTRATOR/FINCOM
JANUARY 8, 2000

Line item #219 was noted as postage for all departments. Line item #210 was noted for ADP and processing of payroll for the whole town, which would be re-bid in FY'02.

Mr. Hartman noted the auditors have recommended solidifying all collections through the Collector.

- The FinCom budget, #131, was self-explanatory.
- The Law budget, #151 was next. Mr. Hartman explained professional & technical, line item #204, included the services of different special counsels, including Bob Garrett.

Mr. Dzikczek noted, under the By-law, no one can go to Town Counsel without the Board's approval. Mrs. Rozanski clarified the Town Administrator and the Selectmen Chair can, with Mr. Hartman adding, sometimes the Accountant can too.

Mr. Hartman explained the search process, for example, for Mr. Robinson for the Deerview Meadows project, including looking for certain expertise, i.e. in the appeal process and familiarity with 40B. He noted these services are exempt from the procurement law.

- 11:05 a.m. - Town Hall budget, #192, was next. Mr. Hartman noted part-time salaries was really full-time as we share the individual with library; 25 hours for town hall and 15 for library, with the position reporting under DPS. He noted the individual has maintenance responsibilities at the police station, both fire stations, the senior center and town hall, and really should be called "building maintenance". Mr. Hartman said that the Treasurer's office was renovated with in-house employees.

With reference to line item #304, it was agreed to include it with the budget for "information center", #155.

Mr. Hartman noted the additional staffing under the Selectmen's budget would allow for the centralized purchasing function to be expanded. The future could include supplies for all town buildings to be centralized from this staff person.

- The next budget to be discussed was ConCom, #171. Mr. Hartman noted the Secretary never had enough hours put in for her, and this year was finally adjusted. He stated that the ConCom agent and Planning Board secretary would have in-house locations once renovations were complete. Mr. Hartman noted the agent was being paid off-budget for administering the wetlands protection by-law. He was working on work stations for both in their new locations; however, there was already a work station in place in the file room for night board secretaries. Mr. Hartman noted, that last year, he had recommended to certain part-time boards that they utilize one individual under him among them. ConCom was interested; ZBA was interested; Planning Board was not. He stated he would like a certified planner with a wetlands background, some of the expenses of which could be charged back to the developers. Mr. Hartman said he would continue exploring this. It was noted it would be good to see the agent's costs on a spreadsheet somewhere.
- No problem with Annual Town Report, budget #195.
- Town Clerk's budget #161 was next. Mr. Hartman noted both the Town Clerk and the Treasurer/Collector were asking for an 4% increase. He suggested that, since union and non-union employees were getting 3% and they still are department heads, that they be recommended for the same 3%. Mr. Hartman noted Mrs. Sanford was still entitled to a separate \$1,000 for completing the required certification. He noted, however, if the position was appointed, he would require certification as a condition of employment. Mr. Williams felt the \$1,000 was similar to a stipend; it was allowed by State law, but not required.

JOINT BUDGET MEETING
BOARD OF SELECTMEN/TOWN ADMINISTRATOR/FINCOM
JANUARY 8, 2000

- Elections, #162, was next. Some concern over the increase, but Mr. Hartman noted there were three elections which accounted for the cost.
- The same for Registration, #163. All wanted to be assured the costs were necessary.
- On to Planning Board, #175. Mr. Hartman noted that the new employee to fill the position of secretary would have a certain defined work schedule and certain designated work hours during the day, in addition to the night-time work, but would not be benefit-eligible. He said that some of the individual's salary could be charged back to the developer as some towns do.
- ZBA, #176 was next. The only comment was Mr. Dziczek's, asking that charge-backs be done in light of the higher budget.
- IDC, #189. Mr. Hartman noted this budget has been cut from what was requested.
- CIPC, #199. It was noted the secretary's salary is back in the budget.
- Debt, #700. Mr. Williams asked about the debt projection sheet indicating the Town's obligations for payment. Mr. Hartman stated, for illustration purposes, he will be breaking out the debt and health insurance by Town and schools. He said a big chunk of the debt is schools, and 80% of the insurance is schools. He will be asking FinCom to print the breakout in the FinCom book. Mr. Hartman stated there is a misconception as to what is actually being spent on education. It is more than the \$15.1 million appropriated; in reality it is closer to \$18 million. He noted that when the State looks at a Town, it includes these costs, which we don't show in the budget, and which is not a full disclosure to the taxpayers. Mr. Hartman felt the residents should know what the Town is really spending on the education function. Mr. Williams asked Mr. Hartman to have all the debt broken out for Highway, Police, Fire, etc., not just "town" so the total picture could be seen.

(Note: 12:20 p.m. – Ms. Diebus had to leave the meeting.)

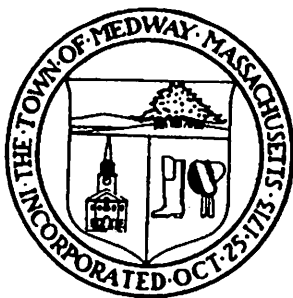
Treasurer/Collector Marjorie Sanford stated there was \$3-1/2 million in temporary debt outstanding, and she hopes to know soon if it will stand or be bonded for the specific projects voted at Town Meeting. She felt she was in a reasonable position to state that we will have to borrow up to our limit until the SBBA reimbursements begin for the new school. Mrs. Rozanski was assured no other projects will be funded that will incur debt until the reimbursement process begins.

- Health Insurance, #914. Mr. Hartman stated the \$2.1 million figure was based on \$5,500 per employee. He said if there are any new employees added in the schools, the line item will have to be increased if we are to be fully funded. He was aware of possibly 2 more employees on the Town side, 1 of which was the COA's request to increase the hours of their director who would then become benefit-eligible. Mr. Hartman said if we do indemnity insurance, the line item will have to be \$2.5 million instead of \$2.1. He stated when he meets with the Insurance Committee meets later on this month, he will do a formal RFP. Our consultant, Group Benefits Strategies, is working on different options to present to the committee including indemnity coverage and different vendors.
- At this point, Mrs. Rozanski suggested continuing these discussions on Monday night.

12:35 p.m. – Mr. Dziczek moved the joint meeting be adjourned; Mr. Williams seconded; all aye.

Respectfully submitted,
M. J. Fredette
Secretary
mj

APPROVED
1/24/00



BOARD OF SELECTMEN
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AGENDA

BOARD OF SELECTMEN

SANFORD HALL

JANUARY 3, 2000

7:00 p.m. – Open meeting.

1. Sign warrant.
2. Approval of minutes.
 - None.
3. Public comments.
4. Committee reports.
5. Administrator's report.
6. Discussion items.
7. Action items.
8. For your information.
9. Communications and correspondence.
10. Future agenda items.
11. Upcoming meetings.
 - January 8th, 10th, 18th, 22nd, 24th, 26th, 31st.
12. Executive session.
 - None.

cc: Town Clerk for posting.

cc:cm
ALB

MINUTES OF THE SELECTMEN'S MEETING
JANUARY 3, 2000

Present: Selectmen Raphaela Rozanski, Harry Johnson, John Williams, Joe Dziczek, Town Administrator Michael Hartman, Secretary M. J. Fredette. Selectman Richard Gildea was not in attendance.

7:03 p.m. – Open meeting.

- Mrs. Rozanski opened the meeting in Sanford Hall of Town Hall.
- 1. Sign warrant.
 - Mr. Johnson moved approval of warrant #28 in the amount of \$720,380.71; Mr. Dziczek seconded; all aye. It was noted the first payment of \$67,000 to the contractor for Idylbrook was included in the warrant; as well as \$3,450 for school building for fans. Mr. Johnson questioned the Town Accountant, who was present, on a bond payment of \$58,500 to the USAID for a \$1,140,000 sewer system, which included \$19,000 for interest and \$38,000 for principal. She said she would check it out. Mrs. Mehta returned stating \$380,000 is still owed, with interest at 5% is \$19,000.
 - Mrs. Mehta also noted there were no problems with Y2K over the weekend. Mrs. Rozanski asked that she provide a copy of the checklist to Mr. Hartman.
- 2. Approval of minutes.
 - Mr. Williams suggested holding off approval of minutes received this evening until next week.
- 3. Public comments.
 - Paul Revell asked to speak to the Board concerning a piece of land that he owned behind the Industrial Park off of Route 109. He stated he bought the land, which is part in Medway and part in Millis, in 1981. He noted he has been receiving and paying tax bills from Millis for the property since then. After surveying the property of 16.48 acres, it was put on the plan and recorded in Dedham. He claimed the Water/Sewer Department has been out on the property, driving wells, leaving the gate open so his livestock escapes, pulling pipes up and leaving holes for possible injuries. Mr. Revell said the land is posted and he does not want anyone there. He said he asked the Water/Sewer Department to let him know when they want to come on his property.

Mrs. Rozanski suggested he speak to the Water/Sewer Commissioners, and asked Mr. Hartman to speak to Mr. Revell to coordinate this with them.

Mr. Johnson stated the property is the best site for a future well. He noted, for the record, that the Board of Assessors have a letter from the attorney representing Mr. Lally who claims the property is his, while at the same time, Mr. Revell brought a map and deed to the Assessors indicating the property is his. Mr. Williams suggested Mr. Revell hire an attorney as well to get this settled.

Mrs. Rozanski asked Mr. Hartman to check with the Police Department on the penal law for hunting on private property without permission, which Mr. Revell said occurs, and to coordinate his problems with the Water/Sewer Department.
- 4. Committee reports.
 - None from all.
- 5. Administrator's report.
 - Mr. Hartman noted the Golden Jade Restaurant is closed, and there is an on-going investigation continuing.

MINUTES OF THE SELECTMEN'S MEETING
JANUARY 3, 2000

6. Discussion items.
 - None.
7. Action items.
 - None.
8. For your information.
 - None.
9. Communications and correspondence.
 - None.
10. Future agenda items.
 - None.
11. Upcoming meetings.
 - January 8th, 10th, 18th, 22nd, 24th, 26th, 31st.
 - It was noted the FinCom sub-committees would be provided with copies of the budgets for their committee with any necessary backup, as well as Board members prior to that particular budget meeting.
 - Mr. Dziczek commented the "calendar of events" update was very helpful.
12. Executive session.
 - None needed.

7:35 p.m. – Mr. Dziczek moved the meeting be adjourned; Mr. Williams seconded; all aye.

Respectfully submitted,

M. J. Fredette
Secretary
mj

APPROVED
1/24/00