

**Board of Selectmen's Meeting
March 7, 2016 -- 7:00 PM
Sanford Hall, Town Hall
155 Village Street**

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

Staff Present: Michael Boynton, Town Administrator; Allison Potter, Assistant Town Administrator; Tom Holder, Director, Department of Public Services; David D'Amico, Deputy Director, Department of Public Services; Allen Tingley, Police Chief; Jeffrey Lynch, Fire Chief; Stephanie Mercandetti, Community Development Coordinator; Bob Weiss, Energy Manager.

Capital Improvement Planning Committee -- Michelle Reed, Chair; Peter Sigrist, Vice Chair; Kelly O'Rourke; and Dan Perkins.

Others Present: Diane Borgatti, Chair, School Committee; Shelley Wieler, Vice Chair, Energy Committee; Larry Ellsworth, Energy Committee.

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

Public Comments:

Mr. Paul DeSimone reported that he has 250 signatures on a petition to indicate support for a permanent recreational facility for autistic children. He expressed concern for the large number of autistic children and the lack of recreational resources available to these individuals and their families. Camp Sunshine has no permanent location and a permanent spot for them should be built. Senator Spilka has indicated there are funds available for these types of needs.

Board members indicated they are very familiar with the program and are very supportive of initiatives to increase resources and programs. Selectman Trindade noted that a covered area adjacent to a playground is desirable and access to restroom facilities is essential. Such a facility would need to be available to all residents when not in use by Camp Sunshine.

Discussion – Road and Sidewalk Master Plan:

The Board reviewed the following information: (1) Road and Sidewalk Master Plan; (2) FY16/FY17 Roadway Project Funding; (3) FY15 Roadway Project Funding; and (4) FY14 Roadway Project Funding.

Present: Tom Holder, Director; Department of Public Services; David D'Amico, Deputy Director, Department of Public Services.

Mr. D'Amico briefly reviewed the spreadsheet, explaining each column and the criteria used in evaluation of existing roadways. A score of 100 is a brand new road; zero would be dirt with no pavement or concrete. Every entry with sidewalk cost is an existing sidewalk. Brief discussion followed. Mr. Holder cautioned that cracks could be inexpensively filled before they are past "the point of no return" which would help to prolong life and postpone a more thorough, and more costly, resurfacing effort.

Selectman Crowley asked for more detailed plans going forward with a better sense of current status and some kind of ability to track how sidewalks are handled. He suggested a five-year plan with annual lists of sidewalks to be considered.

Mr. Boynton advised that it is better to prioritize road resurfacing while realizing the adjacent sidewalks will be done at the same time. Selectman Crowley pointed out entries on the list where the sidewalk is very bad while the associated roadway is still in good shape. What can be done with \$2 million? How many streets and/or sidewalks each year? Mr. D'Amico suggested that two Board members work with him to put together a list to bring back to the whole Board. Chairman Foresto asked that the list also carry the impact on staff, particularly whether there is an anticipated increase in staff. Mr. D'Amico added that, in the case of sidewalks, often additional work has to be done such as widening the walkway to be ADA compliant.

At 7:29 PM Chairman Foresto suspended this discussion to address the public hearing agenda item.

At 7:38 PM discussion continued on this matter. Mr. D'Amico continued his review of documents reflecting various projects. Discussion followed. Both Selectman Trindade and Selectman Crowley volunteered to work with Mr. D'Amico on preparing the five-year list itemized by year. Mr. D'Amico theorized that the list would be ready to come back to the Board in a month or six weeks.

Selectman Crowley asked about Chapter 70 funds and whether they were included in Mr. D'Amico's lists. Mr. D'Amico responded that there would be \$151,574 as an unassigned balance in the Roadway Plan plus an additional \$406,000 in Chapter 90 funding expected in the spring or summer of 2017.

Selectman Trindade asked about the quality of paving material. Mr. Holder stated there are paving consultants who can test our material to see if it has the right components in it. The Town has the right to have the material tested for quality.

Public Hearing (7:30PM) – Joint Pole Location Petition – Main Street:

The Board reviewed the following information: (1) Pole Petition; (2) Abutters List; and (3) Legal Notice. It is noted that all abutters have been notified within the 10-day window and a public hearing notice was advertised 2/26/16 in the legal section of the Milford Daily News.

At 7:30 PM Selectman Trindade moved that the Board open a public hearing on the joint petition of Verizon and NSTAR to locate a pole on Main Street; Selectman D'Innocenzo seconded. No discussion. VOTE: 5-0-0.

Present: Thomas Blicharz, representing US Synergetic on behalf of Verizon; David D'Amico, Deputy Director, Department of Public Works.

Mr. Blicharz stated that this pole will be called 97A, over 60 feet away from pole 98 and is necessary to serve new business. The plan is to place a pole on the main roadway for both companies to attach their wires to it, as well as a private property pole to span Route 109 and underground on the other side.

Mr. D'Amico stated that, once the construction work begins on Route 109, this pole will have to be moved so we are considering this a temporary pole.

Selectman Trindade expressed disappointment that the owners of the building needing service were not doing anything to improve the appearance of their building and property, and wondered if holding up the utility connection could motivate them to make some improvements. It was noted that those factors were not germane to this issue.

There was no public comment.

At 7:36 PM Selectman Trindade moved that the Board close the public hearing on the joint petition of Verizon and NSTAR to locate a pole on Main Street; Selectman White seconded. No discussion. VOTE: 5-0-0.

Selectman White moved that the Board approve the temporary placement of pole number T.97A/E.97A on the southeasterly side of Main Street which is 887 feet from the center line of Holliston Street, noting that the pole will have to be moved during Route 109 construction; Selectman Crowley seconded. No discussion. VOTE: 4-0-1 -- Trindade abstained.

Review – Fiscal Year 2017 Capital Budget Recommendations:

The Board reviewed a document entitled “FY16/FY17 Recommended Projects”.

Present: Capital Improvement Planning Committee -- Peter Sigrist, Chair; Michelle Reed, Kelly O'Rourke, and Dan Perkins.

Ms. Reed briefly reviewed the list, sometimes explaining how the list has changed over time and how the committee made decisions on ranking each project. Chairman Foresto asked if they would choose the food service improvements or the classroom furniture. Ms. Reed responded that the furniture would not be funded in entirety, but phased in. It would likely be divided into portions, some for the food service equipment and some for the furniture. Brief discussion followed on various items on the list, i.e., voting booths.

At this time, Selectman Crowley asked for the expected balance in enterprise accounts at the end of the fiscal year. The balance in the Water Enterprise Account was estimated at \$438,153. Brief discussion followed on whether or not some of that could be used to fund items on the list.

Vote Articles and Recommendations – May 9 Special and Annual Town Meeting Warrants (except those submitted by the Planning and Economic Development Board):

The Board reviewed the following information: (1) Special Town Meeting Warrant; and (2) Annual Town Meeting Warrant. It is noted that these votes are necessary to include articles in the warrant, and further, vote the Board's recommendation on each article.

It was noted that there are still some missing pieces of information in some warrant articles as the specific information (dollar amounts) are not yet available. Those figures will be determined closer to Town Meeting. Mr. Boynton also provided a brief update on the net metering agreement.

At this time, Chairman Foresto took Annual Town Meeting Article 19 out of order and called Mr. Jim Wieler forward to present information. Mr. Wieler explained that the \$10,000 is for a design study to help develop a boardwalk concept for the trails from the Medway high School Athletic Fields to Lovering Street, and would supplement the funds appropriated at the 2015 Fall Town Meeting. All the funds would be transferred to the Open Space Committee. **Selectman Trindade moved that the Board recommend Article 19 as presented; Selectman White seconded. No discussion. VOTE: 5-0-0.**

Special Town Meeting Warrant

Article 1 -- Free Cash Transfer: Snow and Ice Deficit: The Town Administrator is optimistic that storms are behind us and no deficit will exist. He asked that the words “sum of \$X” be changed to “a sum of money” with no dollar figure. Selectman Crowley suggested that CIPC be consulted to see what item they would abandon if there should be a storm and resulting deficit. **Selectman Trindade moved that**

the Board recommend Article 1 as amended; Selectman D’Innocenzo seconded. No discussion. VOTE: 5-0-0.

Article 2: Solid Waste Retained Earnings Transfer: Waste Loader Repair: **Selectman Trindade moved that the Board recommend Article 2 as presented; Selectman D’Innocenzo seconded. No discussion. VOTE: 5-0-0.**

Article 3: Extend Expenditure Deadline – May 2015 Special Town Meeting Article 9 – Shaw Street Bridge Repair: Mr. Boynton reported the work is a collaboration of two towns. It was noted that a remaining amount of \$40,000 will pay for Medway’s share of the design and other associated costs. **Selectman Trindade moved that the Board recommend Article 3 as presented; Selectman D’Innocenzo seconded. No discussion. VOTE: 5-0-0.**

Article 4: Transfers to Electricity Accounts – Selectman Crowley expressed concern for the language regarding funds and funds transfers, and the fact that a dollar amount is not specified. Could it be broken up by fund and for what purpose? Mr. Boynton responded that the language can be smoothed out a little, but clarified that the motion at Town Meeting will be very specific. **The Board’s recommendation will be To Be Determined (TBD) for the time being.**

Article 5: Transfer to Revaluation Account: **Selectman Trindade moved that the Board recommend Article 5 as presented; Selectman D’Innocenzo seconded. No discussion. VOTE: 5-0-0.**

Article 6: Prior Year Bills: **Selectman Trindade moved that the Board recommend Article 6 as presented; Selectman D’Innocenzo seconded. No discussion. VOTE: 5-0-0.**

Annual Town Meeting Warrant

Article 1 – Approve Exelon PILOT: Mr. Boynton clarified that the establishment of this agreement would not impact the Town’s position as intervener. **Selectman Trindade moved that the Board recommend Article 1 as presented; Selectman White seconded. No discussion. VOTE: 5-0-0.**

Article 2 – ESCO Stabilization Reserve Transfer: **Selectman Trindade moved that the Board recommend Article 2 as presented; Selectman D’Innocenzo seconded. No discussion. VOTE: 5-0-0.**

Article 3 – Appropriation: FY17 Operating Budget: **Selectman Trindade moved that the Board recommend Article 3 as presented; Selectman White seconded. No discussion. VOTE: 5-0-0.**

Article 4 – Appropriation: FY17 Water Enterprise Fund: Selectman Crowley expressed concern that this fund needs to be reviewed to see if the rates can be used to offset the revenue. What is the offset? There are no figures. If we can get some figures and evaluation criteria, then article language could be modified before Town Meeting. Mr. Holder stated the Water and Sewer Commission got the proposed rates at its meeting earlier this evening, and the water rate increase is estimated at 12.5%. The Water and Sewer Board does not set the rate until June. Discussion followed on retained earnings and how that money can be used. **Board recommendation = TBD.**

Article 5 --Appropriation: Fy17 Sewer Enterprise Fund: **TBD**

Article 6 --Appropriation: FY17 Solid Waste Enterprise Fund: Discussion on keeping rates unchanged. Selectman Trindade asked how the Board will know if the rates are reasonable. It was noted that Medway’s rates cannot be compared to those of other towns if those towns are supplementing with Town

funds, making it an apples to oranges comparison. **Selectman Trindade moved that the Board recommend Article 6 as presented; Selectman D’Innocenzo seconded. No discussion. VOTE: 5-0-0.**

Article 7-- Appropriation: FY17 Ambulance Enterprise Fund: **Selectman Trindade moved that the Board recommend Article 7 as presented; Selectman D’Innocenzo seconded. No discussion. VOTE: 5-0-0.**

Article 8 -- Free Cash Appropriation: Capital and Other Items: This is the CIPC recommendation as present. It was reiterated that, if there is a snowstorm, this article will have to be revisited. **Selectman Trindade moved that the Board recommend Article 8 as presented; Selectman D’Innocenzo seconded. No discussion. VOTE: 5-0-0.**

Article 9 – Capital Program: Information Services: **Selectman Trindade moved that the Board recommend Article 9 as presented; Selectman D’Innocenzo seconded. There was discussion on specifying that \$100,000 would come from Free Cash and \$43,000 as the amount for appropriation. Selectman Trindade amended his motion to reflect this; Selectman D’Innocenzo seconded the amended motion. No further discussion. VOTE: 5-0-0.**

Article 10 – Water Enterprise – Equipment: **Selectman Trindade moved that the Board recommend Article 10 as presented; Selectman White seconded. No discussion. VOTE: 5-0-0.**

Article 11 – Replacement Ambulance: There was discussion to break down the total dollar figure as follows: \$120,000 from the Ambulance Enterprise Account and \$140,000 borrowed for a total of \$260,000. **Selectman Trindade moved that the Board recommend Article 11 as amended; Selectman D’Innocenzo seconded. No discussion. VOTE: 5-0-0.**

Article 12 – Fiscal Stability Transfer – Security Improvements at Elementary Schools: **Selectman Trindade moved that the Board recommend Article 12 as presented; Selectman D’Innocenzo seconded. No discussion. VOTE: 5-0-0.**

Article 13 – Borrowing: Board of Health Water Pollution Abatement Projects: It was noted that someone will be on hand at Town Meeting to explain these projects. **Selectman Trindade moved that the Board recommend Article 13 as presented; Selectman White seconded. No discussion. VOTE: 5-0-0.**

Article 14 – Appropriation: Medway Day: **Selectman Trindade moved that the Board recommend Article 14 as presented; Selectman D’Innocenzo seconded. No discussion. VOTE: 5-0-0.**

Article 15 – Fund OPEB Trust: **Selectman Trindade moved that the Board recommend Article 15 as presented; Selectman D’Innocenzo seconded. No discussion. VOTE: 5-0-0.**

Article 16 – Create Athletic Fields Stabilization Fund; Transfer \$25,000: Selectman D’Innocenzo asked about the other surplus funds and if those would be included in this project. Mr. Boynton responded that there was a report of \$99,000 in the account, and after a full year, it is anticipated that the funds should generate \$150,000. An annual transfer of \$100,000 would help build up a nice amount that would help with field replacement, maintenance or repair. Brief discussion followed. **Selectman Trindade moved that the Board recommend Article 16 as presented; Selectman White seconded. No discussion. VOTE: 5-0-0.**

Article 17 – Authorize Revolving Funds: **Selectman Trindade moved that the Board recommend Article 17 as presented; Selectman D’Innocenzo seconded. No discussion. VOTE: 5-0-0.**

Article 18 – Appropriation: Community Preservation Committee: Because no dollar amounts are yet available, the Board’s recommendation is **TBD.**

Article 19 – CPA Appropriation: Trail Design and Engineering: This article was handled earlier in the evening with a **5-0-0 vote to recommend.**

Article 20 – CPA Funds: Historical Document Preservation: Selectman White, speaking as Town Clerk, specified that this would be used for Vital Records as well as documents relative to Town Meeting. **Selectman Trindade moved that the Board recommend Article 20 as presented; Selectman D’Innocenzo seconded. No discussion. VOTE: 5-0-0.**

Article 21 – CPA Funds: Playground Improvements: More information is forthcoming. The Board’s recommendation at present is **TBD.**

Article 22 – Accept Gift of Land and Fund Relation Acquisition Costs: The Town Administrator recommended the Board hold its recommendation on this article. **TBD**

Article 23 – Authorization to Pursue Municipal Aggregation: Representatives from the Energy Committee consisting of Larry Ellsworth, Vice Chair and Shelley Wieler, Member were present as well as Bob Weiss, Energy Manager. Ms. Wieler explained that, when a broker makes a deal with the electric suppliers on behalf of all the energy users in the community, the default supplier is determined. This provides a lower cost as an aggregate and ability to purchase energy at a lower rate. As a committee we were not comfortable as benefits were not obvious, but MAPC has done a lot of work to validate and vet the vendors which makes this process easier. We can follow that program or do our own. This article “allows” the board to look into it, but it is not a requirement. The Energy Committee voted unanimously on February 17, 2016 to bring this article forward. Discussion followed. **Selectman Trindade moved that the Board recommend Article 23 as presented; Selectman Crowley seconded. No discussion. VOTE: 5-0-0.**

Article 24 – Amend General Bylaw – Hunting on Town Land: **Selectman Trindade moved that the Board recommend Article 20 as presented; Selectman White seconded. No discussion. VOTE: 5-0-0.**

The Board will conclude review of the remaining articles at a later date.

Discussion – Inter-Municipal Agreement – Mutual Aid – Police:
The Board reviewed a Mutual Aid Agreement.

Present: Allen Tingley, Police Chief.

Chief Tingley briefly explained how the department participates when aid is requested by the Town of Franklin, and the reciprocal nature of the agreement. Ms. Potter noted that there was additional language added, namely the words “to the extent allowed by law”.

Selectman Trindade moved that the Board approve an inter-municipal agreement with the Town of Franklin for Police mutual aid, as presented; Selectman D’Innocenzo seconded. No further discussion. VOTE: 5-0-0.

Approval – Common Victualler License Transfer – Medway Village Pizza:
The Board reviewed a License Application from Ayman Abdelmesih. It is noted that all mandatory documents have been received and signed off by all necessary departments.

Present: Ayman Abdelmesih, applicant.

Selectman Trindade moved that the Board approve the transfer of the common victualer license associated with Medway Village Pizza doing business at 135 Village Street from George Kosivas to Ayman Abdelmesih; Selectman White seconded. No discussion. VOTE: 5-0-0.

Vote to Terminate – Summer Recreation Program – Inter-Municipal Agreement – Franklin:

The Board reviewed the following information: (1) Inter-municipal agreement with the Town of Franklin; and (2) Letter dated March 3, 2016 from the Town of Medway Park Commissioners to the Board of Selectmen.

Selectman Trindade moved that the Board vote to terminate the inter-municipal agreement between the Town of Franklin and the Town of Medway for Franklin to provide recreation services; Selectman White seconded. No discussion. VOTE: 5-0-0.

Selectman Crowley asked the Town Administrator to send a letter to Franklin thanking them for their assistance on this.

Discussion – Fire Pole Disposition:

The Board reviewed the following information: (1) Conveyance and Sale Authorization to Convey one “used” fire pole; and (2) Letter dated March 2, 2016 from the Town of Carver.

Present: Jeffery Lynch, Fire Chief.

Chairman Foresto asked why the Fire Department no longer wanted the fire pole. Chief Lynch responded that the pole opening allows excess fumes from the garage area to enter the living area on the second floor, presenting a health hazard.

Selectman Trindade moved that the Board approve the authorization to convey one (1) used fire pole and authorize the chair to execute the agreement; Selectman D’Innocenzo seconded. No discussion. VOTE: 5-0-0.

Approval – One-Day Liquor License Applications:

The Board reviewed the applications and Police Chief’s recommendations from the following applicants for their respective events: (1) Dianne Smith, Thayer Homestead, March 11, 2016; (2) Denise Centola, Thayer Homestead, March 19, 2016; (3) Holliston Lions, St. Joseph’s Hall, March 19, 2016; and (4) Amy Gilooly, Thayer Homestead, March 20, 2016.

Selectman Trindade moved that the Board approve all one-day liquor licenses as presented subject to the Police Chief’s recommendations and evidence of appropriate insurance coverage for each respective event; Selectman White seconded. No discussion. VOTE: 5-0-0.

Approval –Project Funding Agreement Contract Amendment – John D. McGovern School:

The Board reviewed the following information: (1) Letter from MSBA; (2) Amendment #1 – Project Funding Agreement; and (3) Summary of the grant funds. .

Selectman Trindade moved that the Board approve the McGovern School Project Funding Agreement amendment #1 which reflects an adjustment in the total project budget and total facilities grant for the project; Selectman D’Innocenzo seconded. No discussion. VOTE: 5-0-0.

Discussion - Choate Park/Recreation Facility Improvements:

The Board reviewed the following information: (1) Master Plan Update from Gale Associates; and (2) Scaled Funding Plan.

Mr. Boynton briefly reviewed the update from Gale Associates and his recommendations in a phased program of improvements. Selectman D’Innocenzo expressed concern that, if a soccer field is constructed, it eliminates another baseball field. There needs to be further review of Phase 3. Discussion followed on \$1 million in state funds available as identified by Senator Spilka at the Legislative Breakfast. Selectman Crowley was ok with Phase 1. Mr. Boynton will ask the Commonwealth to approve a two-phase plan, and ask if they will commit to the first phase. That would be the only thing on the warrant. Discussion followed. Mr. Boynton will also check with Senator Spilka for her guidance on the best way to present it to the State.

Selectman Crowley expressed concern that the volleyball court may or may not be used on a regular basis. It was agreed to check with the Police Department to see if there have been any issues with the way the court is being used.

Action Items from Previous Meeting:

The Board reviewed the Action Items List.

Mr. Boynton reported that there are no specific updates.

Approval of Minutes:

The Board reviewed draft minutes from October 13, 2015; January 4, 2016; and January 19, 2016.

Selectman Trindade moved that the Board approve the minutes from October 13, 2015; Selectman White_ seconded. No discussion. VOTE: 5-0-0.

Selectman Crowley asked for clarification on a vote in the minutes from January 4, 2016 and to hold voting on the minutes.

Selectman Trindade moved that the Board approve minutes from January 19, 2016; Selectman White seconded. No discussion. VOTE: 5-0-0.

Town Administrator’s Report:

Mr. Boynton reported that Medway had received \$44,000 in state funds earmarked for Stormwater Management. He asked that the Board vote to receive the funds and authorize him to sign on the documentation. **Selectman Trindade moved that the Board authorize the Town Administrator to sign the documents relative to \$44,000 in state funds; Selectman D’Innocenzo seconded. No discussion. VOTE: 5-0-0.**

Mr. Boynton reported that Mary Becotte is working on the Medway Matters Newsletter as well as video segments. Ms. Becotte reported that production on the first segment was finishing up and should be ready in a couple of weeks.

Mr. Boynton acknowledged that Medway has a great way of working together. There is now a post on Facebook that identifies him as a Power Plant architect, and he was not happy about personalizing the issue. What was done in Walpole several years ago has nothing to do with this situation. The Town has been transparent in every way. There are people who are opposed, but some are crossing the line. The individual who posted the comments included incorrect information, and as the person remains anonymous, Mr. Boynton has no one to approach to correct the information.

Selectman Trindade pointed out that it is often the vendor who chooses to hold meeting in a non-public forum to avoid alerting their competition that there are viable sites or projects out there. He reiterated the Town Administrator's assertion that there have been no secret meetings at the request of public officials.

Mr. Boynton closed his report by stating that he would be attending an Energy Forum in Hopkinton on Wednesday, noting the Lt. Governor Healey and Selectman Trindade will be on the panel.

Selectmen's Reports:

Selectman Crowley extended congratulations to the Medway High School cheerleaders for winning their division and going to state competition.

Selectman Crowley expressed concern that Eversource outages are increasing and wondered why it is happening. Discussion followed on storm-related damages and recent high winds.

Noting that the Town Administrator had forwarded a document explaining the Exelon PILOT agreement, Selectman Crowley stated he would like feedback before the document is publicly posted.

Selectman Trindade asked if there could be a retirement event for Missy Dziczek, Director of the Council on Aging. Selectman White added that she and Mr. Boynton have discussed creating a video segment on Ms. Dziczek's career in Medway. It was noted that, if official proclamations are desired from the legislative delegation, four to six weeks advance notice is advised.

Selectman D'Innocenzo spoke highly of all the accomplishments by the athletic teams, topping records set by earlier teams. He also attended an Eagle Scout Court of Honor with Glenn Trindade yesterday and was most impressed at the number of scouts in Medway achieving this rank.

Chairman Foresto reminded residents that Medway's Annual Clean Sweep is coming up on Saturday, April 9 and encouraged everyone to get involved.

At 10:05 PM Selectman Trindade moved to adjourn; Selectman D'Innocenzo seconded. No discussion. VOTE: 5-0-0.

Respectfully submitted,
Jeanette Galliardt
Night Board Secretary