BOARD OF SELECTMEN

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

AGENDA

December 30, 1996

7:00	Open Meeting, Sign warrants, approve minutes of 12/23/96
7:05	Pole petition from N.E. Telephone and Boston Edison for Birch Bark Road.
	Committee Reports
	Action Items

ACTION ITEMS FOR SELECTMEN'S MEETING OF DECEMBER 30, 1996

1. Discuss letter from the Town Clerk answering Mrs. Clark's letter.

2. Discuss letter from Norfolk County Advisory Board on support for proposed municipal and county landbank legislation.

3. Acknowledge schedule of bid openings for the Library.

4. Acknowledge information on the Transportation Enchancement Program from MAPC.

5. Acknowledge and discuss fax transmission from Robert Ciavarra of December 23, 1996 regarding CIPC items.

6. Acknowledge MEMA workshop dates for Completion of the Data Collection Packet.

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Present: Lee Henry, Doug Downing, James Brodeur, Administrative Assistant Ruth Allen.

7:00 p.m.-Mr. Henry called the meeting to order in the Selectmen's Meeting Room 2 of Town Hall.

- Mr. Downing moved approval of the minutes of December 23rd; Mr. Brodeur seconded; all aye.

- Warrants were signed in the amount of $207,252.77.

7:05 - Mr. Downing moved that the public hearing be opened for a pole petition for Birch Bark Road by Boston Edison/New England Telephone; Mr. Brodeur seconded; all aye. Mr. Brodeur read the ad that appeared in local papers. Charlotte Milligan of New England Telephone was present to represent both NET and BE. Abutter Donald Springer of 3 Birch Bark Road was also in attendance.

Ms. Milligan stated the pole was being placed in that location for the upgrading of services for the Ellis Farms development.

Mr. Downing had a problem with the location of the pole which seemed to be in the middle of the sidewalk, and would also hinder the removal of snow with the plows.

Mr. Springer agreed with Mr. Downing's assumption, and that the location seemed to be right in front of his house. He questioned why it could not be placed further down towards the end of the street. Ms. Mulligan said she would check into it, but noted that the new pole location would be servicing the new development and the existing houses.

Mr. Henry asked that a revised schematic be submitted to the Board, also indicating the distance between the existing pole and the proposed pole.

Mr. Brodeur moved the public hearing be continued to a time when NET and BE are ready to present a revised schematic to include the frontage distance from the pole to Mr. Springer's property; the exact location of the proposed pole; as well as the distance from the existing pole to the proposed pole; Mr. Downing seconded; all aye. Mr. Springer will be notified when the public hearing will be held.

- <u>Committee Reports.</u>

- Mr. Downing said that the Board of Health was working on the problem of the Luskins on Village Street. They

would be conducting additional tests this week and next, and advise the Board of their findings.

- Mr. Brodeur said he was unable to attend the meeting on Friday with the DPS Administrator and the Acting Highway Supt., and asked for an update.

  Mr. Henry stated he and Mr. Downing met with Mr. Power and Mr. Podgurski, and worked out an arrangement that Mr. Podgurski would be working up here in Town Hall. They also discussed the roads and asked Mr. Podgurski for a priority listing of streets to be paved by mid-January.

  Mr. Downing added that Mr. Podgurski was going to give the Board information on three processes for treating streets: full reconstruction, chip/sealing, and overlay; they also requested an update on his working with the State to seek additional funding for the streets in Medway; as well as to be provided with an inventory list of equipment.

  Mr. Downing said it was also important to give Mr. Podgurski some space and give Mr. Power back his office.

  Mr. Brodeur asked about job descriptions for both, but Mr. Downing said it was not discussed, however, they do need to meet with them again, with Mr. Brodeur asking that it be scheduled at night sometime. Mr. Downing suggested they review the information when it is provided prior to meeting with them.

- Mr. Henry noted that he and Mr. Downing met with the Board of Assessors on December 27th for a continuation of the original public hearing held on December 23rd. The members present voted, after some discussion, to approve the recommendation of the Board of Assessors for a classification of single rate for FY'97.

  The Board was requested to sign the LA-7 form attesting to the rate. Mr. Downing moved the Board sign the form; Mr. Brodeur seconded; all aye. Treasurer/Collector Marge Sanford took the form for processing.

- It was noted that the Board could not meet with the Medway Co-Op Bank on December 27th as hoped, and was rescheduled to January 2nd.

- <u>Correspondence.</u>

- The Board wished to acknowledge a letter received from the Chairman of the Bellingham Board of Selectmen

thanking Medway's Fire Department for the use of its ambulance while their ambulance was out of commission.

- The Board acknowledged receipt of Town Counsel's letter with regard to drainage easements, noting he concurred with the statements made in a decision sent to him for review.

  Mr. Henry asked that copies of the letter be sent to the Zoning Board, Planning Board, DPS Administrator, and Zoning Enforcement Officer.

  Mr. Brodeur felt that this decision reinforces the roadway access permit, and was appropo for landscapers as well. Mrs. Allen also thought this was applicable to residents who did not want puddling on their property and chose to put the water in the street.

- Action Items.

- The Board noted the Town Clerk's response to the Board concerning comments made by resident Mrs. Clark with regard to availability of certain documentation to the public. Mr. Henry believed Mrs. White had adequately answered her concerns.

  Mr. Brodeur questioned if current procedures are satisfactory, or do changes need to be made. Mr. Henry felt that, according to the Town Clerk's response, the Town was providing the pertinent information, and he was satisfied with that response. He asked the Board if they were satisfied, and if so, they could respond back to Mrs. Clark.

  Mr. Brodeur moved to send a copy of the Town Clerk's response to Mrs. Clark, noting he hoped this answers any questions raised; Mr. Downing seconded adding the authorization for the Chairman to sign the letter; all aye.

- The Board discussed again the letter from the Norfolk County Advisory Board asking the Board if they would support proposed municipal and county landbank legislation. The Board wholeheartedly supported the legislation; therefore, Mr Downing moved to send a letter to Frank Geishecker, Chairman of the Norfolk County Advisory Board, stating the Board unanimously supported the legislation, and the Chairman was authorized to sign the letter; Mr. Brodeur seconded; all aye.

- The Board noted the schedule of bid openings for the

library. The Board asked Mrs. Allen to post the openings of January 13th and 28th at the library since a majority of the Board would be present; the openings of February 5th and 12th were already posted.

- The Board noted receipt of a letter from MAPC enclosing a copy of the Transportation Enhancement Program. They noted there were 10 categories, some of which were applicable to the interests of Medway, i.e. pedestrian bike trails and abandoned railroad beds.

  Mr. Downing recommended discussing this further as an action item on January 27th. It was suggested a copy be sent to the Open Space Committee and the Historical Commission, and to let them be aware of the discussion on the 27th if they want to come in. Also noted was the MAPC's deadline of February 28th and the State's deadline of April 30th. It was then suggested to give Maryellen Lavenberg, the MAPC rep, a copy of the program as well since she had only received the letter, and to let her know about the 27th as well.

- The CIPC Chairman's fax of December 23rd was acknowledged. It was noted Mr. Ciavarra requested a reply by January 19th in time for their next meeting to the questions he posed. Mr. Henry felt the Town Accountant should be able to answer at least the first question. He noted that some of the items on the CIPC omnibus article were grouped together, but when funds were dispursed, were not dispursed according to the CIPC breakdown.

  Mr. Brodeur and Mr. Downing felt it was under the Board's jurisdiction to coordinate the way an article is processed through for handling; therefore, Mr. Downing suggested the Board query the Treasurer and the Accountant with Mr. Ciavarra's concern on question #1, and then the Board respond back to Mr. Ciavarra.

  On the second question with regard to Town Hall costs, they felt they needed more information. Mr. Downing thought the Town Hall Building Committee and Gino could answer some of his concerns.

  On the third question of an EMS enterprise fund, the subject had not even been brought to the Board yet.

  With reference to his fourth question on the bank buildings, no new committee has been formed yet, but CIPC will be kept informed of any progress made.

  Mr. Henry asked that the Town Accountant and Gino do a

reconciliation of dollars expended.

- Mr. Henry noted the MEMA workshop dates, and said he could attend the January 27th workshop. He asked that Mrs. Allen check with John Cicciu to see what date would be good for him. Even though he was already familiar with the emergency plan and would attend the workshop, he welcomed the other Board members' attendance.

- The Board noted receipt of a request from Sabina Doyle's for an entertainment license for December 31st. Mr. Downing moved approval of the one-day license for Sabina Doyle's; Mr. Brodeur seconded; all aye.

- The Board reviewed the change order for work done on Holliston Street. Mr. Henry said he was familiar with the work done; Mr. Brodeur had not been able to make additional inquiries. Mr. Downing moved approval of payment to MPF as recommended by the Water/Sewer Board of estimate #1 dated 12/16/96 in the amount of $1,113; Mr. Brodeur seconded; all aye.

- The Board discussed GCG's invoice for Cottage Street, and Mr. Henry was assured by Mr. Giovinazzo that the figures were correct. As for an update, they are continuing on Evergreen Street up to Cottage Street doing as much as they can. Mr. Brodeur moved the Chairman be authorized to sign the approval of payment for GCG in the amount of $30,966.29 which is 10% of the project; Mr. Downing seconded; all aye.

- Mr. Downing reminded the Board he would like a review of licensing fees, and to do a straw poll of area towns for their fees, feeling we are behind the surrounding communities. He also requested a copy of Medway's current fees.

- Mr. Henry acknowledged receipt of clarification of the recycling truck being used by the Board of Health. Basically, after a lengthy time, they have been requesting title transfer from DEP to Medway so C. B. Trucking can fulfill the terms of the recycling contract. It was also noted that C. B. will be responsible for the maintenance of the vehicle.

  Mr. Downing moved approval of the paperwork for transfer of title, and authorizing the Chairman to sign the necessary documentation; Mr. Brodeur seconded; all aye.

- The Board noted receipt of a letter from Mass. Highway stating the amount of clay fill available to landfills in the state. Mr. Henry suggested a copy of the letter

go to the Board of Health, DPS Administrator, and the Park Department. He also asked for information about the capping of the landfill.

- The Board acknowledged receipt of a letter from the Office of Jury Commissioner questioning if the Town provides street listings. Mr. Downing suggested asking the Town Clerk if we comply.

- The Board acknowledged receipt of the resignation of Harris O'Brasky from the Cable Advisory Committee; thus leaving only Frank Pelletier on the committee. The Board did not understand Mr. O'Brasky's letter saying the Board was not interested in their committee, as Mr. Downing and Mr. Henry both stated they had been to some of their meetings. Mr. Henry said he would try and talk to Mr. O'Brasky.

- The Board acknowledged DEP's letter concerning 8 Populatic Street, and the Water/Sewer Board's subsequent response and handling of the situation.

- Correspondence on the school finance task force schedules of three final hearings were noted. Mr. Downing suggested a copy be sent to the Treasurer, and Mr. Henry suggested a copy to the School Dept. as well.

- Mr. Henry noted an additional executive session with the School Committee was scheduled for January 2nd.

- Mr. Brodeur encouraged Medway residents to consider the position of Animal Control Officer that will soon be vacated for coverage in Medway and Millis.

- Mr. Henry noted a request from Inspector of Buildings Bob Speroni to meet with the Board to discuss his evaluation. Mr. Downing was ready to discuss it this evening, but Mr. Henry and Mr. Brodeur were not.

  Mr. Henry suggested Monday in public session, but off-camera would be preferred. The Board asked that a meeting be posted for 6:00 p.m., and then go live at 7 p.m.

  The Board discussed the amendments they would like to recommend for the personnel evaluation form, i.e. the appointing authority for other boards. Mr. Henry said he spoke with the President of the Union, and there may be a need to have a meeting to clarify that portion of the contract. He stated that they may have to formally ask to meet with them to indicate they would like to reword a part of the contract to clarify the language.

Mr. Brodeur commented Mr. Sibley had done his own evaluation, instead of the Commissioners doing one on him. Mr. Henry felt this was another area for discussion, which prompted Mr. Brodeur to say they may have to re-open negotiations.

Mr. Henry said, however, they just want to meet to clarify the language in the contract, and Mr. Downing agreed saying they did not want to add an item, just expand or broaden what already exists. Mr. Henry again stated they are asking for clarification, not to re-open negotiations. Mr. Downing added they were not going to impact the body of the contract; this is just a process; there are no financial ramifications; there was no reference under "wages", other than "see appendix D".

8:57 - Mr. Downing moved to adjourn; Mr. Brodeur seconded; all aye.

Respectfully submitted,

M. J. Fredette
Secretary
mj

Approved 1/13/97

Present: Lee Henry, Doug Downing, Board of Assessors members Harry Johnson and June Murray, Assistant Assessor Paul Keefe.

3:10 pm. -The meeting was called as a continuance of the public hearing for tax classification for FY'97 held on December 23rd.

Mr. Johnson stated that he, Mr. Keefe, the Treasurer and the Town Accountant were able to pull all the figures together for today's continuation of the hearing. He also indicated he would be speaking to the FinCom.

Documentation was presented to the Board indicating the dual tax rates from a minimum of $16.21 for residential to a maximum of $26.97 for commercial and industrial.

It was stated the proposed single tax rate would be $17.96 for FY'97 which is an increase from $16.33 for FY'96. The Board of Assessors, therefore, was recommending to use the minimum residential factor of one.

After some discussion, Mr. Downing moved to approve the recommendation of the Board of Assessors to set the classification rate at the minimum residential factor of one; Mr. Henry seconded; all aye.

3:25 Mr. Downing moved the public hearing be adjourned; Mr. Henry seconded; all aye.

Respectfully submitted,

M. J. Fredette
Secretary
mj

Approved 1/13/97

TOWN OF MEDWAY

FISCAL 1997 CLASSIFICATION HEARING

DECEMBER 23, 1996

CONTINUED TO: DECEMBER 27, 1996

BOARD OF ASSESSORS

The Board of Assessors has received from the State the preliminary certification on the fiscal year 1997 values of all classes of real property and personal property in the Town of Medway. The public disclosure period has been completed for all classes of property. The Assessment Adjustment List (Form LA-10) is being prepared for submission to the Bureau of Local Assessment; along with the required Forms LA-1 (request for Certification Review) and LA-4 (Assessment/Classification Report).

Based on the information to be included in these Forms, the Assessors have prepared preliminary statistics for a Classification hearing. The following is a breakdown of the property classes by percentage:

CLASS	PERCENTAGE
RES.	83.7 %
COMM.	5.2 %
IND.	7.4 %
PERSONAL PROP.	3.7

The combined percentage for the Commercial, Industrial and Personal Property (CIP) classes is 16.3 %.

The percentages shown on the above chart represent the share of the Tax Levy to be borne by each class with a single tax, 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 24.4 % of the Tax levy.

2. As a result, the Minimum Residential Factor becomes 90.28 %. This means that shifting the Tax Levy to the CIP classes by the legal maximum will result in the Residential class paying 90.28% of the burden it would have 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 %.

RESIDENTIAL RATE	CIP RATE (rounded)
98 %	110 %
96 %	120 %
94 %	130 %
92 %	140 %
90.28 %	150 % (MAXIMUM)

The Board of Assessors has prepared a preliminary Tax Rate Recapitulation form, a copy of which has been included. The Recap sheet calculations yield a Fiscal Year 1997 tax rate of $17.96 per thousand dollars of assessed valuation.

There are three 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 compution 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 $17.96 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.

s16.\5H

THE COMMONWEALTH OF MASSACHUSETTS

DEPARTMENT OF REVENUE FISCAL 1997

TAX RATE RECAPITULATION

I.TAX RATE SUMMARY

A.Total Amount To Be Raised (from IIE)	$	21,048,650.00
B.Total Estimated Receipts and Other Revenue Sources (from IIIE)	$	8,514,208.00
C.Tax Levy (IA minus IB)	$	12,534,442.00

D.Distribution of Tax Rates and Levies

Is this a recertification year? <----(Enter Y or N)

Classified--> Unclassified--> <----(Enter X)

(a) CLASS	(b) LEVY PERCENTAGE (from LA-5)	(c) IC above times Each percent in column (b)	(d) VALUATION by CLASS (from LA-5)	(e) TAX RATES (c)/(d)x1000	(f) LEVY by CLASS (d)x(e)/1000
Residential	83.7306%	10,495,163.49	584,363,082.00	17.96	10,495,160.95
Open Space	0.0000%	0.00	0.00	0.00	0.00
Commercial	5.1854%	649,960.96	36,189,368.00	17.96	649,961.05
Industrial	7.3677%	923,500.08	51,419,550.00	17.96	923,495.12
SUBTOTAL	96.2837%	**********	671,972,000.00	**********	12,068,617.12
Personal	3.7163%	465,817.47	25,936,800.00	17.96	465,824.93
TOTAL	100.0000%	**********	697,908,800.00	**********	12,534,442.05

Board of Assessors of

City or Town Date Tel. No.

1_____2_____3_____

DOESN'T EQUAL IC
PLEASE RE-RUN FIGURES
LA-5 FROM COMMAND
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Do Not Write Below This Line - For Department of Revenue Use Only

Reviewed by	FY97 Growth	$
Date	FY97 Levy Limit	$
Tax Rates(s) I.	FY98 Base	$
II.	FY97 Estimated	$
III.- V.	Receipts	$
	FY97 Overlay	$

DEPARTMENT OF REVENUE

BUREAU OF ACCOUNTS

MINIMUM RESIDENTIAL FACTOR COMPUTATION

FY97

	A	B	C	
	Class	$ Full and Fair Cash Valuation	Percentage Share	
1.	One - Residential	584,363,082	83.7305%	83.7305%
2.	Two - Open Space	0	0.0000%	
3.	Three - Commercial	36,189,368	5.1854%	
4.	Four - Industrial	51,419,550	7.3677%	16.26950%
5.	Personal Property	25,936,800	3.7164%	
	Totals	697,908,800	100.000000%	

Maximum Share of the Levy for Classes Three, Four and Personal Property:

150% X 16.26950% = 24.4043%

3C+4C+5C Maximum Share

Minimum Share of the Levy for Classes One and Two:

100% - 24.4043% = 75.5957%

Maximum Share Minimum Share

Minimum Residential Factor (MRF)

75.5957% / 83.7305% = 90.2845%

Minimum Share Lines 1C+2C MRF

MINIMUM RESIDENTIAL FACTOR 90.2845%

LA7 (6-94)

CHART 1

TOWN OF MEDWAY

TOWN OF MEDWAY FY97 CLASSIFICATION TAX RATE SHIFT BASED ON A MINIMUM RESIDENTIAL FACTOR OF 90.28%

*MINIMUM RESIDENTIAL FACTOR 90.28%

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	584,363,082	83.7306	17.96	17.60	17.24	16.88	16.52	16.21
CLASS 2 OPEN SPACE	-0-	-0-	-0-	-0-	-0-	-0-	-0-	-0-
CLASS 3 COMMERCIAL	36,189,368.	5.1854	17.96	19.81	21.67	23.52	25.37	26.97
CLASS 4 INDUSTRIAL	51,419,550.	7.3677	17.96	19.81	21.67	23.52	25.37	26.97
CLASS 5 PERSONAL PROPERTY	25,936,800.	3.7163	17.96	19.81	21.67	23.52	25.37	26.97
TOTAL	697,908,800.	100.000%						

CHART 2 T O W N O F M E D W A Y

FY 1997 TAX SHIFT SHOWING TAX IMPACT ON AVERAGE SINGLE FAMILY HOME VERSUS COMMERCIAL & INDUSTRIAL PROPERTIES

PROPERTY	ASSESSED VALUE FY97	SINGLE TAX RATE FY96 $16.33	SINGLE TAX RATE FY97 $17.96	98% DUAL RATE RES. $17.60 C.I.P. $19.81	96% DUAL RATE RES. $17.24 C.I.P. $21.67	94% DUAL RATE RES. $16.88 C.I.P. $23.52	92% DUAL RATE RES. $16.52 C.I.P. $25.37	MAX DUAL RATE RES. $16.21 C.I.P. $26.97
BOSTON EDISON (JET SITE) 2-65A	$28,877,500	$471,570	$518,640	$572,063	$625,775	$679,199	$732,622	$778,826
ALGONQUIN GAS CO. PERSONAL PROPERTY 911100	$4,757,200	$77,685	$85,439	$94,240	$103,089	$111,889	$120,690	$128,302
BURGER KING 6-41X	$879,000	$14,354	$15,787	$17,413	$19,048	$20,674	$22,300	$23,707
SHELL OIL COMPANY 6-319	$232,400	$3,795	$4,174	$4,604	$5,036	$5,466	$5,896	$6,268
DUNKIN DONUTS 6-38B	$434,500	$7,095	$7,804	$8,607	$9,416	$10,219	$11,023	$11,718
AVERAGE SINGLE FAMILY HOME (ROUNDED)	$165,200	$2,698	$2,967	$2,908	$2,848	$2,789	$2,729	$2,678

NOTES: RES. = RESIDENTIAL
C.I.P. = COMMERCIAL, INDUSTRIAL, PERSONAL PROPERTY
AVERAGE CONDO ASSESSED VALUE IS $82,800 (ROUNDED)
AVERAGE 2-FAMILY ASSESSED VALUE IS $158,900 (ROUNDED)
AVERAGE 3-FAMILY ASSESSED VALUE IS $170,700 (ROUNDED)

CHART 2

BOARD OF SELECTMEN

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

REVISED AGENDA

December 23, 1996

7:00	Open Meeting, Sign warrants, approve minutes of 12/9/96 and 12/16/96 meetings.
7:05	Mr. and Mrs. John Luskin, 250 Village Street regarding drainage problems.
7:20	Bay State Gas Co. representative Mr. David Rice, St. Opening Permit for Claybrook II.
7:30	Tax Classification Hearing
7:45	Mr. Ronald Beattie, 95 Village Street regarding street water runoff into his backyard. NO show
8:00	Chief Lambirth, regarding emergency transfer request for computer equipment.
	Committee Reports
	Action Items

REVISED

ACTION ITEMS FOR SELECTMEN'S MEETING OF DECEMBER 23, 1996

1. Vote and sign Class II license for Bartolini Motor Sales Inc.

2. Vote and sign request for extension of hours for Main Street Cafe for New Year's Eve until 2:00 a.m.

3. Sign Division of Local Services FY 97 Education Cerficate Letter for auditors.

4. Appoint Council on Aging Building Committee.

5. Discuss acquisition of bank building - form committee???

6. Discuss closing Town offices at noon on December 24, 1996.

7. Will anyone be attending the MIIA's Business Meeting.

8. Discuss and vote on request of Board of Health for use of Town Counsel to review Grant for transfer of recycling truck.

9. Discuss and vote on request of Ronald J. Young to renew Pedlers Permit Application from last year - same dates and times.

10. Discuss letter from DEP Environmental Strike Force.

11. Sign letter to Melanson, Heath & Co. regarding audit.

12. Discuss letter from Town Clerk answering Mrs. Clark's letter.

13. Discuss request of Gary J. Dumas to be appointed Constable.

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actitems.doc

Present: Lee Henry, Doug Downing, James Brodeur, Administrative Assistant Ruth Allen.

7:00 p.m.-Mr. Henry called the meeting to order in the Selectmen's Meeting Room 2 of Town Hall.

- The warrants were signed.

- Mr. Downing moved approval of the minutes of December 9th; Mr. Brodeur seconded with one correction; all aye.

- Mr. Downing moved approval of the minutes of December 16th; Mr. Henry seconded; Mr. Brodeur abstained as he was not present for that meeting; all aye.

7:05 - Jack and Jean Luskin of 250 Village Street came before the Board because of drainage and health-related problems on their property.

Mrs. Luskin stated they have lived at that address for 36 years with very few problems, but recently that had changed. She and her husband felt it was attributable to new construction in their area, most notably the Housing Authority home nearby and the new school.

Mrs. Luskin said that the run-off onto their property and into their basement was at times like a river, and when Board of Health Agent Bill Fisher took water samples, found it was positive for fecal coliforms. They could not understand how this run-off was allowed to occur and how the water could be contaminated and emit such an odor. It now made them wonder if nausea and headaches they had been having could be associated with those test results.

Mr. Brodeur interjected that the group home, the new school, and the construction on Lilly Street did not have Planning Board jurisdiction, and therefore, did not have any Planning Board rules and regulations to follow. He did say, however, that ground water versus smelly water are two different things.

Mrs. Luskin reiterated that they will not tolerate what has occurred to them and expected that the Board would take some action tonight, or they would have to take their concerns to a higher authority. She noted Mr. Fisher was returning on Thursday for more testing.

Mr. Downing, as liaison, said he would speak to Mr. Fisher. He said that the water needs to be retested to see if the fecal count is still high and then trace the source of the contamination if it still exists. As the

governing body, the Board could take corrective measures and meet with the Board of Health if necessary. Mr. Henry agreed the elected officials can work together with the staff. Mr. and Mrs. Luskin were assured that as soon as the Board knows anything, they will know.

7:30 - David Rice of Bay State Gas came before the Board with Joe Antonellis representing Claybrook II to request a special hearing for a roadway access permit on Summer Street. They indicated that there would not be a road cut, but would hole-hog across under the paved area.

Mr. Rice said they don't have a gas line to the pump station, with Mr. Antonellis adding that they cannot stub the houses to get permits until the station is up. Mr. Brodeur inquired if the boring fails, what then; Mr. Rice said they would not continue further.

Mr. Downing moved to allow the hog boring permit for Bay State Gas for Summer Street; Mr. Brodeur seconded with the stipulation that if the hog boring fails, the street will not be opened; all aye.

7:37 - Members of the Board of Assessors Harry Johnson and June Murray and Assistant Assessor Paul Keefe came to meet with the Board for a classification hearing.

Mr. Brodeur read the ad that appeared in local papers for the hearing.

Mr. Johnson, as Chairman, recommended no change in Medway's policy for this year and that the tax rate, as has been for the last ten years, be the same for all classes of property with a residential factor of one. He did state, however, that the final figures are not in yet and requested the hearing be continued to Friday so that the bills could be completed in time for quarterly tax billing; otherwise, for this year alone, it would revert back to semi-annual. Mr. Keefe added that at the continuance, they could plug in the real numbers. Mr. Johnson asked if there was anyone present specifically to comment on the classification hearing; there was no one. Mr. Brodeur moved to continue the hearing to Friday, December 27th at 3:00 p.m.; Mr. Downing seconded; all aye.

8:00 - Ron Beattie of 95 Village Street, who had an appointment with the Board at 7:45 p.m., did not show.

- Chief David Lambirth came to meet with the Board to discuss an emergency transfer request for enhancement of computer equipment for the Police/Fire Communications

system. Mr. Henry noted the Town had approved $10,600 at the May 1995 Annual Town Meeting on an omnibus article for this purpose; however, the Chief said with the additional funding of $4,864, the Department can utilize the equipment they presently have with a consortium grant of $42,796.

Mr. Downing endorsed the Chief's request and commended the Chief and Sgt. Saleski for their efforts. He felt the Sgt. had tried to modify existing communication equipment, but with this endeavor, more services will be available, and we would be foolish not to support his request. He, therefore, moved to approve the emergency transfer request to the Finance Committee for $4,864; Mr. Brodeur seconded; all aye.

- Mr. Brodeur moved to approve the education reimbursement of $500 for Officer Bill Boultenhouse; Mr. Downing seconded; all aye.

8:25 - Committee Reports.

- The Board noted receipt of a letter dated December 12th from the Norfolk County Advisory Board requesting they review the proposed municipal and county landbank legislation. They said they would like to discuss this as an action item at their meeting on December 30th.

- The Board noted that the CRPCD was planning on meeting on January 9th at 7:30 p.m. to discuss the expansion of the facility. Mr. Brodeur had to abstain from attending this meeting; Mr. Henry already had a previous commitment; Mr. Downing said he could still attend. Mrs. Allen was asked to let School Administration know Mr. Henry would be attending the executive session on that date, and on January 23rd.

- Also noted is the Planning Board joint meeting on January 30th.

- Since the Board would be attending the MMA conference the weekend of January 17th - 19th, and January 20th is a holiday, they decided not to have a meeting on January 21st.

- Action Items.

- Several additional licenses were presented to the Board for their approval:

  - Mr. Brodeur moved approval of the renewal of Bartolini Motor Sales' Class II license; Mr.

Downing seconded; all aye.

- Mr. Brodeur moved approval of the extension of Main Street Cafe's liquor license until 2:00 a.m. on December 31st; Mr. Downing seconded; all aye.

- Mr. Brodeur moved approval of the extension of China Lotus' liquor license until 2:00 a.m. on December 31st; Mr. Downing seconded; all aye.

- Mr. Brodeur moved approval of the renewal of Medway Auto Sales' Class I license; Mr. Downing seconded; all aye.

- Mr. Brodeur moved approval of the renewal of Aoude Gulf's Class II license; Mr. Downing seconded for discussion purposes. Mr. Henry recommended not approving the license as it had been over a year that the Board and the Highway Department had been requesting the berm along the corner of Holliston and Main Streets that they removed be put back.

  Mr. Henry suggested this matter be turned over to the DPS Administrator to make appropriate arrangements. Mr. Brodeur felt a site plan was needed, but Mr. Downing said that except for the berm, nothing had changed.

  It was noted that the Board was concerned about that intersection and wanted to have the area studied in depth. Mr. Downing said, however, at this time, the issue was no delineation between the public way and the Aoude property.

  Mr. Brodeur agreed the DPS Administrator should handle this matter and maybe talk to the Safety Officer as well; therefore, he moved Mrs. Allen write to Aoude advising them of the action the Board had taken, and that the license would not be renewed until the berm was satisfactory to the DPS Administrator; Mr. Downing seconded; all aye. Mr. Downing suggested Aoude be told verbally of the Board's position.

- Mr. Brodeur moved that the Chairman be authorized to approve the Division of Local Services' FY'97 Education Certificate Letter for the auditors; Mr. Downing seconded; all aye.

- Mr. Downing noted the request of the Council on Aging to appoint seven residents to the Council on Aging Building Committee. Mr. Downing moved to appoint Douglas Rooney,

Harold Bemis, Richard Gildea, Patrick Tornifoglio, Robert Ciavarra, Raphaela Rozanski and Ellen Gove to the Council on Aging Building Committee; Mr. Brodeur seconded; all aye.

- The Board discussed the acquisition of the bank buildings next to the Town Hall, and Mr. Brodeur suggested they talk to Bob Stratton and establish a relationship. It was agreed Mrs. Allen would try and set up a meeting at 3:30 p.m. on Friday, December 27th.

- The closing of Town offices and buildings at Noon for the holidays was brought up. Mr. Downing moved to close the municipal offices for paid holiday at Noon on Tuesday, December 24th; Mr. Brodeur seconded; all aye.

- The Board said they would all attend the MIIA business meeting on January 18th.

- The Board discussed the request of the Board of Health to utilize the services of Town Counsel to review a grant agreement for the transfer of a recycling truck. Some pros and cons on the issue were noted, but it was felt they should hold off further discussion until after Town Counsel's comments were given. Mr. Brodeur moved to approve the Board of Health's request to consult with Town Counsel; Mr. Downing seconded; all aye.

- The Board discussed the request of Ron Young to be allowed to sell hubcaps at the business location of C&R Auto at 16 Main Street. This has been an annual request with no problems; therefore, Mr. Brodeur moved to allow Ron Young to continue his peddling at that location; Mr. Downing seconded; all aye.

- A letter was acknowledged from the DEP concerning "junk" being stockpiled at 155 Lovering Street. Since the Environmental Strike Force did not feel there were any civil or criminal environmental violations, the complaint was being referred back to the Town. Mr. Henry agreed that the Medway Strike Force needs to be activated, and asked Mrs. Allen to direct the Fire Chief, Zoning Enforcement Officer, Police Chief and Board of Health Agent to investigate this matter with either a criminal complaint or with a search warrant as no permit had been issued for the stockpiling of junk.

- The Board noted the request of auditors Melanson, Heath & Company for the Chairman to sign a letter on Selectmen's letterhead stating the Town has complied and made available all necessary documentation for auditing purposes. Mr. Brodeur moved the Chairman sign the

letter, which the Town Accountant and the Treasurer/ Collector had already signed; Mr. Downing seconded; all aye.

- A letter also needed to be signed by the Chairman on Melanson's letterhead agreeing to the services as provided by them to audit the Town's financial records for FY'96. Mr. Downing moved the Chairman sign the letter of intent; Mr. Brodeur seconded; all aye.

- The Board acknowledged the Town Clerk's response to Mrs. Clark's letter dated November 15th. They did not feel they had sufficiently reviewed the contents of her letter and asked that it be placed as an action item on next week's agenda.

- The Board noted the request of Gary Dumas to be appointed Constable. Mr. Henry questioned if there were enough constables, but Mr. Brodeur felt he had exceptional qualifications and should appoint him. Mr. Downing moved to appoint Gary Dumas Constable through December 23, 1999; Mr. Brodeur seconded; Mr. Henry nay; motion passes.

- The Board acknowledged receipt of Change Order No. 1 for the Holliston Street sewer extension as submitted by the Board of Water/Sewer Commissioners on Contract No. 96-2.

  Mr. Henry stated the change order was to cover the paving of Holliston Street berm to berm from Kelley Street to Lovers Lane, as it did not make sense to do just one-half the street. The cost had been negotiated between the DPS Administrator, Haley & Ward and Mark Flaherty, as it was felt that the contractor had not done an adequate job of paving in the first place and they had agreed the Town would pay for the material in place.

  Mr. Brodeur said the engineer does not have the authority to approve change orders that cost money and above the original amount of the contract.

  Mr. Brodeur also did not feel this Office had any authority on the contract, but Mr. Henry stated that the Selectmen are the awarding authority with the contract which is under Water/Sewer's supervision. Mr. Brodeur agreed something needed to be done, but there was still more work to do as the material needs to be ground up and repaved. Mrs. Allen believed the extra paving cost would be coming out of Highway's budget.

  Mr. Brodeur was still not willing to approve the change

order and wanted to see the original documentation again. Mr. Henry stated that the Town had authorized $230,000 for the project and were well under that figure, but agreed to take the matter under advisement. From the change order, it was noted that the Town Accountant had certified there were sufficient funds to cover the change order. Mr. Henry also suggested Mr. Brodeur discuss the issue with Mark Flaherty, Donald Podgurski and Haley & Ward.

- The Board noted receipt of a memo from Bob Speroni, Inspector of Buildings, indicating the items that need to be completed before he can issue a certificate of occupancy for the first floor area of Town Hall. It was requested the Town Hall Building Committee get a copy of that memo.

- For the record, Mr. Henry read, with regret, the letter of resignation from Jacqueline Malo, Animal Control Officer effective January 8th.

- At this point, Mr. Henry said they needed an executive session for some issues to tell the other Board members.

- However, Mr. Brodeur noted some personnel evaluation forms received. He indicated that one employee, Fred Sibley, had submitted his form to the Board of Selectmen and not his appointing authority, which were the Park Commissioners, and felt this was in error. He thought this needed to be amended on the evaluation form, along with the anniversary date of hire not being indicated on the form, which he thought was a second error.

- Mr. Brodeur moved to approve the evaluation form of Barbara Spratt dated December 2, 1996 completed by Conservation Commission chairman David Travalini; Mr. Downing seconded; all aye.

- Mr. Henry asked that Mrs. Allen obtain the anniversary date of hire of Muriel Bulman, and to ask Mr. McNulty if his evaluation of Ms. Bulman was a practice run or a bona-fide evaluation. He also asked that the anniversary dates of Fred Sibley and Jonathan Power be obtained for the evaluation forms.

- Mr. Downing moved to authorize the Chairman to discuss with Union leadership an amendment to the evaluation form to include the anniversary date of hire, and that the Department Head needs to be evaluated by the Appointing Authority; Mr. Brodeur seconded; all aye.

9:50 - Mr. Downing moved the Board adjourn to executive session

for the purpose of discussion of pending litigation and contract negotiations with union and non-union personnel, not to return to open session; Mr. Brodeur seconded; all aye.

Respectfully submitted,

M. J. Fredette, Secretary
mj

Approved 1/30/96

BOARD OF SELECTMEN

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

AGENDA

December 16, 1996

7:00	Open Meeting, Sign warrants.
7:05	Open RFP for Engineeering Services for Alder Street .
7:15	Pole Petition - Shamrock Lane

Present: Lee Henry, Doug Downing, Administrative Assistant Ruth Allen; Jim Brodeur was on vacation.

7:00 p.m.-Mr. Henry called the meeting to order in the Selectmen's Meeting Room 2 of Town Hall.

- Warrants were signed totalling $745,917.09.

- The Board decided to hold off approval of the minutes of December 9th until next week.

- Mr. Henry stated that a letter had been received from the DOR certifying our free cash at $39,862.00.

7:05 - Mr. Downing read the ad that appeared in local papers for the RFP for engineering services on Alder Street and Trotter Drive. Gino Carlucci, Paul Mitchell, and Paul DeSimone were present. Twenty-eight copies of the specs were distributed to various firms by the Selectmen's Office, and one was distributed by Mr. Carlucci. The Secretary was asked to provide a copy of the 29 names to the IDC Chairman. Two RFP's were received; the technical proposals were opened by the Board; the price proposals were given to Mrs. Allen to hold on to. The two proposals were received from:

- Design Consultants of Somerville

- Tibbetts Engineering of Taunton

Both submitted five copies of the RFP and sealed price proposals.

Mr. Downing moved to turn the technical proposals over to the IDC for their review and recommendation; Mr. Henry seconded; all aye.

7:10 - Mr. Downing moved to open the public hearing for a pole petition from New England Telephone and Boston Edison for the placing of a pole on Holliston Street for service to Shamrock Lane; Mr. Henry seconded; all aye.

Charlotte Mulligan representing Nynex was present to answer any questions. Carl Olson of 130 Holliston Street, an abutter, was also in attendance to question if a pole presently there would be removed; Ms. Mulligan said it would not - an additional one would be placed across the street with conduit off the pole overhead from pole to pole then down and underground. He also wanted to be reassured that the area would be returned to the same condition as before work is begun; she indicated it would be.

As there were no other questions and no one in opposition, Mr. Downing moved the public hearing be closed; Mr. Henry seconded; all aye. Mr. Downing moved approval of the pole petition #96-06 for a new pole on Holliston Street for Shamrock Lane; Mr. Henry seconded; all aye.

- Ed Hjerpe, Chairman of the FinCom was present, and Mr. Henry reiterated the free cash figure to him. He stated that the Board of Assessors would be meeting with the Board on Monday, December 23rd, for a classification hearing. Mr. Hjerpe requested that extra care be taken with the recap sheet because of problems noted last year.

- Mr. Henry noted the auditors had come in today, and were requesting a form letter be signed. He asked that a copy be placed in their weekend packet for review prior to signing.

- Mr. Downing said he had spoke to DPS Administrator, Don Podgurski, about the Cottage Street drainage project. He stated it was the consensus between the Contractor and Highway to tie into the manhole on Cottage and Evergreen Streets by putting in a temporary 24" into the 42" and not disturb Cottage Street, and then pick it up again in the Spring. Mr. Downing said, however, the Engineer was opposed to it, but they have run out of time. He also said the gas line may be replaced on Cottage Street.

  Mr. Downing also noted that there would be a series of meetings on the Holliston Street project as Mr. Podgurski was not happy with the work done, had talked to the contractor, and asked him to repave the whole street.

7:30 - Mr. Downing moved the meeting be adjourned; Mr. Henry seconded; all aye.

Respectfully submitted,

M. J. Fredette, Secretary
mj

12/23/96

BOARD OF SELECTMEN

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

AGENDA

December 9, 1996

7:00	Open Meeting, Sign warrants. Approve minutes of 11/25/96
7:05	Gerry Lindsey regarding Highland/Summer Street redesign. Cancelled
7:30	Town Hall Shared Facility Committee
	Committee Reports
	Action Items

ACTION ITEMS FOR SELECTMEN'S MEETING OF DECEMBER 9, 1996

1. Library Trustees request for use of Town Counsel.

2. Nynex petition to make the existing solely owned Boston Edison poles jointly owned with N.E. Telephone.

3. Acknowledge letter from MAPC regarding Municipal elections to the MPO.

4. Need to designate Sexual Harassment Grievance Officers

5. Answer letter from DHCD regarding Community Action Statment Survey.

6. Vote on New School Change Order #3.

7. Vote on New School Change Order #4.

8. Vote on New School Construction payment #9.

9. Sign notification of New Employee, Kimberly A. Desy.

10. Sign B/C - B/S contract.

11. Sign Excess Loss Insurance.

12- Emergency transfer for Law account.

13. medical & dental benefits

actitems.doc

Licenses being signed tonight, December 9th, are being issued to the following:

COMMON VICTUALLER LICENSES:

1. The Little Store
2. Galante's
3. Medway Mart
4. Donut Depot
5. Medway House of Pizza
6. Medway Restaurant
7. Burger King
8 Dunkin Donuts
9. Papa Gino's
10. Scott's Restaurant
11. The Village Inn
12. Speroni's
13. American Legion
14. China Lotus
15. Elm Social Club
16. Golden Jade
17. The V.F.W.
18. Cumberland Farms
19. Liquid Assets
20. Medway Youth Soccer
21. Medway Youth Baseball
22. Sabina Doyle's
23. Corner Pizza
24. Medway Famous Pizza
25. Anne's Market
26. Bagel Express
27. Szechaun Gardens
28. Main Street Cafe
29. Coffee Sensations
30. Victorian Cottage/Village Bean

AUCTIONEER LICENSES:

1. Joseph Ebert
2. Betty Ann Balboni

CLASS II AND III LICENSES:

1. Apollo

CLASS II LICENSES:

1. Elliott Motors
2. McGowan's
3. Norm Greene
4. Richard Havens
5. C & R Auto
6. Auto Exchange
7. Richard Bruce
8. Williams Classic Restorations
9. Scott's Auto Brokerage
10. MetroWest Truck Sales

TAXI LICENSES:

1. Airport Taxi
2. Dave's Taxi

ALCOHOLIC BEVERAGES LICENSES:

1. Golden Jade
2. Liquid Assets
3. The Little Store
4. Elm Social Club
5. China Lotus
6. Keystone Liquors
7. American Legion
8. Papa Gino's
9. The V.F.W.
10. Sabina Doyle's
11. Speroni's
12. Village Inn
13. West Medway Liquors
14. Medway Restaurant
15. Szechaun Gardens
16. Main Street Cafe

SUNDAY ENTERTAINMENT LICENSES:

1. Elm Social Club
2. The V.F.W.
3. American Legion
4. Papa Gino's
5. West Street Hobbies
6. Village Inn
7. China Lotus

AUTOMATIC AMUSEMENT LICENSES:

1. Papa Gino's
2. Elm Social Club
3. The Village Inn
4. American Legion
5. China Lotus
6. Corner Pizza
7. Sabina Doyle's
8. The V.F.W.

ENTERTAINMENT LICENSES:

1. West Street Hobbies

LIVE ENTERTAINMENT LICENSES:

1. Sabina Doyle's
2. Village Inn
3. China Lotus

mg

COPY

L & W Realty Trust
69 Summer Street
Medway, MA 02053

Paul Yorkis, Chairman
Planning Board
Town Hall
155 Village Street
Medway, MA 02053

December 9, 1996

Dear Mr. Yorkis,

Re: Brookfield Subdivision

Due to the extensive development costs associated with the reconstruction of the Highland Street intersection and associated work on Summer Street, we cannot proceed with the subdivision as proposed. Therefore, we are hereby withdrawing our application pending before the Board.

We currently have one building lot on Summer Street which is of comparable value to the undeveloped value of the proposed subdivision. Proceeding with Brookfield subdivision creates an unacceptable risk for insufficient reward to proceed any further.

It is our intention to provide a Form A plan to the Planning Board that would retain the "rear" 6.5 acres of Parcel A-4 with our home and provide for a 2 acre lot with frontage on Summer Street. Thank you for your consideration.

Sincerely,
L & W Realty Trust
Linda A. Lindsey, Trustee
Linda A. Lindsey
Trustee

cc: Board of Selectmen

Present: Lee Henry, Doug Downing, James Brodeur, Administrative Assistant Ruth Allen.

7:00 p.m.-Mr. Henry called the meeting to order in the Selectmen's Meeting Room 2 of Town Hall.

- Mr. Henry stated that Gerry Lindsey had cancelled his meeting with the Board this evening with reference to Highland/Summer Street redesign. Mr. Lindsey had withdrawn his application with the Planning Board, therefore, no meeting was necessary with the Selectmen. For the record, Mr. Brodeur read Mr. Lindsey's letter into the minutes, copy attached.

  Mr. Downing stated that, with Mr. Lindsey's withdrawal, the Planning Board's public hearing set for December 17th would not have to be held. Mrs. Allen was asked to advise the Tree Warden that his attendance at that meeting would not be necessary after all.

- Mr. Downing moved approval of an emergency transfer to the FinCom for the Law account, Special Counsel, in the amount of $742.36; Mr. Brodeur seconded; all aye. Mr. Henry read Mrs. Allen's figures indicating that $14,197.27 has been spent so far this year for Special Counsel.

- Mr. Brodeur asked for an update on a medical issue of a letter received from the Town Accountant to School Business Manager, David Verdolino, on an individual who left the Town's employment. He wanted to know what premiums have been paid; what is the notification procedure when someone leaves; have any claims been paid out; and are any premiums due? This subject will be placed on a future agenda.

- Mr. Henry requested the meeting of December 16th be a shortened meeting, and to not place anything else on the agenda.

- Warrants for $1,255,495.62 were noted and would be signed later on in the evening.

- Mr. Brodeur moved approval of the minutes of November 25th; Mr. Downing seconded; all aye.

- Mr. Downing moved approval of the minutes of December 2nd; Mr. Brodeur seconded; all aye.

- Mr. Henry acknowledged the Inspector of Buildings' monthly report for November. As Mr. Speroni was present, he asked him how many new homes were in the

pipeline, to which Mr. Speroni said in excess of 300. He stated there were over 100 on the west side of Summer Street alone, and Ellis Farms was around 50.

- Mr. Henry noted the resignation of Victor Terranova from the FinCom as of December 5th. Mr. Brodeur moved to accept his resignation with regret; Mr. Downing seconded; all aye.

- It was noted there was a Planning Board meeting the next evening, December 10th, and Mr. Downing was planning on attending. The subject of Lost Hills was expected to be discussed, both the footbridge and drainage issue.

- Mr. Henry reminded the Board of a Zoning Board hearing on December 18th, with one particular applicant of interest. Mr. Speroni felt he could comment on that one applicant, and stated that the application was filled out in error and cannot be heard. He stated that the applicant was not filing a petition to operate a business as the agenda stated. Mr. Brodeur said he would be in attendance at that meeting nonetheless.

- Mr. Henry stated that the Board of Health's secretary's hours were being increased from 20 to 30 hours per week and the funds had already been appropriated at Town Meeting.

- Mr. Henry noted receipt of a memo from Fire Chief Wayne Vinton indicating that Bellingham has been grateful for the use of Medway's ambulance while their ambulance was out of commission. In return, Bellingham has placed Medway on full-time coverage during the day from 7 a.m. through midnight.

  Mr. Brodeur said he had attended an ambulance squad meeting held on December 5th. A letter was given to him that evening, and he gave copies of that letter to the other Board members this evening.

7:30 - Leeanne Dickson, Chairman of the Municipal Facilities Study Committee, came before the Board with Inspector of Buildings, Bob Speroni for a further update on Town Hall office relocation recommendations, and a recommendation on the two buildings next-door.

Ms. Dickson reviewed an area on the second floor that would be available for a copy/printer room once the Assessors moved their office. This would then free up the Inspector of Buildings' old office to be used as a small meeting room/breakroom if totally enclosed.

Mr. Downing brought up the Selectmen's Office area and recommended the mailboxes eventually be moved downstairs if and when we get a receptionist, which would free up more room upstairs. It was also noted that there would still be a door for the Administrative Assistant to access Sanford Hall from her office; as well as the Secretary from her office area into Sanford Hall.

Mr. Speroni noted the file space allocated and a small map holder area as well against the wall in Sanford Hall.

Ms. Dickson then went over the first floor area and her committee's recommendation to put the Inspector of Buildings and his secretary in the space originally designated as a meeting room.

This still allowed for two small meeting room areas on the first floor; redesigning the bathroom into a computer room; and relocating the mapping person to a room adjacent to the Assessors office and across from one of the meeting rooms; the other meeting room, or future office, would be down at the end of the hallway.

Mr. Speroni was also able to create a hallway so offices would not be accessible to the general public when locked, but could still access the two meeting rooms.

Mr. Henry noted this configuration allowed for accessibility for the public and three exits and two entrances.

Mr. Henry, as Chairman, thanked Ms. Dickson and her committee and Mr. Speroni for all the time they put in. Mr. Speroni also thanked the Assessors for allowing Todd Bernard to help out with the schematics of the building.

The Board then discussed the two buildings next door. Ms. Dickson read her Committee's recommendation into the minutes, copy attached. Basically, they recommended the Town pursue an investigation into possibly acquiring the two buildings.

Mr. Downing agreed with their recommendation. He stated it made sense to expand space for municipal government as the town itself is expanding. He stated that they also need to consider the relocation of the Highway, Park and Water Departments; along with the possible sharing of an engineer, pursuing grants further, and ed reform funding packages. Also to be considered is looking at school administration as part of the central location hub area, which would include the Supt.,

Director of Operations, Finance & Technology, Treasurer and Town Accountant. Mr. Downing said we would be remiss if we did not investigate this area. What could also be considered is moving the financial offices from the first floor of Town Hall into a central area next door; that would then free up space to house Highway, Water and Park offices. He felt the second floor next door would be handicapped accessible with the addition of the elevator recently installed at Town Hall, and with a connecting overpass that could connect both buildings.

Mr. Brodeur agreed that it was a big expense to install the elevator in Town Hall, and to utilize it by connecting two buildings was an extra plus. At a recent meeting he attended, it was stated that Towns should try and utilize what buildings are presently existing; keep things close; and don't purchase land to build on.

Mr. Henry said his position has been known for a long time, agreeing it would be foolish to let the opportunity pass, knowing the cost to expand the building would be far greater. He felt the Board should decide whether to accept the recommendation of the MSFC, and then to decide what action should be taken if the recommendation is accepted.

Mr. Downing moved to endorse the recommendation of the MSFC and to take the issue under advisement; possibly a committee should be formed for the discussion and acquisition of the property, and ask Ms. Dickson if she would be willing to serve on a "Municipal Facilities Acquisition Committee". He thought the Board could come up with a plan, and then decide if they want to enter into negotiations.

Mr. Henry agreed noting that the asking price a year ago was about $650,000 for both buildings.

At this time, Mr. Brodeur seconded Mr. Downing's motion to endorse the MSFC's recommendation to pursue and investigate the acquisition of the Medway Co-Op Bank property and the adjacent annex; all aye.

Mr. Henry now wanted to know how they should pursue the possible acquisition of the buildings. Mr. Brodeur suggested striving to have something on the warrant for no later than the Annual Town Meeting. Mr. Henry thought maybe they could do something even earlier than that. Mr. Downing hoped the word would get out, and that the Board would be receiving some direction and input from residents to assist them in getting a focus

on the buildings. Mr. Henry suggested more discussion on the 23rd in formulating a strategy for the negotiation process.

Mr. Downing made a motion that Mrs. Allen write a letter to Bob Stratton, President of Medway Co-Op, advising him of tonight's action and to let him know the Board would be discussing this further on the 23rd; Mr. Brodeur seconded; all aye. The Chairman was requested to sign the letter. Ms. Dickson commented that Mr. Stratton had been very accommodating to her committee, and appreciated his cooperation.

Mr. Henry asked Ms. Dickson if her committee had considered any sites for moving Highway, Water and Park. Ms. Dickson said they had a long discussion with Mark Flaherty, but her committee would be meeting again in January and try and come up with some locations to suggest and discuss further.

Mr. Downing asked Ms. Dickson if regionalization with other communities had come up in their discussions. Ms. Dickson said it had not, but they would consider it.

Mr. Henry asked that her committee aim for a recommendation in February/March.

Mr. Henry said they also needed to take some action on the plan submitted for Town Hall. Mr. Brodeur moved to accept the plan for Town Hall space utilization as presented by the Municipal Shared Facilities Committee this evening; Mr. Downing seconded; all aye. The plan was signed by the Chairman. Mr. Brodeur requested that a copy of the plan be copied and attached to the minutes.

- Mr. Henry said the Department Heads meeting held recently was a great idea, and congratulated Ruth Allen and David Verdolino for following through on it. Mrs. Allen stated that they hope to continue the meetings on a monthly basis.

- Mr. Henry asked if Sen. Magnani and Rep. Gardner had been sent letters asking for support of the bill on electric utility restructuring. Mrs. Allen assured the Board she had done what was requested.

- <u>Action Items.</u>

- A letter was received from the Medway Library's Director, Philip McNulty, with various concerns. He noted that the Special Act validating the library

funding vote has been passed by the legislature and signed by the Governor.

Mr. McNulty also requested permission to have Town Counsel review bidding documents for the leasing of temporary space for library use. Mr. Brodeur moved to allow the Library Trustees to utilize the services of Town Counsel in this regard; Mr. Downing seconded; all aye.

The Board noted the draft schedule of insurance and the questions posed. Mrs. Allen said a rider would probably be added for the leasing, as in Kenney Drive, but felt Town Counsel would know this, as well as local hiring requirements.

- Pole petition #96-04B from Nynex, not requiring a public hearing, was noted requesting poles solely owned by Boston Edison on Birch Bark Road, be made a joint ownership with Nynex. Mr. Brodeur moved approval of Nynex's petition #96-04B; Mr. Downing seconded; all aye.

- The Board noted receipt of a letter from MAPC asking if the Chairman had any interest in running for a seat on the Metropolitan Planning Organization board. Mr. Henry declined at this time, but would speak further to MAPC rep, Maryellen Lavenberg, about it.

- According to State Law, as of November 6, 1996, one female and one male sexual harassment grievance officer for the filing of complaints need to be designated by the Town. Mr. Brodeur suggested opening it up to the public, with Mr. Henry adding it be advertised in the papers and on cable, and put it on the agenda again in two weeks.

- The Board noted receipt of the Department of Housing & Community Development's survey on the Community Action Statement. Mrs. Allen said that the CAS is now a requirement of any grant. Mr. Downing asked that Mrs. Allen respond on the Board's behalf, with Mr. Brodeur asking that she forward it on to the Board before submittal.

- The Board reviewed the new school's change order #3. Mr. Brodeur moved to accept the recommendation of the Building Committee's request dated November 20th for change order #3 in the amount of $33,368.12; Mr. Downing seconded; all aye.

- The Board reviewed the new school's change order #4. Mr. Brodeur moved to accept the recommendation of the

Building Committee's request dated November 27th for change order #4 in the amount of $5,591.00; Mr. Downing seconded; all aye.

- The Board reviewed the new school's construction requisition #9. Mr. Brodeur moved to accept the recommendation of the Building Committee's request dated December 4th in the amount of $677,521.22; Mr. Downing seconded; all aye. It is noted this amount includes the two change orders #3 and #4.

- A notification of new employee was received from Sgt. Saleski of Police/Fire Communications for Kimberly Desy, Probationary Dispatcher. Mr. Downing moved approval of the notification form for Kimberly Desy at a grade 6, step 1; Mr. Brodeur seconded; all aye.

- The Board reviewed the Blue Cross/Blue Shield contract. Mrs. Allen said that Town Counsel had reviewed it and approved it for signing by the Chairman. Mr. Downing moved to authorize the Chairman to sign the contract dated November 8th as reviewed and recommended by Town Counsel; Mr. Brodeur seconded; all aye.

- Insurance for excess loss was reviewed. Mrs. Allen stated that since we are self-funded, we have to carry this coverage for losses over $60,000 for individuals. Town Counsel reviewed and recommended signing the contract. Mr. Downing moved to authorize the Chairman to sign the contract; Mr. Brodeur seconded; all aye.

- It was noted that there will be bid openings for the RFP for Engineering services for the Alder Street project on December 16th. The Secretary informed the Board about 25 RFP's have been requested and sent out. Mr. Brodeur commented that possibly advertising in the Central Register and Dodge Reports helped to interest different companies in the project.

  Mr. Henry stated that, in speaking with the IDC Chairman Paul DeSimone, the Committee's request is to just open up the technical proposals so that they can be evaluated; then the cost proposals would be opened and reviewed. He requested that the Board just turn over the technical proposals to the Committee, and hold on to the cost proposals until a recommendation of a short-listing could be made. The Board agreed to do this.

- The Board read over the list of different licenses that need to be signed for 1997, copy attached. Mr. Downing noted that the Board will be signing the licenses during the meeting, but will be off-camera since the process

takes about a half-hour. Mr. Downing moved that the Board ~~renew~~ the licenses as listed for the period of January 1, 1997 through December 31, 1997; Mr. Brodeur seconded; all aye.

- Mr. Henry noted that funds had been appropriated at Town Meeting for the remaining carpeting and ventilation. He asked Mrs. Allen to get the language and specifics from Gino Carlucci to formulate the bidding document requirements. Mrs. Allen commented the carpeting and ventilation people had come into the building to work, but there should be a procedure for someone to know they are in the building prior to beginning work.

- Mr. Brodeur said he had an unofficial ruling from a town he preferred not to name on roadway flooding where people have built. He gave the document to Mrs. Allen so copies could be made for the Board. Mr. Henry suggested that Town Counsel also get a copy for his review and to ask him to write up his comments to the Board, with a copy to the DPS Administrator.

- Mr. Brodeur also had received a letter from the Assistant Highway Supt., and gave a copy to the Board. Mr. Henry suggested getting together with both the DPS Administrator and the Assistant Highway Supt. Mr. Brodeur commented that he should be having some time soon to attend meetings in the afternoons.

- Mr. Henry stated that he had received compliments from residents on Medway's quick response to the snow on Friday, and how bad the roads were until they got to Medway where it was much better. Mr. Brodeur added that, in listening to the scanner, he heard how well Highway was working together. He asked that a memo be sent to them thanking them for the coordinated effort among themselves; Mr. Downing agreed.

- Mr. Brodeur noted receipt of documentation on the rail-trails, but Mr. Downing proceeded to lend the entire book to him for his reading pleasure and comments.

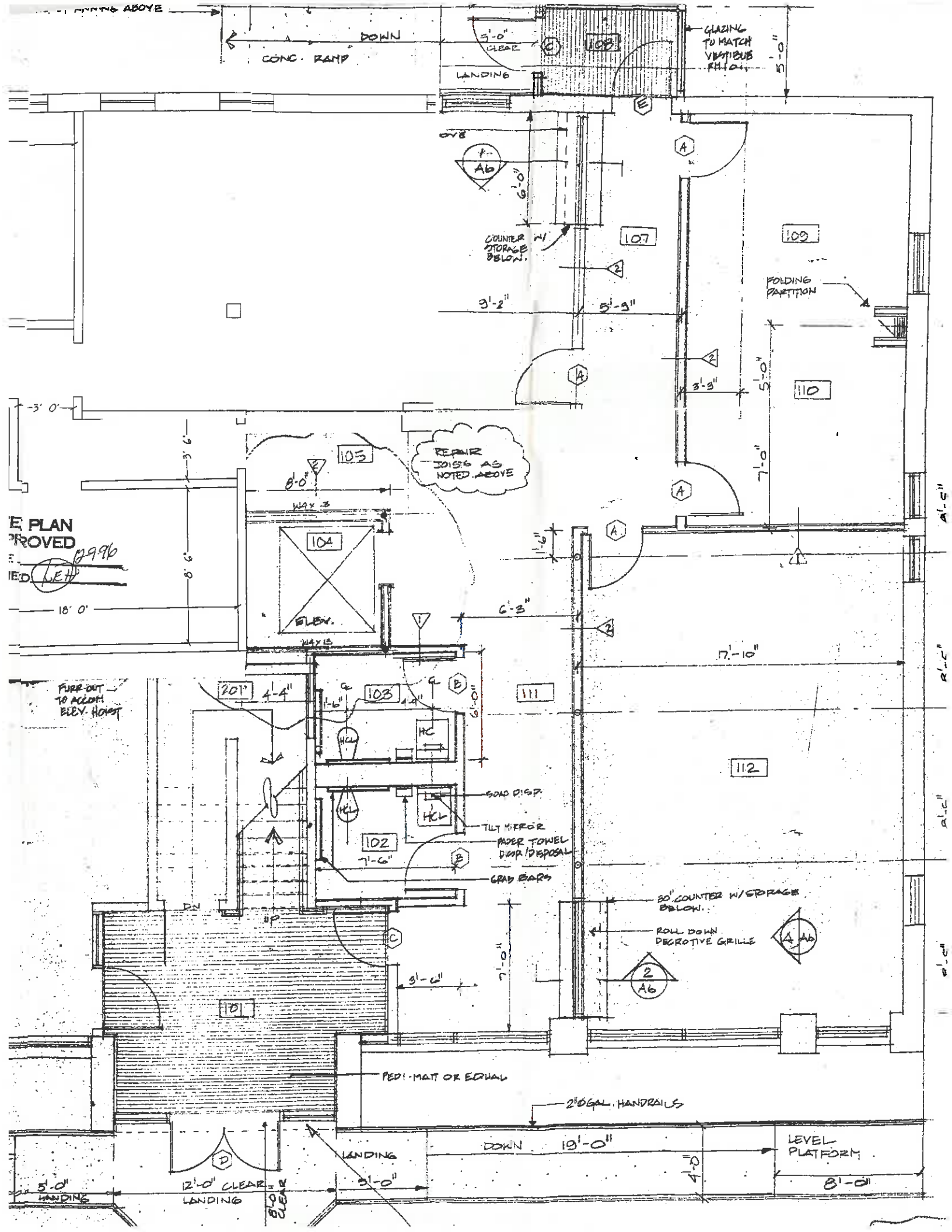
9:05 - The cameras were turned off at this point in the meeting. Licenses were signed by the Board, as were the warrants. During this time, Mr. Downing commented that the yearly license renewal fees should be reviewed for consideration of possible increase for next year.

10:00- The meeting was adjourned.

Respectfully submitted,
Mary Jean Fredette, Secretary

mj

Approved as amended 1/27/96


DOWN
CONC. RAMP
5'-0" CLEAR
LANDING
108
GLAZING TO MATCH VESTIBUB
OVS
COUNTER W/ STORAGE BELOW.
107
109
FOLDING PARTITION
3'-2"
5'-3"
3'-3"
110
5'-0"
7'-0"
REPAIR JOISS AS NOTED ABOVE
105
8'-0"
104
ELEV.
6'-3"
17'-10"
111
112
201
4'-4"
103
HC
SOAP DISP.
TILT MIRROR
PAPER TOWEL DISP/DISPOSAL
102
7'-6"
GRAB BARS
FURR-OUT TO ACCOM. ELEV. HOIST
30" COUNTER W/ STORAGE BELOW.
ROLL DOWN DECROTIVE GRILLE
3'-0"
101
PEDI-MAT OR EQUAL
2" DIA. HANDRAILS
DOWN 19'-0"
LEVEL PLATFORM
8'-0"
5'-0" LANDING
12'-0" CLEAR LANDING
5'-0"
LANDING
18' 0'
3' 6"
8' 6"
E PLAN
PROVED
9996

SITE PLAN
APPROVED
DATE 12-9-96
SIGNED [illegible]

MEETING / BREAK RM.

3' 0"

WATER & SEWER
212

7' 8"

PRT.

COPIER

6' 0"

36' 2
FIRST FLOOR A4

-19-

211

MAP HOLDER

5' 0"

31' 0"

6' 0"

FILE STORAGE

BOOK CASE

207

ELEV.

F
A8

SEE SHEET FOR ELEV. DETAILS & SECTIONS

MIN 44"

7'3"

BLOCK UP OLD STAIR BELOW

MODIFY LADIES RM TO ACCOMODATE ELEV.
- 19' -

SELECTMAN'S
SECRETARY'S OFFICE

2" HANDRAIL

201

204

206

ADMINISTRATIVE
ASSISTANT OFFICE

13'-0"

15'-0"

DOOR | COUNTER W/ EXISTING FILE CAB

205

TOWN CLERK
210

17'-6"

17'-0"

LAW BOOKS

SELECTMAN'S
CONFERENCE ROOM

7'-6"

E

RELOCATE EXISTING DOOR.

12"

CORRIDOR
203

19'-

SECOND FLOOR PLAN

SITE PLAN
APPROVED
DATE [illegible]
SIGNED [illegible]

December 9, 1996

Board of Selectman
Medway Ma. 02053

RE: Municipal Shared Facilities Committee
Recommendations for current and future spacial needs

Gentlemen,

On December 3, 1996, the MSFC held a public meeting at 8:00 at Sanford Hall. After reviewing the present and potential future needs for space, the MSFC voted unanimously in favor of the following recommendation; to pursue an investigation into possibly acquiring the Medway Co-Operative Bank property and adjacent annex located next to the Medway Town Hall.

The MSFC 's rational for this recommendation was primarily based on the need for more space in which the current town hall can not offer where as we feel it is being used to it's maximum capacity, with out any option of expansion. As the town of Medway continues it's current pattern of growth it is the reasonable prediction that town government may expand accordingly in which case the current space available will be insufficient. Acquiring the property directly adjacent to our town hall gives us a distinct advantage of allowing a unified centrally located complex of all town offices.

The above recommendation is made with the understanding that such an acquisition would be made in a fiscally responsible manner. The MFSC is only charged with addressing the spacial needs of the town and not the financial consideration,

It is our hope that as the board of selectmen look toward the future of Medway you consider preparing for the inevitable spacial concerns of our municipal government.

Thank you,

Leeanne Dickson, Chairman

MINUTES OF THE SELECTMEN'S MEETING DECEMBER 2, 1996 PAGE 1.

Present: Doug Downing, Lee Henry, Administrative Assistant Ruth Allen.

5:30 p.m.-Mr. Henry called the meeting to order in Room 111 of the High School.

- The Board discussed the warrant articles for the STM, with special emphasis on the information gathered for the first three articles on the negotiated contract with the employees. Also discussed were the CIPC's comments.

- Warrants were signed totalling $597,502.55.

- The Board briefly discussed Alder Street and the new signs restricting traffic.

6:30 - Mr. Brodeur arrived late not realizing the meeting was starting earlier.

6:48 - Mr. Downing moved to adjourn the meeting to the Special Town Meeting in the auditorium; Mr. Brodeur seconded; all aye.

Respectfully submitted,

M. J. Fredette, Secretary
mj

Approved 12/9/96

Board of Selectmen

AGENDA

NOVEMBER 25, 1996

7:00 p.m.-Open meeting, sign warrants, approve minutes of 11/18/96.

7:01 -Richard Gildea, Chairman Council on Aging
re: update on Senior Center.

7:05 -Leeanne Dickson, Chairman Municipal Facilities Study Committee
re: recommendations on utilizing Town Hall.

7:30 -Walter Swift, Swift's Country Village Cancelled
re: site plan.

7:45 -Gerry Lindsey
re: Highland Street/Summer Street intersection Cancelled

- -Committee Reports.

- -Action Items.

Present: Lee Henry, Doug Downing, James Brodeur; Administrative Assistant Ruth Allen was not present due to illness.

7:00 p.m.-Mr. Henry called the meeting to order in the Selectmen's Meeting Room 2 of Town Hall.

- Warrants were signed totalling $769,176.34.

- Mr. Downing moved to accept the minutes of November 18th with minor corrections and complimented the Secretary on a job well done; Mr. Brodeur seconded; all aye.

On a follow-up, Mr. Henry said that signs have been placed on Alder Street restricting traffic during morning and afternoon hours. There was some lack of coordination, however, as the Police Department had not known that the signs and restrictions were in place, and the employees who work in the industrial park were also not aware of this as well. Since Mr. Downing had volunteered to do so, Mr. Henry asked him if he would contact those three businesses and inform them of the new regulations. Also noted was receipt of a letter from Karen Alves enclosing a list of names and addresses of the neighborhood residents, a copy of which was sent on to the Police Department.

7:07 - Dick Gildea, Chairman of the Council on Aging, stopped by to discuss the appointment of seven individuals to the sub-committee for the new senior center. Mr. Henry said they need to be appointed and sworn in and to keep the Board informed of their progress. Mr. Gildea asked about the process that needs to be followed, and he was told the grant writer should be able to assist them.

7:15 - Leeanne Dickson, Chairman of the Municipal Facilities Study Committee, came before the Board to present a plan that her committee had worked on for the utilizing of space within Town Hall. Bob Speroni, Inspector of Buildings, was also present.

Ms. Dickson stated that a survey had been sent around trying to get the employees' input. She then presented the proposed layouts for the first and second floor along with a descriptive written report (copy attached).

Basically, the committee's recommendation would be to house the Water/Sewer Dept., the Board of Health, the Town Accountant and the Selectmen's Office on the second floor, while opening up Sanford Hall and enclosing an area for files and a break room for the employees.

The first floor would house the Town Clerk, the

Assessors Office, the Building Inspector, the mapping area, computer room, the Treasurer's Office, and a spare room for an additional meeting area or office.

Additional work to be done would include lowering the ceiling on the second floor and reconfiguring the Selectmen's Office with partitions.

After some discussion, it was recommended that the Town Accountant should have more space and felt the Assessors Office would be best for her and her staff. Some input was given that a break room was not really necessary and it was suggested the Building Inspector's office would be best to house the copier and printer and to separate those pieces of equipment from the file room, both rooms accessible by keys.

Mr. Downing asked that all doors be placed in position opening out in the same direction for easy exit. He also requested that a hallway be worked out on the first floor to the side door. Mr. Speroni said he would try and work out a few different scenarios and pass them on to Ms. Dickson.

Mr. Henry asked about the status of the bank next door which is phase two. Ms. Dickson said they have not come to a full consensus yet, but would get back to the board in two weeks on both issues. Mr. Henry noted the situation of locations for highway/water/park is phase three.

Some concern was noted about the work being done and whether it comes under capital improvement or just repair and maintenance of Town Hall.

8:30 - Mr. Henry noted that there had been two cancellations on tonight's agenda: Walter Swift for a site plan for Swift's Country Village and Gerry Lindsey concerning the Highland/Summer Street intersection.

- <u>Committee Reports.</u>

- Mr. Downing reported on several Planning Board issues:

- Mr. Downing said he had a copy of the revised plan of the Highland/Summer Street intersection from the recent Planning Board meeting and would share it with the Board later. The Secretary told the Board Mr. Lindsey had been rescheduled to meet with them on December 9th. On this same issue, there would be a public hearing on the removal of trees on Highland Street per Ch. 40, Sec. 15C of MGL with the Planning Board, and Tree Warden Ron

Dolloff would be asked to attend. The Secretary told the Board she was not sure of the date of the public hearing but felt the Planning Board secretary was working on it. Mr. Brodeur also moved to authorize the Chairman to request the Tree Warden attend the hearing and provide information; Mr. Downing seconded; all aye.

- Mr. Downing noted the public hearing with the Planning Board on December 10th at 7:30 p.m. with reference to accessory dwellings, and at 8:30 p.m. for reconsideration of the Cutler Wilson subdivision plan.

- Mr. Downing spoke about the public hearing on site plan requirements held on November 19th. He stated there was no one from the general public in attendance.

- Mr. Downing brought up the sidewalks in the Gray Squirrel Estates subdivision, and that some concern was noted. He wants to further discuss this with Safety Officer Watson as they are possibly seeking a waiver from the regulations set down by the Planning Board. Mr. Brodeur noted that the Planning Board used to request sidewalks to subdivisions entering a main road for school buses to access and children to wait at. It was felt that the Board's consensus was to require the sidewalks. Mr. Downing asked that a memo be sent to the Planning Board requesting sidewalks on Route 109 accessing Gray Squirrel Estates be required as previously depicted against the property line, with a copy to the Safety Officer; Mr. Brodeur seconded; all aye.

- The Board acknowledged receipt of a letter from the Planning Board concerning a street acceptance article they had submitted for the Special Town Meeting warrant. Mr. Downing said he believed street acceptances were usually done at the Annual Town Meeting, unless there were special circumstances. Mr. Downing expressed regret that the Planning Board was not formally notified in writing of the dismissal of the article from the STM warrant, but noted that the issue had been discussed a number of times.

Mr. Henry reiterated that the Selectmen are responsible for what goes on the warrant. He stated that the STM had been initially called because of the employees contract being signed between the union and the Selectmen. He also agreed that the procedure for street acceptances should be left at the ATM. Mr. Downing felt that possibly a procedure should be instituted to get back to the different Boards on articles submitted for STM's and ATM's.

- Mr. Downing said he had attended the School Building Committee meeting and tour of the new school. He felt it was going to be a school the community will be proud of, and were still looking at September 1997 as a real date.

- Mr. Downing brought up the issue of cable in the new school, and he stated that Steve Amrock and Frank Pelletier would be coordinating the project and inform the Board of their progress. He noted that Mike Kirwin was done with his part of the work. Mr. Downing also said that the new school would not be air conditioned, but ductwork would be in place in the event the public facilities room is considered for public meetings.

- Mr. Brodeur asked about the joint meeting with the residents of Farm Street. He was informed the meeting was called off as GCG's engineer had not made contact with the residents. Mr. Brodeur did not feel the urgency was on Medway's part, but on Millis' part. He did wonder if we sold off more of the easement to Millis than we originally thought.

- Mr. Henry stated he had attended a School Committee executive session, and noted there will be a special executive session on December 10th with Finance Committee Chairman Ed Hjerpe and himself concerning the ed reform act.

- Mr. Henry noted attending the Mass. Building Commissioners' meeting with Bob Speroni. Fred Sanford of the Planning Board was also in attendance. Mr. Henry felt that Don Schmidt's presentation was an excellent one.

- Mr. Henry noted they needed to do an evaluation form for Ruth Allen and Bob Speroni, and recommended the Board members each fill one out, and ask Mrs. Allen and Mr. Speroni to fill one out themselves as well. Mr. Brodeur did not feel he could adequately review them as he had been on the Board for a short time. The Board decided that once everyone has filled out the forms, they will meet with them.

- The Board discussed the MMA trade show, and since Mr. Downing and Mr. Brodeur had received hotel confirmations, the Secretary was asked to check with Mrs. Allen and find out why Mr. Henry had not received one.

- The Board reviewed the Special Town Meeting warrant articles again, and updated information received. The

Board noted the Town Accountant would not be at the STM because of surgery.

- The Secretary noted Bay State Gas' request for the extension of a street opening permit for the new Medway Co-op Bank on the corner of Holliston and Main Streets. Mr. Henry said they could extend it through the close of business on Friday, November 29th. Mr. Downing moved the extension for discussion; Mr. Brodeur seconded.

  Mr. Brodeur spoke about the new technology for trenches with flowable fill, and felt this may be a good application to use it here as it prevents settlement, and is good forever. Mr. Downing moved that the street opening permit be extended for the Medway Co-op Bank on the condition that they use flowable fill for backfill; Mr. Brodeur seconded; all aye. Mr. Downing also asked that Bob Power look at the trench on Holliston after the VFW that was recently done.

- Mr. Henry signed the contract for the Needham tub grinding that Town Counsel had already reviewed.

- The Board signed the authorization form for hiring for Donald Podgurski at a grade 10, step 7.

- The Board discussed the MMA Consultant's recommendations recently submitted, and felt this could be revisited again after the first of the year, with still plenty of time to have something put on the Annual Town Meeting warrant. They also said they did not have to do any revising to the draft as submitted, as it was his report, not the Board's.

- The Board acknowledged receipt of a letter from Carolyn Clark. Mr. Brodeur thought certain boards and commissions had requirements of when an action or decision could be appealed, such as with the ZBA, ConCom and Planning Board. He requested the Secretary check with the Town Clerk to see which boards had specific requirements and the duration of the appeal period, but copies of decisions should be filed with her.

  Mr. Henry asked the Secretary to send a memo to the Town Clerk requesting that information be supplied to the Board and attaching a copy of Mrs. Clark's letter. Then, Mr. Downing suggested a joint response from the Town Clerk and the Board to Mrs. Clark once a reply was received, and sending a copy to Mrs. Clark of the request to the Town Clerk.

- The Board noted a request from Assessors Chairman Harry

Johnson to attend a meeting on computers with Sumaria. The Secretary was asked to check with the Town Accountant or Assistant Assessor to see if this was something the Board should get involved in.

- The Secretary mentioned to the Board, Postmaster John Hawkes' request to move the mailbox from town property to some other location as the ground under is sinking. The Board said they wanted to wait to make a decision on this.

- The Board noted receipt of a copy of a letter sent by Marcy Thomas of Cedar Farms Road to the Planning Board requesting consideration of controlled growth. Mr. Henry suggested sending a memo to the Board of Health and Planning Board to see what action they had taken, and to see if they responded to Ms. Thomas.

- The Board noted copy of a School custodial contract from '91-'93, and wondered if there was one more recent, and asked the Secretary to inquire that from the Town Accountant.

- Also noted was a FinCom meeting scheduled for the next evening on Tuesday.

- With reference to the Cottage Street drainage project, Mr. Henry said work had begun this day.

- Mr. Henry said he would be going to Dedham the next day on the Bernie Lewis case with Town Counsel.

- Mr. Brodeur noted the Town Accountant's letter to David Verdolino and voiced his concern about the handling of medical and dental benefits for someone who no longer was with the Town. He asked that this be placed on the agenda for the December 9th meeting.

- It was noted the Board would meet at 6:30 p.m. in Room 111 at the High School, prior to Town Meeting.

- Mr. Brodeur said he would not be in attendance at the December 16th Selectmen's meeting.

10:10- Mr. Downing moved the meeting be adjourned; Mr. Brodeur seconded; all aye.

Respectfully submitted,

M. J. Fredette, Secretary
mj

Approved 12/9/96

MEMO

To: Medway Board of Selectmen

From: The Municipal Shared Facilities Committee, Leeanne Dickson, Chair

Date: Monday, November 25, 1996

Subject: Recommendation for Town Hall Usage

Having been given the task of recommending which town department should use each space in our newly renovated town hall facility, the MSFC used the following strategy:

- ✓ Survey of all departments currently using the town hall
- ✓ Employed past reports done by the former space utilization committee
- ✓ Studied the *Analysis of Customer Service and Information Needs in the Medway Town Hall* report generated in July of 1996
- ✓ Examined the *Storage Methods and Handling Practices* leaflet generated by the **Northeast Document Conservation Center in Andover, MA**
- ✓ Conferred with Medway's Building Inspector, Mr. Speroni, using current blueprints of the town hall.

Using the above as groundwork and keeping in mind, the aesthetics of the building, the best use of space and of course, the most cost conservative approach, the MSFC is pleased to recommend the following:

SANFORD HALL:

- Remove Partitions
- Remove Mapping Room and Copier
- Expose Back Wall Windows
- Lower Ceiling

Aesthetically, this would provide for more natural light, be rectangular in shape without interruption. Would allow for approximately 900 square feet of usable space. Would be more heat conservative and would allow for more clear visible access to emergency door.

STORAGE ROOM/COPIER ROOM

- Placement between current Selectmen room and Sanford Hall
- Build by erecting full walls to enclose storage and copier space only. The intended use of this area would only be for file cabinets, copier and copier supplies.
- Security door, only accessed with key (permission) insuring the only use of copier and use of files by authorized personnel.
- Door located directly left of Sanford Hall entrance would prevent any interruption of activities in this area.
- This space would be approximately 171 square feet

MAPPING STORAGE

- Access to Mapping ONLY
- Approximately 48 square feet

SELECTMEN'S OFFICES

Secretarial Space:

Transfer space into current Selectmen's meeting room.

Remove current accordion wall and erect permanent wall structure.

Install Counter/gate

- This room provides a buffer area to Administrative assistant
- Easy access to new copier room through already existing entrance

Approximately 218 square feet.

Administrative Assistant:

- Erect a permanent wall where current portable petition exists.
- Approximately 231 square feet

Selectmen's Conference Room

- Conference area will take the space currently occupied by Selectmen's secretary. (MJ)
- Adjoining door to administrative assistant's office.
- The intended use of this space would be for informal meetings of the Selectmen and small Town committee meetings
- Approximately 124 square feet

WATER/SEWER DEPARTMENT

- Transfer to area currently housing Town Clerk's office
- Recommend installing radio wire from selectmen's office to water/sewer department
- Approximately 333 square feet

BOARD OF HEALTH

- Will move to area currently housed by Water/Sewer Department
- Approximately 314 square feet

TOWN ACCOUNTANT

- Move to area currently used by Building Inspector.
- This department needs the least amount of contact with the general public.
- Should be out of close proximity to Town Treasurer.
- Approximately 156 square feet

MEETING ROOM / BREAK ROOM

- Move to area currently housed by the Assessors Department.
- Keeping this space as an informal meeting area and break room for Town Hall Employees, allows for future flexibility in the possible construction of an access way without uprooting any department.
- Approximately 312 square feet.

TREASURERS DEPARTMENT / TREASURER'S OFFICE / VAULT & STORAGE

- Would remain in current area.
- Treasurer's office would occupy space currently used by Town Accountant.
- Approximately 850 square feet not including vault & storage area

BUILDING INSPECTOR

- Move to area currently housing Computers and storage on the first floor.
- Easy access from public and construction workers via side entrance.
- Approximately 163 square feet

COMPUTER ROOM

- Would take space that is currently an unused bathroom
- Approximately 58 square feet

ASSESSORS DEPARTMENT

- Most of this area has already been established, however we propose to add 108 additional square feet
- Approximately 562 square feet

MAPPING & BUILDING INSPECTOR'S SECRETARY

- Approximately 225 square feet

MULTI-PURPOSE ROOM / BUSINESS AGENT

- Approximately 282 square feet

TOWN CLERK

- Space is already allocated

BOARD OF SELECTMEN

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

DATE: January 16, 1997

TO: * see listing below

FROM: M. J. Fredette, Secretary
to the Board of Selectmen

RE: MANAGEMENT MEETING - ~~OCTOBER 23, 1996~~ November 16, 1996

Attached please find my notes from the management meeting held on ~~October 23~~, November 16, 1996. I apologize for the delay in getting them to you, but I hope you still find them useful.

mj

Attachment...

* Lee Henry
Doug Downing
James Brodeur
Richard Maciolek
Arti Mehta
Robert Speroni
Ron Wilson
Mark Flaherty
Sandra Bennett
Marjorie Sanford
Maryjane White
Wayne Vinton
David Lambirth
Robert Saleski
Richard Gildea
Edward Hjerpe
Harry Johnson
Paul Keefe
Gary Binder
Philip McNulty
Ellen Gove
Maureen Giles
Fred Sibley
Robert Power
Ruth Allen

NOTES FROM THE MANAGEMENT MEETING ~~OCTOBER 23,~~ November 16, 1996 PAGE 1.

A management meeting for department heads and chairmen of certain boards and committees was held on Saturday, ~~October 23rd~~ November 16th in Sanford Hall of Town Hall. The purpose of the meeting was two-fold: to discuss the Medway Municipal Employee Association contract, and the report of the Town Administrator Review Committee. The following were in attendance:

Lee Henry, Doug Downing, James Brodeur, Richard Maciolek, Arti Mehta, Robert Speroni, Ron Wilson, Mark Flaherty, Sandra Bennett, Marjorie Sanford, Maryjane White, Wayne Vinton, David Lambirth, Robert Saleski, Richard Gildea, Edward Hjerpe, Harry Johnson, Paul Keefe, Gary Binder, Philip McNulty, Ellen Gove, Maureen Giles, Fred Sibley, Robert Power, Ruth Allen, M. J. Fredette.

8:30 a.m. - discussion of the employees' contract.

James B: any questions of those here?

Gary B: who is the Personnel Director?

Lee H: the Board of Selectmen are.

Richard M: it's in the Personnel By-law.

Doug D: the Board has extra responsibilities now and needs to keep abreast of what's going on; three people can't do it all; we will probably be looking for restructuring at the ATM; the Board needs support of you, the management team; where are we moving to in the future?

Gary B: explain the process of evaluation and how it is kept confidential; what is the schedule to be followed?

Lee H: the anniversary date is when the evaluation has to be done by; the department head does the evaluation and then on to the Selectmen for approval.

Gary B: once it comes to the Selectmen, then what?

Doug D: the Selectmen would review it, and then if approved, it is put in the employee's personnel file.

Gary B: what's the score for approval?

Lee H: to qualify - 42 points.

Doug D: an evaluation would be done on each employee; it is not an across-the-board raise; the Selectmen would be looking at the form to reward those who go above and beyond; we are looking for people to exceed expectations; we would like to see the job description attached to the evaluation form.

Gary B: is there additional assessment beyond the form?

Doug D: it is an extension of the supervisor's comments.

Lee H: the Selectmen are looking for anniversary dates to confirm what is on the records from each department head; merit increases have to come out of the department's salary budget.

Ron W: what if the immediate elected board and the Selectmen disagree on an evaluation?

Doug D: we're talking about a salary adjustment and merit increases; the salary adjustment is automatic, the merit increase is extra.

Ron W: a step adjustment should be given because of an increase in responsibilities; if both boards disagree, is it re-addressed or do the Selectmen veto the step increase?

Lee H: if the Selectmen disapprove, they might ask for additional information to review.

Harry J: how can the Selectmen evaluate an employee; do they have more insight than the one who supervises an employee?

Doug D: the Selectmen are the Personnel Director, or their appointee; there has to be a central personnel department.

Harry J: only if impartial; the Board that is now sitting here may not be the Board sitting here in a couple of years.

Lee H: agree with what Buzz is saying.

Doug D: could change the structure if there's a Town Administrator; we had to do something and move forward; someone has to be the Personnel Director, and that's us.

Fred S: the evaluation form is a critical part of the scoring; the criteria needs to be explained further.

Robert Saleski: no merit increases were included at STM, even if you get 42 points, there is no money; how do you handle it?

Doug D: we hear what you're saying, but now we have the tools; timing did not allow for it; those that missed the merit increases will be in the upcoming cycle; can be built into the FY'98 budget; some boards may have sources of funding.

Robert Speroni: the evaluation form is to be done 30 days prior to the anniversary date?

Doug D: yes.

Robert Speroni: if the anniversary date was prior to the signing, or even after the signing, how can you be eligible if there is no money; there can be no merit increases if it's not budgeted.

Richard M: wasn't this negotiated with the union?

Lee H: and ratified.

Robert Speroni: you're saying because the language is not here, it can't be done?

Lee H: yes.

Robert Speroni: as of July 1st, all aspects of the contract are in effect; if you go back to July 1st, then the managers should be able to process merits as well.

Lee H: the evaluation form has to be done 30 days prior to the anniversary date.

Robert Speroni: if the salary is retroactive to July 1st, what should you do if your anniversary date is July 2nd?

Richard M: it would mean another STM.

Gary B: you could do all the evaluations right now, and put them on file, and then do another next time ahead of the anniversary date.

Lee H: could do.

Doug D: this is a tool for the managers, a standard of measure.

Robert Speroni: if your anniversary was in February, and you got 42-44 points; the Selectmen concur, you go from step 1 to step 2, but there is no money; on the next evaluation you would go from step 1 to step 2 or step 2 to step 3?

James B: as a result of the evaluation, it is an automatic change in step.

Harry J: and you would put 4% into the budget?

James B: the previous evaluation for a department was sent to the JCRB, and then if approved, the employee jumped up a step, and then it went to Ruth or the Selectmen; the JCRB is now out of the loop; the step increases are not automatic and not meant to be; the step increase is like a promotion.

Robert Speroni: if the supervisor has an employee, and the anniversary date is prior to the contract being signed, you can't go back; but if the anniversary date is after the signing of the

contract but prior to June 30, 1997, you do the evaluation and budget for FY'98 if approved; and another increase would also be possible for that year, and you would get it after July of 1997?

Selectmen: yes.

Doug D: we are always evaluating the process in place, but this is where this contract is; we negotiated in good faith with the bargaining unit, and the Selectmen's only promise was retroactive to July 1, 1996; no other conditions were committed to other than to fight for the implementation of 6% on town meeting floor; all other conditions go into effect November 14th.

Edward H: as a FinCom rep, am concerned about salaries; salaries were more than one-half the budget, $10 million; do not feel we are being rational and realistic and showing a true cost of living; 6% was a high salary wage increase.

Lee H: the increase is effective July 1, 1996, but since they couldn't go back to July 1, 1995, we made it 6% which is really 3% for each of two years; most of the people in the union have gotten 0% for over two years; then the 2nd and 3rd years will be 4%.

Doug D: we negotiated with the police association and the police chief; maybe it is too generous, but maybe we are righting a wrong; maybe we could look at a committee to review all contracts; maybe we could look at it more professionally in the future.

Robert Saleski: I take exception to what has been said; I have negotiated 20 out of 25 years for the police association, and the FinCom chose this year to come out and tie in the increases to the cost of living; where were you when the cost of living was 14% - 15%, and most increases were 0% - 3%?

Lee H: I'll read over the increases for the last 6 years; emphasis has been on education, and that is what the town wanted; we did what was fair and equitable; we really did not want to negotiate this contract, but the Selectmen had to do it.

Mark F: is there anything prohibiting the inclusion of merit increases at STM?

Lee H: articles can be amended.

Mark F: we have the form, and we don't know how to fill it out; interpretation to everyone is different, so this should be discussed so all department heads are doing them the same.

Fred S: I think this will be falling all apart with elected boards and appointing authorities.

Lee H: maybe there is a need for some mechanism to be in place;

the appointing authority does the evaluation on a department head.

Ellen G: how would an elected board member know if an employee is tardy; why doesn't everyone punch a time clock?

James B: the Supt. usually works more hours than a normal work week, and usually does more than is assigned.

Robert P: highway employees are the only ones with a time clock.

Harry J: maybe there should be one at Town Hall.

Ron W: lately, businesses are eliminating them.

Doug D: if we get a receptionist, then employees can sign in or check in with that individual.

10:00 a.m. - break.

<u>10:10 a.m. - discussion on the report of the Town Administrator Review Committee.</u>

Harry J: was not pleased with the diagnosis of the situation. (left meeting).

Lee H: most recommendations have been discussed.

Richard M: how can you justify a five-member Board of Selectmen?; feels this is the worst situation.

Doug D: the air was not calm when I came on board, and I had to rely solely on the Administrative Assistant and Secretary; we couldn't meet with one another or violate the open meeting law; with a five-member board, that could be done; the Board is too active in operations, but if it was a five-member board, the members could spread themselves more and concentrate solely on certain areas; the town administrator will take some of the self-imposed burden out of necessity.

Richard M: the town administrator is my point exactly.

Lee H: the political and civic role has increased; more decisions need to be made on policy which creates more debate and the need for more representation.

Richard M: other five-member towns have problems more than ours; more politics; we need more qualified people to run, rather than one-issue agenda people; it is significant trying to get a town administrator at the same time as trying to get a five-member Board of Selectmen; transition of getting both at the same time could sink the ship; there is no valid reason for a five-member board.

Lee H: I told the Town Administrator Review Committee that the charter commission was too much; maybe we should just go for the town administrator, and then see what the town administrator recommends.

Edward H: these are two separate issues; maybe we should just vote on each.

Lee H: this isn't our recommendation; this is MMA's and TARC's.

Richard G: there is not a lot of interest in the whole issue.

Doug D: the Selectmen sponsor articles for the warrant; they will probably review this during budget time and get input from everyone; at ATM, I feel Medway's town government will change.

Richard M: didn't look at the idea of five-member board at all, with emphasis on the broader range of a town administrator.

Richard G: the idea that two Selectmen can't meet needs to be changed.

Doug D: but it'll be alright if the town administrator can go to that Selectman to clarify.

Edward H: be careful with a town administrator; that person can't do everything; not many people were at the forums, but those that were there were supportive.

Lee H: argued against a town administrator before his election; has since changed his mind.

James B: we are encroaching more on personnel now because of the contract; what are the feelings of the town administrator getting involved with other elected boards?

Fred S: I feel it is a team approach; the town administrator and dept. heads meeting each week; am afraid of putting too much power with one person though; also afraid of giving that person too much at one time without checking out the efficiency of each dept.; would rather have suggestions than just change everything without trying it first.

James B: I want agreement among boards on this issue.

Doug D: we need to clearly define the role of town administrator; advertise the position; not structured to the individual; town meeting action is based on what everyone agrees to; voters can still maintain control.

Ron W: Water Dept. could use some legal help with new state laws; takes too long to go to Town Counsel.

Lee H: then it would go through the town administrator to go to Town Counsel, rather than the Selectmen; his budget is built in.

Richard M: one or two dept. heads used to call all the time, and that's why restrictions through the Selectmen were done.

Fred S: has problems with elected boards involved in personnel issues; should by-pass them and go to the town administrator.

Lee H: town administrator would be personnel director.

Doug D: every employee, other than a few, has the opportunity to grieve; if there's a problem, Selectmen should know, other than the elected board.

Richard M: the old Town Administrator Review Committee had certain positions elected and appointed; what about now?

Doug D: it would be under the legislative act to change the means of governing, and then some could go to town meeting vote.

Lee H: the town administrator is the first step; if we get real management, maybe it would attract others to run for elected positions if there was someone there to help them manage; then they could work on budgeting and getting ready for town meetings.

Doug D: there will be public hearings too; there's plenty of time to discuss.

Lee H: no charter commission will be on the ballot in May, but possibly three separate issues to vote on.

James B: make comments on what you read in the synopsis and give to the Selectmen; with reference to one Selectman meeting with another, social interaction is allowed, we just can't talk business.

Doug D: we could sell a town administrator better with only three Selectmen instead of five.

Lee H: several towns have changed from five Selectmen back to three.

11:00 a.m. - adjourned.

Respectfully,

M. J. Fredette, Secretary
to the Board of Selectmen

mj

BOARD OF SELECTMEN

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

DATE: October 23, 1996

TO:
- Richard Maciolek -Yes
- Arti Mehta Yes
- Robert Speroni -YES
- Gardner Rice (Ron will row) yes
- ~~Mark Flaherty~~ -YES
- Marjorie Sanford -YES
- Maryjane White Yes
- ~~Sam Mushnick - LAST MINUTE~~ NO
- Wayne Vinton -YES
- David Lambirth -YES
- Richard Gildea -YES
- Edward Hjerpe -YES
- Robert Collum Not coming.
- William Fisher -NO
- Harry Johnson -YES
- Paul Keefe YES
- Gary Binder or someone - YES
- Philip McNulty -YES
- Ellen Gove -Yes
- Fred Sibley - ~~LAST MINUTE~~ YES
- Robert Power -YES

Maureen too
Bob Abdelli too
Dr Sandy

19 22

FROM: Ruth Allen RA - yes 2 Yes
Administrative Assistant
to the Board of Selectmen
my - yes

RE: MANAGEMENT MEETING

The Board of Selectmen would like to invite you to attend a management meeting to discuss the Medway Municipal Employees' contract, how it will operate, and the report of the Town Administrator Review Committee on Saturday, November 16, 1996 at 8:30 a.m. in Sanford Hall.

Please confirm your attendance with me by November 8th.

mgmtmtg.doc

MJ

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FOR MANAGEMENT MEETING - November 16, 1996 (8:30 a.m.)

BOS - Please review the following names and advise if anyone should not be included, or let me know if I forgot someone. mj

- Administrative Assistant - Dept. Head - Ruth Allen
- Town Counsel - Richard Maciolek
- Town Accountant/Computer Systems Manager - Arti Mehta
- ~~Emergency Management Director - John Cicciu~~
- Inspector of Buildings/Zoning Enforcement Officer - Robert Speroni
- ~~Planning Board Chairman - Paul Yorkis~~
- ~~Veterans Agent - Anthony Mastroianni~~
- ~~Metropolitan Area Planning Council Rep - Maryellen Lavenberg~~
- Water/Sewer Commission Chairman - Gardner Rice
- Water/Sewer Supt. - Dept. Head - Mark Flaherty
- Treasurer/Collector - Marjorie Sanford
- Town Clerk - Maryjane White
- Job Classification Review Board Chairman - Sam Mushnick
- ~~Industrial Development Finance Authority Chairman - Ed Reardon~~
- ~~Historical Commission Chairman - Gwen Hendry~~
- ~~Municipal Facilities Study Committee Chairman - Leeanne Dickson~~
- ~~Cemetery Commission Chairman - Joseph O'Brien~~
- ~~Memorial Committee Chairman - Michael Matondi~~
- ~~Conservation Commission Chairman - David Travalini~~
- Fire Chief - Wayne Vinton
- Police Chief - David Lambirth
- ~~Council on Aging Chairman - Richard Gildea~~
- ~~Tri-County Rep - Robert Heavey~~
- ~~Veterans Grave Officer - Allan Osborne~~
- ~~Zoning Board of Appeals Chairman - Jan Morris~~
- Finance Committee Chairman - Edward Hjerpe
- ~~Capital Improvement Program Committee Chairman - Robert Ciavarra~~
- ~~Industrial Development Commission Chairman - Paul DeSimone~~
- ~~Town Hall Building Committee Chairman - Paul Wilson~~
- ~~Disability Commission Chairman - Susan Bouchard~~
- ~~Cable Advisory Committee Chairman - Carl Citron~~
- ~~Animal Control Officer - Jacqueline Malo~~
- ~~Tree Warden/Moth Agent - Ronald Dolloff~~
- ~~Town Administrator Review Committee Chairpersons - Kathy Rehl/Carla Cataldo~~
- ~~Housing Authority Chairman - Mary O'Leary~~
- Board of Health Chairman - Robert Collum
- Board of Health Agent - William Fisher
- Board of Assessors Chairman - Harry Johnson
- Assistant Assessor - Dept. Head - Paul Keefe
- Library Trustees Chairman - Gary Binder
- Library Director - Dept. Head - Philip McNulty
- Park Commission Chairman - Ellen Gove
- Park Supt. - Dept. Head - Fred Sibley

Assistant Highway Supt. - Dept. Head - Robert Power
~~School Committee Chairman - Stephen Barrasso~~
School Supt. - Dept. Head - Art Bettencourt

BOARD OF SELECTMEN

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

AGENDA

November 18, 1996

7:00	Open Meeting, Sign warrants. Approve minutes of 11/12/96
7:05	Discussion with residents of Alder Street area, regarding their concerns with the construction of the Alder Street/Trotter Drive road.

Committee Reports

Action Items

ACTION ITEMS FOR SELECTMEN'S MEETING OF NOVEMBER 18, 1996

1. Award bid for carpeting for renovated area of Town Hall.

2. Discuss and vote on request from Town of Millis regarding signs on Village Street.

3. Acknowledge letter from Board of Health regarding use of Town Counsel.

4. Discuss and vote on request from Lion's Club for sale of Christmas trees.

5. Sign BFI contract for recycling.

6. Review of Special Town Meeting warrant.

actitems.doc

Present: Lee Henry, Doug Downing, James Brodeur, Administrative Assistant Ruth Allen.

7:00 p.m.-Mr. Henry called the meeting to order in the Selectmen's Meeting Room 2 of Town Hall. The Board decided to hold off approval of the minutes and signing of the warrants until later.

7:05 - Mr. Henry stated that two years ago some of the same residents came before the Board to request the closing of Alder Street. He noted the recent letter from the neighborhood represented by four individuals: Ken Halloran, Karen Alves, Janet Riera and Peter Badger (present this evening) asking for the same, as well as to discuss the industrial park adjacent to Trotter Drive and Alder Street. Mr. Henry said that public safety officials would be here as well, including Fire Chief Wayne Vinton, Police Chief David Lambirth, DPS Administrator Donald Podgurski, and IDC Chairman Paul DeSimone. Mr. Henry noted that the Board had received a letter from the IDC recommending the closing of Alder Street, along with a sketch indicating an emergency route, and a traffic count conducted in the area.

He stated this was not a public hearing, but a regular meeting of the Board of Selectmen, since it was requested and was being cable-vised. Mr. Henry said that those who have information to give will be allowed to speak. He hoped this would not be adversarial, but to inform the Board so they can make a decision. Not everyone would be allowed to speak, but the four residents representing the neighborhood, feeling they could adequately speak for the rest.

Mr. Halloran said about 400 cars go down Trotter Drive and about 100 cars go down Alder Street. Since there is now a grant for the industrial park, they were even more concerned about traffic saying that some areas were so narrow no two cars could pass. He spoke about the speed of traffic, even though the Board had placed some signage, and there being no sidewalks from Trotter Drive to Fox Run Road.

Ms. Alves said that traffic had increased since Kiewit had gone in and they should not have had access to the industrial park through the residential area.

Mr. Badger said he had been working with the Board for over three years, and traffic problems should have been discussed before the industrial park was approved.

Mr. Halloran felt most of the traffic seemed to be cars

from out of town taking a shortcut; but even weekends are a problem.

Mr. Brodeur questioned if the residents who bought homes on Blue Ribbon Lane, Fox Run Road and Alder Street were aware that Alder Street was designed as a 60' access of pavement to an industrial park. Ms. Alves said she was told Alder Street was expected to be blocked off, to which Mr. Henry responded the Board is not responsible for real estate promises. Mr. Halloran was also aware of this, but nothing was ever done to widen the road, and after all, this was the 90's, and eventually there would be 4,000 more cars up there.

Mr. Downing stated that the last time the group met with the Board, he was out in the hallway but not on the Board. He said he would go on record that he feels this meeting is premature for resolution of the problem. Through the IDC, funds are available for a traffic study to analyze future development. Mr. Downing said he had seen and heard nothing to convince him to dead-end Alder Street. Looking at the traffic count, he did not see excessive speed but volume. He said he would like to make a proposal to post Alder Street one way with a westbound restriction from 6 to 10 a.m. and one way with an eastbound restriction from 2 to 6 p.m. Mr. Downing felt this would eliminate 62% of traffic volume on Alder Street. After the study was complete, he would again look at the issue of closing Alder Street.

Mr. DeSimone stated that the Selectmen were the decision-makers, but they met with public safety officials to see if Alder Street could have a cul-de-sac. They also talked about the need for emergency vehicles to have access, and Fire Chief Vinton had come up with a possible access. Mr. DeSimone said it wasn't the IDC's idea to have this emergency access; they wanted a cul-de-sac. He felt that part of the grant monies could go for signals that would be needed, and that the citizens were not fighting them on this project. Mr. DeSimone did note that house #15 on Alder Street would have to agree to vehicle access across his property.

Vinnie Boczanowski said that traffic will find there way through the emergency access if created.

Mr. Halloran asked the Board what it would take to convince them to block off Alder Street?

Mr. Downing felt this proposal of his was a step in the right direction. He wondered if the problem could be at

West and Main Streets, or did they just need to widen Alder Street instead of blocking it off. The distinction was made between a traffic count and a traffic study; the count giving the number of vehicles and the study offering a possible resolution. Mr. Downing suggested restricting and enforcement with the Police Department.

Mr. Henry reiterated they were here to listen and gather information and make an informed decision. He did feel that these residents did deserve the same consideration as those in the industrial park. He also would have liked some clarification on the language of the grant, but felt that the traffic study will take into account all of these issues. Mr. Henry did not feel any decision would be made tonight, especially since Town Counsel had said there was a process to be followed in the closing of any street, including a public hearing after the Board has fully discussed the issue.

Mr. Podgurski stated that in a previous town he worked in, a similar sign process had been set up. He noted a high of over 1,000 cars reduced to 50 cars, and no trucks unless they were owned by residents of the area.

Mr. Downing again said he was not opposed to closing off the street, but just did not have sufficient information to make a decision. Ms. Alves asked him what his opposition was to closing Alder Street off. Mr. Downing said safety; and what happens when traffic flow increases; what happens to West Street and the ~~about~~ amount of traffic there.

Ms. Alves hoped the Board's interest in the Industrial Park's traffic wasn't a bigger concern than the neighborhood.

Mr. Downing suggested meeting again in the Spring after the traffic study is done. He noted that there would not be 4,000 cars for years, and would be willing to make personal visits to those three companies explaining what the Board was recommending.

Mr. Henry elaborated that the present task was phase 1; phase 2 was working with the State; phase 3 was to look at the residential portion of Alder Street.

Chief Vinton stated that he, Sgt. Saleski, Chief Lambirth and Bob Power all felt it was not a good idea to close off Alder Street. He said they would be shutting off those residents from services; they need two means of egress.

Mr. Halloran asked the Chief how fire apparatus gets to that area. The Chief stated that the easiest route is Trotter Drive; other towns for mutual aid use Alder Street.

Mr. Podgurski endorsed Mr. Downing's suggestion to restrict traffic. He said signs would be up three days after he would be requested to do so, and would be willing to trim some brush along the roadside too.

Ms. Riera felt that all cul-de-sacs face the same issues as a cul-de-sac at Alder Street would. Mr. Brodeur stated that existing cul-de-sacs abut undeveloped land, and in the winter, you end up with snow banks. It would be impossible to go beyond those points and access those areas. Mr. Badger said the discussion includes public safety, but these neighbors are here for safety too.

Maria Verrichione of 3 Fox Run Road asked about a gate at the end of Alder Street. Mr. Brodeur stated they want 100% protection in the town and fire safety. A gate holds the snow and could take hours to remove; gates don't work unless they are open all the time.

Mr. Downing said he felt that the Board is meeting them half-way with his suggestion. He said the Board has to stand up in support at Town Meeting, and at this time, could not do that. He stated he wasn't looking to close the subject tonight, but to wait until after the traffic study was done.

Sandra Shaw of 2 Fox Run Road said trucks will ignore the signs; the enforcement isn't there; are there enough officers to enforce the restrictions.

Sgt. Saleski stated that they have looked for a solution and right now 80 cars per hour go down Alder Street. They are trying to find a resolution, but they are looking at the fastest response time to get to residents.

Rep. Barbara Gardner was also present as her office had received letters from the residents, as was Mary Ann Padien from Sen. Magnani's office. She was concerned when the grant came in that it was not dictated by State government but by the Selectmen.

Rep. Gardner had some suggestions: write into the bid specs of the traffic study some of the issues raised tonight; promise the residents that before construction begins in the Spring, that there would be a subsequent meeting with them and the Board; research the possible

use of a gate for an emergency access paved road, and she would get some info for the Board on this; research the by-laws to see if it is possible to prevent access from a residential area into an industrial area, as she felt this would be a major problem down the road. She noted that residents were concerned about the resale value of their property as the industrial park was always there and preceded development. She asked that the Board hold off on a decision or provide some interim solutions.

Mr. Brodeur said he believed the Board can relieve everyday safety issues from within their budget. Mr. Downing said he felt this was a step in resolution and that the Police would be able to monitor the area initially to discourage outsiders. Sgt. Saleski agreed saying they could issue stickers to residents and did not see a major problem with the residents only restriction. He also said that in long-range planning for the future, a portion of Alder Street will be blocked off for emergency access.

The Chief asked how long would construction take, to which Mr. Henry said that plans should be ready by May 1st, then advertising, and then eight months for construction.

Ms. Verrichione hoped the traffic study would show statistics and projections for the future.

Mr. Downing made a motion that there would be restriction on Alder Street to all vehicular traffic except residents from 6 - 10 a.m. in a westerly direction, and from 2 - 6 p.m. in an easterly direction, with a list provided to the Board and the Police of residents, their cars and license numbers, with possibly the use of a sticker system; Mr. Brodeur seconded; all aye. It was noted that signs should be posted at both ends of Alder Street, but Mr. Henry felt that the locations of signs should be left to the safety officials, and when they notify the Board of their placement, they could notify the residents.

9:10 - **Action Items.**

- The Board discussed the town hall carpeting project with Gino Carlucci. Mr. Henry noted that they had received $3,200 from the FinCom for an emergency transfer, with the $1,800 they had left, for a total of $5,105.69 for the carpeting contract for the new area on the first floor. Mr. Henry said they have to go to STM for the balance of $15,000 needed to finish the rest of Town

Hall. Mrs. Allen said she has called the insurance company to get a letter indicating that the carpeting needs to be replaced for safety purposes.

Mr. Brodeur moved that the Board approve and sign the contract to Creative Decorating for $5,105.69 for Town Hall carpeting for the new area on the first floor; Mr. Downing seconded; Mr. Brodeur amended the motion to authorize the Chairman to sign the contract; Mr. Downing seconded; all aye. Mr. Henry then confirmed with Mr. Carlucci that they go out to bid for the rest of the carpeting, and that is it. He also made sure with Mr. Carlucci that the grant sign in front of Town Hall can now come down.

- The Board talked about the RFP for engineering services on Alder Street. Mrs. Allen stated that no one had picked up specs, other than the one Mr. Carlucci gave out. Mr. Carlucci said he advertised twice in the Milford Daily News. Mr. Henry said they needed to advertise in the Central Register and the Dodge Reports and other newspapers for a million dollar project. He suggested they reject this bid and to out to re-bid.

Mr. Brodeur moved that Mr. Carlucci re-advertise the RFP for engineering services for the preparation of design plans, specifications and bid documents for proposed improvements including the extending of Trotter Drive from Alder Street south approx. 600 ft., and the upgrade of 2,580 ft. of Alder Street to a roadway section suitable for abutting industrial land use, with bids to be opened on December 16th at 7:05 p.m.; Mr. Downing seconded; all aye.

- Mr. Downing moved to authorize the Chairman to sign the PWED grant for $973,450.00 for the Alder Street/Totter Drive project subject to Town Counsel's review and recommendation; Mr. Brodeur seconded; all aye.

- Warrants were signed totalling $255,205.91.

- Mr. Downing moved to accept the minutes of November 12th subject to discussion; Mr. Brodeur seconded. Some corrections were made to the minutes by the Board; all aye.

- On a follow-up with reference to the cable advisory letter the Board had been reviewing, Mr. Downing said there would be further discussion on November 20th.

- On a follow-up with reference to Norfolk County Mosquito's letter, he recommended they take no action.

- Mr. Henry noted a thank-you letter from the Town Clerk for assistance offered by the Fire Chief, Officer Watson, and Officer Grimes during election day. Especially noted was that there was a soccer game going on the same day adding to traffic problems. Mrs. Allen was asked to send them a copy of her letter.

- Mr. Henry noted that the Planning Board had advised they would be addressing a concern of theirs on the zoning map on November 21st, and that there would be public hearing on accessory family dwelling units on December 10th.

- The Board acknowledged receipt of a letter dated November 12th from John G. Ryan on an idea of expansion of the proposed senior center.

- The Board asked that Richard Gildea, Chairman of the Council on Aging, meet with the Board next Monday to discuss the proposed senior center.

- The Board acknowledged receipt of a letter from JoAnne O'Leary updating them om the transmission rebuild project.

- Mr. Henry asked the Board if he could write to Rep. Gardner and Sen. Magnani in support of the bill for electric utility restructuring, and then asked Mrs. Allen if she could put something together, and he would sign it.

- The Board acknowledged several resignations:

  - Kathy Rehl from the Town Administrator Review Committee. Mr. Downing moved to accept with regret Mrs. Rehl's resignation; Mr. Brodeur seconded; all aye.

  - Daniel Hoban, Associate Member from the Zoning Board of Appeals. Mr. Downing moved to accept Mr. Hoban's resignation; Mr. Brodeur seconded; all aye.

  - Terrel Yonda from the Cable Advisory Committee. Mr. Downing moved to accept Mrs. Yonda's resignation; Mr. Brodeur seconded; all aye.

- A letter from the Town of Millis requesting permission to put construction signs on Village Street in Medway near the Millis town line was brought up. Mr. Brodeur moved to grant that permission to the Town of Millis as long as they worked it out with the DPS Administrator; Mr. Downing seconded; all aye.

- Mr. Brodeur noted permission granted by the Chairman for the Board of Health to consult with Town Counsel; therefore, he made the official motion to go along with the Chairman's granting permission to speak with Town Counsel about the yard waste processor with the Town of Needham; Mr. Downing seconded; all aye.

- The Board acknowledged receipt of a letter dated November 6th from the Medway Lions Club requesting permission to sell Christmas trees at the Medway Shopping Plaza. Mr. Downing moved that the Lions be granted permission to sell the trees from 2 to 8 p.m. weekdays, and from 9 a.m. to 8 p.m. Saturdays, and from 9 a.m. to 7 p.m. on Sundays; Mr. Brodeur seconded; all aye.

- Mr. Brodeur moved to sign and endorse the BFI contract for recycling which had already been reviewed by the Board and sent on to Town Counsel for his review, recommendation, and signature; Mr. Downing seconded; all aye.

- The Board said they would discuss the Special Town Meeting articles at next week's meeting.

- The Board noted receipt of a letter from Robert Briggs serving as notice of intention to sell a parcel of land. Mrs. Allen will check to see if it is the same parcel as offered previously and look for a plan of the property.

- Tom Roche was requesting permission to stub a sewer line to Mr. Groehl on Village Street. Mr. Brodeur moved to allow Tom Roche to connect a sewer connection to George Groehl on Village Street; Mr. Downing seconded; all aye.

- The Board noted they have to do two personnel evaluations for Bob Speroni and Ruth Allen, and they have 30 days in which to do them.

- The Board acknowledged receipt of a letter dated November 18th from Medway Library's Director Philip McNulty asking for clarification of what an "anniversary date" is. The Board said it was the employee's date of hire.

- Mr. Henry thanked all those who attended the management meeting on November 16th.

10:00- The meeting was adjourned.

Respectfully submitted,
M. J. Fredette, Secretary

Approved as amended 11/25/96

BOARD OF SELECTMEN

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

REVISED AGENDA

November 12, 1996

7:00	Open Meeting, Sign warrants. Approve minutes of 10/28/96 and 11/4/96 meetings.
7:05	Town Administrator Review Committee Report
7:30	Gerry Lindsey - extension of a Street Opening Permit.
7:40	Paul Trufant - extension of Street Opening permits for Summer Street residents to tie-in to sewer.
7:50	Tom Roche - extension of Street Opening permit for Village Street
	Committee Reports
	Action Items

BOARD OF SELECTMEN

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(508) 533-3200 • FAX: (508) 533-3201

AGENDA

November 12, 1996

7:00	Open Meeting, Sign warrants. Approve minutes of 10/28/96 and 11/4/96 meetings.
7:05	Town Administrator Review Committee Report
7:30	Gerry Lindsey - extension of a Street Opening Permit.
	Committee Reports
	Action Items

ACTION ITEMS FOR SELECTMEN'S MEETING OF NOVEMBER 12, 1996

1. Vote on request of Sabina Doyle's for an Entertainment license for Thanksgiving Eve.

2. Decision on John Solari's Site Plan.

3. Vote on signing PWED Grant contract.

4. Vote on new school building payment requisition.

5. Vote on Library Trustees request.

6. Discuss Medway Cable Advisiory letter dated 8/21/96.

7. Discuss letter from Attorney Ciechanowski regarding 27 Jayar Road.

8. Vote on Emergency Transfer Request for Special Counsel.

actitems.doc

Present: Lee Henry, Doug Downing, Jim Brodeur, Administrative Assistant Ruth Allen.

7:00 p.m.-Mr. Henry called the meeting to order in the Selectmen's Meeting Room 2 of Town Hall. Warrants were signed totalling $1,398,650.88.

- Mr. Downing moved to approve the minutes of October 28th; Mr. Brodeur seconded; all aye; Mr. Downing abstained.

- Mr. Downing moved to approve the minutes of November 4th; Mr. Brodeur seconded; all aye.

On a follow-up, Mr. Henry asked that a list of names be provided to the Board from the Council on Aging for their building committee for the new senior center. Mrs. Allen will call Mr. Gildea.

7:05 - Members of the Town Administrator Review Committee including Carla Cataldo, Wendy Rowe and Pam Yanco, came before the Board to update them on their two public hearings and to also introduce Steve McGoldrick, the MMA consultant hired to evaluate the town.

Ms. Cataldo said that their committee endorses Mr. McGoldrick's recommendations. She noted they have looked at the short and long term, and that part of the long term would have been the charter commission. However, now they have evaluated the situation and determined that the charter commission is not for right now, maybe down the road. She did say that 1100 signatures, or 15% of registered voters, would have had to sign the petition requesting the formation of the charter commission be included on the ballot.

Mr. McGoldrick commented part of his charge was to do an overview of the town, and he noted how he had conducted individual separate interviews. He felt his report reflects the opinions of those interviewed.

Mr. McGoldrick said he has looked at other municipalities, and at their housing and growth priorities through the annual town reports, open space plans, the previous town administrator committee's report, etc. He felt:

- the structure of the Town as it is now reduces effectiveness.
- there was a lack of communication among town departments which makes coordination a problem.
- noting Medway's rapid growth, service demands will increase as will expensive projects.

- they can't restructure without special acts of the legislature, and he felt that some decisions should be made locally, not by the legislature.
- the Selectmen need help to accomplish tasks, and should be at a policy-making level.
- management systems are lacking in town.
- no adequate personnel system.
- no one person responsible for financial management, i.e. projections, capital improvements and financing.
- CIPC not adequate - doing capital plan, not capital program.

Mr. McGoldrick said he had a few recommendations:

- to appoint a Town Administrator by special act. If hired, to give that person the level of authority to get the job done and held accountable.
- by a special act, to get the legal authority to restructure town government; the language is already out there. He said after town meeting, it would go to the two branches and signed by the Governor; not on the ballot.
- to go from a 3-man board of Selectmen to a 5-man. This will increase government business and give the Board more policy decisions to make, as well as splitting up attending different functions a little easier.

Mr. McGoldrick said all of the above can be done by special act, and it can all be done at one time. He felt this was "doable" in short term.

Mr. Downing asked the Committee where did they want to go from here? Ms. Cataldo felt their charge was completed, now their recommendations were placed back with the Board who had requested the Committee be formed. Mr. Henry said the Board would review the documentation, and asked that they just be available if any clarifications are needed. Ms. Cataldo felt there was enough time to pull this together before Annual Town Meeting.

Mr. Brodeur complimented the Committee that they provided confidence and stability to the rest of the townspeople, as their time in Medway varied from 1-1/2 years to 30 years plus. Mr. Henry also expressed his appreciation, along with the rest of the Board, for all their hard work and effort. Some of their report would be discussed at the Management Meeting on Saturday.

Ms. Cataldo noted they were still waiting to hear from a few people, but that the contract expires soon, and she

said she would appreciate the Selectmen's review of the draft report asap. Mr. Henry said that could be done by Monday, November 18th.

Mr. Henry asked that a letter of appreciation be sent to the Committee.

7:45 - John DeSimone came before the Board on behalf of Gerry Lindsey to request an extension ~~on a street opening~~ of time of a roadway access permit at Highland and Summer Streets. However, in discussion, it was noted that the plan had not been submitted and approved by the Planning Board ~~yet~~, ~~so the~~ permit had not ~~even~~ been issued yet, ~~to~~ for which ~~you~~ could not grant an extension. It was recommended he meet with the Planning Board first, then come back to the Selectmen. Mr. DeSimone commented that he would be looking for a two-week extension. There was no motion to grant a street opening permit at this time.

7:55 - Paul Trufant came before the Board on behalf of four residents on Summer Street who want to tie into sewer after all, and was requesting extensions on ~~street~~ roadway ~~opening~~ access permits for them. The Board was aware of the project, and agreed it should be done. Mr. Brodeur moved the ~~street opening~~ roadway access permits be extended through December 7th; Mr. Downing seconded; all aye. As there were no permits obtained yet, the Secretary gave Mr. Trufant additional ~~street opening~~ roadway access permits to fill out.

8:00 - Tom Roche came before the Board to request an extension on his ~~street opening~~ roadway access permit for Village Street near Country Lane. He hoped to have it started and finished within two weeks. Mr. Brodeur moved the ~~street opening~~ roadway access permit be extended through November 25th; Mr. Downing seconded; all aye.

- <u>Committee Reports.</u>

- Mr. Brodeur left the room as Mr. Downing reported on the joint meeting with two of the Holliston Board of Selectmen, four of the District Commissioners, Mr. Mackey, and Mr. Henry. He noted that they discussed the memo from the Board concerning the three entry points, with the Black Swamp and Chicken Brook being the two probable choices, and Hoppin Brook being reserved for future expansion. He said ~~they~~ Holliston hoped to meet again in January, by which time they will have hired an engineering group. Mr. Henry noted that Black Swamp should now be referred to as Holly Heights in this Holliston connection. Mr. Brodeur returned to the meeting.

- Mr. Henry noted he met with the Town Hall Building Committee this morning; was going to the CIPC's meeting later on this evening; and attending the FinCom meeting on Wednesday.

- Action Items.

- A request from Sabina Doyle's to receive an entertainment license for Thanksgiving Eve was brought up. Mr. Downing moved the license be granted to Sabina Doyle's for November 27th; Mr. Brodeur seconded; all aye.

- John Solari's site plan for a shed for John's Auto Body of 27 Jayar Road, that had been taken under advisement, was brought up. There was no motion to approve the site plan as submitted.

  Joe Hanlon of ESP Associates and John Solari were present. Mr. Hanlon presented another site plan showing a shed 8' x 15', made of cement block, for the Selectmen's review. He stated it was smaller than the original request, which was for a shed 8' x 22', but in the same location.

  Mr. Downing appreciated the revisions made to demonstrate the necessity for a shed to house a compressor. He asked about the door, and Mr. Hanlon noted it would be an overhead garage door facing the front toward Jayar Road. Mr. Downing said he would have preferred it was on the other side, but he had no problem with the plan presented.

  Mr. Brodeur moved to approve the revised site plan dated 11/12/96 showing the 8' x 15' shed made of cement blocks; Mr. Downing seconded; all aye.

- The PWED grant contract for $973,450.00 was brought up. Mr. Downing moved to accepted the award of the contract pending Town Counsel's review and recommendation; Mr. Brodeur seconded; all aye.

- It was noted that there would be a meeting with the Alder Street residents at next week's meeting. The Board had received a sketch submitted by IDC Chairman Paul DeSimone indicating an emergency access route if Alder Street was closed off. Copies of a traffic count by Norfolk County were distributed to the IDC, four Alder Street reps, Police Chief, Fire Chief, and the Board.

- The Board had received payment requisition #8 for the

new school building to approve, but since that time, had received a change order #2, which reflects the corrected amount of the total request for payment of $853,415.87. Mr. Downing moved that the payment request that was approved by the School Building Committee on November 6th be approved by the Board; Mr. Brodeur seconded; all aye.

- The Board noted a letter from the Library Trustees requesting use of Town Counsel. Mr. Brodeur moved to grant permission to the Library Trustees to utilize the services of Town Counsel for discussion and recording of documents concerning ownership of property; Mr. Downing seconded; all aye.

- The Board discussed a letter from the Medway Cable Advisory Committee dated August 21, 1996, with reference to cable for the new school and existing schools. For follow-up, Mr. Henry thought someone should speak to the School Building Committee and see if anything had transpired. Mr. Downing said he would follow-up with Mr. Verdolino.

- The Board noted the request from Gilmore, Rees & Carlson looking for a response to their letter of October 31st concerning 27 Jayar Road. Now that everything has been resolved with John's Auto Body, Mrs. Allen will respond to their letter.

- The Board reviewed an emergency request for Special Counsel. Mr. Downing moved to approve the emergency request to the FinCom for $1,570.87; Mr. Brodeur seconded; all aye. Mr. Henry asked for a total of Special Counsel bills paid.

- The Board noted several Cultural Council appointments that needed to be made. Mr. Brodeur moved to re-appoint Judith Dutra Mitchell to the Council through 8/24/98; Mr. Downing seconded; all aye. Mr. Brodeur moved to re-appoint Rebecca Atwood to the Council through 11/2/98; Mr. Downing seconded; all aye. Mr. Brodeur moved to re-appoint Leeanne Dickson to the Council through 10/17/98; Mr. Downing seconded; all aye.

- Mr. Henry confirmed receipt of a letter from the Department of Housing and Community Development awarding the Town of Medway with a $600,000 grant for the Senior Center for the Council on Aging.

- Mr. Henry noted that there were a few people that had not responded to the MMA employee census sent out by Mrs. Allen, and urged them to do so.

- Mr. Henry brought up the request of Norfolk County Mosquito Control asking for comments on one of their Commissioners who wishes to be re-appointed. Mr. Downing will contact Norfolk County and see if they had any objection to the candidate.

- Mr. Henry acknowledged receipt of a memo from Dr. Bettencourt concerning enrollment projects issued by NESDEC.

- The Board noted receipt of an invitation from the Military Order of the Purple Heart for the installation of Officers. None of the Board members could attend, but wished to send their best regards. (Col. Matondi called after the meeting and said he would attend.)

- The Building Inspector's monthly report was acknowledged.

- A Planning Board hearing on December 10th was noted on accessory family dwelling units. Mrs. Allen stated the Town has to vote at Town Meeting to reject if they do not want it included per Chapter 40A, Section 9.

- Mr. Brodeur followed-up on the ZBA's decision with Kings Lane and Mr. Ozella's property. He stated the ZBA voted to disapprove and deny the plan, and deferred it back to the developer to put a cul-de-sac on the property.

- The Board noted they would be meeting on Thursday at 6:30 p.m. for the signing of the employees contract and the special town meeting warrant.

8:50 - Mr. Downing moved the meeting be adjourned; Mr. Brodeur seconded; all aye.

Respectfully submitted,

M. J. Fredette
Secretary
mj

Approved as amended 11/18/96

BOARD OF SELECTMEN

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

AGENDA

NOVEMBER 4, 1996

7:00	Open meeting, sign warrants.
7:01	Chief Wayne Vinton re: grant award announcement.
7:05	Town of Blackstone representatives re: discussion of Town Engineer position.
7:45	Public Hearing re: issuance of license for sale of alcohol on Sundays (Thanksgiving - Christmas).
8:00	Donald Podgurski re: DPS Administrator position.
8:30	John Solari - John's Auto Body re: site plan review.
----	Committee Reports
----	Action Items
----	Executive Session

ACTION ITEMS FOR SELECTMEN'S MEETING

NOVEMBER 4, 1996

1. Discuss upcoming meeting with residents of Alder Street.
2. Further discussion on bikepath and regional plan.
3. Sign Integrated Contract Design agreement if ready.
4. Sign COPS agreement.
5. Discuss special town meeting articles; possibly re-open warrant to include other articles.
6. Sign Employees Contract if ready.
7. Discuss new sexual harassment law.
8. Appoint Karen Alves to Council on Aging.
9. Discuss letter from Town of Erving referencing electric restructing.

Present: Lee Henry, Doug Downing, Jim Brodeur, Administrative Assistant Ruth Allen.

7:00 p.m.-Mr. Henry called the meeting to order in the Selectmen's Meeting Room 2 of Town Hall.

7:01 - Chief Wayne Vinton came before the Board to announce a grant received by the Fire Department. The Chief said it was in the amount of $3,000 from the State Fire Marshall's Office for a student awareness program about the dangers with matches and fire. He credited Firefighters Neil and Tim Coakley with writing the grant.

Mr. Downing hoped the funding continued, similar to the DARE program already in place, noting fire safety was long overdue. Mr. Henry also expressed gratitude to Neil and Tim, and to the other firefighters who helped.

7:05 - Blackstone Town Administrator John D'Agostino and Selectman Connie Perrault came to speak to the Board about the possible sharing of a Town Engineer.

Mr. D'Agostino noted that they have shared other services with other towns in the past as a cost-saving mechanism. He acknowledged that neither Blackstone nor Medway has a need for a full-time engineer, but possibly both could utilize part-time a full-time person. He assumed this person could prioritize projects and negotiate what is needed in both Towns, and determine any necessary fees that need to be paid. He said he had contacted other communities, and a number of them needed engineering services including Hopedale, Sutton, Mendon, Blackstone and Medway. Mr. D'Agostino said that beyond that, they have not structured anything, but are willing to sit down and discuss further.

Ms. Perrault said they have a regional school system that is working well, and with the thought that County government might not be around much longer, wanted to get a head-start on items such as the closing of the landfill, a water site location they are on the verge of buying, and the condition of roads. She noted the possibility of going to an organization rather than an individual.

Mr. D'Agostino said other joint items worked on recently included regional fuel bids and the solid waste collection system.

Mr. Henry noted Medway has been working with other Towns as well, including the joint Animal Control

Officer position with Millis and the Millis Consortium. He said Medway was developing an updated master plan for sewer, as well as working on road infrastructure and reconstruction with the assistance of Norfolk County.

Mr. D'Agostino felt both Towns had similar needs, and noted they just purchased some land that needs to be engineered for sewer.

Mr. Downing thought they needed a multi-broad system in order to make this work, maybe engineering services and not a Town Engineer; maybe a self-funding entity. We could go to a person in each community to discuss the sharing of an Engineer, short-term; or engineering services, long-term, and then share regional past experiences. Possibly, they should go out to bid to multi-engineering firms and give an inventory of what would be a regional bid but delineating what each Town would require.

Mr. Brodeur suggested creating a consortium of sorts to provide stability and a commercial source to provide some handle on growth, as the Towns all seemed to have the same needs and were about the same size. Mr. Henry added, as a group, they would have more leverage.

Mr. D'Agostino agreed saying that they need to look for continuity among communities. He added if a community has 35% of a project, they pay 35% of the cost.

Mr. Henry, as chairman, appointed Mr. Brodeur to represent Medway on this new committee, tentatively entitled Regional Engineering Feasibility and Implementation Study Committee.

The Board thanked Mr. D'Agostino and Ms. Perrault for meeting with them.

- The Board signed the warrants totalling $529,179.77.

7:45 - Mr. Downing moved to open the public hearing for the sale of alcohol starting on the Sunday before Thanksgiving through the Sunday after Christmas. Mr. Brodeur read the ad that appeared in local papers.

Jack McDonnell from Keystone Liquors was present to voice support for opening on the six Sundays during the holidays, and indicated that a previous Board had done a three-year license last time. There was no one else present to speak in favor or opposition.

Mr. Brodeur moved the public hearing be closed; Mr.

Downing seconded; all aye.

Mr. Downing moved to approve a three-year license for the sale of alcohol from the Sunday before Thanksgiving through the Sunday after Christmas in 1996, 1997, and 1998; Mr. Brodeur seconded; all aye.

- The Water/Sewer Board had submitted the contract to be signed by the Selectmen, which they did at this time, for the Holliston Street sewer connection, although Mr. Flaherty said this was the first time in 16 years, that the Selectmen had to counter-sign a Water/Sewer contract.

Mr. Henry said he had attended the pre-construction conference for the Holliston Street sewer connection between Fuller Brook Lane and Kelly Street, and noted work will be started on November 16th to be completed within 60 days. Mark Flaherty, who was present, said they should not be in the street longer than three weeks.

Mr. Downing noted they need a street opening permit, but moved that Mrs. Allen be authorized to sign the street opening permit extending the deadline 60 days; Mr. Brodeur seconded for discussion, and asked that the extension only be granted for 30 days; Mr. Downing so moved approval of the amended motion; Mr. Brodeur seconded; all aye. Mr. Brodeur reminded Mr. Flaherty that the contractor is to obtain the permit. Mr. Brodeur then realized that MPF Contractors was the same contractor that was doing the work on Farm Street in Millis, and had not pulled the permit. He then asked if we could withhold this permit until they had pulled a permit for Farm Street. Mr. Downing agreed that issue needed to be addressed, but not by withholding one permit for another.

8:05 - Donald Podgurski, applicant for the position of DPS Administrator came before the Board to discuss the position further with the Board.

Mr. Downing was not prepared to talk to Mr. Podgurski as he had been on vacation, so Mr. Henry gave his thoughts.

He said he talked to the references Mr. Podgurski gave and they were excellent. He said what they need is for the Highway, Park and Water/Sewer Superintendents to cross over, and his experience would be beneficial to what they are trying to do, and with the new employees' contract. Mr. Henry said they needed someone to review the operation, make recommendations, and maybe changes

if need be.

Mr. Podgurski said he would like to evaluate the department and make those recommendations, do an inventory of equipment and a 5-10 year capital outlay of streets to be paved, equipment to be replaced, and update the Chapter 90 street list. Mr. Henry suggested he sit down with the Assistant Supt. to do the evaluations.

Mr. Brodeur commented it appears to them they have a very capable foreman and a very capable head mechanic, but water/sewer and park are not under this board, even though they would like them all to work together. Mr. Podgurski said it is not hard to get along with people if they are willing to work together. Mr. Brodeur said we have a good group, but they just don't have the time to worry about money, budgets and the operation.

Mr. Henry asked him if he had any experience with PWED grants, and he said he had gotten three, was involved in another, noting he and the engineering department had done them in house.

Mr. Henry asked if they would accept a motion to fill the position of DPS Administrator, and then go into executive session for contract negotiations. Mr. Downing thought this was premature without having Mr. Podgurski talk to the Board in private about his salary and terms. He felt they could go into executive session and make an offer, however. Mr. Podgurski was also willing to let everyone think about it for the week.

8:27 - Mr. Downing moved to adjourn to executive session for the purpose of strategy for negotiations with union and non-union personnel, and to return to open session; Mr. Brodeur seconded; all aye. The vote: Mr. Downing - yes; Mr. Brodeur - yes; Mr. Henry - yes. The Administrative Assistant was asked to stay.

8:50 - The meeting was reconvened.

Mr. Henry stated that the Board had appointed Donald Podgurski DPS Administrator effective November 18, 1996 ending June 30, 1997 subject to a successful physical as required. Mr. Henry told Mr. Podgurski he reports directly to the Board.

8:55 - John Solari and Joe Hanlon came before the Board to discuss Mr. Solari's site plan at 27 Jayar Road. The Board had approved his site plan on September 23rd conditionally with four stipulations. He came this

evening to state all four conditions had been met, and to receive a copy of the revised site plan signed by the Board, with those four conditions indicated on the plan. Mr. Hanlon noted the existing shed was removed as per the Selectmen's request.

The Board noted the revised site plan was as requested, and signed it.

Mr. Hanlon presented another site plan dated November 4th, that being the expansion of his business at 27 Jayar Road to include a shed on the west side of the property to house a compressor necessary for the operation of John's Auto Body.

Inspector of Buildings/Zoning Enforcement Officer Bob Speroni was present to state that the original plan was with the immobile trailer, and the ZBA has since sent a letter saying that it was not an immobile trailer. He stated that to now put a storage shed on the property, Mr. Solari had to submit another site plan with the storage shed indicated on the plan approved by the Board, and then Mr. Solari would go to Mr. Speroni in the usual manner for a building permit. Mr. Hanlon indicated that the storage shed was similar to the one that was previously there, but the ZBA said that it is now a shed, not an immobile trailer, since it had no axles or appurtenances. Mr. Speroni confirmed the shed in question is no longer on the property at this time.

Mr. Downing had a problem with the expansion of the business for the use of the compressor, even when told it was a 25 h.p., 3 phase, asking what the hardship was. Mr. Solari stated he cannot use the compressor because it was located in the shed which was removed from the property, and for which he is now here.

Mr. Hanlon said it was a matter of taking the fiberglass shed in question and putting it back on the property. The issue had been that the shed was in violation of site plan approval, which has been addressed with the ZBA. It is a shed, but now needs site plan approval. Mr. Hanlon said the compressor is necessary for Mr. Solari's operation as he can't do any substantial body work without the compressor, but the noise level is so high, it cannot be kept indoors. Mr. Brodeur clarified with Mr. Speroni that the shed as shown on the November 4th plan was a structure. Mr. Henry also clarified that the only change being requested from the site plan just signed was the shed.

Mr. Speroni stated, as a point of clarification, that

the location of the mailbox and sign were in the public way on Jayar Road according to the plan and will be relocated to Mr. Solari's property. Mr. Speroni also assured the Board that, if they approved the site plan, he would take pictures before the structure is placed in position to ensure that it is a storage shed. He said no foundation is required.

Mr. Downing was still opposed to the purpose for the shed. He said he couldn't imagine the compressor made that much noise or understand why an area inside couldn't be designated. He was afraid Mr. Solari would take liberties to store other items in the shed, and felt the Board was overstepping their bounds to expand his business. Mr. Solari stated, according to OSHA, the compressor cannot be in the building. Mr. Brodeur asked what else might be stored in the shed, to which Mr. Solari replied possibly paint thinner or oil.

Mr. Hanlon clarified Mr. Solari was not before the Board for hardship, but for an expansion of his existing business. Mr. Solari said he is not operating his business presently without the compressor.

Mr. Brodeur moved to approve the expansion of the business of John's Auto Body at 27 Jayar Road and the site plan dated November 4th, with the expansion being a proposed shed to the west side of the building, and urge the applicant to consult with the Fire Chief for assurances on fire safety and contents within the shed. There was no second; therefore, Mr. Henry said the motion failed. He said the Board would take the plan under advisement and bring it up as the first action item at their next meeting on November 12th.

Mr. Speroni reminded the Board that, according to the Zoning By-laws, they have twenty days to approve, deny, or conditionally approve the site plan.

9:30 - **Committee Reports.**

- Mr. Henry reported on attending a joint meeting with representatives from Holliston on the three access areas proposed by Medway. Also in attendance were Mark Flaherty, Ron Wilson and Paul Wilson. The two areas being first contemplated were the Black Swamp and Chicken Brook, with thoughts of keeping Hoppin Brook on the back burner as the third option. Mr. Downing asked about sewering side streets, such as Koyview and Kenart, but they are not being considered. Mr. Brodeur said there should be 6" stubs, however, for those two.

- Action Items.

- Mr. Henry noted the upcoming meeting on November 18th with residents in the Alder Street area. He wanted to reiterate that it was not a public hearing. Mr. Henry stated that it had been requested by representatives of Alder Street to sit down with them and discuss their concerns about the residential area of Alder Street in view of the work to be done in the industrial area of Alder Street and Trotter Drive. Mr. Henry said we had written to those four representatives telling them they were welcome to sit with the Board, and he felt that these four people were able to adequately express the concerns of the neighborhood. He felt the presence of the chairman of the IDC, the Police Chief, the Fire Chief, and the Assistant Highway Supt. would also be able to review the proposal and alleviate some of their concerns.

  Mr. Henry understood various people had met this morning to review different options, including members of the IDC, the Fire Chief, Police Chief's rep, and the Assistant Highway Supt. in anticipation of the meeting on the 18th. He also talked to Rep. Gardner and Sen. Magnani and explained to them that they are invited and welcome to observe, but that it was not a public hearing, but just a meeting of the Board of Selectmen.

  Mrs. Allen asked about the residents in the industrial end of the park. Mr. Downing suggested a letter be written to them inviting them as well, and/or their written comments.

- The Board briefly brought up the bikepath information they had, but were really not prepared to discuss it further this evening. They said they would like to talk about it more once Mrs. Allen had received the book they had requested.

  Mr. Downing added they needed to come up with a plan and where they wanted to go with the project. He felt they needed to determine once and for all who owns the rights. Mr. Henry noted that Town Counsel had said to stay out of there. Mr. Downing understood it to be an opinion, not a ruling, and felt they should bite the bullet and through the Chair, move forward, and if funding is needed, do it at Annual Town Meeting.

- The Board had the Integrated Contract Design agreement to sign, and Mr. Downing moved that the agreement be signed; Mr. Brodeur seconded; all aye.

- The Board noted receipt of the COPS agreement, and Mr. Brodeur moved the Chairman be authorized to sign the payment of services for $3,700 and $3,800; Mr. Downing seconded; all aye.

- The Board then discussed the draft of the Special Town Meeting warrant for December 2nd. The proposed articles were reviewed for a second draft of the warrant to be typed. Mr. Henry noted that the recently received $600,000 grant for the Senior Center for the Council on Aging needed to be included. Mr. Henry said he told the Chairman he needed the names of the building committee so they could be appointed.

  The Board noted receipt of a letter from the Board of Assessors indicating $150,000 in overlay reserve that they had voted to transfer to overlay surplus.

  Mr. Downing suggested the $5,000 set aside at a previous town meeting for a town hall consultant be used to get some of the refurbishings done at Town Hall.

- Mrs. Allen noted the employees' contract was not ready to be signed yet, but the Board agreed to set up the date of November 14th at 6:30 p.m. for the signing. Mrs. Allen was asked to make the necessary arrangements and post the meeting.

  With reference to the new sexual harassment law, Mrs. Allen mentioned how it is noted that grievance officers need to be appointed, one female and one male, and one alternate for each. Mr. Downing wanted to be assured that this policy being presented was the minimum requirement. He did not want to give anything up from the contract negotiations.

  Mr. Downing, however, moved to adopt the sexual harassment policy presented this evening from Mirick, O'Connell, DeMallie & Lougee; Mr. Brodeur seconded; all aye.

- Mr. Brodeur moved to appoint Karen Alves to the Council on Aging through June 30, 1998; Mr. Downing seconded; all aye.

- The Board noted receipt of a letter from the Town of Erving with reference electric restructuring. Mr. Henry said he would like to draft a letter to the legislature and to the Town of Erving expressing Medway's concern. He also asked that we send a copy of the Town of Erving's letter to the Assessors so that we are classified as utility, not manufacturing.

- A reminder of the tentative meeting set up at Jim Ladieu's on November 20th with regard to Farm Street sewer.

- Mr. Henry brought up the PWED grant, and noted the road construction project is under the auspices of the Board, even though the application says the IDC is the lead agency.

- Mr. Henry noted the request received from the IDC Chairman asking for an additional $200 for Gino Carlucci to finish reviewing the grant documentation through December, which could be taken out of the consulting account. Mr. Downing agreed we could authorize this sum, but then to sit back and reassess.

  Mr. Brodeur moved to authorize an additional $200 for Gino Carlucci through December 31st as requested in the IDC memo dated November 1st, Mr. Downing seconded; all aye. Mrs. Allen will also discuss the general by-law further with Mr. Carlucci.

11:00- Mr. Downing moved to adjourn to executive session for the purpose of union and non-union personnel, not to return to open session; Mr. Brodeur seconded; all aye. The vote: Mr. Downing - yes; Mr. Brodeur - yes; Mr. Henry - yes. The Administrative Assistant was asked to stay.

Respectfully submitted,

M. J. Fredette
Secretary
mj

Approved 11/12/96

BOARD OF SELECTMEN

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

AGENDA

October 28, 1996

7:00	Open Meeting, Sign warrants. Approve minutes of 10/22/96 meeting.
7:05	Industrial Development Commission - update on PWED Grant.
7:20	Joseph Giovinazzo, GCG Associates - Cottage Street drainage project.
7:45	School Building Committee regarding consultant for new school furnishings.

Committee Reports

Action Items

Executive Session

BOARD OF SELECTMEN

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

ACTION ITEMS FOR SELECTMEN'S MEETING OF OCTOBER 28, 1996

1. Discuss and sign Recycling Contract.

2. RFP proposal from Franklin for CRPCD Plant Valuation.

3. Acknowledge and discuss letter from W. T. Holmes Transportation Co., Inc. - parking of school busses.

4. Acknowledge and discuss letter from CRPCD regarding tipping fees.

5. Acknowledge and discuss response from Conservation Commission regarding the Open Space Committee.

6. Acknowledge letter from Town of Holliston regarding meeting on November 7, 1996 at CRPCD.

7. Acknowledge receipt of resignation of Vern Robertson from the Cable Advisory Committee.

8. Invoice from IDC.

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Present: Lee Henry, James Brodeur. Selectman Doug Downing and Administrative Assistant Ruth Allen were on vacation.

7:10 p.m.-Mr. Henry called the meeting to order in the Selectmen's Meeting Room 2 of Town Hall. (The meeting would not be televised this evening due to technical difficulties.)

- Warrants were signed totalling $555,206.61.

- Mr. Brodeur moved approval of the minutes of October 22nd; Mr. Henry seconded; all aye.

- Mr. Henry offered his apologies for any misunderstanding with the moving of the NYNEX pole at Cottage and Main Streets.

- Mr. Brodeur noted he had reviewed most of the river study done by the Town of Holliston, and conceded it made sense.

- Mr. Henry asked for a copy of his letter to Time-Warner requesting a cable drop for the Middle School.

7:15 - Paul DeSimone, Chairman of the IDC, came before the Board to update them on the PWED grant for the Alder Street/Trotter Drive area. He was accompanied by Paul Mitchell, Jim Mucci and Raphaela Rozanski.

Mr. DeSimone said they had formally received the grant on Tuesday, October 22nd, and requested an article be placed on the warrant for borrowing in anticipation of state funding as they needed the money up-front in the amount of $973,450.

Mr. Henry voiced some confusion as he had understood the amount of the grant to be $923,450 on Tuesday. Mr. DeSimone clarified he had just gotten word today from the Department of Transportation that they had increased the amount of the grant by $50,000 to cover a traffic study in that area and on Route 109 for the benefit of the residents living there, based on a public hearing held on June 8th. He indicated that amount would be in their contract when received on November 5th.

Mr. Henry was under the impression the IDC was charged by the Selectmen to pursue a project for them. He stated he had a problem with the increase just being arbitrarily given without notification of an increase even being requested.

Mr. Henry noted the letter received from the four residents of the Alder Street/Trotter Drive area

representing the neighborhood about the closing off of Alder Street. He said there was a meeting scheduled with them, along with Police, Fire, Highway and the IDC for November 18th. Mr. DeSimone noted they don't have the authority to close the road, but it was their recommended vote.

Mr. DeSimone noted his request to have an article placed on the warrant to include the grant funding, but Mr. Henry said the warrant had closed today at 4:30 p.m. Mr. DeSimone said he was unaware of this. Mr. Brodeur moved to re-open the warrant; Mr. Henry seconded; all aye. Mr. Brodeur moved to accept the IDC article; Mr. Henry seconded; all aye. Mr. Brodeur moved to close the warrant; Mr. Henry seconded; all aye. Mr. Henry stated, for future reference, if the Town requests additional funding, he wants to know about it. He also requested a copy of the schedule as included in the grant.

With reference to the invoices submitted by the IDC, Mr. Henry said they would take them under advisement.

On another matter, Mr. DeSimone referred to a letter from the Administrative Assistant dated August 14th concerning a buffer between homes on Jayar Road and Coffee Street. He referred to previous knowledge that the area was zoned residential, but the zoning maps reflect it as industrial, and that possibly an error has been committed over the years with revised zoning maps. He was requesting that the maps be corrected, and that the Zoning Enforcement Officer see that the greenbelt buffer zone be enforced.

Mr. Henry said he would discuss this further with Town Counsel.

8:10 - Joseph Giovinazzo of GCG Associates met with the Board for a further update of the Cottage Street drainage issue. He understood that a further breakdown of the $75,500 payment for the easement with Chicken Brook Realty is requested by Mass. Highway, which Mr. Henry said he would provide. Mr. Giovinazzo is working on the plot plan dimensions and description necessary for recording at the Registry of Deeds by Town Counsel.

Mr. Giovinazzo stated they hoped to begin work next week at the outfall.

He submitted to the Selectmen three copies of the signed contract, one of which he felt should go to the Town Accountant.

Mr. Giovinazzo said that a pre-construction meeting had been held on October 15th and many issues were discussed and finalized.

He also stated talking to Arthur Darley of Mass. Highway and some concern was noted by Mr. Darley about the water main on Evergreen Street indicating that the cost of the work for about $35,000 was not related to the actual drainline work being done on Cottage Street. Mr. Giovinazzo felt the cost of this work might have to come out of the General Fund, as it would not be available under Chapter 90 funding. He stated that the water main work could be put off until Spring if they had to, but it would be more advantageous to do the work now by December. Mr. Henry said he would include it as an article on the upcoming Special Town Meeting warrant.

Mr. Giovinazzo also said that Mr. Darley is requiring a letter from him justifying the 8" water main on Evergreen Street. He was not sure if he had to do it, but Water/Sewer recommends he do it. Mr. Giovinazzo did say that sometimes "sewer and water" require justification. Mr. Brodeur said that the State does not want upgrading of utilities on funds they give to Towns.

Mr. Giovinazzo said he would send a work schedule to Mrs. Allen. He said his goals before Christmas were: the installation of all drainage pipe, catch basins with manholes on Cottage Street and temporary pavement in, with possibly curb cuts done and pole removed as well.

It was noted that vehicles and equipment would be housed on Cassidy Field off of Winthrop Street during construction. Mr. Giovinazzo would be meeting with area residents as required.

8:35 - While Mr. Giovinazzo was present, residents from Farm Street had some concerns they hoped he could answer, as he and his company were involved with the Millis easement and trying to get sewer to those Medway residents on Farm Street. Jim Ladieu and Rob Pearl of Farm Street were present, and Mr. Ladieu stated that Town Administrator Charlie Aspinwall had told him that all but one Medway residence could go gravity. Mr. Giovinazzo said people from his company had been trying to contact residents since 1991 but there hadn't been much response. It was noted that there had been a $3,100 proposed betterment at the last meeting held in Millis. Mr. Ladieu said he still did not have enough information to make a decision, whereby Mr. Giovinazzo recommended they call him and he would have his engineer provide information contained on their field cards until

an as-built is done.

More of this discussion will continue after the next scheduled appointment.

8:50 - John Boczanowski, Chairman of the School Building & Site Selection Committee met with the Board to discuss their recommendation for a consultant for furnishings and equipment for the new school. He said they received three proposals and were recommending Integrated Contract Design for a cost of $61,200 for writing the specs, etc. and overseeing receipt and installation, which fell within the budget of $1.2 million. It was recommended that Town Counsel look over the agreement and give the Board his review and recommendation.

Mr. Boczanowski stated that the Town had received an additional $747,000 for the new school, even though they don't need the funds to bring the project in. Mr. Henry thought some areas could be upgraded to reflect the additional funds, but to still show some fiscal responsibility and not just spend the money because it is there. Mr. Boczanowski indicated that they are still on schedule, but at the point that they originally started 6 weeks late, still looking for occupancy in September of 1997.

- Back to the discussion with Farm Street residents Rob Pearl (#5 Farm Street) and Jim Ladieu (#7 Farm Street). Mr. Brodeur had been in attendance at the meeting in Millis and stated that Millis had reviewed the costs they would charge Medway. Roughly, they felt the Medway spur was $28,000 deducting $17,500 as their value of the easement into Medway leaving $10,500 divided by 5 homes as a $2,100 betterment and $1,000 hookup for a total of $3,100. He said they felt this was the best proposal that can be offered homeowners.

Mr. Henry was curious to know where the $17,500 figure came from, and what would it have cost Millis without the easement to access at either end into the sewer system? He said without the easement through conservation land, the cost would have been in excess of the $17,500 or the $46,000 originally stated, and they cannot take land in Medway by eminent domain. What is the cost of the roadway access?

Mr. Brodeur said, beyond financial arguments, they had no documents of minutes or town meeting action that required the spur be given to Medway residents; they need to receive that. Mr. Ladieu pointed out that Millis is saying they were doing them a favor. Mr.

Brodeur recommended the documentation be sent directly to the Board of Selectmen, while noting that the meeting wasn't a posted meeting for Millis. Mr. Ladieu didn't feel much had changed, and still felt they should only pay $1,000 like all other Medway residents. He said Millis had two opportunities to fund the project by the Town instead of just their neighborhood; it still wasn't acceptable. Mr. Pearl also expressed his frustration. Mr. Brodeur asked Mr. Ladieu to see how many trenches were put in the road, multiply that times $7,000, and deduct that from the $28,000.

Mr. Henry stated that if it had been done properly, it would have been done under our specifications with communication with our Water/Sewer Board and a roadway access permit.

It was suggested that the five residences in question get together at one of their homes and discuss the issues with the engineer from GCG prior to meeting with the Selectmen. A date of November 20th was suggested at 7 p.m. with the Selectmen, but the date will be posted when we hear from the residents. In that time, Millis should also be receiving the documentation from us discussed earlier, and Mr. Ladieu will contact GCG. Mr. Brodeur said he would be happy to assist with configurations at night, and suggested Mark Flaherty during the day.

- <u>Committee Reports.</u>

- Mr. Henry said he went to the Town Administrator Review Committee's public hearing on October 23rd, and asked the Secretary to copy the documents he provided for the Board members.

- Mr. Henry also noted attending the Park Department's public hearing on the Idylbrook property, and said that they don't have a plan and were getting information from the people to put into the plan. Issues were still the same - access, traffic and the fields. Mr. Brodeur said his concern was Ward's Lane, and that we should still have thoughts in the back of our mind to repair the street.

- Mr. Henry said he was going to go to court on Tuesday on the Bernie Lewis case, but it was continued for another month, and Town Counsel will advise when.

- <u>Action Items.</u>

- The Board reviewed Town Counsel's letter with regard to

the BFI recycling contract. Mr. Henry asked the Secretary to send a letter to the Board of Health asking them to vote to approve and sign the contract with corrections suggested by Town Counsel, and to have BFI and Town Counsel sign prior to asking the Selectmen to sign.

- The Board noted that the contract with Claire Dempsey had been approved by Town Counsel.

- The Board discussed the RFP proposal on CRPCD valuation from Franklin Town Administrator, Wolfgang Bauer, noting Town Counsel had said it was fine. The Secretary was asked to send a letter to the Town of Franklin, with Mr. Henry signing it, indicating there were no changes or corrections from Medway and they were looking forward to the consultant's valuation.

- The Board acknowledged receipt of MAPC representative Maryellen Lavenberg's report on the regional bike path. The Board asked that it be reviewed again next week.

- The Board acknowledged receipt of a letter from Holmes Transportation requesting permission to park the buses temporarily on Winter Street. The Board questioned as to what was temporary, and are we obliged by school contract to find them a location. The Board asked the Secretary to contact David Verdolino with those questions, and to give him a copy of Holmes' letter.

- The Board discussed correspondence received from Town Counsel with regard to John's Auto Body at 27 Jayar Road. Mr. Brodeur moved to ask the Secretary to instruct the Zoning Enforcement Officer to enforce the zoning by-laws as outlined in Town Counsel's letter; Mr. Henry seconded; all aye.

- The Board acknowledged receipt of a letter from CRPCD noting they were considering reducing the tipping fees for residents in the Summer Street area. The Board asked the Secretary to send a letter to the Board of Health and Water/Sewer Board asking them to give the Selectmen information necessary to respond back to CRPCD with. Mr. Brodeur moved to authorize the Chairman to transmit information to CRPCD when received from both boards; Mr. Henry seconded; all aye.

- The Board discussed the request of the Open Space Committee to be a free-standing committee, along with acknowledging Conservation Commission Chairman David Travalini's memo noting the Commission's agreement with that status. Mr. Brodeur moved to declare the Open

Space sub-committee a separate committee appointed by the Board of Selectmen; Mr. Henry seconded; all aye. The Secretary was requested to get a list of the Open Space Committee members so that terms could be established and appointment slips made up.

- The Board asked the Secretary to confirm to the Town of Holliston that they would be willing to meet with them on October 31st, and to also confirm their attendance at a meeting at the District on November 7th. The Secretary was also asked to notify the Medway CRPCD Commissioners and the Water/Sewer Board of the meeting on the 31st, and to post same.

- Mr. Brodeur moved to accept the resignation of Vern Robertson from the Cable Advisory Committee; Mr. Henry seconded; all aye.

- Mr. Brodeur moved to accept the resignation of Robin Gelbwachs with regret from the Council on Aging; Mr. Henry seconded; all aye.

- The Board took the invoices from the IDC under advisement.

- The Board noted the Assistant Highway Supt.'s report of paving projects totalling $1,019,436.

- The Board noted that a pre-construction conference for the Holliston Street sewer project had been set up for November 1st at 10 a.m.

- The Board asked that the Secretary contact Donald Podgurski and see if he could meet with the Board next week at 8 p.m.

- The Secretary asked about comp time for the Department heads attending the Management Meeting on November 16th. She was asked to write a letter to be signed by the Chairman informing them that the Board recommended comp time to the appointing authorities.

11:00- Mr. Brodeur moved the meeting be adjourned; Mr. Henry seconded; all aye.

Respectfully submitted,

M. J. Fredette
Secretary
mj

approved 11/12/96

BOARD OF SELECTMEN

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

REVISED

AGENDA

October 22, 1996

7:00	Open Meeting, Sign warrants. Approve minutes of 9/28/96 and 10/7/96 meetings.
7:01	Treasurer/Collector, Marjorie Sanford to sign notes for School Borrowing.
7:05	Planning Board, Zoning Board of Appeals Conservation Commission regarding Lot 1A Kings Lane.
7:20	Chief Lambirth regarding Holliston Street intersection.
7:30	Town Hall Renovation Committee regarding Carpet bid.
7:45	Town Administrator Review Committee to update the Board.
8:00	Robert Saleski regarding non-contractural employees.
	Committee Reports
	Action Items

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	Committee Reports
	Action Items
	Executive Session

ACTION ITEMS FOR SELECTMEN'S MEETING OF OCTOBER 22, 1996

1. Vote on expansion of license for fuel storage at Medway Oil Company.

2. Discuss SRF Form.

3. Update on Cottage Street drainage.

4. Update on DPS Administrator regarding references.

5. Discuss letter from Supt. of Schools regarding cable drop for Middle School Library.

6. Update Board members on pre-construction meeting for Cottage Street drainage project.

7. Discuss public hearing concerning the basic tier rates of Time Warner Cable and Cablevision Industries.

8. Appoint Jack Coakley to Disability Commission.

9. Vote on payment for New School.

10. Discuss Holliston Sewer Tie-in

11. November 16th Management Meeting - what is the agenda

12. Municipal Forum - November 14th at 8:00a.m. in Boston.

13. Discuss Accountant's request for carrying over five days vacation.

14. Discuss STM on December 2nd??(open and close the warrant)

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Present: Lee Henry, Doug Downing, James Brodeur, Administrative Assistant Ruth Allen.

7:00 p.m.-Mr. Henry called the meeting to order in the Selectmen's Meeting Room 2 of Town Hall.

7:01 - Treasurer/Collector Marge Sanford came before the Board to request notes be signed for school borrowing. Mr. Brodeur moved to approve the sale of $3.8 million of 4.5% bond anticipation notes dated 10/29/96 and payable 6/13/97 to State Street Bank & Trust for $16,897.51; Mr. Downing seconded; all aye.

7:05 - At the request of the Zoning Board, Mr. Henry called together a joint meeting between the Planning Board, the Zoning Board, the Conservation Commission and the Selectmen to discuss lot 1, Kings Lane. Members from the Planning Board present were: Paul Yorkis, Sue Phinney, Don Springer, Fred Sanford. Present from the Zoning Board were: Jan Morris, Steve Reding, Dave D'Amico, David Cole. No one from the Conservation Commission could be present, but a letter (attached) to the Zoning Board, with a copy to the Selectmen, was read into the minutes by Mr. Brodeur. Also in attendance was property owner Anthony Ozella, his Attorney Scott Ambler, and Engineer Paul F. DeSimone.

Since the ZBA called the meeting, Mr. Henry turned it over to Chairman Jan Morris, and he, in turn, turned it over to Dave D'Amico who had chaired previous hearings on this subject. Mr. D'Amico stated that Mr. Ozella requested a variance on frontage on Kings Lane but the roadway does not conform to Planning Board rules and regs, also stating that the lot is not part of the sub-division. It was clarified that you need 150' of frontage to build a house, and he presently had 45' so was requesting the variance. Mr. D'Amico said no action had been taken as they were trying to determine the best way to handle this lot for everyone.

Mr. Yorkis said the lot was part of the sub-division and they feel it still is because the detention pond is in the parcel of land, and without that land, the sub-division could not have been built.

Mr. Brodeur asked if there had been plans for an extension of Kings Lane onto lot 1, but Mr. Yorkis could not remember - only that Mr. Coros had submitted a plan for three separate parcels with drainage to this parcel. Mr. Brodeur said that the plan was recorded and correct title to the drainage easement goes with it.

Mr. D'Amico thought the preliminary plan was submitted with the intention to continue Kings Lane if granted through ConCom, with Mr. Cole adding that they cannot do a proper turn-around at the end of Kings Lane anymore because of ConCom restrictions.

Mr. Brodeur asked about the property being flagged and where were the wetlands? Mr. Ozella stated that the wetlands had been defined, with Mr. DeSimone saying it was 75% wet. Mr. Henry, therefore, said - he heard it was wet; does not meet frontage; and is not buildable - then why were they here? Mr. Reding said it is buildable for 150' frontage variance, not 45'. If the variance is granted, then any building is contingent upon ConCom, but where is the Town's access?

Attorney Ambler said Mr. Ozella owned three parcels (one with frontage on Village St., the second one in the middle, and the third separated by land that was developed). Mr. Ozella sold the land to Mr. Germajian and took the mortgage from him and he transferred the parcels to Messrs. Coros and Cimino and they built a sub-division on one parcel of land. He said that the lot in question was not part of the sub-division of the plan with the Town. Attorney Ambler further said that Mr. Coros fell behind on the mortgage and accepted the deed in lieu of foreclosure so he went to the ZBA for a variance. If he gets the variance, questions will be answered and then they would meet with ConCom. With regard to the detention pond, he said it is not on his client's land - the easement encompasses it.

Mr. Yorkis said that the Planning Board cannot subdivide the land to indicate a land-locked parcel. Mr. Ozella holds the mortgage and an interest in the property, even if it is a hardship for him, but not a responsibility of the Planning Board.

Attorney Ambler said the mortgage is to the purchaser, and there is no other recourse except to take the property back. He felt a driveway and a house could be put in. He further stated that the detention pond is partially on Kings Lane and lot 1. He believed the easement on the plan was done at the same time in lieu of foreclosure, but Mr. Morris said this was not done on a lot-release basis. Attorney Ambler said this was not how the mortgage was done; the note was in place before the sub-division was in place.

Mr. Brodeur again said the easement is not part of lot 1 and the plan shows it is. The Selectmen have already said a full turn-around is needed at Kings Lane with

access to the railroad bed, so the burden seems to be on the Board to allow something that is not allowed. Attorney Ambler said applying for a variance does not necessarily allow a house to be built. Mr. Brodeur added that it is all wetlands across the railroad bed, which may not have been known by the owners or they would have allowed the turn-around since they could not build.

Mr. Downing was concerned with the owner of the property being granted a variance without carrying the burden of proof. Why not flag the property first before going to the ZBA? Attorney Ambler said it created no harm to grant the variance first, but the cost to do the flagging was excessive. Mr. Brodeur again recommended providing the cul-de-sac per Planning Board rules and regs.

Abutters Barbara Vincent of 21 Crestview Ave. and Janet Birch of 2 Kings Ln. were also present to voice their concerns. Mrs. Vincent noting the detention pond was more near her property than the high point of the lot, and Mrs. Birch saying she had to cap the french drain.

Mr. Henry stated not everyone can profit from a business deal. Where is the flagging per ConCom? No application was filed to the ConCom so why was he here? He recommended he do that and then go to the ZBA. But Attorney Ambler insisted that it was not a buildable lot, so how could they go to ConCom without frontage? Mr. Morris interjected the comment that if the ZBA grants a variance, part of the process is to then go to the ConCom as part of the building permit process. Mr. Brodeur added that the ZBA could make the turn-around as part of their conditions. Attorney Ambler said they would agree to the Selectmen's two conditions. The ZBA members felt they had enough information now and were satisfied with the joint meeting.

8:15 - Chief Lambirth came before the Board to discuss improving the lights at the intersection of Holliston Street and Route 109. The Chief said he understood a study had been done in 1987 and maybe should be revisited. The need is there to improve and put in traffic lights with 26,000 cars on Main Street, so possibly another engineering study for the roadway could be done for turning lanes. Chief Lambirth stated lights were installed on Main Street in 1968, however, at that time there were not as many walkers to school as there are now, or as much traffic.

Mr. Henry suggested doing a traffic study from the

Franklin Street/Milford Street/Main Street intersection all the way past Holliston Street down Route 109. The Chief did state that the report in 1987, when Pond Street was reconstructed, indicated additional work to be done in the future. Mr. Henry noted light delays could be put in at the intersection, but the area needs to be redesigned. When noting his areas of concern for lights, the Chief said his first choice would be at the shopping center, then Pond Street, then Winthrop Street.

Mr. Downing felt it would be a show of good faith to the State to do a traffic study and then approach them with our concerns. He agreed that an access to the shopping center should be part of an RFP as well, and then we could approach the property owners there. The Chief agreed the numerous curb cuts at the shopping center were indeed a problem, and that we should do some work on our own first.

Mr. Brodeur recalled seeing some statistics indicating that the intersection of Route 109 and Holliston Street was one of the top 20 dangerous intersections in the State. The Chief noted that a Police Officer spends, in total, between an hour and an hour-and-a-half manually working the lights at the intersection.

Mr. Henry summarized they need to look at an RFP.

8:35 - Town Hall Building Committee Chairman Paul Wilson and Grant Coordinator Gino Carlucci came before the Board to discuss the awarding of the carpet bid for Town Hall. Mr. Wilson said the Committee would like to accept the bid of Creative Decorating & Flooring, but they do not have sufficient funds (short by $1,800) to cover the cost. Mr. Carlucci did state that they would hold the price of $17,977.98 until November 30th.

Mr. Henry noted he had met with the Town Hall Building Committee this morning, and said fans still need to be connected in the 1st and 2nd floor bathrooms ($700), and the telephone equipment needs to finish being installed. He suggested an emergency transfer requesting $20,000 with the stipulation they go to the special town meeting and then transfer the funds, or put an article on the special town meeting requesting the funds. Mr. Carlucci added a third option by suggesting to do this as an emergency fund transfer for the $1,800 needed to cover the carpeting for the new portion, and then go to special town meeting for the balance. Mr. Henry stated that the carpeting in the rest of Town Hall is a requirement of our insurance company because of the liability of injury.

Mr. Brodeur moved to approve an emergency transfer request to the FinCom for $20,000 for the Town Hall budget to award the carpeting bid by November 30th as outlined in Gino Carlucci's memo of 10/18/96; Mr. Downing seconded; all aye.

8:50 - Kathy Rehl and Marge Sanford of the Town Administrator Review Committee came before the Board at the request of Mr. Henry to update them on the progress of their committee. Mrs. Rehl noted the two public forums coming up on October 23rd and November 2nd to gather input and outline the MMA consultant's recommendations on Medway's form of government, with a formal written report and recommendations being submitted November 12th. The Board of Selectmen will be having a posted meeting on November 12th, since November 11th is a holiday, and further discuss the report.

Mrs. Rehl posed four ideas: the need for a job description of a Town Administrator; the possibility of a recommended five-man Board of Selectmen; the possibility of putting the Town Administrator position on the warrant and the charter commission on the ballot; and then to form a committee to work with a Town Administrator to restructure town government.

Mr. Brodeur asked about a referendum (ballot) question, but Mrs. Rehl thought they would have to place it on the warrant first, and then on the ballot.

9:00 - Sgt. Robert Saleski came before the Board to discuss the fate of his non-contractual employees - Police dispatchers. He said he had heard a tentative agreement had been reached between the Medway Municipal Employees and the Selectmen with a possible special town meeting on December 2nd to cover any necessary funding. Sgt. Saleski noted his dispatchers were not a part of the union, by personal choice, and as such come under the present salary structure. Indicating they have not received a percentage increase since 1994 because of negotiations, he requested his employees receive some consideration, and submitted a letter to the Board on their behalf. Sgt. Saleski said procedure is a problem because even if they got a cost of living increase, they could not pass up in grade and step. He noted how, in the past, if there was usually a percentage increase for union personnel, the rest of the Town employees also received an increase.

Mr. Brodeur brought up increases for firefighters and EMT's, but Mrs. Allen said they were step (merit) increases, not percentage increases and agreed the

salary wage chart had not changed since 1994. Mr. Downing said he would be willing to meet with Sgt. Saleski during the first week of November and come back to the Board with his recommendation. The Sgt. said he wanted to meet with the Board this evening for fear the warrant was going to open and close this evening without a chance for him to speak on behalf of the dispatchers.

9:10 - Mr. Henry announced that the IDC had received an award this afternoon for $950,000 for the PWED grant.

- Mr. Henry also announced that $9,700 had been received for the DARE grant program.

- Mr. Henry noted receipt of the Inspector of Buildings' monthly report indicating the issuance of 56 building permits.

- Mr. Henry also recognized a copy of letter from Art Bettencourt thanking Robert Stratton of the Medway Co-Op Bank for a luncheon he hosted.

- For the record, the Board signed warrants on October 15th totalling $1,247,034.80. This evening, the Board signed warrants totalling $207,375.24.

- <u>Action Items.</u>

- Mr. Henry noted the Board had inadvertently not voted on the license expansion for Medway Oil, but had approved his site plan. Therefore, Mr. Brodeur moved to approve the expansion of the license for fuel storage for Medway Oil Company to 101,880 gallons; Mr. Downing seconded; all aye.

- The Board referred to the SRF form from the Board of Health, which prompted Mr. Henry to ask for the minutes of the Water/Sewer Board meeting that the Selectmen attended referencing the same subject. Mr. Henry said he had sent a letter on behalf of the Board to Holliston Board of Selectmen formally denoting the three areas for access proposed. Mrs. Allen will check to make sure Holliston received the letter. He also said that the Water/Sewer Board should be in coming in with a master plan, and possibly after that is done, the SRF form can be filled out jointly with the Board of Health, the Water/Sewer Board and the Selectmen.

- Mr. Henry updated the Board on the Cottage Street drainage project saying that the actual date of start-up will be October 28th. At a pre-construction meeting held recently attended by Chief Lambirth, Fred Tingley,

Mark Flaherty, Bob Power, Holmes Transportation Company, Tornare Construction and himself, it was stated that they will cease work at the end of December to let the trenches settle, and then begin work again on April 1st for completion by mid-April. Mr. Henry stated that the total project costs are equal to the funding sources of $470,935. When he said that we still needed to move the pole at Cottage and Main Streets, Mrs. Allen noted it had been taken care of. All Chapter 90 forms have been signed. Mr. Henry asked Mrs. Allen at which end of Cottage Street would they be starting work. Mr. Brodeur asked about the costs related to the detention pond, but Mrs. Allen said the detention pond is not part of this scope - this is phase one, that is phase two and Mr. Giovinazzo is working on it.

- On an update of the DPS Administrator position, Mr. Henry said they are talking to the references on three individuals and will re-interview. Mrs. Allen will be working on the composite rating for the position.

- The Board acknowledged Dr. Bettencourt's letter of support regarding the cable drop for the Middle School Library. Mr. Brodeur moved that Mr. Henry sign the letter to Nick Leuci for the cable drop; Mr. Downing seconded; all aye.

- Mr. Brodeur moved to appoint Jack Coakley to the Disability Commission through June 30, 1997; Mr. Downing seconded; all aye.

- Mr. Downing moved approval of the payment of $620,555.62 on requisition #7 as previously discussed and approved on October 9th for the new school; Mr. Brodeur seconded; all aye.

Mr. Downing will speak to the School Building Committee about two letters received from Joe DeLuca & Sons.

- The Board noted the Town of Franklin's letter concerning the 80/20 split with reference to the CRPCD plant. Mrs. Allen will call to verify they have received Medway's letter. Mrs. Allen told the Board she had just received a response today from Town Counsel on the RFP and will pass it on to the Board when copied for review.

- The Board acknowledged receipt of the river study documentation on the Holliston sewer tie-in. Mr. Brodeur will review it at his convenience.

- The Board discussed the planned management meeting on November 16th feeling the focus should be on contracts

and the Town Administrator Review Committee's results. Mr. Henry said it should concern the operation of the employees' contract and how to make it work. Mr. Downing thought the meeting should be a town-wide management approach, adding Chief Vinton and Chief Lambirth, for cohesion. He wanted people present who move the Town's money, sponsor articles, manage personnel, are involved in the channels of communication and flow of information.

- No one can attend the municipal forum on November 14th.

- Mr. Downing brought up the letter recently received from MAPC on the bikepath, and asked that a copy be sent to Lisa Mawn, Chairman of the Open Space Committee. The subject of clearing away some of the railroad bed with the Holder tractor and Chipper was brought up, and Mr. Downing suggested going from Holliston Street to Broad Street as a high traffic area. Mr. Brodeur asked that Mrs. Allen request a copy of the "Successful Rail-Trails" publication.

- Mr. Downing moved approval of the minutes of September 28th; Mr. Brodeur seconded; all aye.

- Mr. Brodeur moved approval of the minutes of October 7th; Mr. Downing seconded; all aye.

- A ballot was submitted by the Town Clerk for the federal state election to be signed by the Board. Mr. Downing moved the Board sign the ballot; Mr. Brodeur seconded; all aye.

- Mrs. Allen noted Kelly Brothers would be coming in soon to do the gutters.

- Mr. Downing moved to appoint Henry Lewandowski as the Selectmen's rep to the CIPC; Mr. Brodeur seconded; all aye.

- The Town Accountant's request for carrying over five additional days vacation was brought up and dismissed as it had already been discussed and denied.

- The Board decided to have a special town meeting on December 2nd. Mr. Downing moved to open the special town meeting warrant for December 2nd this evening and close the warrant on October 28th at 4:30 p.m.; Mr. Brodeur seconded; all aye.

- A wooden sidewalk plan for Trotter Drive brought to Mr. Henry's attention was briefly discussed.

- Mr. Downing asked that a copy of Deputy Legal Counsel Pomarole's letter, and a copy of the Board's letter supporting Josephine Shea for Norfolk County Sheriff, be sent to Ms. Shea.

- Mr. Henry said he sent a letter on behalf of the Board to the Chairman of the Board of Assessors requesting they certify the balance in the overlay account. Mrs. Allen noted they need figures, while Mr. Downing said they need to be accurate figures.

10:25- Mr. Downing moved they adjourn to executive session for the purpose of strategy for collective bargaining for union and non-union personnel, not to return to open session; Mr. Brodeur seconded; all aye. The vote: Mr. Downing - yes; Mr. Brodeur - yes; Mr. Henry - yes. Mrs. Allen was asked to stay.

Respectfully submitted,

M. J. Fredette, Secretary
mj

10/28/96

BOARD OF SELECTMEN

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

AGENDA

October 7, 1996

7:00	Open Meeting, Sign warrants, approve minutes of 9/30 & 10/3.
7:05	Public Hearing for Medway Oil Company to increase above ground storage capacity.
7:15	Asst. Highway Supt., Robert Power, List of streets needing paving.
7:30	Bid opening for carpeting of Town Hall areas
7:35	Award Cottage Street Drainage Project - Joseph Giovinazzo, GCG Associates
8:00	Jerry Lindsey & Planning Board regarding Highland Street intersection.
8:15	Site Plan - 131(?) Village Street - Anne Picillo for Craft Shop.
	Committee Reports
	Action Items
	Executive Session

ACTION ITEMS FOR SELECTMEN'S MEETING OF OCTOBER 7, 1996

1. Acknowledge letter, and discuss desposition, regarding 27 Jayar Road Site Plan.

2. Acknowledge and discuss request of Safety Officer Watson regarding lights at Holliston Street intersection.

3. Discuss request for a pay telephone outside of Town Hall.

4. Acknowledge letter from Melanson, Greenwood & Co.,P.C. regarding merger.

5. Decision on Fire Chief Salary for FY'97.

6. Sign Contract extension for Historical Commission for consultant work.

7. Acknowledge letter from Time Warner Cable regarding adjustment in basic cable rate effective 1/1/97.

8. Decision on appointment to SWAP.

9. Additions, deletions, changes in Town Hall CIPC listing of needs?????

10. Vote on Emergency Transfer for Special Council.

11. Review draft of CRPCD plant valuation.

12. Review of Charles River "river study".

13. Review of BFI contract.

Present: Lee Henry, Doug Downing, James Brodeur, Administrative Assistant Ruth Allen.

7:00 p.m.-Mr. Henry called the meeting to order in the Selectmen's Meeting Room 2 of Town Hall, and asked Mr. Downing to chair the meeting as he had a cold.

- Mr. Brodeur moved approval of the minutes of September 30th amended with a correction; Mr. Henry seconded; all aye. Mr. Henry moved approval of the minutes of October 3rd; Mr. Downing seconded; Mr. Brodeur abstained; all aye.

7:05 - Mr. Henry moved that the public hearing for Medway Oil Company to increase above-ground storage capacity be opened; Mr. Brodeur seconded; all aye. Mr. Brodeur read the ad that appeared in local papers.

David Bertonazzi representing Medway Oil of 37 Broad Street, and Jeff Mushnick, President of Medway Oil, came before the Board. Mr. Bertonazzi confirmed that abutters were notified by certified mail, return receipt on September 13th.

Mr. Bertonazzi said Medway Oil had been in operation since 1890, and by the present owners since 1954 with 13 employees. He stated that five tanks have been there since 1932, and now they want to add an additional four tanks. Mr. Bertonazzi said that the entire property would now be in compliance by being contained. With the additional tanks, they would be able to service their customers better and tankers would not be making as many deliveries.

Chief Vinton, who was present, said that the new tanks have to be contained, so they might as well contain the old ones.

Abutters present included Mike Matondi, who had no problem or objection to what had been presented, as he had discussed the planned project with Mr. Mushnick. Mr. and Mrs. Caton, also abutters, felt that they could not run their business as it was without using Town property for their trucks coming and going over the railroad bed.

Mr. Brodeur said that this Board is trying to utilize the railroad bed for the public; if and when that happens, it would prevent the vehicles from using it any further. Mr. Mushnick said they had been using the property for 30 years and don't load at night, only during the day between 8 and 5.

Mr. Henry suggested designating that the Town property could not be used for a commercial business, but Mr. Mushnick said that kids cut through his property to go to school, and he would rather drive forward over the railroad bed than not see a child by trying to back up and making a loop out of the yard. Mr. Downing tried a compromise of allowing Mr. Mushnick to utilize the railroad bed until June 30, 1997 - the end of the school year - which would give them time to come up with an alternate plan. Mr. Caton wanted to be assured that the Board was serious in stating Medway Oil would not use the railroad bed after June 30th, and Mr. Downing confirmed it was a statement of fact as the other Board members agreed as well.

Mr. Brodeur noted that they may have to go to the ZBA for a variance for the new containment wall. The Chief was asked his opinion, and he stated that he reviewed the CMR and Chapter 148.

Mr. Brodeur moved the hearing be closed; Mr. Henry seconded; all aye. Mr. Brodeur moved to approve the requisition for above-ground storage capacity with the condition that the containment structure for the four new tanks be in compliance with current zoning set-backs from property lines, and the Board of Selectmen note to the appropriate authorities that any containment facilities for the existing tanks be considered within the appropriate parameters of the property line set-backs to the Town of Medway's railroad bed property; there was no second to this motion.

Mr. Henry moved to approve the site plan dated September 12th with the following stipulations:

- the containment area for the new tanks be in compliance with current zoning by-laws;
- the containment area around the existing tanks be in compliance with current zoning by-laws;
- the use of the railroad bed for access to the commercial property will cease on June 30, 1997.

Mr. Brodeur seconded; all aye. The Board asked that Mrs. Allen confirm this in writing, and that the total gallons are 101,880. The Chief said he would check to see if the Commissioner of Public Safety has to approve this being it is over 100,000 gallons.

7:50 - Bids were to be opened for carpeting at Town Hall, and Paul Wilson of the Town Hall Building Committee and Gino Carlucci, coordinator, were present. Three bids were received from:

- Creative Decorating & Flooring Co. of Franklin, with addendums 1, 2, 3, 4, with bank check - $17,977.98.
- West Floor Covering, DBA N. E. Floorcovering of Pembroke, with addendums 1, 2, 3, N/A others, with bid bond - $20,900.
- RLM Flooring of Boston, with addendums 1, 2, 3, with bid bond - $22,600.

Mr. Henry moved to turn the bids over to the Town Hall Building Committee for their review and recommendation; Mr. Brodeur seconded; all aye.

8:00 - Assistant Highway Supt. Bob Power came before the Board with a list of streets to be paved, including cost and lengths. The Board asked for some time to review them and asked him to come back next week trying to put them in a priority order.

8:05 - Jerry Lindsey came before the Board to discuss the Highland Street intersection and presented two options. He indicated that the Planning Board has asked him to reconstruct the intersection as part their approval of his Brookfield subdivision plan, which he has agreed to.

Mr. Henry was reluctant to even discuss the issue because he would have liked to have heard from the Planning Board as to why this was being recommended, and would have liked the Highway Department and the Safety Officer to give their opinion after review. He suggested they take it under advisement until the Board has heard from all three; Mr. Downing agreed. Mr. Lindsey said the work would not be done until Spring.

Mr. Brodeur concurred that the angling of a road into an intersection is dangerous and going into a 90 degree angle is much safer. He recommended that the County Engineers also review the plan. Mr. Lindsey said that the Safety Officer already has a set of the plans, and that Planning Board Agent Mike Perrault had suggested this route. He did state that three trees would have to come down, and was told that the Planning Board would have to have a public hearing as Highland Street is a scenic road.

- Warrants were signed totalling $236,216.84.

8:15 - Anne Picillo of The Crafters Guild came before the Board for a site plan of her business at 131 Village Street. She said that her shop will be a consignment shop for 55 crafters, and she hopes to have her hours of operation be 9 a.m. to 5 p.m. Monday through Saturday and 12 Noon

to 5 p.m. on Sunday through November and December, then cutting back in January. Ms. Picillo said she would be working the store with a part-time person, with the anticipation of opening the first week in November.

Mr. Henry moved approval of the site plan as presented by Ms. Picillo; Mr. Brodeur seconded; all aye.

- **Committee Reports.**

- Mr. Henry said he attended the recent School Committee meeting and five proposals from the sub-committee on the new school configuration were given. A vote should be taken at their next meeting.

- On Saturday, Mr. Henry said the Board went to the Selectmen's workshop in Westboro. Information was brought back to the Office and each Selectman attended various different workshops. Mr. Henry said the Board needs to keep an eye on the electric de-regulation, and to keep the Town of Plymouth's letter on the same subject handy. He also mentioned that Medway's by-law on tobacco confiscation was used as an example since it is the only one in the State.

At this time, Mr. Brodeur suggested we have a Fall All-Boards meeting. Mr. Downing agreed but felt it should be a meeting for the Management Team, which would be the chairman of all elected and appointed boards and department heads. Saturday, November 16th at 8:30 a.m. was selected as the date.

8:35 - Joseph Giovinazzo of GCG Associates stopped in to give his recommendation for the awarding of the bid on the Cottage Street drainage project. He said that the low bidders were: Tornare of Watertown, MPF of Wrentham, and CJP of Millis. His recommendation was to go with Tornare and the 48" pipe. Mr. Giovinazzo has checked out their references and they are excellent. They have been in business for 30 years, and even though he has never worked with this company, felt they would do a good job for the Town. He noted the pre-construction conference and contract signing by Mr. Henry on October 15th, with invitations being sent to the School Department, Selectmen, Highway, Fire Chief, Police Chief, Water/Sewer, and any questions they may have will be answered.

For the viewing audience, Mr. Downing said that the bids had been opened on October 3rd in the presence of a majority of the Board and turned over to Mr. Giovinazzo.

Mr. Brodeur said if the Town goes with the detention basin, then we would only need a 42" pipe. Mr. Giovinazzo understood what Mr. Brodeur was saying, however, there was not much difference in bid prices between the 42" and 48", and as such, putting in the 48" pipe would only leave a little leeway of water flow in the pipe where with the 42", there would be none.

Mr. Brodeur moved to authorize the Chairman to sign the notice of award for the contract with Tornare Construction as outlined in Mr. Giovinazzo's memo of October 7th in the amount of $373,435; Mr. Henry seconded; all aye.

- Mr. Downing was unsure if he would be able to attend the meeting in Framingham with reference to Arlington Data, but would try. He believed the Town Accountant and the Assistant Assessor were planning on attending.

- Mr. Henry was planning on attending the FinCom meeting on Wednesday, October 9th; while Mr. Downing would be attending a Norfolk County Selectmen's meeting; while Mr. Brodeur would be attending the School Building & Site Selection Committee meeting.

- **Action Items.**

- Mr. Downing felt that the subject of 27 Jayar Road should not be discussed at this time pending possible litigation, and to take the most recent correspondence received under advisement until the Board heard from Town Counsel; the rest of the Board agreed.

- The Board discussed a request from the Safety Officer to consider either placing delayed left-turn green lights or delayed left-hand arrows lights at Holliston and Main Streets in all directions. It was reiterated that the Board can seek approval from the State, but the Town pays for the cost involved. Mr. Henry suggested we pursue this with Mass Highway, and to find out how we can process, review, approve and upgrade the lights. He also asked Mrs. Allen to see if Chapter 90 funds can be used to cover the possible changes. Mrs. Allen felt we would need to hire our own engineer, but would check.

  Mr. Downing felt the time waiting for the lights to change was long, and recommended a traffic study there and at the main entrance to the shopping center, feeling we need to update traffic controls. It was noted that Joseph Giovinazzo may have some information that can be of use.

Mr. Henry requested that we contact Mass Highway for their input, and to find out if there are certain accommodations in the electronic system that can be utilized. Mr. Downing agreed, but wanted the professionals to come in and say what can be done short-term with what we have, and what can be done long-term if the necessary changes are made.

- The Board noted the request that a pay phone be installed somewhere near the Town Hall. Mrs. Allen will check with Nynex to see what can be done.

- The Board noted the new name of Melanson, Greenwood & Company to be Melanson, Heath & Company because of a merger.

- The Board noted previous references to the Fire Chief's salary for FY'97 which has been discussed. In question at the moment was his old salary for FY'96 at 35 hours and his new salary for FY'97 at 40 hours.

  Mr. Henry had a problem with this whole issue, since the Board decided to change his hours from 35 to 40, and why was the Board becoming bogged down with bi-weekly rates? He noted that the Board had approved a budget at the beginning of the year, but no changes were ever approved on Town Meeting floor to substantiate those changes.

  Mr. Downing said the Board, at that time, was remiss at Town Meeting in not discussing the increase in the budget, and what was upsetting was that the process and personalities were getting intermixed. He felt, at the end of the year, the Board may have to process an emergency transfer to the FinCom for any balance of funds needed, but for the time being, he felt that the Board had to hold at the old rate of pay. Down the road, hopefully, the Board would negotiate with the Chief.

  Mr. Henry moved that the Fire Chief's salary be $1,053.50 bi-weekly, the same as for FY'96 for 35 hours; Mr. Brodeur seconded; all aye.

- The Board reviewed the contract extension for the Historical Commission's Claire Dempsey. Mr. Henry moved approval of the contract pending the review as to form by Town Counsel; Mr. Downing seconded; all aye.

- The Board noted receipt of a letter from Time Warner Cable indicating a reduction of $1.04 in the basic rate starting January 1997.

- The Board discussed the appointment of individuals to SWAP. Mr. Henry moved to appoint Raphaela Rozanski to SWAP; there was no second. Mr. Downing questioned if they should still take this under advisement? Mr. Brodeur clarified there could be a Selectman or Planning Board rep, along with a citizen-at-large. Mr. Brodeur suggested asking the Planning Board if they had an individual interested in being appointed. Mr. Downing added to extend an invitation to other residents and advertise the vacancy, using this as a growth potential.

- The Board reviewed the on-going renovations for Town Hall, trying to place the repairs into fiscal years. Mrs. Allen noted this was not necessarily a "CIPC" list as some of the "jobs" are not over $5,000 - but more of a worksheet for the Board. After the different repairs were reviewed, Mr. Henry moved the list be retyped and submitted to CIPC from the Board as Revision #1; Mr. Brodeur seconded; all aye.

  Mr. Downing also referred to one of the Peer-to-Peer recommendations to develop a handbook to better inform residents of the different departments and committees in Town. He felt that possibly Senior Citizens could be utilized in this endeavor. Mention was also made of another recommendation which was for a Town Hall receptionist, which the Board will keep in mind for the future. Both recommendations were placed in FY'98.

- The Board noted another emergency transfer for Special Counsel in the amount of $2,375 for bills in hand. Mr. Henry moved the emergency transfer for Law for $2,375 be approved by the Board and sent on to FinCom; Mr. Brodeur seconded; all aye.

- The Board acknowledged receipt of Franklin Town Administrator Wolfgang Bauer's draft of an RFP for determining excess capacity value at CRPCD. Mr. Henry moved to ask Town Counsel to review the draft for consultation valuation services to the Towns of Franklin and Medway as submitted by Mr. Bauer on October 3rd and make a recommendation to the Board; Mr. Brodeur seconded; all aye.

- The Board noted receipt of a copy of a letter dated October 2nd from Holliston's Town Administrator, Paul LeBeau, to CRPCD from Camp Dresser & McKee enclosing a report on the Sampling and Analysis Plan for the Charles River Waste Load Allocation Study.

- The Board acknowledged receipt of the recycling contract with BFI from Health Agent William Fisher. Mr. Henry

moved to turn the contract over to Town Counsel for his review and advise the Board as to form and content; Mr. Brodeur seconded; all aye.

- The Board noted receipt of a letter from Health Agent William Fisher asking the Board for some relief from pumping costs for Summer Street residents, after having received the request from the Water/Sewer Board. Mr. Henry moved that the Board send a letter to CRPCD, with the Chairman's signature, and with the support of the Board of Health and the Water/Sewer Board, requesting CRPCD review this request of reducing the tipping fee for Summer Street residents until they are connected to the town sewer system; Mr. Brodeur seconded; all aye.

10:15- Mr. Henry moved the Board adjourn to executive session for the purpose of strategy as it relates to union and non-union personnel; Mr. Brodeur seconded; all aye. The vote: Mr. Henry -yes; Mr. Brodeur - yes; Mr. Downing - yes.

Respectfully submitted,

M. J. Fredette
Secretary
mj

approved 10/22/96

Present: Lee Henry, Doug Downing, Administrative Assistant Ruth Allen, CGC representative Joseph Giovinazzo.

8:30 a.m.-Mr. Henry called the meeting to order for the purpose of opening bids for the Cottage Street drainage project.

Eight bids were received from:

N. Cibotti, Inc.; Umbro & Sons; MPF Corporation; D'Allessandro Corporation; CJP & Sons; Tornare Construction; MK Construction; Weswall Construction.

A summary bid list is attached to these minutes.

Mr. Downing moved that the Board turn the bids over to GCG Consultants for their review and recommendation; Mr. Henry seconded; all aye. Mr. Giovinazzo hopes to have a recommendation to give to the Board for a vote at their October 7th meeting, after he checks out the references of the apparent low bidder.

8:50 - Mr. Downing moved the meeting be adjourned; Mr. Henry seconded; all aye.

Respectfully submitted,

M. J. Fredette, Secretary
mj

approved 10/7/96

LIST OF CONTRACTORS

COTTAGE AND EVERGREEN STREET PROJECT
MEDWAY, MA

bidders

low bids

CONTRACTOR	BID BOND	BID AMOUNT	
(5) **CJP & SONS** 1420 MAIN STREET MILLIS, MA 02054	yes	base - 377,071.03 alt - 366,261.03	48" (3) 42"
(1) **N.CIBOTTI, IC.** 79 ROC SAM PARK RD BRAINTREE, MA 02184	yes	base - 449,730. alt - 444,760.	48" 42"
(4) **D'ALLESSANDRO CORP.** 25 GRANT DRIVE AVON, MA 02322	yes	base - 452,414.60 alt - 441,374.60	48" 42"
LORUSSO CORP. 3 BELCHER STREET PLAINVILLE, MA 02762			
(7) **MK CONSTRUCTION** 202 CHASE RD. PORTSMOUTH, RI 02871	yes	base - 398,990 alt - 388,180	48" 42"
(3) **MPF CORPORATION** 30 COMMERCIAL DRIVE WRENTHAM, MA 02093	yes	base - 375,421. alt - 353,801.	48" (2) 42"
MIWAY PAVING 1501 MAIN STREET TEWKSBURY, MA 01876			
RHD CONSTRUCTION 200 BOSTON AVE. MEDFORD, MA 02155			
(6) **TORNARE CONSTRUCTION** 118 MAIN STREET WATERTOWN, MA 02172	yes	base - 373,435 alt - 362,625	48" 42" (1)
(2) **UMBRO & SONS** 44 READING STREET BOSTON, MA 02119	yes	base - 462,424.75 alt - 451,614.75	48" 42"
(8) **WESWALL CONSTRUCTION** 158 FORBES RD. WESTWOOD, MA	yes	base - 379,498.30 alt - 373,012.30	48" 42"

BOARD OF SELECTMEN

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

AGENDA

September 30, 1996

7:00	Open Meeting, Sign warrants. Minutes of September 23, 1996 meeting.
7:01	Public Hearing on Sewer Rates
7:15	Marjorie Sanford regarding new employee status
7:30	Raphaela Rozanski and Maryellen Lavenberg regarding SWAP appointment.
7:45	Decision on Solicitor's Permit for Clean Water Action
8:00	Discuss letter received from Arlington Data
8:15	Arti Mehta regarding Fire Department payroll and Accountant's vacation carryover from FY'96
	Committee Reports
	Action Items
	Executive Session

ACTION ITEMS FOR SELECTMEN'S MEETING OF SEPTEMBER 30, 1996

1. Acknowledge fax from Glenn Gilmore regarding SRF Priority List/Intended Use Plan.

2. Acknowledge and discuss letter from Town of Blackstone regarding sharing a Town Engineer.

3. Acknowledge letter from Attorney General - attendance at Municipal Forum on November 14th at 8:00 a.m. in Boston.

actitems.doc

Present: Lee Henry, Doug Downing, James Brodeur, Administrative Assistant Ruth Allen.

7:00 p.m.-Mr. Henry called the meeting to order in the Selectmen's Meeting Room 2 of Town Hall. Warrants were signed totalling $622,102.96.

7:01 - Mr. Downing moved that the public hearing on sewer rates be opened; Mr. Henry seconded; all aye. Mr. Henry read the public hearing notice as it appeared in local papers stating an increase in the sewer rate from $1.00/ 120 cu. ft. to $1.00/90 cu. ft.

There were no comments from the audience. Mr. Rice did say, however, that there had been an increase of water into the sewer system from residents pumping excess water, and the extra cost had to be placed back on the sewer users. The Board decided to hold off on a vote on increasing the sewer rate until Mr. Brodeur arrived.

Mr. Downing moved the public hearing be closed; Mr. Henry seconded; all aye.

- Mr. Downing moved acceptance of the minutes of September 23rd; Mr. Henry seconded; all aye.

- Committee Reports.

- Mr. Henry said ~~he~~ the Board went to a joint meeting with the Water/Sewer Commissioners, DEP, and the Board of Health on September 24th with regard to the problems with septic systems for the Longmeadow residents. Some of the points made were: what was available to the Town for failed septic systems to tie into sewer, and what is available to establish sewer lines not in place. He said the Board had already signed a statement of intent to DEP for the Town to avail themselves of Option #1 and the state revolving fund program.

- Mr. Henry noted attending the table top emergency exercise at the Police Station put on by John Cicciu, Civil Defense Director. Mr. Henry said his title should now be Emergency Management Director. They discussed present plans - he had one from 1988, but heard there was one from 1992 - and requested that the present plans be updated. An emergency situation would involve the use of the schools and buses for evacuation, but Mr. Downing noted no mention was made of the new school complex or any built-in emergency provisions. He suggested the architect be advised of this and see if a change order can be put through to include the building. He indicated he would pursue this with Dave Verdolino

and get back to the Board.

Mr. Henry noted that the conference room in the Police Station would be the command station, and that Boston Edison would use the Squad Room to keep both areas separate.

7:15 - Treasurer/Collector Marge Sanford came before the Board to reiterate her intention to hire an employee in her department to the position of Collection/Accounting Assistant and not Financial Office Assistant. She stated the advertisement was for Collection/Accounting Assistant, and felt it was between her, the Finance Committee and Town Meeting to do what she wants in her department as long as it was within her budget. Mrs. Sanford said it is not described in the personnel by-laws that she had to specifically hire for the position that was vacated, and many of the duties of the Financial Office Assistant are now being handled by the senior citizens.

Mr. Henry commented the table of organization doesn't specify a specific number of personnel, with Mr. Downing adding he thought she was creating a new position, but now understood that it was advertised at a grade 4, step 1 and not replacing the Financial Office Assistant. Mr. Downing further said as long as the Town Accountant buys into this, and Mrs. Sanford is a duly elected public official, and the amount is included in her salary line item to dispense as she sees fit - then he had no problem. He also asked Mrs. Sanford if the tax relief program with the seniors was needed, and she said it was.

Mr. Downing moved that the Board sign the employee notification form for Natalie Sears as Collection/ Accounting Assistant at a grade 4, step 1 effective September 16th; Mr. Brodeur seconded; all aye.

Mrs. Sanford stated that she had received a call from an attorney for Governor Weld and it looked as if the filing of the legislation for the library funds looked good.

Mrs. Sanford added she had seen the memo on surplus furniture the Town Clerk sent around, and was interested as well in going in to Boston on October 8th. Mr. Henry said it needs to be coordinated to see what everyone needs. She thought she could go in during the week and take a look to see if it was worth the trip. It was moved and seconded to have a truck and driver available for the furniture, to be worked out with Mrs. Allen.

- It was noted that the Board had recently supported the Housing Authority's grant request for $92,000 and the Chairman needed to sign the comprehensive improvement assistant program amendment. Mr. Downing moved that the Chairman be authorized to sign the amendment; Mr. Brodeur seconded; all aye. The Town Clerk will be asked to notarize the document.

7:40 - Raphaela Rozanski and Mary Ellen Lavenberg came before the Board to discuss SWAP and MAPC.

Mrs. Rozanski noted the Board should have received copies of minutes of the SWAP meetings held this year. She stated she and Mrs. Lavenberg held two separate positions - she representing SWAP and Mrs. Lavenberg MAPC, and recently have been involved in transportation issues and biketrails. She noted an upcoming legislative breakfast on October 16th.

Mr. Downing mentioned it was disheartening that we were not using the multi-use trails for non-motorized vehicles for recreation and transportation. Mrs. Lavenberg noted they were still being looked at.

For clarification, Mrs. Rozanski stated that SWAP is area and regional and sub-regional to MAPC with 11 towns. MAPC consists of 101 cities and towns, with SWAP being outside of MAPC. Medway had two votes by having a SWAP rep and a MAPC rep.

Mr. Henry told them to keep up the good work and to keep the Board informed.

Mrs. Allen asked about the vacancy that exists for a SWAP rep through June 30, 1997? Mr. Brodeur was told that Medway is allowed up to three people - one Selectman or Planning Board rep, one citizen at-large, and one rep to MAPC. Mrs. Rozanski said when it came down to a vote, they would have to defer to the Chairman of the Board on how to vote if it came down to three separate opinions. The Board decided to take the appointment under advisement.

8:15 - Ron Rundus representing Clean Water Action came before the Board to finalize his request for a solicitor's permit. It was noted that the Police Chief had said their organization had been checked and there was no problem. Mr. Brodeur asked if the Board could receive a report on how their solicitation in Medway went when completed. Mr. Rundus requested his permit be granted from October 1st through October 8th, and they would do their best to restrict call-backs from 8-9 p.m. After

Mr. Brodeur recommended 8:30 p.m. as a cut-off time, Mr. Downing suggested it be left at 9 p.m., but asking that they restrict their visits to the front door as long as the lights were on.

Mr. Rundus also wished to be notified of any complaints against any of his canvassers. Mr. Downing moved approval of Clean Water Action's solicitor's permit from October 1st through October 8th from 4 p.m. to 9 p.m.; Mr. Brodeur seconded; all aye. Mr. Downing also recommended they develop a brochure to hand out.

8:35 - Town Accountant Arti Mehta and members of the Board of Assessors Harry Johnson and John Creighton with Assistant Assessor Paul Keefe and Treasurer/Collector Marge Sanford met with the Board of Assessors to discuss Arlington Data's, d/b/a Local Government Software of America, response to the Board's recent letter inquiring as to the status of their operation.

Mr. Henry asked those present if their response answered all their concerns? Mrs. Mehta did not feel their questions were answered about the software, with Mrs. Sanford agreeing saying they should go to the meeting on October 8th to get further information. Mr. Johnson also concurred noting we should take the offer to be briefed. At this time, Mr. Keefe, Mrs. Sanford, Mr. Creighton, Mrs. Mehta, and possibly Mrs. Murray, would be attending the meeting. Mrs. Mehta again confirmed we own everything. Mr. Henry said they could put this subject on the Selectmen's agenda for October 22nd if the meeting of October 8th doesn't answer all the questions. Mr. Downing agreed they could attend the joint meeting and decide if another meeting is necessary. Mrs. Allen was asked to post a meeting for October 22nd.

On a another matter, Mr. Henry mentioned he had received a phone call from Bob Doherty of our Computer Committee, and requested Mr. Doherty get a copy of this letter from Arlington Data. Mrs. Mehta asked that the Computer Committee talk to her about the system in place.

9:00 - Town Accountant Arti Mehta continued her discussion with the Board with regard to the Fire Department payroll. She stated that the procedure is: Department Head submits the payroll to the Accountant; the Accountant verifies; the Accountant can refuse if it is excessive. She said she has to do what Town Counsel says, and the Fire Chief needs to do the right paperwork.

Mr. Downing felt this was a personal issue and wondered

why one individual was being singled out, and the amount had been amended in her office at the start of the fiscal year. Mrs. Mehta said it was not a clear picture for the Water/Sewer Department, and she could have fought the issue; she has written three letters to the Fire Chief.

Mr. Downing further stated that she reports to the Board of Selectmen; the Finance Committee reports to the Board of Selectmen. She should have contacted the Board or the Chairman when problems arose.

Mr. Brodeur felt that the lower figure would represent defeat for the Chief at 35 hours vs. 40 hours. Who rules on the amount of hours? Mr. Henry said Town Counsel had stated you need Town Meeting approval and Town Meeting did not approve 40 hours.

Mr. Downing said that the Fire Department salary figure has always been an estimate, and that line item and how it is divided up is our business or his, just as the Treasurer did; he disagrees with Town Counsel's opinion. Mrs. Mehta said if the Board had voted on that line item figure, it would have been different. Mr. Henry suggested taking it under advisement until next week. Mrs. Allen told Mrs. Mehta the Board did vote; she disagreed with copies of minutes she had; Mrs. Allen reiterated from copies of minutes she produced where it had been voted on twice. Mr. Downing felt they should deliberate on this, but said they won't let this go on much longer.

The subject of the Town Accountant's vacation carryover from FY'96 to FY'97 was brought up. Mrs. Mehta said she had made a mistake with no intention of doing so. After she explained her error, the Board said they would take that extra five days taken with pay under advisement. Mrs. Mehta noted the extra hours she has put in since she came to work for the Town.

Mrs. Mehta asked the Board to approve her recommendation to hire Barbara Walls at a grade 5, step 1 as her Financial Office Assistant effective October 1st. Mr. Brodeur so moved; Mr. Downing seconded; all aye. She noted she put 40 hours in her budget for that position.

- Going back to sewer rates, Mr. Brodeur moved to increase sewer rates effective September 30, 1996 from $1.00/120 cu. ft. to $1.00/90 cu. ft.; Mr. Downing seconded; all aye.

- Mr. Henry noted that the Lieutenant exam has been

postponed since fewer than four applicants had filed.

- Receipt of a letter from GCG Associates was noted reminding the Board about the bid opening on October 3rd at 8:30 a.m.; the awarding of the contract on October 7th; the pre-construction conference and contract signing on October 15th; the starting of construction on October 16th. Mr. Brodeur asked for a copy of the bids in his weekend packet.

- The Board was reminded of DPS Administrator interviews on Wednesday, October 2nd, and the Office was trying to reschedule one interview from Tuesday so they could all be held on Wednesday.

- Mrs. Allen said that Paul LeBeau had called and postponed the meeting on Thursday, October 3rd at CRPCD, and instead invited the Board to a meeting at DEP on the preliminary river study plans on October 11th at 9 a.m. in Worcester.

- With reference to the meeting in Millis on October 23rd, Mrs. Allen was asked to send a memo to Charlie Aspinwall confirming the Board's understanding of a meeting on that date with reference to Farm St.

- Mr. Henry said he had received a letter from Rep. Gardner concerning a reception on October 15th for the president of Framingham State College.

- It was reiterated that Town departments have received the retention schedules for files. The Secretary's memo on security for files in Sanford Hall was noted and taken under advisement. Mr. Brodeur added that some subdivision plans that were stored in Sanford Hall have disappeared because of the lack of a secure area. Mr. Downing said that the Municipal Facilities Study Committee has been evaluating the Town Hall and other buildings and should be making a proposal to the Board soon. Mr. Henry also indicated that the move to the new office area on the first floor might be accomplished around December 1st.

- A letter from Town Counsel with regard to the Treasurer entering into a contract with MMA for tax taking was noted.

- Mr. Henry acknowledged Paul DeSimone's letter on work done on Coffee Street by the Highway Department, with Mr. Downing adding that the landowner's cooperation was also appreciated.

- Action Items.

- A letter from Glenn Gilmore from DEP enclosing forms to establish a priority list to assist the department in the awarding of assistance was acknowledged. It was recommended to send a copy of same to the Board of Health and Water/Sewer and fill out what can be done, asking for a deadline of October 15th, and place for review on the October 22nd agenda.

- A letter from Blackstone Town Administrator John D'Agostino with reference to the sharing of a Town Engineer was acknowledged. The Board asked that Mrs. Allen thank him for the consideration and invite him and his Board of Selectmen to a future meeting to discuss further, and also ask our Planning Board, Water/ Sewer Commissioners, and Board of Health to attend if they wish to sit in on the discussion. It was also noted that if there was a large group attending, we might have to move to Sanford Hall. Mr. Brodeur added the names of Wendy Rowe and Carla Cataldo to the list.

- A letter from Attorney General Scott Harshbarger concerning a municipal forum on November 14th in Boston was noted. The Board will take up attending at a future date.

- The Board brought up the request of Alder Street residents to meet with the Board. Mr. Henry felt their concern was to again close off Alder Street, which had already been addressed. He did not feel the project being handled by the IDC will have an effect on the residents since they were trying to improve the roadway to make it attractive for industrial use. Mr. Henry went on record for saying that he still does not see anything to change his mind about that area. The Board agreed to let them meet with the Board on November 18th, after award of the grant should be known, and asked that a copy of that invitation be sent to Rep. Gardner and the IDC. Mr. Brodeur also asked that, in the interim, the Police Chief be asked for an update on traffic conditions in that area.

- Mr. Henry asked that a copy of the DPS Administrator position be sent to the JCRB for their meeting on Thursday since it was a new position.

- The Board noted Kathleen Levesque's request to meet with the Board concerning Longmeadow's septic system problems. The Board felt there was no new information to give her, and to let her know that the issue is under discussion and should be resolved with the Water/Sewer

Board and the Board of Health and the SRF program.

- On a follow-up, Mr. Downing asked if Mrs. Allen could send a letter to Margaret O'Meara referencing her memo of August 8th stating that he had been unofficially told at the Red Bridge that the project would be completed by Thanksgiving. He would like a firm date in writing.

- On another follow-up, Mr. Downing asked about the Swenson-Granite sign that needed to be looked at by the Safety Officer. The Secretary told him, in the absence of the Safety Officer, the Police Chief had looked over the location for the placement of the sign and verbally approved it to her. Mr. Downing asked, to complete the file, that the Chief put it in writing.

- It was noted that the School Committee sub-committee on the school configuration would be meeting this week and giving a recommendation to the full Committee later on in the month, possibly October 17th.

10:35- Mr. Downing moved the Board adjourn to executive session for the purpose of strategy as it relates to collective bargaining with union and non-union personnel, not to return to public session; Mr. Brodeur seconded; all aye. The vote: Mr. Downing - yes; Mr. Brodeur - yes; Mr. Henry - yes. Mrs. Allen was asked to stay for the session.

Respectfully submitted,

M. J. Fredette, Secretary
mj

Approved as amended 10/7/96

BOARD OF SELECTMEN

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

MINUTES OF THE SELECTMEN'S MEETING OF SEPTEMBER 28, 1996

Present: Lee Henry, Douglas Downing, James Brodeur, Administrative Assistant, Ruth Allen, Catherine Chenard, Robert Heavey, Ronald Wilson, Gardner Rice and Donald Springer.

9:12 a.m. The Chairman, Lee Henry opened the meeting and Robert Heavey moved and Douglas Downing seconded that they move to a workshop, all aye. Mr. Henry updated those present the reason for the workshop; the need for the Town of Holliston to go through the Town of Medway for access to the CRPCD plant. The Town of Holliston design would use forced pump system and would not allow any hook ups to the Medway residents.

The Town of Holliston is looking for access locations where the Town of Medway would like for the lines to come through the town; potential access points.

Robert Heavey moved and Douglas Downing seconded, that the recommendation is 1) Millis/Medway town line; 2) Chicken Brook; and 3) Hoppin Brook. All aye. The consensus of those present felt that Mr. Henry get in touch with Paul Wilson and Paul DeSimone and inform them that this is what came out of the workshop and get their response and then send to the Town of Holliston.

- Mr. Henry spoke of the need to update the Master Plan for sewer lines for the Town of Medway- identify land that can be sewered and land that can not be sewered.

Discussed forming a Special Article for a sewer fund which will be started with "buy in" charge from Holliston.

10:50 a.m. Gardner Rice moved and Douglas Downing seconded that this workshop meeting adjourn. All aye.

Respecfully submitted,

Ruth Allen, Administrative Assistant

Approved 10/28/96

BOARD OF SELECTMEN

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

AGENDA

September 23, 1996

7:00	Open Meeting, Sign warrants. Minutes of September 16, 1996 meeting.
7:05	Ron Rundus, Solicitors Permit for Clean Water Action.
7:15	John Solari, Site Plan, 27 Jayar Road
7:30	Treasurer and Library Trustees
	Committee Reports
	Action Items
	Executive Session

ACTION ITEMS FOR SELECTMEN'S MEETING OF SEPTEMBER 23, 1996

1. Vote on award of Joint Salt Bid for FY'97.

2. Acknowledge and discuss letter from Wolfgang Bauer regarding planning services partnership.

3. Review 5 year plan for capital items for Town Hall.

4. Discuss and vote on new employee status in Treasurer's office.

5. DPS Administrator.

6. Acknowledge and discuss letter from David Verdolino regarding Clerk of the Works letter August 22nd.

7. Acknowledge request from Frank Pelletier regarding Cable drop at Middle School library.

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Present: Lee Henry, Doug Downing, Jim Brodeur, Administrative Assistant Ruth Allen.

7:00 p.m.-Mr. Henry called the meeting to order in the Selectmen's Meeting Room 2 of Town Hall.

- Treasurer/Collector Marge Sanford met with the Board to get their vote to sign the report of Advance of Funds in lieu of borrowing in the amount of $15,220 for the Holliston Street sewer connection. It was moved and seconded to authorize the Treasurer to get an advance against the stabilization fund for the Middle/High School sewer connection; all aye. The Board signed the authorization form.

- The Board reviewed the minutes of September 23rd and made corrections. Mr. Brodeur moved the minutes be approved as amended; Mr. Downing seconded; all aye.

7:07 - Ron Rundus representing Clean Water Action came before the Board to request a solicitor's permit for his group. Mr. Rondus initially stated the main focus was to support stronger water quality legislation for the environment. He further went on to state that they do I.D.'s and register voters. Lastly, he noted they support Jim McGovern as he is the environmental candidate.

The Board was confused as to the true reason for his canvassing Medway - was it environmental or political? He reiterated that their job is to get signatures for environmental legislation, solicit funds, and if they do so, encourage the candidacy of Mr. McGovern. When told the Board discourages after-dark solicitation, Mr. Rondus explained that was when they do all their call-backs or to make contact with working parents.

Mr. Henry felt the application was not completed properly, and asked him to return next week at 7:45 with a re-submitted application for further discussion after the Board took this under advisement. He also asked Mrs. Allen to check their credentials with the Police Department.

7:30 - John Solari and Joe Hanlon, Engineer, came before the Board with a revised site plan for 27 Jayar Road.

- Mr. Hanlon noted that they are requesting space for a 3-yard dumpster, but requesting a 4-yard be allowed if they need to upgrade.

- The location of a 4th bay for hydroseeding (Green

Acres Hydroseeding) was noted, with water service at the front of the lot, taking up 1/4 of the building.

- the Fire Chief had done his inspection as noted in correspondence received.

- parking spaces 14, 15 and 16 were eliminated.

- wetland areas were marked out on the plan.

Bob Speroni, Zoning Enforcement Officer/Inspector of Buildings, was present and commented about the immobile trailer. He said, in speaking with Jan Morris, Chairman of the ZBA, that they were concerned about the axles. Mr. Speroni said there are no axles; the "trailer" conforms to the permit. He still considers it a shed; the ZBA said it was not a shed; therefore, according to the ZBA decision, Mr. Solari is still in violation. Mr. Brodeur asked what if Mr. Solari wanted to convert the trailer to a structure. Mr. Speroni noted this was difficult because the reference in the decision is to both a structure and an immobile trailer. It would be wiser to take out the trailer and just put in a wooden shed.

Mr. Hanlon elaborated that it would be a major expense for a small business. He stated that the ZBA has stated it was an immobile trailer, and they want to go to the ZBA to have them issue another decision. Mr. Henry noted that the trailer may have to come off the site plan; Mr. Hanlon knew that. Mr. Speroni said that he will still be in violation if the trailer is there tomorrow and would be cited.

Mr. Downing stated that this revised site plan looked a lot better than what had been submitted. He did ask that the "storage area" be identified as "vehicle storage area". He was also concerned about beyond the pavement area on the east and west sides of the building. Mr. Solari asked if it would help to hot-top that area in the back; Mr. Downing thought there would be no problem if it was paved and graded to prevent an accident and minimize impact to the wetlands.

Mr. Hanlon requested if it was possible to re-label the area of "vehicle storage area" to "storage, parking, and staging of vehicles", but Mr. Downing asked that it be kept as "vehicle storage area" so nothing but vehicles would be stored there.

Mr. Solari commented that he felt he was being singled

out as he had taken pictures of various storage trailers and asked if they all had been permitted? Mr. Downing gave the pictures back to him, and asked if he could identify their locations on the pictures and return them to the Board.

Mr. Brodeur moved approval of the site plan as presented this evening, as long as the following was done:

- removal of the "immobile trailer".
- paving and grading of the areas at the sides towards the rear of the building.
- putting the terminology of "vehicle storage areas" on the plan.
- indicate up to 4 cu. yd. dumpster on the plan.

Mr. Downing seconded; all aye.

For clarification, Mr. Speroni said that if they go back to the ZBA and the "immobile trailer" becomes a shed, then it would have to go for site plan review again.

Mr. Solari was told he did not have to come back to the Board to another meeting again; just make the changes on the plan, and the Board would sign the plan.

8:00 - Treasurer/Collector Marge Sanford and members of the Library Trustees came before the Board to recommend the Board send a letter to Governor Weld seeking special legislation to validate the vote of May 6th for the prop 2-1/2 exemption vote for the library renovation. The question had appeared on the ballot and was on the special town meeting warrant prior to the election, but not on the annual town meeting warrant as article #1 along with the positions up for election for proper posting. It was noted that this same legislation was also obtained in the Towns of Dennis, Dudley, Georgetown, Lenox, Cohasset, among others when it was needed.

Mr. Henry noted he had received a letter from the Chairman of the Library Trustees, Town Counsel and Bond Counsel all indicating this should be the route to take and added their support in this endeavor. Mrs. Sanford also indicated the support of Rep. Gardner and Sen. Magnani.

Mr. Brodeur moved to approve the letter being signed by the Board and sent to the Governor; Mr. Downing seconded; all aye.

- The Board began to review the warrants to be signed,

however, Fire Chief Wayne Vinton, who was present, asked if there was a payroll warrant for the Fire Department to be signed; there was. The Chief asked if payment to him was included on the warrant; it wasn't. The Chief then requested that the warrants not be signed by the Board until after the executive session, and Mr. Henry agreed to that.

- Committee Reports.

- Mr. Downing said he attended the recent School Committee meeting on configuration of the new school, and the executive session that followed. He noted there was considerable discussion from those in attendance, and that a final decision will be reached on October 3rd after a sub-committee researching the issue makes a recommendation.

- Mr. Brodeur said he would be drafting a letter to the ZBA on the lot #1, Kings Lane issue, but questioned if the Board wanted to have an access reserved for the public if the area becomes a linear walkway. Mr. Downing suggested Mr. Brodeur draft a letter showing different scenarios.

- Mr. Henry said he met with Town Counsel concerning issues already discussed. He also noted a joint meeting with the Board of Health called by DEP on Tuesday.

- Action Items

- The Board noted receipt of the summary of joint salt bids and the recommendation of Assistant Highway Supt. Bob Power. Mr. Downing moved to go with his recommendation and award the joint salt bid of CC salt to Eastern Salt Co. at $28.89/ton delivered, and the solar salt to Morton International for $28.68/ton delivered; Mr. Brodeur seconded; all aye.

- The Board discussed the letter received from Franklin Town Administrator Wolfgang Bauer concerning joining them in the planning services partnership. Mr. Downing felt that the Board was involved in too many projects at this time to be involved in another, but asked that the Planning Board, Conservation Commission, Building Inspector, Assessors, Zoning Board and Highway get a copy of the letter for their own reference. Mr. Downing also asked that Mrs. Allen acknowledge Mr. Bauer's letter and that a copy of his letter had been sent to different departments for any interest.

- The Board looked over the listed items that still need

to be done in the Town Hall renovation process, and what also needed to be done to the rest of the building as part of the 5-year plan. Another listing will be put together to re-define the areas with an estimated cost. Once this is done, priorities will be re-reviewed. It was felt that as the new areas are utilized, to take time to look at the vacant areas, the ceiling, lighting and painting and to seek the assistance of the Norfolk County Sheriff's Department to help us out. A master key lock system also needed to be considered.

- The Board discussed the situation of a person hired in the Treasurer's office at a different grade than the vacancy that was created. The Board felt that the Treasurer needed to go to the JCRB for the reclassification of the position and the employee, therefore, Mr. Downing moved that the Treasurer be advised the employee has to be hired per the by-law in place until subsequent action is taken, with a copy to the Town Accountant; Mr. Brodeur seconded; all aye.

- The Board reviewed the list of the finalists for the DPS Administrator position. Mr. Downing suggested they discuss this further in executive session to go over salary strategy.

- The Board noted receipt of a letter from the School Building Committee's Clerk, David Verdolino. He and Clerk of the Works John Kubitza were concerned about the recent repairs to Legion Avenue their contractor has made to water and sewer trenches for a new residence. Mrs. Allen was asked to speak to Bob Power and Mark Flaherty and to let Mr. Verdolino know the Town would take care of the situation. When Mr. Brodeur asked about their bonding, Mrs. Allen said they were the last ones to have to submit bonding, and be under the berm to berm regulation for repaving.

- The Board noted receipt of a letter from Frank Pelletier of Medway Cable Access asking that the Board write a letter to Time Warner requesting a drop line at the Middle School library for cable. Mr. Downing stated he would rather the request had come from School Administration, but wouldn't mind sending a letter of support. Mr. Downing moved to authorize the Chairman to send a letter to Time Warner but to first speak to the Superintendent, or ask that Administration handle the request with the Selectmen's support; Mr. Brodeur seconded; all aye.

- Mrs. Allen confirmed the attendance of the Board at the Norfolk County Selectmen's meeting.

- The Board signed the paperwork for acceptance of the new Highway dump truck.

- Mrs. Allen noted the Start-Rite contract for the front and rear entrances of Town Hall cannot be signed for lack of a few corrections that need to still be made.

- The Board noted receipt of a letter from Town Counsel concerning a formal 80/20 split with Franklin on CRPCD. Mr. Downing asked Mrs. Allen to write to Town Administrator Wolfgang Bauer suggesting he allocate Medway's buy-in charges as outlined in Mr. Maciolek's letter of September 19th; Mr. Brodeur seconded; all aye.

- Mr. Henry brought up the fact that the Highway Department broke up the pavement at the back of the Town Hall, and as soon as that area was made handicap accessible and the door installed, the front walk would be torn up and repaved and that door installed.

- Mr. Henry noted receipt of the MAPC letter indicating the Route 109 reconstruction project is back on the TIP list for FY'97 instead of FY'99.

- The Board reviewed Chapter 90 highway projects noting there was approximately $700,000 available, not including any recent additional funds. Assistant Highway Supt. Bob Power will be coming in to talk to the Board about the projects in the near future. This prompted Mr. Brodeur to ask about sidewalks, specifically the Maple Street sidewalk. He thought the agreement was for us to prepare the area for the sidewalk, possibly using our backhoe, then Jonathan Bruce would take care of the rest. Mrs. Allen noted the equipment was not capable of doing the work, with Mr. Henry adding that Norfolk County had engineered the area twice and felt there was not sufficient room there for a sidewalk. The Board will bring this up with Mr. Power.

- Mr. Henry stated he had received a letter at home from the Water/Sewer Commissioners with reference to space utilization.

9:15 - Mr. Brodeur moved the Board adjourn to executive session for the purpose of strategy for negotiations with union and non-union personnel and pending litigation with the understanding they would come back to open session only to sign warrants; Mr. Downing seconded; all aye. The vote: Mr. Brodeur-yes; Mr. Downing-yes; Mr. Henry-yes.

Respectfully submitted,
M. J. Fredette, Secretary

mj

approved 9/30/96

BOARD OF SELECTMEN

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

AGENDA

September 16, 1996

7:00	Open Meeting, Sign warrants. Minutes of September 9, 1996 meeting.
7:05	Board of Assessors, Town Accountant and Treasurer/Collector regarding Arlington Data filing Chapter 11.
7:15	Scott Herrick, Swenson Granite regarding a Sign Permit.
7:30	Open RFP's for Tax Taking Services
7:45	John Solari, regarding Site Plan
8:00	Town Administrator Review Committee regarding signatures for a Charter Commission
	Committee Reports
	Action Items

ACTION ITEMS FOR SELECTMEN'S MEETING OF SEPTEMBER 16, 1996

1. Sign new comptroller (DHCD) Boiler-plate Contract form.

2. Registration for Annual Fall Workshop for Selectmen.

3. Meeting with Millis Board of Selectmen setup for September 25th regarding Farm Street Sewer project.

4. Sign off on Robert Briggs land on Summer Street.

5. Vote on Board of Health request for use of Town Counsel regarding Longmeadow Lane septic problems.

6. Acknowledge letter from Alder Street area residents.

7. Acknowledge letter from Dee Mosches on amendment for sexual harrassment policies.

8. Answer Community Action Statement pages 9 and 10.

9. Discuss request from Council on Aging for copies of Executive session minutes of Selectmen's meeting.

10. Discuss letter from Zoning Board of Appeals on petition of A. Ozella, Jr. regarding Lot 1, Kings Lane.

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Present: Lee Henry, Doug Downing, Jim Brodeur, Administrative Assistant Ruth Allen.

7:05 p.m.-Mr. Henry called the meeting to order in the Selectmen's Meeting Room 2 of Town Hall.

- Members of the Board of Assessors (Harry Johnson, John Creighton, June Murray), Assistant Assessor Paul Keefe, Assistant Assessor Joe Malloy, Treasurer Marge Sanford, and Town Accountant Arti Mehta met with the Board to discuss the Chapter 11 bankruptcy filing of Arlington Data.

Mr. Johnson stated they do not have enough information other than what has been learned from the newspapers, and recommended sending a letter to Arlington Data expressing the Town's concerns. He also recommended getting their response in writing as there are certain standards in their contract with Medway since signed back on August 2, 1991 and renewed annually. Mr. Johnson further said that after we get a reply, they should all get together again and discuss further. Mrs. Mehta was suggested as the contact person and a reply should be received by September 27th.

Mrs. Sanford mentioned that there may be several lawsuits against them (at least Ludlow and possibly Lawrence); are they going to try and survive? She said she was a little nervous about this fiscal year.

Mr. Henry asked about a contingency plan? Mr. Johnson felt there were some contacts they could make, but it was good we own the hardware in Town Hall. Mrs. Mehta said we own the hardware and the software; the owner feels the problems are internal; and it would be good to get information in writing. Both Mr. Johnson and Mrs. Mehta felt there were not any sections of the contract that have not been met. Again, Mr. Johnson said the primary purpose of the letter is to get the status of Arlington Data's financial status, and that it was a joint effort of the Assessors, Water/Sewer, Board of Health, the Treasurer and Accountant.

Mr. Brodeur felt that the letter was a requirement for accurate information and didn't see a problem in authorizing the Chairman to sign the letter to Arlington Data and so moved; Mr. Downing seconded; all aye. Mr. Downing queried if there were no favorable responses by September 27th, what then? It was felt there was sufficient time with bankruptcy court until the end of the year when there would be a second review.

Mr. Downing asked if, under the reorganization, would there be a temporary agreement and would the present contract be considered null and void; and what do we have to do to protect ourselves. Mr. Johnson stated they are D.B.A. Local Government Software of America, and with some assistance, we should be able to get through this billing system. Mrs. Mehta agreed that there are people on line working in support, but we still have to pay Arlington Data a monthly service fee.

- Mr. Henry mentioned that Rob Collum, Chairman of the Board of Health, had called him with regard to problems with trash billing. Mrs. Mehta stated they were on top of it and trying to resolve the situation, and it has not been forgotten.

7:25 - Scott Herrick of Swenson-Granite came before the Board to seek approval for a sign permit for his business on Route 109 and Industrial Park Road, as a sign permit had been denied by the Inspector of Buildings because the square footage of the sign requested was larger than what is allowed. Inspector of Buildings Bob Speroni was also present. Mr. Herrick was requesting a 4' x 9' sign, 2-sided, saying "Swenson-Granite Works", 15' off the lot line and 100' off of Industrial Park Road. Mr. Brodeur thought possibly the sign might have to be 85' off the road if there is vegetation that might affect sight distance. He moved approval of the sign subject to review by the Safety Officer for sight clearance, and that the location be at the recommended 15' off the lot line and at least 85' off Industrial Park Road; Mr. Downing seconded; all aye.

7:35 - The Board signed the warrants totalling $583,544.09.

- Treasurer/Collector Marge Sanford told the Board no bids had been received on the RFP for Tax Taking Services, so it will have to be done by her office.

- Mr. Downing moved to accepted the minutes of September 9th subject to review by the Board; Mr. Brodeur seconded; all aye. Some minor corrections were then made.

- Mr. Henry noted that Speaker Finneran would be at the Norfolk County Selectmen's Meeting on October 21st, and then felt it was worthwhile for the Board to attend. He suggested cancelling the Selectmen's meeting for that evening so the Board could attend. Mr. Downing was not opposed to the cancelling of their meeting so they could attend that meeting. Mr. Henry and Mr. Brodeur said they would attend, Mr. Downing will let Mrs. Allen know.

7:45 - John Solari came before the Board again for a continuing discussion of approval of his site plan. Inspector of Buildings Bob Speroni was also present. zoning Enforcement officer

As the trailer on site was part of the Board's concerns, Mr. Henry asked Mr. Solari what was in the trailer, and he replied for the storage of truck tires and car fenders. Mr. Speroni clarified that he deems this a storage trailer as it is not on wheels and is immobile. Mr. Brodeur queried if we lose control over storage trailers if they are immobile? Mr. Solari took offense to this as there are many others all over town, but Mr. Brodeur said he was challenging this as the ZBA said it is not allowed and is an expansion of use. Mr. Henry further said the Board approves site plans, not expansions of use.

Mr. Downing stated that the '91 site plan had no storage trailer on it; in '94 there is a "temporary storage trailer" - he questioned the need for the trailer? Mr. Solari explained it was to hold large new tires that he did not want stolen, and an electric air compressor that could not fit in the main building. Mr. Henry felt this was an expansion of the building, and questioned if the trailer should be removed from the site plan?

Mr. Downing further brought up the site plans again, and noted a chain link fence on the ~~east~~ both sides of the building, but it was not on the '96 site plan. Mr. Solari said he took it down and put it on the west side. so long trailers could be pulled in and the area looked neat.

Another area of concern for Mr. Henry was that he was asking for 17 live parking spaces. Mr. Solari explained that was to allow for the future. Mr. Brodeur noted there was no parking on Jayar Road. Mr. Downing said he had a problem with the number of spaces; now there is 48 and originally 17 was requested.

Mr. Brodeur brought up the '91 site plan saying hay bales were indicated. Mr. Speroni indicated that was part of the order of conditions.

Mr. Downing brought up the dumpster, and indicated he did not see it as a detriment, but the size was important. Mr. Solari said he would clarify the size it was and let the Board know.

Mr. Downing asked if the hydroseeding business was operating, and Mr. Solari said the truck is parked there. Mr. Speroni said that the hydroseeding business

is not on the site plan, therefore the Board does not approve that option, but the water service is there for that purpose. He stated the use as a matter of right is allowed, but the Board should approve the site plan if it is there.

Mr. Henry recommended going back to restricting parking spaces regardless of what they are used for having already eliminated 6 spaces, and to remove the trailer.

Mr. Downing noted that the Fire Chief was not present, but fire safety was an issue and a potential problem; the other problem being the request for 48 spaces when originally it was 17. Mr. Solari questioned what law there was that says how many cars can be at a location? Mr. Henry stated the Board does parking on site plans. Mr. Downing noted since he has been involved in ~~other~~ this site plan~~s which have been~~ he has been monitored and only seen one violation, and again brought up the 17 to 48 spaces, whereas during observations, the #17 was exceeded only once. Mr. Solari could not understand why it was a problem as there was room; Mr. Henry said that was not the issue, it should still be at 17 or submit a new site plan.

Mr. Brodeur asked if there was a parking restriction to 10' of the property line? Mr. Speroni said there was not restriction. Mr. Solari welcomed the Board to come and view his facility.

Mr. Henry said the site plan needs to revised, with Mr. Brodeur asking about a new order of conditions.

Mr. Brodeur moved to deny the site plan pending Mr. Solari's return to meet with the Board to discuss:

- wetlands
- size of dumpster
- hydroseeding delineated
- 17 parking spaces
- the Fire Chief doing an inspection
- eliminate the live parkings "circled 14, 15, 16"
- review of Order of Conditions;

Mr. Downing seconded; all aye. Mr. Downing requested that Mr. Solari come back with a more realistic figure other than the 17 spaces, and eliminating 6-11. Mr. Brodeur amended his motion to say that the site plan was subject to the Fire Chief's passing inspection, and that the site plan shows a more reasonable amount of spaces reduced from the 37; (11 removed from the 48) Mr. Downing seconded; all aye.

Mr. Speroni commented that Mr. Solari was here this

evening because of the ZBA's decision - he didn't care about the number of spaces and he can distinguish between parking and storage as they are separate; there are three site plans to consider however. He noted that the fence in the northwest corner of the '91 site plan was not even with the edge of the building so he made it to the edge of the building in the '94 site plan. The judge said the '94 site plan was not valid and the '91 site plan was the approved plan; 17 spaces were on the '91 plan, and it does not include storage for vehicles.

The trailer issue is confusing because a permit for a storage shed was given out. If the ZBA decision said the trailer was immobile, then it is a structure, not a building; but they said it was not allowed; they said it was a trailer, and no one appealed their decision within the 20 days, so the trailer can't be there. Mr. Solari should clarify the vehicles there, however.

Mr. Brodeur asked Mr. Speroni what if he went with less than 37 spaces in combination storage parking and live spaces? Mr. Speroni said that was not a problem, however, if he shows a storage area, then they have to be there. He suggested a certain number of employee (live) spaces, and a certain maximum number of vehicle storage area spaces.

Mr. Solari said he would call Mrs. Allen when he was ready to meet with the Board again with a revised site plan.

8:45 - Members of the Town Administrator Review Committee Carla Cataldo, Wendy Rowe and Marge Sanford came before the Board to indicate they were going to circulate a charter revision or adoption petition to obtain 15% of the registered voters' signatures to be able to put the election of nine charter commission members on the next ballot (1,000 - 2,000 people).

Mrs. Cataldo reviewed the process with the Board, noting that the MMA Consultant is interviewing department heads and will be making a report and recommendation in October. She said they will try and coordinate two dates in October for All Boards Meetings and let the Board know.

- <u>Committee Reports.</u>

- Mr. Henry said he attended the Cable Access meeting where they discussed various options and voted to go with E-mail, websites, and to make cable in Sanford Hall a permanent installation. Mr. Henry advised they wait

until they were done with the renovations.

- Mr. Henry said he met with Joseph Giovinazzo of GCG Associates, and Assistant Highway Supt. Bob Power and Water Supt. Mark Flaherty to discuss roadwork issues on Cottage Street and replacing the water line on Evergreen Street. Bid openings for the work to be done is scheduled for October 3rd at 8:30 a.m.

- Mr. Downing reported attending the Norfolk County Advisory meeting where they discussed minor budgetary items. He said it was unanimous to send a letter to Governor Weld and the leaders of the Senate to endorse Josephine Shea for Norfolk County Sheriff to fill the vacancy created by the death of Clifford Marshall. Mr. Downing requested this Board do the same; therefore, Mr. Downing moved to endorse Josephine Shea for Norfolk County Sheriff; Mr. Brodeur seconded; all aye unanimous vote.

- Mr. Brodeur brought up Kings Lane, and the ZBA's request to ask Highway, ConCom, and Planning Board their input on this lot. He noted the many questions still not answered and that the ZBA had continued their hearing to October 2nd. He will draft a memo for the Board to review prior to that hearing.

- Mr. Brodeur brought up the MAPC newsletter and noted there are grants available if we wanted to pursue bike routes on the railroad bed. Mr. Downing agreed saying we were in a unique situation and suggested talking to Millis about it to pursue the option. He recommended Mrs. Allen write to Joan Blostein asking for the grant application, with a copy to Millis.

- <u>Action Items.</u>

  - As Town Counsel had approved the new comptroller boiler-plate contract form as to form, Mr. Downing moved that the Chairman be authorized to sign it; Mr. Brodeur seconded; all aye.

  - The Board decided they would all be attending the Annual Fall workshop for Selectmen on October 5th in Westboro.

  - The Board noted the joint meeting with Millis on September 25th at 8 p.m. to discuss the Farm Street sewer project, and they requested Mrs. Allen try for 7 p.m. (Set for 7:30 at Millis Town Hall.)

  - The Board signed the letter to Robert Briggs indicating no interest in his lot on Summer Street. It will be

notarized by the Town Clerk.

- The Board of Health's letter requesting use of Town Counsel for Longmeadow Lane septic problems was acknowledged. Mr. Brodeur moved the Board of Health be allowed to contact Town Counsel; Mr. Downing seconded; all aye. It was noted that the Water/Sewer Commissioners should be kept advised of the situation.

- A letter from Alder Street residents was acknowledged concerning the expansion of the industrial park near Alder Street and Trotter Drive. The Board was under the impression the Industrial Development Commission had already had a public hearing on this issue on September 9th, and only wanted to have a public hearing for the right reasons. Mr. Brodeur asked if there was an attendance roster for that particular public hearing, and were these residents in attendance. Mrs. Allen was asked to send the IDC a letter asking for a copy of that roster.

  Mrs. Allen asked to clarify what the issue was, and Mr. Henry noted just their request to meet with the Board about their safety concerns. Mrs. Allen stated that previous concerns noted by Mr. Brodeur have been addressed with signs; the problem was getting those signs enforced. Mr. Brodeur stated he hadn't heard any complaints, but suggested putting them on the agenda for a meeting after we see the roster. Mr. Downing agreed saying he would like to talk to these four residents to continue staying focused and communicating noting the Board's responsibility to respond to their constituents.

- The Board noted a letter from Dee Moschos detailing the need for the Board to have a clause in our policies dealing with sexual harassment, and citing specific examples effective November 6, 1996. Mrs. Allen was asked to try and put together a draft.

- The Board filled out their section of the Community Action Statement individually, and Mrs. Allen will compile an average of the three to send in.

- The Board noted the School Committee's Public Hearing on school configuration on September 19th. Mr. Henry said he could not attend, and if there was to be collective bargaining, had to designate one of the other members; Mr. Downing said he had planned on attending, and would be willing to be the designee.

- Mrs. Allen read a thank you letter from Mrs. Larry Leigh concerning the "Welcome to Medway" sign that will be

placed at the Leigh Memorial. Mrs. Allen was asked to send a copy of her letter to the Park Commissioners and Medway Pride Day Committee.

- The Board discussed a letter received from the Council on Aging requesting copies of executive session minutes referencing grants. Mrs. Allen said she contacted Richard Gildea and he said he had received the information from Joe Hoban; she called Mr. Hoban and he stated that was what he was told.

  Mr. Henry said they have only discussed contracts for union and non-union employees in executive session. Mr. Downing concurred saying they have not discussed grants in executive session stating there should be no clouds on negotiations. He further said he went to the Council on Aging public hearing and shared his views noting the action plan would move forward not to further detract from the chance of getting the grant. This was then brought up at the Selectmen's meeting. Mrs. Allen noted they did not refuse the grant application. Mrs. Allen said she would answer their letter saying there are no minutes of any such executive session.

- Further discussion on Lot 1, Kings Lane with the Board, wherein they noted their concerns with snow removal and re-flagging of the wetlands. Mr. Brodeur said the ZBA should have updated plans.

- The Board noted the Library Director's request to use Town Counsel for reviewing a lease/agreement. Mr. Brodeur moved to allow Philip McNulty to use the services of Town Counsel as outlined in his letter of September 16th; Mr. Downing seconded; all aye.

  Mr. Downing reminded the Board that the services of the prisoners of Norfolk County can still be utilized in the future, but advance schedules need to be prepared.

- Mrs. Allen noted receipt of the Start-Rite contract, but it needs to be shown to Town Counsel for his approval as to form. Mr. Brodeur moved to authorize the Chairman to sign the Start-Rite contract subject to Town Counsel's approval as to form and his review and recommendation; Mr. Downing seconded; all aye.

- Mrs. Allen told the Board that the two CRPCD Commissioners could not make the joint meeting on September 28th; did they still want to have the meeting? Mr. Downing felt they should still go ahead with the meeting and begin some on-going discussions. Mr. Henry said he had asked Todd to make up a map of topography

and streets as an overlay for the recommended plan.

- Mrs. Allen noted with the Board the CIPC's request for capital items by October 1st, and a 5 year plan by October 16th. Mrs. Allen was asked to get a copy of last year's report for their packets.

10:10- Water/Sewer Board Chairman Gardner Rice stopped in to meet with the Board and update them on a recent meeting held at DEP in Worcester concerning the Longmeadow situation.

- Mr. Rice also noted that they have the plans for the Holliston Street sewer project; they were going out to bid the next day; opening bids on October 17th, and hopefully awarding the job the next day.

10:35- Mr. Brodeur brought up a letter from the Town of Plymouth on a workshop being held on the electric utility industry on September 24th. Mr. Henry said there should be more information coming in the Fall.

- The Board discussed the applications/resumes received from those applying for the DPS Administrator position. Thirty-one resumes were received, and the three received after the deadline were disqualified.

  Mr. Downing proceeded to name his #1 choices, and then his #2 choices. Mr. Henry did the same. Mr. Brodeur accepted their choices as being the top 14 finalists. The Board then agreed to look over those 14 finalists, and let the Office know the names of their top choices. Those named by more than one Board member would be the first ones asked in for interviews. The last names of the 14 finalists are: Podgurski, Tober, Bailey, Young, Marston, Daday, Thurber, Mascianica, Savage, Malik, Kamel, Foley, Regan, and Winterhalter.

- The Board noted they were reviewing changes in the contract for the Municipal Employees with a request to meet with the Board either on September 18th or during the first week in October. Mr. Henry noted the 18th was not possible for lack of posting time, but the first week in October looked good. The Board said they would discuss the changes in executive session next week.

11:15- Mr. Brodeur moved the meeting be adjourned; Mr. Downing seconded; all aye.

Respectfully submitted,

M. J. Fredette, Secretary

Approved as amended 9/23/96 mj

BOARD OF SELECTMEN

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

AGENDA

September 9, 1996

7:00	Open Meeting, Sign warrants. Minutes of August 19 and 26, 1996 meetings.
7:05	Site Plan, John Solari, 27 Jayar Road
7:30	Public Hearing - Cottage/Evergreen Streets Drainage project.
	Committee Reports
	Action Items

ACTION ITEMS FOR SELECTMEN'S MEETING OF SEPTEMBER 9, 1996

1. Approval of Dorella Robbins as Assistant Treasurer/ Collector.

2. Charles River Watershed gage request.

3. Acknowledge letter from the Town Hall Building Committee regarding visit of Bruce Bruneau.

4. ZBA letter requesting use of Town Counsel.

5. MMA Annual Fall Workshop for Selectmen - attendance??

6. Announce public hearing regarding configuration of new elementary school.

7. Acknowledge preliminary plan of Forest Edge subdivision. and request for use of Town Counsel.

8. Acknowledge receipt of Grant monies for underground tank removal.

9. Vote on right of first refusal for land on Summer Street owned by Robert Briggs.

10. Acknowledge certified letter from Garweth on Walker Street Bridge.

11. Acknowledge letter from MMA designating 9/28-10/5 as "Local Government Week".

12. Sign MA36302 and 36653 forms for MHD.

13. Sign notification of new employee form for Fire Department employeee.

14. Sign employee upgrade notice for Barbara Spratt.

15. Acknowledge notice for Norfolk County Selectmen Association meeting - attendance????

16. Acknowledge and vote on request of Pride Day Committee for sign on town property.

17. Vote on Emergency Transfer request for Law Budget.

18. Discuss Open Space Subcommittee letter.

19. Approve payment for new elementary school.

actitems.doc

Present: Lee Henry, Doug Downing, Jim Brodeur, Administrative Assistant Ruth Allen.

7:05 p.m.- Mr. Henry called the meeting to order in Sanford Hall of Town Hall.

- Warrants were presented for approval, but first Mr. Downing moved to approve a portion for the new School Building which was a Construction Requisition #6 in the amount of $590,791.51; Mr. Henry seconded; all aye. The warrants were then signed totalling $858,026.03.

- Mr. Downing moved approval of minutes of August 19th; Mr. Henry seconded; all aye. Mr. Downing moved approval of minutes of August 26th; Mr. Henry seconded; all aye.

7:12 - John Solari of 27 Jayar Road came before the Board and presented a revised site plan for his location. Bob Speroni, Zoning Enforcement Officer, was also present. Mr. Henry asked if the site plan was in conformance with the Zoning Board's deliberation of June 19th.

Mr. Speroni stated that Mr. Solari does not have to submit a site plan in compliance with the Zoning Board; Mr. Solari has to be in compliance with the Zoning By-laws. He also has to be in compliance with the 1991 site plan, or have another site plan approved by this Board with certain items, and the other items would have to be compliance with the 1991 site plan. Mr. Speroni did state that Mr. Solari was operating a permitted hydroseeding business for which site plan approval was required, along with others. The dumpster also has to be located where the Board will approve it can be.

Mr. Speroni went over some of the background of this particular decision, why a new site plan was required, and that Mr. Solari had been cited with non-criminal disposition.

Mr. Henry recommended they take the site plan under advisement until next week.

Mr. Downing questioned if it was appropriate to assess fees while the hearing was being continued. Mr. Henry said that the appeal period was over on July 10th, with Mr. Speroni stating that his letter to Mr. Solari gave him an additional 30 days to be in compliance, and now he was in violation.

Mr. Solari said he would meet with the Board next week at 7:45 p.m. but requested consideration for another location for the dumpster which is difficult to access.

- Since there was a little time prior to the public hearing, Mr. Brodeur brought up a copy of a letter sent to the Board by the ZBA on lot 1, Kings Lane. He noted when he was on the Planning Board, Kings Lane was originally designed to go to Village Street, but about 10 years ago, the Board of Selectmen had said they didn't want them crossing the railroad bed. Mr. Brodeur said we should let the ZBA know about this and look at the future status of the project, as it is contiguous to Village Street. He mentioned that the area he saw was 100% wetlands, saw no upland and the area should be reflagged. Mr. Downing could not understand that if it was unsuitable for development, how could they request a public way. He also made mention of the utilities running through the bed. Mr. Henry asked Mr. Brodeur to draft a letter for the Board to send to the ZBA.

7:35 - Mr. Downing moved the public hearing on the Cottage/ Evergreen Street drainage be opened; Mr. Brodeur seconded; all aye. Mr. Henry introduced Joe Giovinazzo of GCG Associates to discuss the project. He asked that the audience reserve their questions until the end when he was done with his presentation.

(Secretary's note: Most of Mr. Giovinazzo's presentation to the audience had been previewed by the Board on August 19th; therefore those minutes can be referred to for content.)

Mr. Giovinazzo stated 1,100 lin. ft. of 48" drainage pipe would be installed to the swail connecting to Chicken Brook: 475' on Cottage Street and 625' on Evergreen Street. The detention area proposed off of Main Street would be approximately one acre. Overall cost excluding the detention facility was $250,000. He hoped to complete a large portion of the work this year. Mr. Giovinazzo said he had met with the Conservation Commission and they were working with getting easements at the outfall.

Mr. Henry stated that there will be coordination with the Water/Sewer Commissioners and any other utility companies. He also noted that there is a water management procedure for operation of two dams near Brigg's property and Choate Park which he wants researched.

8:05 The audience had some questions.

Tom Sloan - 11 Evergreen. Were Cottage and Evergreen Streets going to be reconstructed? - yes, but Evergreen was being done as part of one of the road projects.

What about the pond that forms near the cemetery? - it should be gone. Trees along the road not providing good visibility? - it is not in the contract to remove trees, but they will be looked at.

Mark Allen - 15 Franklin. Father owns furniture store; concerns about this location? - Mr. Giovinazzo will talk to them and coordinate. Detention basin concerns bringing more water to basement? - Mr. Giovinazzo will look to see what causes flooding in basement; possibly it is surface runoff. Mr. Henry noted their parking lot covered over Stepping Stone Brook. Concrete wall and surface levels? - top of concrete wall is 206; 2' above surface of 204.

Jack French - 16 Wellington. Would the Town move ahead without the detention pond being approved; and if the pond was not done, what happens to Wellington St.? - Mr. Giovinazzo said the 42" pipe was designed to help in a 7.5 year flood, instead of a 10 year flood, but increasing size of pipe will help nonetheless.

Dusty Lardin - 28 Norfolk. Most of the water ends up in his backyard - ongoing since 1977. Mr. Henry noted Chicken Brook has been dredged to the Charles River, with Mr. Lardin agreeing it is now 4' deep and 10' wide. Mr. Lardin remembered the park pond dam being put in; and if used, it should be drained with 1-3 days of rain. Mr. Henry said they were working with Park and DPS on it, and Mr. Lardin said the Norfolk County Engineers know what to do. Mr. Henry said the water management plan exists - people have read it - and will be discussed further on September 25th. Mr. Lardin said he would like to see it. Have they talked to those who own the detention pond? - Mr. Henry said they were here tonight. - Mr. Giovinazzo said, not yet, but again the area impacted is one acre.

Gary Allen - 7 Drybridge. Had concerns with the pond being very close to his property? - Mr. Giovinazzo said it would go to the stone wall, and he hoped not to disturb the trees for privacy. Mr. Brodeur noted the Town could acquire easements in a variety of ways; deliberations would be amicable; and the Town has the option to take the land by public domain. Mr. Henry said that Mr. Giovinazzo has not been on private property yet. He also stated that it will all be funded by Chapter 90 monies. Mr. Giovinazzo said he would make a recommendation as to which size pipe - 42" or 48" - should be used when bids are received for the project.

John Cooper - 6 Temple. Again, it was asked if the

system would be reconfigured with or without the detention pond? - Mr. Giovinazzo said yes, with a goal of December 1st. Mr. Brodeur said he was personally in favor of a 42" pipe.

Patrick Irr - 13 Cutler. Would the width at the end of Cottage Street and Main Street be wider or the same? - Mr. Giovinazzo said it would be the same turning radius; the street is as wide as it can go, but the pole in the center of the road would be removed.

Rick Mankin - 6 Drybridge Rd. What about protection from the depth of the pond for kids? - a chain link fence would be placed on top of the retaining wall, and he would be working on elevations now, but felt it would max at 202. He also did not feel the water would be in the pond for any significant length of time to cause a problem. He also said they will not destroy the wetlands, and if they do, they would re-vegetate.

Chris Walsh - 13 Franklin St. Co-owner of furniture store; is additional water coming from the shopping center area down to their location? - Mr. Giovinazzo said there were 107 catch basins associated with this drainage system, and with the proposed reconstruction, the problem should be solved.

Carol Van Zandt - 16 Wellington. Again, she wanted to be reassured there were monies available to do the work? - Mr. Henry said there were state funds to cover it. Mr. Giovinazzo said the engineer's estimate was $250,000 and their goal is for completion during the Spring of 1997 if the detention pond goes through. What happens if there is a problem and a flooding occurs? - if there was a problem, they would try and determine the impact; not modify the 100 year floodplain. Mr. Henry stated the cost is worth the investment if only $250,000 - $275,000. Ms. Van Zandt said the sump pump is going every 10 minutes in wet weather. Detour plans? - yes, Cottage Street would be closed but residents of that street would have access to their homes.

Gary Coates - 2 Cottage St. He asked about the sidewalk and any improvements? - yes, the sidewalk would be put back and the stone wall repaired and the berms replaced.

Mr. Brodeur asked two abutters that were present, Rick Mankin and Gary Allen, for permission for Mr. Giovinazzo to go on their property to shoot grades; they both said yes. Mr. Brodeur then moved that the public hearing be closed; Mr. Downing seconded; all aye.

9:10 - Committee Reports.

- Mr. Downing asked if Town Counsel was reviewing the bid documents for the Cottage Street/Evergreen Street drainage project? Mrs. Allen said he was and she would follow up with him on it.

  Mr. Downing moved that the Board allow GCG Associates to go out to bid subject to a positive recommendation from Town Counsel; Mr. Brodeur seconded; all aye.

- Mr. Henry mentioned that they had met with Holliston and CRPCD, and feel they should maybe set up a Saturday workshop with the Water/Sewer Commissioners, Planning Board and Board of Health to come up with design suggestions.

  Mr. Downing suggested September 28th at 9 a.m. since we would be discussing sewer rates on September 30th. Mrs. Allen was asked to invite those Board members to a workshop on the 28th to discuss the most advantageous places for Holliston to enter Medway. Paul Wilson and Paul DeSimone were also added to the list to invite.

  Mr. Henry said he had gotten a copy of a letter on amendment agreement from the Town of Franklin to CRPCD and gave it to Mrs. Allen asking that the rest of the Board members receive a copy, as well as Town Counsel. He said he would speak further to Town Counsel about this after he reviews the letter.

- Mr. Downing said he had met with the School Building Committee and they spoke about the wiring of the new school. He said Mike Kirwin is going to be talking to Mr. Henry about it.

  Mr. Downing brought up the subject of a stockade fence that is to be placed between one of the abutters (the Aulenbachs) and the parking lot. He said that the fence was not part of the original plan, but was agreed to between the abutter and the School Building Committee. The School does not wish to take on the maintenance of the fence, so they want to put it on his property. If the fence is to be put on Town property, then an agreement needs to be reached down the line if and when the fence is in disrepair, or it could be dismantled and taken down. He wasn't sure where the fence would go at this point. Mr. Brodeur asked if this would be coming to the Board as a change order, and Mr. Downing said it was on the site plan so is not new.

- Mr. Downing and Mr. Brodeur discussed the Planning Board

meeting the next evening, and Mr. Brodeur said he would attend.

- Action Items.

- Mr. Brodeur moved the approval of the appointment of Dorella Robbins as Assistant Treasurer Collector; Mr. Downing seconded; all aye.

- Mr. Brodeur moved approval of the installation of a gage on the Medway side of the Charles River at the Franklin Street bridge as requested by the Charles River Watershed Association; Mr. Downing seconded; all aye.

- The Board acknowledged the letter from the Town Hall Building Committee stating that Bruce Bruneau from the Mass. Office on Disability would be coming to Medway on September 10th. It was noted that this meeting has now been cancelled and will be rescheduled.

- Mr. Downing moved to authorize the Zoning Board to utilize the services of Town Counsel as requested in their memo of August 30th; Mr. Brodeur seconded; all aye.

- The Board agreed to hold off making a decision on attending the MMA fall workshop for Selectmen.

- Mr. Downing reminded the viewing audience of the public hearing on September 19th for discussion of the new school configuration. Most of the Board said they were planning on attending.

- Mr. Downing brought up a priority list for street paving and formally requested that Bob Power update the list of what is presently available. He felt that we needed to take an active role in paving and repairing the streets in Medway. He said if we bring in a new person, we have to have some goals, and we just can't wait for that person to do it. Mr. Henry asked Mrs. Allen to follow up with Mr. Power.

- The Board acknowledged receipt of the preliminary plan of the Forest Edge subdivision. It was moved and seconded that the Planning Board be allowed to utilize the services of Town Counsel with regard to questions on this subdivision; all aye.

- The Board acknowledged receipt of a check from the Exec. Office of Public Safety for $2,233.65 as reimbursement of grant monies for underground tank removal.

- The Board voted they were not interested in the lot of land offered by Robert Briggs on Summer Street, after hearing from all of the Boards with their comments.

- The Board acknowledged the letter from Garweth on the status of the Walker Street Bridge.

- The Board acknowledged a letter from the MMA designating the week of September 28th to October 5th as "Local Government Week".

- It was moved and seconded that the Mass. Highway memos of agreement be signed by the Board for the following: MA36653 for $47,134 and MA36302 for $282,791; all aye. The $47,134 will have to be formally approved at Town Meeting.

- Mr. Downing moved to approve the notification of new employee for Jim Cohen for the Fire Department at a 5-1 effective September 3rd; Mr. Brodeur seconded; all aye. Mr. Brodeur noted that he had previously been a firefighter in Medway, moved, and now has returned.

- The Board signed the notification of upgrade of Barbara Spratt from a 3-2 to a 3-3.

- The Board noted the Norfolk County Selectmen's Association Meeting, but unfortunately falls on a night of a Selectmen's meeting. Mrs. Allen will advise them no one can attend.

- The Board acknowledged receipt of a letter from Jodi Kairit, Chairperson of the Medway Pride Day Committee, requesting permission to place a "Welcome to Medway" sign on town property, at the Leigh Memorial, at the corner of Route 109 and West Street. Mr. Downing moved to grant permission for the sign; Mr. Brodeur seconded; all aye. Mr. Brodeur requested that the Park Commissioners and Mrs. Leigh be told of the sign.

- Mr. Brodeur moved approval of the emergency transfer request to the Finance Committee for Special Town Counsel in the amount of $5,377.67 for bills in hand; Mr. Downing seconded; all aye.

- The Board discussed the Open Space subcommittee letter received requesting to be an independent committee. Mr. Henry understand that the Open Space Committee was a subcommittee to the Conservation Commission.

  Mr. Brodeur suggested that this be considered a Town Meeting article and let the Townspeople decide. Mrs.

Allen was requested to send a letter to the Open Space Committee, with a copy to the Conservation Commission, telling them of our recommendation. Mr. Downing felt, instead, that it was the Board's responsibility to write to the Conservation Commission, acknowledging receipt of their subcommittee's letter, and telling them of the Board's feelings, asking them for their opinion; at the same time sending a copy of that letter to the seven people on the Open Space Committee.

- The Board noted receipt of the Millis Conservation Commission's notice of public hearing for a lot off of Village Street (Bernie Lewis' property). Mrs. Allen was told that this lot was not part of the discussion in litigation. Mr. Henry asked her to check with Town Counsel for any agreement between the two Towns about this property.

- Mr. Henry congratulated Chris Tramontozzi on his being honored as an Eagle Scout, and said he would attend his Court of Honor.

- Mr. Henry acknowledged the Inspector of Buildings' monthly report of 54 building permits issued during the month of August.

- Mr. Henry acknowledged the Franklin Fire Chief's letter thanking Medway for assistance with mutual aid.

- Mr. Henry acknowledged the Zoning Enforcement Officer's letter to the Board regarding a greenbelt area of concern by the IDC. It was noted that a greenbelt area is not required, and Mrs. Allen was requested to send a letter to the IDC informing them of same.

- Mr. Henry stated he wanted to meet with the Town Accountant concerning the filing of Chapter 11 bankruptcy by Arlington Data, and requested an update from her. Mrs. Allen noted that the Assessors were concerned as well.

- The Board acknowledged a vacancy in the Town Accountant's Office, as well as in the Treasurer's Office, and the position of DPS Administrator has been advertised. On this subject, Mr. Henry said he had been working on the Town Engineer job description as requesting by Mr. Downing for September 9th. Mr. Downing acknowledged his work, but felt that the emphasis should, at this time, be focused on the DPS Administrator. Once that was finalized, the Board could re-focus on the Town Engineer position.

- A questionnaire from the Mass. Clean Water Council was acknowledged, and it will be filled out and returned.

- Mrs. Allen brought up the complaint of Ray Kelley concerning the NYNEX building at 292 Village Street. She stated there had been a change in personnel, but she was told that the matter was taken care of in-house. Mr. Downing asked Mrs. Allen to so advise Mr. Kelley.

- The Secretary told the Board the FinCom had rescheduled their meeting of September 11th to September 16th. (Has been posted now for the bandroom.)

- Mrs. Allen asked the Board to sign the notice of intent for Option 1 for Title V funds, which eventually will have to go before Town Meeting. Mr. Brodeur moved that the Chairman be authorized to sign for the Option 1; Mr. Downing seconded; all aye.

10:15- Mr. Downing moved the meeting be adjourned; Mr. Downing seconded; all aye.

Respectfully submitted,

M. J. Fredette
Secretary
mj

Approved as amended
9/14/96

BOARD OF SELECTMEN

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

AGENDA

August 26, 1996

7:00	Open Meeting, Sign warrants. Minutes of August 16, 1996 meeting.
7:05	Joint meeting with Planning Board to fill vacancy on Planning Board. Candidates: H. Sherman Tyrrell Karyl Spiller-Walsh Fred Sanford
7:15	John Bocszanowski, and John Kubitza - update on new school building
7:30	Aarron Bussey - Site plan, 133 Village St.
7:45	Chief Lambirth regarding appointments
	Committee Reports
	Action Items

ACTION ITEMS FOR SELECTMEN'S MEETING OF AUGUST 26, 1996

1. Sign amendment to contract for Municipal Building Recycling Services.

2. Sign amendment to contract for Recycling Services.

3. Sign contract for Recycling Services with Conigliaro Industries.

4. Acknowledge letter from Town Counsel regarding Community Septic Management Program..

5. Acknowledge copy of Appeal of Conservation Commissions Order of Conditions #216-388

6. Acknowledge and vote on request from Medway Lions Club to hold an auction on October 5, 1996 between 9:30 a.m. and 5:30 p.m. at the Medway Shopping Plaza.

7. Acknowledge notice of commencement of administrative completeness review and public notice period for 42 Broad Street.

8. Acknowledge letter from Sandy Metcalf, 16 Colonial Road regarding Holliston's sewer project.

9. Acknowledge information from Medway Cable Advisory Committee regarding request to wire new elementary school.

10. Acknowledge letter from Water/Sewer Commissioners regarding a sewer rate increase.

11. MMA Workshop on Electric Industry Restructuring - 9/24/96 - attendance anyone?????

12. MAPC fall information session on "sunsetting of regulations"-Executive Order 384; September 19th attendance anyone?????

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Present: Lee Henry, Doug Downing, Jim Brodeur, Administrative Assistant Ruth Allen.

7:00 p.m.-Mr. Henry called the meeting to order in the Selectmen's Meeting Room 2 of Town Hall. Warrants were signed totalling $319,829.37.

7:05 - Joint meeting between the Planning Board and the Selectmen is being held to fill the vacancy created by the resignation of Chris Tzianabos until the May 1997 election. Present from the Planning Board are: Paul Yorkis, Jim Sia and Don Springer. Candidates for the position are: Karyl-Spiller Walsh, H. Sherman Tyrrell, and Fred Sanford.

Mr. Brodeur moved that the joint meeting between the Planning Board and the Selectmen be called to order; Mr. Downing seconded; all aye. Mr. Yorkis nominated Mr. Henry as chairman of the joint meeting; Mr. Brodeur seconded; all aye. Mr. Brodeur moved that nominations be closed; Mr. Downing seconded; all aye - Mr. Henry is chairman. Mr. Yorkis noted that everyone received a copy of Fred Sanford's resume today.

Mr. Henry asked that each candidate give a short introduction.

Ms. Walsh, a resident of Medway for 20 years, noted her interest in wanting to do public service, and now had the time to consider for it. She stated she was interested in the various stages of development affecting Medway and wanted to serve.

Mr. Sanford, a resident of Medway for 35 years, said he was interested in preserving the character of the Town and address growth. He wanted to make a positive contribution to the Planning Board.

Mr. Tyrrell, a resident of Medway for 15 years, wanted to give something back to the Town. He wanted to be involved with the Planning Board because they have a say in the development of the Town and that interested him. He has been a planner for 20 years and wants to set an example for others.

Mr. Sia asked each what would be one issue of importance to them?

Mr. Tyrrell said a master plan of roads and highways.

Mr. Sanford had no particular agenda, but leaned towards preservation of existing spaces.

Ms. Walsh agreed with the preservation of spaces, especially certain tracts of land in Town.

Mr. Springer brought up the recent zoning by-law changes that were defeated - possibly because it was all done at one time - what should the Planning Board do to involve the Town as a whole next time?

Mr. Tyrrell said to get information out early and timely; state the pros and cons; maybe a cable forum; involve high school students in the process.

Mr. Sanford said that all boards need to reach out and sell what they want to do; agreed that all the by-laws done at one time was too much.

Ms. Walsh said that citizens show up at town meeting when interested; they need to be more creative in their press releases.

Mr. Downing asked: why the Planning Board? if not appointed, would they be willing to serve elsewhere? would they run for election in May?

Ms. Walsh said she found the Planning Board interesting; yes; yes.

Mr. Sanford said he felt he could contribute best here and was interested in the zoning by-law changes; yes, he would consider other jobs; yes, within the scope of everyday pressures.

Mr. Tyrrell was interested in serving anywhere and the Planning Board position was open; yes; yes.

Mr. Downing asked if anyone was presently a petitioner or abutter on Planning Board issues?

Mr. Tyrrell - no; Mr. Sanford - no; Ms. Walsh - yes.

Mr. Downing noted Mr. Sanford's interest in the zoning by-law changes and Planning Board and was assured that he could do both.

Mr. Brodeur asked their feelings about using Town funds for the acquisition of vacant land?

Ms. Walsh felt there were choice parcels left, and if the interest is there, we should take it.

Mr. Sanford said he was not interested in just buying land, but searching out state funding first; the deal

would have to be right for the Town.

Mr. Tyrrell said it was tougher than just a yes or no; the burden is on the taxpayers even though he would like to; a plan has to be put together first.

Mr. Brodeur brought up the zoning attempt to rezone some land from residential to commercial - how would each redo the attempt?

Mr. Sanford said there was enough commercial land.

Mr. Tyrrell said we need more commercial/industrial land and was in favor of rezoning a portion.

Ms. Walsh felt we needed some rezoning; we should study the impact of traffic; look at total planning; and to think about controlling the number of new businesses.

Mr. Sanford brought up broadening the tax base; he didn't see much disparity between our town and others; would want to see it quantified.

Mr. Yorkis also brought up the defeated zoning by-law changes which would have increased an area of commercial growth in some different areas and defined it; as well as defining residential areas. He explained how the ZBA gets involved in this area, and asked how each would evaluate the need for any proposed changes?

Mr. Sanford expressed the opinion "not in my backyard" and people in that area should be considered; they should go to those people that would be affected and get their feelings; remember people's rights.

Ms. Walsh said the areas in question are basically defined already; be selective.

Mr. Tyrrell said there are no winners and losers; look at all the facts and see what is best for the Town.

Mr. Sia asked their feelings about an adult entertainment zone - would they be in favor of the Town being pro-active to create a zone, and where? Mr. Yorkis added the Planning Board would be having a public hearing on this subject soon.

Ms. Walsh was unsure of the issue.

Mr. Sanford was in favor of preventing it from going into certain areas, but was not sure of what action should be taken; whatever needed to be done to minimize

the possible locations, the Planning Board must decide something.

Mr. Tyrrell was against such a zone but if the Planning Board felt this could minimize the risk, then it should be addressed.

In conclusion, Mr. Tyrrell said he had alot to offer; Mr. Sanford wants all aspects discussed; Ms. Walsh looks at everything as a challenge.

Mr. Henry said he personally did not like to appoint someone to an elected position, but they have to do it.

A secret ballot vote was taken: 3 - Mr. Tyrrell; 3 - Mr. Sanford; 0 - Ms. Walsh.

A second secret ballot vote was taken: 4 - Mr. Sanford; 2 - Mr. Tyrrell; 0 - Ms. Walsh.

The Chairman declared Mr. Sanford was appointed to the Planning Board until the May 1997 election.

The joint meeting was adjourned.

8:05 - John Boczanowski, Chairman of the School Building & Site Selection Committee and John Kubitza, Clerk of the Works for the new school, came before the Board for an update.

Mr. Boczanowski said the building was moving along; the parking lot was ready; curbs and sidewalks would be put in soon; they are still about six weeks behind and the pace needs to be picked up.

Mr. Henry asked about the loam situation? Mr. Boczanowski said that he got 500 letters on the loam issue. He said the excess loam pile that was stripped from the back field was not something that could be used. He stated that the contractor can say what is excess, and if that pile of material is excess, then it is not good. He was told it was of no value and to get rid of it. Mr. Downing noted if the material is screened, then it would have some value. Mr. Kubitza added that management decided it would be unsuitable.

With reference to the sprinkler system, Mr. Boczanowski said he has talked to Water/Sewer and they were to investigate, but a booster pump may be required.

Mr. Henry said the wiring of the new school for cable was covered in the present CVI contract. Mr. Boczanowski said that cable wiring may be part of the

electrical contract, but Mr. Downing added they cannot access the cable bulletin board. Mr. Henry thought it was already paid for in the contract.

It was felt the Selectmen should contact Mike Kirwin of CCR to discuss further, and to ask the School Building & Site Selection Committee and Cable Advisory Committee to meet with him as well, earlier than September 30th if possible. Mr. Henry wondered who approves what is in the specs? Mr. Boczanowski - Phil Poinelli, the architect. In the meantime, Mr. Boczanowski said he would inquire on any possible credit for wiring.

Mr. Boczanowski said that next week they would finalize what is needed to outfit the new building, i.e. computers, not just desks and chairs.

Going back to the cable wiring, Mr. Boczanowski thought maybe they could negotiate with Time-Warner for something other than the wiring, and maybe at some other location since we have the 69% reimbursement. He said that originally they went for $10 million, but $10 million six hundred thousand was approved. That extra $600,000 could be used for equipment for the school. Mr. Brodeur suggested coming up with a list of recommended purchases for that amount, i.e. riding mower, floor polisher, etc. Mr. Boczanowski said they would be going out to bid on RFP's for other items they need.

Mr. Downing noted that there will be a meeting to discuss the configuration of the new school probably in September.

8:50 - Aaron Bussey came before the Board for a site plan for 133 Village Street for the selling of basically hot dogs, such as what he has already done in Franklin. The establishment would hold 60 people, but only sit 15-20 people, as per a site plan he presented. Mr. Bussey said Health Agent Bill Fisher did not see a problem if they installed a sink and dishwasher. Landlord is Ronald Rivkin. Mr. Brodeur wanted to clarify that this was within the Board's jurisdiction, and Mrs. Allen showed what was part of the site plan review by the Board. The Police Chief David Lambirth was present and felt there were no problems that he was aware of.

The Board asked about hours and Mr. Bussey said he would like 5 a.m. to 9 or 10 p.m. Mr. Brodeur thought that 9 p.m. would be adequate, but Mr. Downing felt that Mr. Bussey would determine the flow of traffic after a while and adjust his own hours accordingly. Mr. Downing moved

to approve the site plan as presented for 133 Village Street by Aaron Bussey for a breakfast/luncheon establishment from 5 a.m. to 10 p.m.; Mr. Brodeur seconded; all aye. Mrs. Allen reminded him to get a food handlers license from the Board of Health prior to getting a Common Victualler's license from the Selectmen.

9:00 - Chief Lambirth came before the Board to offer two new appointments to civil service: David McRoberts graduated from the Academy in Norwood and Jason Brennan graduated from the Academy in Canton. Mr. Brodeur moved to appoint Jason Brennan and David McRoberts to the Department of Personnel Administration (civil service) effective September 1st as permanent police officers; Mr. Downing seconded; all aye.

9:05 - Gardner Rice came before the Board. He brought up a letter received concerning some possible funding coming to the Town. He also noted a meeting in Worcester on September 9th concerning Longmeadow.

With reference to Farm Street, he made mention that there was a 50/50 chance that those residents can hook up to a gravity system. To go to #13, however, might mean extending another 100 ft. It is his opinion that $1,000 is all the residents should be charged for hooking up.

Mr. Rice brought up his letter of 1992, wherein he stated that Conservation had written a letter asking that certain actions be excused since Mr. Rice was not present at that time. Mr. Rice said that this was the fourth time a Board has failed to talk to the Water/ Sewer Commissioners.

- Mr. Downing brought up a recent Planning Board meeting where they were unanimously in favor of seeing a job description for a Town Engineer drafted along with a search/screening committee.

Mr. Downing also stated that the Planning Board would be having a public hearing concerning an adult entertainment district/zone on October 22nd at 7:30 p.m. and its impact on zoning by-laws. He asked that Ella Ryan be advised of this public hearing.

Mr. Brodeur mentioned that the Brandywine developer has to deal with the concerns of a resident about a new driveway, since the driveway is not on Oak Street but on private property not accepted by the Town yet. Mr. Brodeur also mentioned that since the same developer is

in Chapter 11, a portion of the proceeds from his profits ($.55 on the dollar) come back to the Town to complete the construction of Musquit and Castle Roads. Mr. Brodeur felt that those residents should make sure the funds are generated back to the Town. Mr. Henry asked Mr. Downing to get an update on this.

- The minutes of August 16th were brought up, and after a correction was made, Mr. Downing moved their acceptance; Mr. Henry seconded; Mr. Brodeur abstained; all aye.

Mr. Henry mentioned that Mr. Bauer had agreed to draft the RFP for appraisal services and we should send a letter clarifying what was said at the meeting. He also noted they needed to formalize the 80/20 split issue.

Mr. Downing moved that Town Counsel draft a formal letter of agreement between the Town of Medway and the Town of Franklin dealing with ownership of CRPCD and formalizing the 80/20 split between the two Towns; Mr. Henry seconded; Mr. Brodeur abstained; all aye.

Mr. Downing said that there should be no further researching of the 80/20 issue; just to take it as what has been done for 17 years. Mr. Henry agreed and noted that it had been already accepted by both Towns and is an historical basis.

- Action Items.

- Mr. Brodeur moved that the Board approve the "Amendment to Contract for Municipal Building Recycling Services in the Town of Medway" with C. B. Trucking from 9/3/96 to 6/30/97 jointly with the Board of Health for six 96 gallon toters; Mr. Downing seconded; all aye.

- Mr. Brodeur moved that the Board approve the "Amendment to Contract for Recycling Services" which would include reimbursement for the Mass. Turnpike tolls when transporting recyclables by C. B. Trucking from 7/15/96 to 6/30/97 not exceeding $1,000 jointly with the Board of Health; Mr. Downing seconded; all aye. Mr. Downing made note that he would like a document such as this signed by the other Board prior to being submitted to the Selectmen.

- Mr. Brodeur moved that the Board approve the "Contract for Recycling Services" with Conigliaro Industries for recycling services at the High School, Burke School, McGovern School bi-weekly from 9/3/96 to 6/30/97 for $3,728; Mr. Downing seconded; all aye.

- The Board acknowledged Town Counsel's letter referencing a "community septic management program" with Option 1 being the better approach to follow. It was noted we may have to have another article on the town meeting warrant.

- The Board acknowledged a letter to the DEP from some residents on Holbrook Street requesting repeal of an Order of Conditions issued by the Medway Conservation Commission. Mr. Brodeur was aware that the same developer was appearing before the ZBA and asked the Office to let those residents know when the hearing was.

- A letter from the Medway Lions Club was received asking for an auctioneer's license for an auction to be held at the Shopping Center on October 5th. Mr. Brodeur moved the license be granted; Mr. Downing seconded; all aye.

- A letter from DEP with reference to 42 Broad Street was noted, and Mrs. Allen said it was an old issue and someone must now have some interest in the property.

- A letter from Sandy Metcalf of Colonial Road was acknowledged wherein she requested consideration for tying into sewer if that possibility ever exists. Mr. Downing said that the Town of Holliston has to set priorities - sewering the downtown area of Holliston is phase 1; now they are being asked to look at a broader picture, but not much can be done until they see the final plans. Mr. Henry asked that a copy of Ms. Metcalf's letter be sent to the Water/Sewer Commissioners since they have been asked to revisit the sewer master plan and come up with a cost needed to do the project.

- The Board noted the letter from the Cable Advisory Committee stating that the new elementary school can be wired at no charge, and existing buildings on a cost plus basis. Mr. Downing said he would discuss this issue further with Dave Verdolino and John Boczanowski and get back to Mrs. Allen.

- The Board agreed to advertise a public hearing on September 30th at 7:00 p.m. on a possible sewer rate increase.

- The Board noted the MMA workshop on "electric industry restructuring" and will advise Mrs. Allen if they are planning to attend

- The Board noted that the Planning Board has scheduled a public hearing on "adult entertainment district" on

October 22nd at 7:30 p.m.

- The Board discussed the roadway access permit for the McDonalds for 9 Neelon Lane, and Mr. Brodeur asked about a designee for the Board's signature? He said the Office could make sure everything was in order because what would the Board reject in the application? He felt the Board should designate Mrs. Allen if it is a normal application; Mr. Downing had no problem with that.

  Mr. Brodeur moved that roadway access permit 96-20 be approved by the Board; Mr. Downing seconded; all aye.

  Mr. Brodeur moved to authorize Mrs. Allen to be the Board's designee on roadway access permits as long as they are in compliance; Mr. Downing seconded; all aye. Mr. Henry asked for copies of all roadway access permits authorized.

- Mr. Henry brought up a new personnel position of DPS Administrator. He stated that the ad has gone in the newspapers for this position and asked the Board to look over the draft of the job description. Some changes were made and will be retyped for distribution.

  Mr. Brodeur moved that the job description of DPS Administrator be approved as amended; Mr. Downing seconded; all aye. Mr. Brodeur asked that a copy of the job description be sent to Wendy Rowe as she was interested in the formulation of the Town Engineer position. It was also stated that the Board has not discontinued further discussion of the Town Engineer position.

- Mr. Henry acknowledged a letter from Sandra Bennett wherein she outlined her dissatisfaction with the length of time it has taken to try and get ventilation into the upstairs women's bathroom. He noted it was being worked on.

- Mrs. Allen told the Board Wayne Vinton wished to be appointed to the Street Naming Committee. It was moved and seconded that Wayne Vinton be appointed to the Street Naming Committee through June 30, 1997; all aye.

- Mr. Henry recommended there be no Selectmen's meeting the week of September 2nd due to the holiday.

- The Board acknowledged letters from Senator Magnani and Rep. Gardner to Mr. Kerasiotes, Secretary of the Exec. Office of Transportation & Construction in support of the PWED Grant proposal for Alder St. and Trotter Dr.

- Mrs. Allen was asked to post the Selectmen's 8:00 p.m. meeting with Millis on September 5th.

10:30- Mr. Downing moved that the Board adjourn to executive session for the purpose of strategy as it relates to union and non-union personnel, not to return to open session; Mr. Brodeur seconded; all aye. The vote: Mr. Downing - yes; Mr. Brodeur - yes; Mr. Henry - yes. The Administrative Assistant was asked to stay; the Secretary was not.

Respectfully submitted,

M. J. Fredette
Secretary
mj

approved 9/9/96

BOARD OF SELECTMEN

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

AGENDA

August 19, 1996

7:00	Open Meeting, Sign warrants. Approve minutes of 8/12/96 meeting.
7:05	Joseph Giovinazzo, GCG Associates to discuss Cottage/Evergreen Streets drainage.
8:05	Wayne Vinton, regarding the Ambulance Rates.

Committee Reports

Action Items

ACTION ITEMS FOR SELECTMEN'S MEETING OF AUGUST 19, 1996

1. Filing retention schedules for department files.

2. Discuss report from Kate Fitzpatrick on the Peer to Peer Grant.

3. Discuss request from JCRB dated August 12, 1996.

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1. Update regarding conversation for redevelopment plans.

2. Discuss proposed three Role Playing on the Beach to Beat Cancer.

3. Difference received from USDA dated August 17, 1994.

Present: Lee Henry, Doug Downing, Jim Brodeur, Administrative Assistant Ruth Allen.

7:00 p.m.-Mr. Henry called the meeting to order in the Selectmen's Meeting Room 2 of Town Hall. Warrants were signed totalling $846,705.98.

- Mr. Downing moved the minutes of August 12th be accepted; Mr. Brodeur seconded for discussion. With corrections made by Mr. Brodeur and Mr. Henry, Mr. Downing moved the minutes be accepted as amended; Mr. Brodeur seconded; all aye.

7:07 - Joe Giovinazzo of GCG Associates came before the Board for an update on the Cottage Street/Evergreen Street drainage plan.

One of his first concerns was who he should sit down with in Highway to discuss the work on the roads? Mr. Brodeur stated that we had a new road access permit, and if the engineer followed the permit and the by-law, they will have fulfilled what the Town has desired for working on town streets. Mr. Henry gave Mr. Giovinazzo a copy of the new roadway access permit.

Mr. Giovinazzo showed the Board different layouts of the area indicating the work to be done. He said they would pave Cottage Street in the pavement area and from Main Street to Evergreen Street and from Evergreen Street to the outlet at where it turns 45 degrees at Chicken Brook to certain driveways or to Main Street at least curb to curb if not all grinding. Also included is reconstruction of the stone retaining walls along the west side adjacent to the right of way at a cost of about $20,000. Mr. Giovinazzo also noted they would modify the curb cut with handicap ramps on Cottage Street and eliminate the utility pole in the middle of the road at Main Street so there would no longer be an island there. He discussed portions of Evergreen Street that have no conventional water system, and if we were making corrections on Main Street, we should decide now if we want to make corrections on Evergreen as well, and said he would speak to Mark Flaherty about it. Piping would be placed in the grass strip of Evergreen if done so the street wouldn't be totally disturbed.

In discussing easements, it was noted that the Town has been granted a permanent easement of 20' behind Chicken Brook Realty Trust, with a 10' temporary easement on either side of the pipe (copy attached).

Mr. Giovinazzo spoke about the closing of Cottage Street

for construction, noting that it would be closed completely when they were working during the day, but would make it passable in the evenings. He noted they would lose 1/4 of the road in construction but were recycling the pavement with full width pulverization. Mr. Giovinazzo stated there would be plenty of catch basins now - two double basins on Main Street and two more down on Cottage Street.

The Board did not see a problem with closing Cottage Street, but felt the need of police details should be discussed with the Police Chief. Mr. Brodeur suggested this be included in the contract when bidding, but did have some concerns about liability and felt at least one officer was needed at the Main Street/Cottage Street location. Mr. Giovinazzo said that the contractor can shut down Cottage Street during the working day, but after that people can access the road, and driveways would be accessible at all times. Hours of probable work would be 7 a.m. to 5 p.m. Mr. Giovinazzo asked if the Board wanted the trenches jetted, and Mr. Brodeur said it was preferable.

Mr. Giovinazzo brought up the storm water detention system being proposed off of Main Street, and Mr. Henry asked Mrs. Allen to excuse herself from this portion as she was an abutter. Mrs. Allen noted she does not have a vote in the Board's decision, but Mr. Brodeur agreed with Mr. Henry, and Mrs. Allen left the room.

Mr. Giovinazzo indicated he would like to do the project in two phases - the 48" pipe and road reconstruction would be phase 1; the discussion with abutters for a proposed storm water detention system off of Main Street would be phase 2. He spoke about how downstream would still be a problem with a 10-year event, but felt the detention system would help relieve the flow. It was indicated that a vote on the detention system might have to go to Town Meeting if abutters and land owners posed a problem and a taking was the next process, but he did want to have a public hearing to get the easements from abutters and land owners. Mr. Brodeur asked about the right to eminent domain being pursued at the same time, but Mr. Giovinazzo stated it was an additional cost for appraisals and attorneys.

Mr. Giovinazzo recommended sitting down with the people and possibly exchanging something to make it a permanent taking rather than an easement. He indicated he first wanted to flag the wetlands, and then talk to the Conservation Commission. He had come up with a location for the retaining wall on Main Street near #204 & 206,

but it was not a final design. He, however, indicated if the detention pond was put in, there is more flexibility in the size of the pipe between a 42" and a 48". Mr. Giovinazzo did state that an increase in the size of the pipe causes an increase of water downstream noting a 42" pipe could handle a 7-year storm, and a 48" pipe a 10-year storm. He did feel that if the pond was a possibility, he would go with the 48"; if not, he would go with the 42". There would be some impact downstream, but not as significant. Mr. Brodeur asked about putting some type of controlling device in the contract, but it was noted there is a gate at Choate and at Park Pond (the dam). Mr. Brodeur reminded the Board that there used to be a swail near the pond known as Stepping Stone Brook before it got filled in.

Mr. Downing stated he did not want to lose sight of phase 2, which is part of the overall project. It was noted that phase 2 could be treated as a separate bidding project, but it took time and it might be best to get the construction started. The Board did not feel it had to be one bid, but part of one project.

Mr. Henry thought a public hearing would be helpful to deal with the project as a whole, with Mr. Brodeur thinking the hearing should be with both the people upstream and downstream at the same time. He also felt that they should go ahead with construction while waiting for the easements. Mr. Giovinazzo was asked about time line and value of the project; he said he would like to start construction in the Fall of 1996; rough value given of $250,000.

Mrs. Allen returned to the meeting.

Mr. Giovinazzo said he would sit down with Mrs. Allen and Arthur Darley of the State to make sure funding was in place, and let Town Counsel review the bid documents. Mr. Brodeur moved to authorize Town Counsel to review the contract documents and specs revision dated August 19, 1996 and give the Board of Selectmen his review and recommendation; Mr. Downing seconded; all aye.

Mr. Brodeur suggested Dusty Lardin be contacted to get the word out to the people in the affected area, but the Assessor's records would give the names and addresses of the actual residents. Mr. Giovinazzo said he would be filing a notice of intent for the Order of Conditions with the Conservation Commission for the outfall. Mr. Brodeur moved that every resident downstream be notified all the way to the Charles River; Mr. Downing seconded;

all aye. A public hearing was scheduled for September 9th or 16th.

8:30 - Chief Wayne Vinton came before the Board to discuss ambulance billing and rates. The Chief presented an analysis for FY'95 indicating actual costs to run the service for one year was $111,987.16 or $234.28 per run. He stated that the collection rate was 78% with the balance being abated. He noted a spreadsheet of rates from surrounding towns showing Medway's rates were lower than most of the towns.

The Chief requested an increase in rates effective September 1, 1996 as follows: base rate - $213.01; mileage - $9.53/loaded mile; oxygen - $39.24; airways - $95.31; mast - $56.06; defib - $84.09.

Mr. Henry said that he approved a level of charge that reflects the cost of service. The Chief noted that some towns authorize the Fire Chief automatically every year to raise rates per medicare rates that are set.

Mr. Downing moved that the Board set new ambulance rates as recommended by the Chief and reflected in his memo of August 6, 1996 (copy attached) effective September 1st; Mr. Brodeur seconded; all aye. Mr. Henry suggested that in the future the discussion process of increasing rates should be done on a more timely basis. The Chief stated that ambulance rates are not part of the budget process and increased medicare rates are not made known until March.

8:50 - Mr. Downing reported some concerns expressed at the last School Building & Site Selection Committee meeting, some of which have been addressed. He stated he has been on site many times - compaction was being done in the parking lots, and some steelwork was up. He felt their safety concerns are being rectified and the opening of school in 1997 should not be delayed.

Mr. Henry noted that the School Committee had brought up the different configurations of schools and grades, and a separate sub-committee had been formed which would hold a public hearing on September 19th, for final vote on October 3rd or sometime after that. Mr. Downing asked that the meeting of September 19th be posted since a majority of the Board might be present.

Mr. Brodeur remarked that he thought the breakdown in schools had already been decided when plans for the new elementary school had been formulated.

- Mr. Downing brought up the strategy session meeting held on August 14th, and the subsequent meeting on August 16th with Wolfgang Bauer and the Medway CRPCD Commissioners. He noted they were working on a procedure to establish an equitable buy-in figure for Holliston to tie into CRPCD. Mr. Downing said that Mr. Bauer will draft an RFP for appraisal services, and Mrs. Allen was asked to send a memo confirming this.

  Mr. Downing also brought up the 80/20 percentage formula that has been in place between Franklin and Medway for 17 years but has never been formalized in writing. He stated he felt it should be a full Board vote with Mr. Brodeur being able to vote. He, therefore, moved to vote and enter into a formal written agreement with Franklin to establish ownership of the District into a 80/20 percentage; Mr. Henry seconded for discussion. It was then agreed that Mrs. Allen would ask Town Counsel to come up with a recommended draft proposal.

9:05 - Mr. Henry brought up a Cable Advisory Committee meeting he attended where he requested that the current contract with CVI be reviewed to see if the new school building and current buildings can be wired. The Committee will make contact with CVI to meet with the Board. Mr. Henry also asked for a copy of their minutes.

- Mr. Henry said he met with the FinCom concerning the concept of a Town Engineer, but they would like more information and the position defined.

- Mr. Henry said he met with the Municipal Facilities Study Committee and were concentrating on three areas: town hall, bank buildings and Medway Block. A copy of the Peer-to-Peer report was asked to be given to Bob Speroni and Leeanne Dickson for their information.

- Mr. Henry brought up the storage and retention of files in the basement. He said that State law has requirements on the length of time files need to be retained and those schedules can be obtained from the State and given out to all departments. Mr. Henry said he asked the Town Clerk to obtain those schedules, and once received and made available, a memo can be sent out to all departments recommending that action be taken with obsolete material.

  Mr. Downing requested that the original bid proposal and changes to the Walker Street Bridge not be destroyed. The Secretary told him that certain documentation pertinent to the Town would always be preserved.

- The Peer-to-Peer report done by Kate Fitzpatrick was brought up. Mr. Downing requested that all departments be given a copy of that report for their information. He felt the report accomplished what he had hoped it would do, and asked that a copy be given to the Library for their files. It was requested that Mrs. Allen send a thank-you letter to Ms. Fitzpatrick, with a copy to the Peer coordinator and/or to her supervisor in Needham, possibly the Town Manager.

- The Board acknowledged the JCRB's memo of August 12th discussing recent action at the JCRB meeting of August 8th. They had noted that a step increase for the Conservation Commission Secretary, Barbara Spratt, had been recommended but never formalized and wanted to take that action at this time. Mr. Downing said he had not attended the meeting, but did not have a problem in supporting that increase.

  Mr. Brodeur questioned why this needed to go to the Board? Mr. Henry said that the Board is the Personnel Director; the JCRB deliberates and gets back to the Board; and the Board makes the decision to approve or deny. Mr. Brodeur asked when her evaluation was done? The Secretary would check during the meeting and advise.

9:30 - Gardner Rice met with the Board to discuss some items. Reiterating some previous comments, he said he had told Charlie Aspinwall 2-3 years ago not to put sewer on Farm Street, but the extension was made in the field with no thought of gravity correction, and then did it in such a way that probably 1 or 2 homes would have to pump and that isn't right. Mr. Henry read Mr. Aspinwall's letter of August 16th requesting the Millis Selectmen meet with the Medway Selectmen, noting that we were still holding their roadway access permit. The Board agreed to have Mrs. Allen try and schedule the meeting in Millis on September 5th at 8 p.m.

- Mr. Rice said they are now in the process of doing design and survey work on the Holliston Street sewer project, and then hopefully in about 10 days, go out to bid. Concerning the street itself, Mr. Brodeur felt that we should just trench now and do a temporary pave; next year grind full-width. He suggested three alternatives: getting some prices with thoughts to overlay in the Spring; figure out costs for full-width pulverizing and regrading; and then doing the extension regrading up to maybe Henry Street.

- Mr. Rice brought up the subject of increasing sewer rates. He asked the Board when a public hearing could

be held, with the hopes that the new rates could be implemented January 1st. A date of September 30th at 7 p.m. was set up.

- Mr. Rice said he had met with DEP on the Longmeadow issue indicating he felt we had a strong case, and they could do what Claybrook II is doing.

10:00- Back to the subject of the Conservation Commission's Barbara Spratt's step increase. The Secretary told the Board her evaluation was done in November of 1995. Mr. Brodeur moved to approve the request of the JCRB as outlined in their memo of August 12th, to upgrade the ConCom's secretary from 3-2 to 3-3, retroactive to July 1, 1996; Mr. Downing seconded; all aye.

- The applications of two residents for the Planning Board vacancy were acknowledged. Meeting is on August 26th.

- John Cicciu's memo for the civil defense table top exercise scheduled for 10 a.m. on September 25th was acknowledged.

- Mr. Henry acknowledged the letter received from the IDC Chairman noting his Commission had observed activities which might be in conflict with the zoning by-laws's greenbelt provision. Mr. Henry said the letter had been turned over to Bob Speroni, Zoning Enforcement Officer, for his review and recommended this be tabled until the Board received his report.

  Mr. Downing said he had a problem with getting a communication from the IDC like this. He wanted to know where were the people that were communicating their complaints to them? Why didn't they come to the Board? He said the letter was coming from Village Street, not Coffee Street. Mr. Downing said he was looking forward to getting Bob's input.

- The Board acknowledged receipt of the Conservation Commission's letter voting no interest in Briggs' property on Summer Street. We are waiting for a response from the Board of Assessors.

- The Board acknowledged receipt of a communication from Rep. Gardner's office relative to the Information Technology Bond. It was requested that a copy be sent to the Computer Committee and Cable Access.

- Mr. Henry said that the Town Hall Building Committee dropped off the proposed plan for the front and rear of Town Hall. He noted that they were requesting the Town

do Section A which doesn't affect the walkway on the east side of the building.

Mr. Brodeur moved to direct Highway/DPS to remove the concrete as shown on the plan dated November 21, 1994, Segment A, and the awning over the rear door and concrete platform and asphalt in the back, subject to a schedule submitted by Gino Carlucci per their letter of August 15th; Mr. Downing seconded; all aye.

- With reference to the Town Engineer position, Mr. Downing said they should work on the job description since FinCom had stated they wanted something to review, so the Board should have something to present. He suggested the Board try and put together their individual thoughts by September 9th.

10:25- Mr. Downing moved that the Board adjourn to executive session for the purpose of strategy for collective bargaining for union and non-union personnel; and to discuss the purchase, sale, lease or value of real property; not to return to open session; Mr. Brodeur seconded; all aye. The vote: Mr. Downing - yes; Mr. Brodeur - yes; Mr. Henry - yes.

Respectfully submitted,

M. J. Fredette
Secretary
mj

approved 9/9/96

MEDWAY FIRE DEPARTMENT
155 VILLAGE STREET
MEDWAY, MASSACHUSETTS 02053
(508)533-3213 • FAX: (508)533-3201

RECEIVED
A.M. AUG 9 1996 P.M.
TOWN OF MEDWAY
BOARD OF SELECTMEN

DATE: August 6, 1996

TO: Board of Selectmen

FROM: Fire Chief

RE: Ambulance Rates

Cost Analysis / EMS

The enclosed analysis has been conducted in order to determine if the Medway Fire Emergency Medical Services' rate schedule effectively covers the real cost of running the service. The data within this analysis contains information supplied by other departments to include their costs for providing assistance to the service. The analysis is based on FY 95 or July 1, 1994 to June 30, 1995.

Page One

This spreadsheet lists all the expenses incurred by the service based on information from other departments. During FY 95 there were actually 478 billable runs. All information is entered on an annual, monthly, and per run basis. This spreadsheet shows that the real cost of providing emergency medical service to the citizens of Medway was $ 111,987.16 or $ 234.28 per run.

Page Two

This spreadsheet shows the commitments, receipts, and cost of billing for FY 95. Total commitments were $ 101,006.50 and receipts for the same period were $ 79,494.46 or a 78% collection rate using our third party billing service which charged $5,319.00 for the fiscal year. The 22% which is not collected is being abated for various reasons including no response to billing, welfare payments, hardships, and deaths.

Page Three

This page shows the current rates of our service as approved by the board of selectmen, the current rates approved by medicare, and surrounding communities. The approved medicare rate allows

entities to charge for services which we provide but have never charged for. Many of the surrounding communities change their rates on an annual basis to coincide with the approved medicare rates.

Conclusion

The average bill for services during Fy 95 was $211.31. Based on this analysis, for FY 95, the service lost $22.97 each run or $10,979.66. Adding this figure to $21,542.04 (the 22% which is not collected) the service actually had a defict of $32,521.70. I feel that by increasing our rates to the approved Medicare rates that this deficit can be eliminated and allow the town to cover the real costs of running the service.

I would request that the Board of Selectmen vote to set the following rates for services provided by the Medway Fire Department Emergency Medical Service effective September 1, 1996.

Base Rate	213.01
Mileage	9.53/loaded mile
Oxygen	39.24
Airways	95.31
Mast	56.06
Defib	84.09

FY 95 EMS COST ANALYSIS

MEDWAY FIRE DEPT
EMS COST ANALYSIS

ANNUAL COSTS

	PER YEAR	PER MONTH	PER RUN
INSURANCE:			
Building	400.00	33.33	0.84
Vehicles	600.00	50.00	1.26
Personnel	3,176.40	264.70	6.65
CLERICAL:			
Treas/Coll	463.20	38.60	0.97
Accountant	480.48	40.04	1.01
Billing	5,319.00	443.25	11.13
PERSONNEL:			
EMTs			
Salary	31,089.12	2,590.76	65.04
Stipends	8,295.00	691.25	17.35
Training	1,430.00	119.17	2.99
Secretay			
Salary	8,295.00	691.25	17.35
Benefits	8,295.00	691.25	17.35
Chief			
Salary	5,478.20	456.52	11.46
Benefits	5,478.20	456.52	11.46
VEHICLES:			
Fuel	1,381.42	115.12	2.89
Maintenance	1,500.00	125.00	3.14
Mechanic	1,646.40	137.20	3.44
Lease/Purchase	16,376.00	1,364.67	34.26
Supplies	3,800.00	316.67	7.95
Licenses	250.00	20.83	0.52
EQUIPMENT:			
Maintenance	936.00	78.00	1.96
Supplies	3,600.00	300.00	7.53
Radios	250.00	20.83	0.52
Office Supply	1,600.00	133.33	3.35
BUILDING:			
Heat	920.00	76.67	1.92
Electricity	780.41	65.03	1.63
Telephone	147.33	12.28	0.31
Maintenance	500.00	41.67	1.05
Totals	111,987.16		234.28

FY 95 Commitments

	DATE	COMMITTMENT	# CALLS	RECEIPTS	COMSTAR
JULY	07/07/94	1,915.00	9.00		
	07/13/94	2,832.00	13.00		
	07/20/94	1,674.00	8.00		
	07/28/94	1,881.00	9.00		
AUGUST	08/04/94	2,552.00	12.00	4,304.48	256.50
	08/08/94	2,753.50	13.00		
	08/16/94	1,723.50	8.00		
	08/24/94	1,941.00	9.00		
SEPTEMBER	09/01/94	2,318.50	11.00	3,854.03	270.00
	09/04/94	1,233.00	6.00		
	09/14/94	1,967.00	10.00		
	09/22/94	2,696.50	13.00		
	09/28/94	1,655.50	8.00		
OCTOBER	10/06/94	2,667.50	13.00	8,038.64	580.50
	10/11/94	2,398.50	11.00		
	10/20/94	3,210.50	15.00		
NOVEMBER	11/02/94	2,452.00	11.00	2,184.50	108.00
	11/10/94	3,177.50	15.00		
	11/17/94	2,188.00	10.00		
	11/22/94	1,398.00	8.00		
	11/29/94	1,255.00	6.00		
DECEMBER	12/08/94	2,124.00	10.00	10,290.38	742.50
	12/15/94	1,723.50	8.00		
	12/19/94	1,293.50	6.00		
	12/27/94	1,838.50	9.00		
JANUARY	01/05/95	2,921.50	15.00	7,905.63	540.00
	01/11/95	1,542.50	7.00		
	01/18/95	2,067.50	10.00		
	01/25/95	2,089.50	10.00		
	01/31/95	1,747.00	8.00		
FEBRUARY	02/09/95	477.50	2.00	8,529.57	553.50
	02/15/95	1,599.00	8.00		
	02/22/95	2,232.00	11.00		
MARCH	03/02/95	3,761.50	18.00	9,230.03	621.00
	03/09/95	2,019.50	9.00		
	03/15/95	647.50	3.00		
	03/23/95	1,441.50	7.00		
	03/23/95	1,553.50	7.00		
APRIL	04/05/95	2,206.50	10.00	10,007.15	702.00
	04/11/95	1,441.50	7.00		
	04/19/95	2,354.50	11.00		
	04/26/95	2,279.50	11.00		
MAY	05/03/95	2,124.00	10.00		
	05/09/95	1,044.50	5.00		
	05/17/95	1,553.50	7.00		
	05/24/95	2,658.50	12.00		
	05/31/95	1,924.50	9.00		
JUNE	06/06/95	1,482.00	7.00	15,150.05	945.00
	06/13/95	1,277.00	6.00		
	06/22/95	2,105.50	10.00		
	06/27/95	1,586.00	7.00		
TOTALS		101,006.50	478.00	79,494.46	5,319.00

Ambulance Rate Survey 2/5/96

The following is a list of ambulance rates for surrounding communities, aprroved medicare rates for 1995 and 1996, and Medway. These rates are for FY 96.

Town	Base	Mile	Oxygen	Defib	MAST	EPI	Med Sup
Holliston	210.00	9.50	40.00	65.00	75.00	40.00	35.00
Bellighnam	206.81	9.25	38.10	81.64	54.43	-	-
Millis	190.00	9.50	35.00	-	-	-	-
Franklin	250.00	10.00	40.00	85.00	60.00	Immob 75.00	Suction 20.00
Norfolk	135.00	-	15.00	100.00	-	-	-
Medway	150.00	5.50	20.00	-	-	-	-
Medicare 1995	206.81	9.25	38.10	81.64	54.43		
Medicare 1996	213.01	9.53	39.24	84.09	56.06		

GCG ASSOCIATES, INC.
379 Broadway
LYNNFIELD, MASSACHUSETTS 01940

(617) 599-8979

LETTER OF TRANSMITTAL

MB

DATE	JOB NO.
7/30/96	9569

ATTENTION

RE: Cottage St
Drainage Project

TO Ms. Ruth Allen
Town of Medway
Board of Selectmen
155 VILLAGE ST
MEDWAY, MA 02053

WE ARE SENDING YOU ☒ Attached ☐ Under separate cover via _____ the following items:

☐ Shop drawings ☐ Prints ☐ Plans ☐ Samples ☐ Specifications
☐ Copy of letter ☐ Change order ☐ _____

COPIES	DATE	NO.	DESCRIPTION
1		1	MARKED-UP PLAN SHOWING THE PROPOSED EASEMENTS

RECEIVED
JUL 31 1996
A.M. P.M.

THESE ARE TRANSMITTED as checked below:

☒ For approval ☐ Approved as submitted ☐ Resubmit_____copies for approval
☐ For your use ☐ Approved as noted ☐ Submit_____copies for distribution
☐ As requested ☐ Returned for corrections ☐ Return_____corrected prints
☐ For review and comment ☐ _____
☐ FOR BIDS DUE _____ 19_____ ☐ PRINTS RETURNED AFTER LOAN TO US

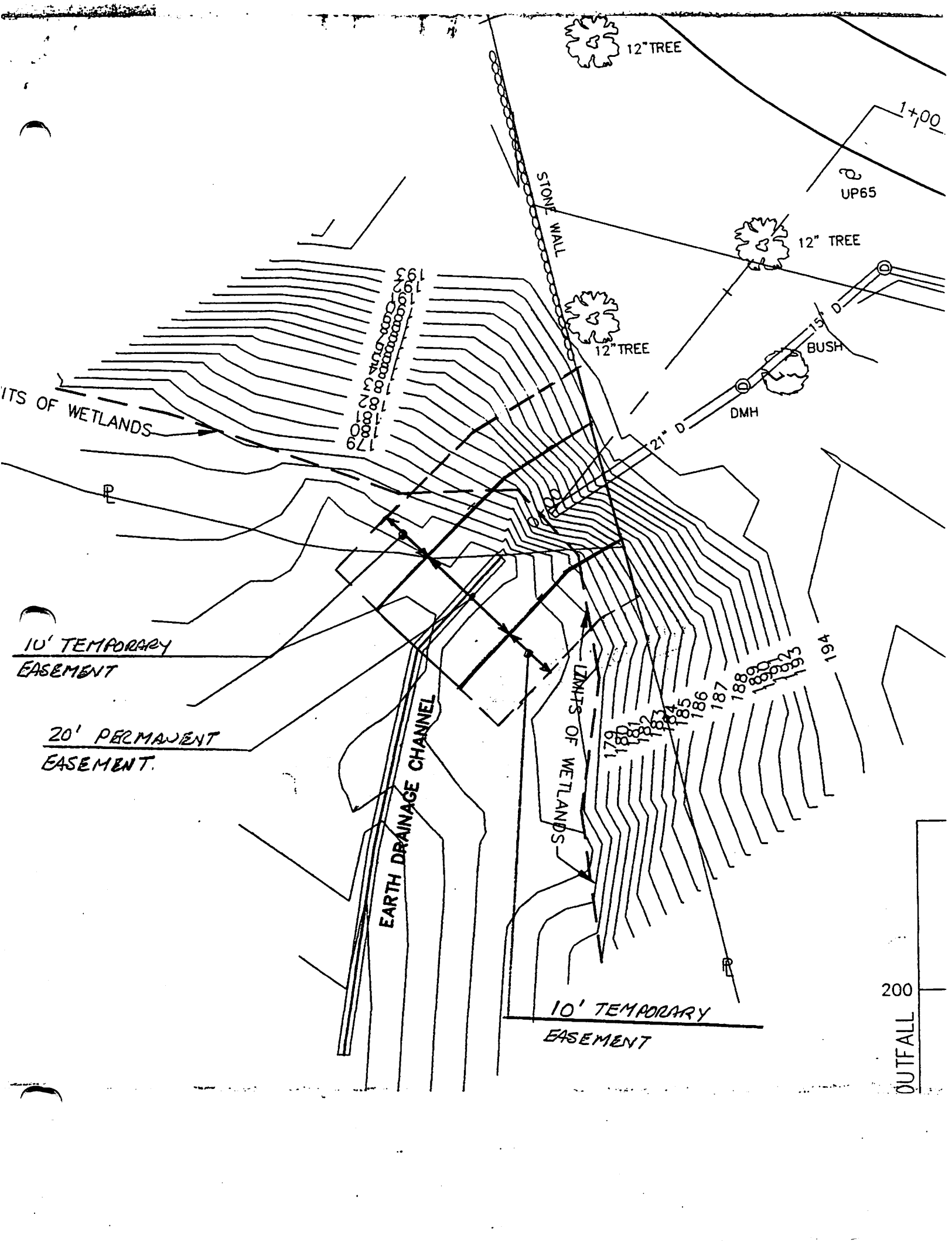
REMARKS Ruth as requested, we have marked up our design plan showing the proposed easements required for construction.

As you know, a final easement plan will be prepared for recording at the registry of deeds

Please call if you have questions

COPY TO CC:BOS 7/31/96 SIGNED: Joseph D. Gaughan

If enclosures are not as noted, kindly notify us at once.


12"TREE
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STONE WALL
UP65
12" TREE
12"TREE
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BUSH
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ITS OF WETLANDS
179
180
181
182
183
192
193
10' TEMPORARY
EASEMENT
20' PERMANENT
EASEMENT
EARTH DRAINAGE CHANNEL
LIMITS OF WETLANDS
179
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181
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186
187
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189
190
193
194
10' TEMPORARY
EASEMENT
200
OUTFALL

Present: Lee Henry, Doug Downing, CRPCD Commissioners Paul Wilson and Paul DeSimone, Town Administrator Wolfgang Bauer.

9:05 a.m.-Mr. Henry called the meeting to order, and since Mr. Bauer had requested the meeting, asked him to begin the discussion.

Mr. Bauer said the Town of Franklin has discussed different options with various towns, including a letter to the Town of Wrentham with a copy to the CRPCD. He stated Wrentham wanted to do something with sewer, and the same with Bellingham and possibly Norfolk. Since the towns want to gain capacity, they should all be done at the same time, rather than separately. He felt we should take care of existing members, such as Millis, by modifications. Mr. Bauer said he understood Medway gave permission to Millis already; maybe it was erroneous, but he thought they were already programmed to get an extra 200,000 gallons.

Mr. Wilson noted Franklin and Medway own the plant of 12 million gallons with a cleaning capacity of 4 million gallons. Mr. Bauer thought the incoming towns should pay 100% of the cleaning capacity. He said the towns should not build the plant for others but should be wiling to sell that portion at some cost above the 4 million gallons; that cost to be determined outside the scope of the Commissioners. Mr. Bauer said his Commissioners agree they should not be involved in the value setting of the plant; an outside group can determine that. He stated he had already received one proposal for an appraisal, and was trying to obtain another. Mr. Bauer said his Commissioners feel the plant's value is worth about $2 million; with his feeling it was between $1.5 and 2.5 million. He felt that someone should look at the value, and then decide if we have gotten a good price. In looking at costs of appraisals, Mr. Bauer thought Medway's share would be around $10,000, if we did the 80/20 split.

Mr. Bauer went on to say he was not looking at the technical side of the issue, just the philosophical points. He felt the real issue is how to count the federal and state grants since they may not be available anymore; and if not, we ought to charge the incoming towns full cost. Mr. Bauer also was concerned with selling our capacity, and then be forced to build later on at cost. Mr. DeSimone said that Metcalf & Eddy had done a study and did not feel growth would be that substantial.

Mr. Henry wanted to back up the discussion to the

beginning clarifying that the plant had originally been designed to include Franklin, Medway, Holliston, Bellingham, Norfolk and Wrentham. At the time the plant was being built, Holliston and Wrentham backed out, so Franklin and Medway built the plant.

Mr. Henry said the District consisted of the physical operating capacity of the plant vs. the licensing of what was allowed with the ability to expand when necessary. The District took in Franklin and Medway and they contracted the capacity from the District for Bellingham and Millis and sold portions of our capacity to them. Now the towns are faced with issues involving Title V and development in both towns. Mr. Henry stated they want to be able to utilize our own plant, but are faced with getting requests from contracted towns for additional capacity, and Holliston now wants to tie in, for which they would build the expansion of the plant.

Mr. DeSimone said that once Holliston said they did not want in originally, the towns allowed Millis to come in and use their portion. The plant was designed for 20 years, having opened in 1980. The next 20 years would have been looked at soon anyway. The towns need to determine the buy-in charge.

Mr. Henry asked Mr. Bauer if he had reviewed the contracts; and he said he hadn't, but had recently negotiated with Sherborn and agreed to a price of $5/ gallon. Mr. Bauer was concerned about Holliston setting a precedent, but also wanted to be fair to the taxpayers of Franklin. He said negotiating with Sherborn for $5/gallon is not the same thing as a cost of between $1.5-2.5 million with Holliston.

This brought the discussion back to joint participation in an appraisal which Mr. Henry inquired of Mr. Bauer if he wanted an appraisal for determining the value of reproducing the present plant? Mr. Bauer said if the building is handling 12 million gallons, and we sell a part of that, how much is it worth?

Mr. Henry asked Mr. Bauer if he was asking the towns to consider expending $30,000 - $50,000 to an organization versed in evaluating sewage treatment plants to determine total cost to generate capacity we now have to come up with a mechanism from which to get a buy-in portion of that capacity? He then asked if it was Mr. Bauer's belief by executing an appraisal, that a buy-in charge will be higher than the $1.5-2.5? Mr. Bauer did not know, but he did not like the large spread in value, and felt the appraisal cost could easily be recouped.

Mr. DeSimone suggested letting the Town of Holliston be a part of the selection process for an appraisal firm since they have a big investment in the project; Mr. Bauer was agreeable but he did not know who was going to negotiate capacity. He stated that negotiating capacity and a buy-in cost is not a part of the District's charge according to his Commissioners. Would the negotiations be based on the value of the plant? Mr. DeSimone agreed and that the numbers generated by CDM would be turned over to both towns. Mr. Bauer added that the Commissioners and CRPCD Director Bob McRae should not be haggling numbers. The District should not be placed in the middle for buy-in, but to maintain a cooperative relationship.

Mr. Bauer asked if DEP would approve more gallons out of the outflow? Mr. Wilson said that a river study is being done and it will show what the plant is able to handle. Mr. Bauer noted that Holliston is paying for something that will impact other towns. Mr. DeSimone said that the design of the modification is to handle Bellingham, Medway, Franklin without the river study.

Again, Mr. Bauer said he wanted to know the bottom line when going into negotiations, not just pure engineering principles that CDM has. Mr. Henry had the sense that they were reinventing the wheel and spending money foolishly to Mr. Bauer's comments that he could argue alternatives. He stated he had more experience in negotiations than anyone in the room.

Mr. Wilson commented on the inexperience of some of the Holliston Selectmen as they were not versed in the process of plant operation and noted there might be some difficulty. Mr. Bauer again brought up the cost of the total plant and felt it would be helpful to have the established price accurate as he did not feel confident with the numbers being given. Mr. Bauer said he could work on the specs for the appraisal. He also noted that no one has ever sat down and decided who sells what capacity to whom, etc.

Mr. Wilson said the Commissioners have talked and told Holliston if they want capacity, they would have to build. He also felt that if the river study turned out OK, that DEP would tell Holliston to go ahead. It was noted that the modification is for 4 users, 2 of which are the owners, who require additional capacity.

Mr. DeSimone quoted figures from Mr. Wilson's chart indicating the capacity towns were requesting. Mr. Bauer recommended taking the money the two towns were

receiving and putting it back into the plant to finance their modifications.

Mr. Bauer stated that an appraisal of the plant has never been done, and now is as good a time as any. Mr. Downing agreed that maybe the appraisal should be done if Franklin was willing to negotiate with Bellingham and Wrentham. He also stated that if we go ahead with an RFP and go out to bid, that we let Holliston know what we are doing so everything is above board. Mr. Downing noted he did not want to see the project delayed by going to an outside agency. Mr. Wilson agreed they should proceed in this direction. Mr. Bauer noted his concern for replacement value of the plant, and that's why he wanted an expert appraiser in the field.

Mr. DeSimone suggested insurance consultant Charles Bresnahan who might know of some appraisers expert in the field.

Mr. Wilson recommended Mr. Bauer deal with Holliston Town Administrator Paul LaBeau through the Board of Selectmen as they haven't reached a consensus yet. Mr. Bauer went on to say that he didn't want any town to pay more than they had to, while still looking out for the best interests of both towns.

Mr. Bauer wanted clarification on which town was getting what percentage of the funds with the joint effort with Holliston? Mr. DeSimone said it was the 80/20 split mentioned before and the others present agreed. He also noted that this split is not included in the contractual agreement and never had been officially voted on. A copy of 1993 Selectmen's minutes noted the conversation with no official vote. Mr. Bauer said he did not have a problem with the 80/20 split, but voiced concern with the inability to measure all of Medway. Mr. Wilson said the plant is based in Medway, so this should not be a problem area. Mr. Henry asked where the 80/20 percentage came from? Mr. Wilson noted this was determined with CDM when the 4 Commissioners first sat down to figure out what would be sewered, and they have been operating under this split for the last 17 years. Mr. Henry recommended formalizing that concept in writing, with Mr. Downing agreeing.

Mr. Downing moved to proceed with the development of an RFP for a comprehensive appraisal of the plant as stated in Mr. Bauer's letter of June 25th; Mr. Henry seconded; all aye. Mr. DeSimone cautioned the appraisal should be done if the river basin study is acceptable. Mr. Henry also asked Mr. Bauer for a draft copy of the RFP for the

Board to review prior to issuance, and agreed we should wait for DEP's approval of Holliston coming in before taking final action.

Mr. Henry also recommended again the sanctioning of the 80/20 split, with Mr. Downing suggesting the vote be held off until Monday night when the third member of the Board could be present to vote as well. Mr. Henry agreed to this, noting Town Counsel should also approve the actual wording as well.

10:30 a.m. - The meeting was adjourned.

Respectfully submitted,

M. J. Fredette, Secretary
mj

Approved 8/26/96

BOARD OF SELECTMEN

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

REVISED AGENDA

August 12, 1996

6:30 p.m.	Open meeting.
6:59	Treasurer/Collector, note for Alder St. Water project
7:00	Sign warrants. Approve minutes of 8/5/96 meeting.
7:05	Wes Fjeldheim
7:30	Conservation Commission - discuss catch basin cleaning on private property.
7:45	Board of Health regarding Expression of Interest: Participation in Community Septic Management Program and Amendment to Contract for Recycling Services.
8:15	Cablevision - Solicitor's Permit
8:30	Paul Wilson, CRPCD representative, regarding letter from Millis regarding additional discharge capacity.
	Committee Reports
	Action Items
	Executive Session

BOARD OF SELECTMEN

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

AGENDA

August 12, 1996

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8:30	Paul Wilson, CRPCD representative, regarding letter from Millis regarding additional discharge capacity.
	Committee Reports
	Action Items

ACTION ITEMS FOR SELECTMEN'S MEETING OF AUGUST 12, 1996

1. Discuss and sign Agreement from MMA for Management study.

2. Vote and sign application for employer assisted education form for Jeffrey Watson.

3. Discuss letter from Town Counsel regarding Vine Lane.

4. Appoint Margaret Harding to the Medway Pride Day Committtee.

5. Acknowledge request for comments on the FY'1997-1999 TIP listing from MAPC.

6. Discuss Roadway Access Permit.

7. Discuss information received from GCG (Millis Engrs.) regarding Town of Millis, Farm Street Sewer Work.

8. Discuss "What's New in Municipal Law" seminar.

9. American Red Cross Open House on September 11, 1996, anyone interested in attending????

10. Acknowledge meeting on August 13, 1996 at 9:30 a.m. in Sherborn Town Offices on Boston Edison Transmission line rebuild.

11. Acknowledge letter on Tier 1C Permit Application for 24 Broad Street.

12. Acknowledge letter from Ella Ryan on siting for any X-rated stores that may want to come into town.

actitems.doc

Present: Lee Henry, Doug Downing, Jim Brodeur, Administrative Assistant Ruth Allen.

6:30 p.m.-Mr. Henry called the meeting to order in the Selectmen's Meeting Room 2 of Town Hall.

This earlier meeting was called for a joint discussion between Chairmen of different boards on the concept of a Town Engineer. Gardner Rice of the Water/Sewer Board was present. Ed Hjerpe of the FinCom was unavailable but he had commented to the Secretary that he had no opinion pro or con as the FinCom, since he was on it, had not discussed it. Paul Yorkis of the Planning Board told the Secretary that he personally supported the concept, but felt it should be a joint decision of the Planning Board members. FinCom would next be meeting on August 14th; Planning Board on August 20th, and hopefully their comments would be made known at those times. Mr. Henry spoke to Health Agent, Bill Fisher, and he had felt that the Board of Health could utilize the services of a Town Engineer.

Mr. Rice asked what would the scope of this person's job be? how many hours a week? funding?

Mr. Brodeur stated when he first became the Town Engineer, there were lists of things to be done. As time went on and they were completed, he looked for things to do and a reason to be there, which is why he took a position in the private sector. He said he did not feel there was enough work on a full-time basis, but on a consulting basis, yes. Mr. Brodeur suggested making up a list of needs and prioritize them. He said resurfacing roads doesn't require engineering, but rebuilding roads would. He though we could keep an engineer busy for a year, but beyond that, he was unsure.

Mr. Brodeur said if the Town created a position of DPS Director with an engineering background (PE or no PE) for road maintenance, pavement, assisting the Water/ Sewer Supt. and their people, drainage, installing sidewalks and curbing - is this enough for a full-time position? Mr. Rice asked again about salary and how would they restructure the Highway Department? Mr. Brodeur said they need a qualified foreman in the field, which they have to set up materials and schedules, but they need someone over that foreman and the present personnel. Mr. Rice agreed they needed someone to administrate over the personnel.

Wendy Rowe was present, and as an engineer, felt

compelled to join in the discussion. She inquired about management structure and a trained engineer being an administrator. She said someone could be good at engineering, but not so good at administration.

It was noted that "DPW" falls under certain requirements and guidelines. Mr. Brodeur said that it couldn't work unless someone in this office was in charge of personnel policies and someone else in charge of the work. Mr. Brodeur pointed out originally the position of Town Engineer was 100% funded, then 50% funded, then 100% to the town, and there was a lot of surveying and drainage done then. He noted how Prop 2-1/2 reduced the Town forces, so now there are only enough personnel to do maintenance, not new construction. Mr. Brodeur said the Town was big enough to support some expertise, but he was not sure how much engineering is needed. Mr. Henry stated they need engineering help, but Mr. Brodeur said they need a combination of engineering and highway.

Mr. Downing stated that the need is there for engineering, planning, goal-setting, grant writing, bringing archaic records up-to-date, bringing mapping up-to-date. He noted there is a link between DPS and day-to-day operations and those personnel should report to the Engineer, with someone to assign tasks and delegate authority, without being responsible for hiring, firing and budgets.

Mr. Brodeur said the Engineer should review new roads for acceptance by the Town, and if he was busy, they could use the Planning Board consultant. Mr. Rice was concerned about a consultant's rates vs. an engineer's rates. Mr. Brodeur said the Town cannot make a profit; fees are based on past performance and the secretary's time. Mr. Rice further stated the Town should not hire an engineer, and then need support personnel for him.

Mrs. Rowe concluded the Board wanted someone with significant highway experience, with enough expertise to help with Title V and roadway access. Mr. Brodeur said that was right, but asked about an All Boards Meeting in September. Mr. Henry agreed that it would be good to use that meeting to tie everything in, but he did not want to wait until September. He explained that the group doing the government study had asked for an All Boards Meeting to get input from different committees.

Mr. Rice noted that the subject of resurfacing Holliston Street was on the Water/Sewer Board's agenda for Monday. Mr. Brodeur commented that the utility companies are there by privilege, not by right; we own the streets.

7:15 - Treasurer/Collector Marge Sanford came before the Board for their signature on a Certificate of Covenant for the final note on the Alder Street water main project. The note was for $27,500 from Rein & Co. at a rate of 4.3% dated 8/16/96 due 8/15/97. Mr. Brodeur moved the note be signed; Mr. Downing seconded; all aye. Town Clerk Maryjane White was present for certification.

- While Mrs. White was present, she asked that the Board sign the posting for the primary, which they did.

- Mrs. Sanford also asked that the Board sign the sewer rate relief form even though the Town would not be receiving any funds. Mr. Brodeur moved the form be signed; Mr. Downing seconded; all aye.

- Warrants were signed totalling $308,099.51. Mr. Downing noted that some of the bills for Stella were not included in the warrant for school building, however, David Verdolino had asked that the Board approve an additional warrant pending the School Building Committee's vote this Wednesday evening since the Town Accountant was on vacation. Mr. Downing moved that the Board approve the warrant for $489,646.34 pending the School Building Committee's vote on 8/14; Mr. Brodeur seconded; all aye. Mr. Henry asked that the Committee be notified of the Board's vote before Wednesday night.

7:30 - Wes Fjeldheim came before the Board at their request to continue the discussion of the Town Engineer/Highway Supt. position. Mr. Henry told him that they were still brainstorming, but he liked his proposal. He indicated the need was there, but he was not sure of what the tasks would be and how it should be structured. Mr. Fjeldheim noted a technical background with maybe some civil engineering background would be good for whatever the position was, which Mr. Henry felt was more DPS Administrator/Town Engineer. Mr. Fjeldheim thought this was a dangerous line which needed to be defined. Mr. Brodeur wondered if the same person could also be in charge of equipment maintenance? It was suggested there could be other positions, such as general foreman and a supervisor, but not the same, with Mr. Downing added they would still be going through the chain of command by redefining the management role and those positions. Mr. Henry noted mechanic George Cole had an obsolescent equipment plan.

Mr. Downing said the Board still needed to meet with the FinCom and figure out how they would fund the position and do a job description. He did not feel they were in any position yet to make any decisions, and determining

how the position would get funded would dictate what services the position would offer. He also felt that the Board needed to hear from the people pro or con on this issue as it was an open process and something would probably go to the Town Meeting. Mr. Brodeur agreed nothing could be done at this time, with Mr. Henry adding they could try and develop the concept further. Mr. Fjeldheim was thanked for meeting with the Board.

8:05 - David Travalini, Chairman of the Conservation Commission, met with the Board to discuss the cleaning of sand from catch basins on private properties, most specifically of commercial properties. Mr. Brodeur noted how the Town annually cleans the sumps of the catch basins on accepted streets, and asked Mr. Travalini how the Conservation Commission prevents sand from going into the wetlands on private properties?

Mr. Travalini honestly said it was not something the ConCom has addressed in the past, but they could put that requirement in future orders of conditions as a new permanent regulation. Mr. Brodeur suggested it could be a by-law. Mr. Travalini added they could put in the order of conditions, but would not be able to enforce it. Mr. Downing thought if Highway was aware of a catch basin that needed to be cleaned, they could pass that message on to ConCom. Mr. Travalini said he would discuss it further with the other ConCom members.

8:20 - Mike Heavey of the Board of Health and Bill Fisher, Health Agent, came before the Board. First they asked the Board to sign the joint amendment to the contract with C. B. Trucking for taking recyclables to the BFI Auburn facility. Town Counsel had already reviewed the contract, therefore, it was moved and seconded that the contract be signed.

Mr. Heavey then brought up the subject of a Title V betterment revolving loan program for septic systems. He stated they needed an expression of interest from the Town, and which option of those presented would be chosen, or we would not be in the running for the awarding of that financial assistance.

Marge Sanford was present and questioned if we had to go to Town Meeting if we needed more money as only $100,000 had been authorized. Mr. Heavey said they could request $200,000 for the comprehensive approach, but if we did not receive that amount, we could still just receive the $100,000. He also did not feel the Town would object to the revolving account.

Mr. Fisher did not think they needed Town Meeting approval according to DEP, but Mr. Henry said they need the authorization to expend the funds.

Mr. Brodeur noted the $100,000 would come back to the Town through betterments.

Mrs. Sanford noted the two options and said option 1's priority is to the environment, and option 2's to low and moderate income.

Mr. Downing moved to approve Option 1 as presented by the Board of Health, and to authorize the Chairman to sign the agreement subject to Town Counsel's review; Mr. Brodeur seconded; all aye. Mr. Heavey noted the filing date is September 1st, and they will be having informational meetings for the public. Mr. Henry asked that Town Counsel also review the pre-loan agreement for a start-up cost of $20,000. Mr. Downing suggested they also touch base with the Water/Sewer Board.

8:55 - Larry Fitzsimmons of CableVision came before the Board to request a solicitor's permit for contacting residents who don't have cable. Mr. Brodeur moved to approve the solicitor's permit for the reps from CVI from August 14th to August 30th, Monday through Friday from 9:00 a.m. to 7:00 p.m., and on Saturday from 10 a.m. to 5 p.m.; Mr. Downing seconded; all aye. He was reminded to check in with the Police Department each day noting where the reps were in Town, and who the 4th person is.

9:00 - Gino Carlucci stopped in to meet with the Board and tell them that the Town Hall Building Committee was recommending the bid for front and rear entrances be awarded to Start-rite Corporation for $35,000. The plan does not include any work on the east side of the front of the building. Mr. Downing moved to accept the Committee's recommendation; Mr. Brodeur seconded; all aye.

9:05 - Paul Wilson, C.R.P.C.D. Commissioner, stopped in to answer the Board's concerns on additional discharge capacity and Millis' request to purchase added capacity. Mr. Brodeur left the room for possible conflict of interest. Mr. Wilson gave the history going back to 1974 when 4 commissioners were appointed and determining the towns' capacities, which was 80% for Franklin and 20% for Medway. Eventually both towns sold to other towns leaving 64.2% for Franklin, 16.5% for Medway, 11.0% for Millis, 6.6% for Bellingham, 1.1% for Norfolk, and .6% for Sherborn. Mr. Wilson said that Millis wished to purchase more capacity, but recommended they be patient,

as they don't know what Holliston will do yet and its affect.

Mr. Downing wanted to know what mechanism was in place for the towns to increase and sell capacity for future consideration. Mr. Wilson recommended determining the capacity of all the other towns before we know our own capacity - 1/3 of the town is not measured.

Mr. Downing said that a meeting had been posted for Wednesday morning, August 14th for a strategy session prior to the meeting on Friday morning, August 16th. Mr. Henry cannot make the meeting so Mr. Downing will confer with our Commissioners.

Mrs. Allen was requested to write to Millis Town Administrator Charlie Aspinwall and ask him to be patient while the present situation with Holliston is still in the discussion stage.

Mr. Brodeur returned to the meeting.

- Mr. Downing moved to accept the minutes of August 5th; Mr. Brodeur seconded; all aye.

- Mr. Henry brought up the ramp work proposed for the front of Town Hall, and he said Mr. Carlucci will be contacting Bruce Bruneau of the State Office on Disability for clarification as Bob Speroni seemed to recall Mr. Bruneau saying the ramp does not have to be changed.

  Mr. Henry also said he asked the Town Hall Building Committee to leave space in the ceiling of the first floor for ductwork for central air if it's ever put in. He also noted that the new fire escape door is in.

- Mrs. Allen said that the Clerk of the Works John Kubitza and School Building Chairman John Boczanowski were coming in to meet with the Board on August 26th. Mr. Downing said the School Building Committee was meeting on Wednesday with some serious concerns that needed to be discussed as basically the road to the Burke School was closed off and there was no parking for teachers, with school opening in a couple of weeks.

- Mr. Downing noted the Medway people honored by the Republican Town Committee at a recent banquet.

- Mr. Henry acknowledged the Building Department's report for the month of July and the end of Fiscal '96.

- Mr. Henry noted receipt of the letter from the Park Commissioners stating they were not interested in becoming involved with ~~the~~ the Board pursuing the project. Mrs. Allen was asked to send a letter to David Hoag, with a copy to Rep. Barbara Gardner, thanking him for the concept but that the Board was not going to pursue it further.

- The MMA Consulting Group agreement for the government study of the Town of Medway was signed by the Board, which had already been reviewed by Town Counsel as to form.

- The employer-assisted education form for Jeff Watson was received by the Board. Mr. Brodeur moved the form indicating a potential $608 be approved; Mr. Downing seconded; all aye.

- The Board acknowledged more documentation concerning the Vine Lane fire lane situation. It was noted the year of the land court case was 1987 and it does exist as a filing. After some discussion, it was agreed to let it stand as is and not make it a public way.

- Mr. Brodeur moved that Margaret Harding be appointed to the Medway Pride Day Committee through June 30, 1997; Mr. Downing seconded; all aye.

- The Board was in receipt of the latest TIP report, which angered Mr. Henry since it again delayed the Route 109 Corridor project 2 additional years into FY'99 for advertising. He asked that a letter be sent to MAPC questioning if an error had been made in this regard. Mr. Downing asked Mrs. Allen to notify Millis of our intent with the letter as well. Mr. Brodeur moved to authorize the Chairman to sign the letter; Mr. Downing seconded; all aye.

- Mr. Henry acknowledged receipt of Town Counsel's review of the roadway access permit and the changes he made thereon. He will redo the permit with the corrections and give it to the Office for handling.

- The Board discussed the street opening permit received from GCG Associates for Farm Street and felt it should not be approved at this time. Mrs. Allen was asked to let Charlie Aspinwall know it's been denied and are awaiting input from Water/Sewer and DPS.

- The Board noted the Municipal Law Seminars that will be held, and Mr. Henry said he would attend.

- It was noted that the Red Cross was having an open house

in Framingham on September 11th from 4:30 to 7:30 p.m. Mr. Brodeur suggested letting the first responders and civil defense be aware of this. This reminded the Board of the mock disaster being planned, and wondered how Mr. Cicciu was doing.

- Mr. Henry noted for the viewing audience that Boston Edison was having a public meeting the next evening, August 13th in Sherborn on the transmission line rebuild.

- The Board acknowledged receipt of a letter from Rizzo Associates indicating that a permit application had been submitted to DEP for 42 Broad Street. The viewing audience was told to contact the Selectmen's Office if they wanted further information, but the Board asked Mrs. Allen to write to DEP to request review of the permit application.

- The Board also acknowledged a letter from Ella Ryan asking if the Board was considering the designation of a location for x-rated stores. Mr. Downing moved that Mrs. Allen acknowledge Mrs. Ryan's letter, and to ask the Planning Board to recommend a site; Mr. Brodeur seconded; all aye.

- Mr. Henry brought up the SWAP appointment of Raphaela Rozanski and since she had been appointed, and was already doing the job, why not let her continue? Mr. Brodeur said Mrs. Rozanski had called him and said the Board could appoint her and also a Selectman and the Town could have two votes, but according to their by-laws, the Town would only have one vote.

  Mr. Downing questioned SWAP's purpose as he had not seen any report from them.

  Mr. Henry asked if there was a motion to appoint Raphaela Rozanski to SWAP; there was none.

  Mr. Downing wanted further information on SWAP. Was it a social service? If they were providing a service, what has been their purpose and what have they accomplished. He asked for a report from the Chairman, or from Mary Ellen Lavenberg, our MAPC rep to SWAP.

- Mr. Henry said he and Mrs. Allen had worked on the highway bids and came up with the low bidder for each of the items bid on; now the bids needed to be awarded.

  Mr. Brodeur moved to approve the list of low bidders for highway materials, heating fuel, catch basin cleaning,

and line painting for Fiscal Year 1997 as prepared by the Administrative Assistant and attached; Mr. Downing seconded; all aye.

- Mrs. Allen noted that the Town Accountant's Financial Assistant, Jeannie Jerrett, was leaving the Town's employment as of August 23rd, but would be willing to work the evenings of August 28th, 29th, and 30th to finish those warrants. Mr. Downing asked if we had ever conducted exit interviews, and when told not, thought maybe we should start. Mr. Henry said he would talk to her.

10:25- Mr. Downing moved to adjourn to executive session for the purpose of strategy as it relates to union and non-union personnel, and strategy as it relates to litigation, not to return open session; Mr. Brodeur seconded; all aye. The vote: Mr. Downing - yes; Mr. Brodeur - yes; Mr. Henry - yes. The Administrative Assistant was asked to stay; the Secretary was not.

Respectfully submitted,

M. J. Fredette, Secretary
mj

approved as amended 8/19/96

M 8

Highway Material Bids

Item	Lowest Bidder
Concrete	— Trexler Brothers
Bank Gravel	— Kimball Sand
Crushed Gravel	— Bardon Trimount
Dense Graded Base Gravel	— Bardon Trimount
Certified Washed Sand	— Hood's Construction
3/4" Washed Stone	— Kimball Sand
6" Minus Stone	— Bardon Trimount
Bituminous Concrete	— Bardon Trimount
Bituminous with Jack	— Roads Corp.
Cold Patch	— Lorusso Corp
Berm Mix	— Murray Paving, installed; Bardon Trimount, FOB
Aluminum Pipe	— Penn Culvert
Coated and Paved Pipe	— Penn Culvert
Concrete Pipe	— Scituate Concrete Pipe
Traffic Paint	— N.E. Traffic Supply
Guard Rails	— Bartlett Consolidated
3/8" Treated Stone Seal	— All States Asphalt
Sand Sealcoat	— no bid
Catchbasin & Manhole Structures	— LeBaron Foundry
Screened Loam	— Kimball Sand
Park Soil	— Kimball Sand
Recycled Concrete	— Hood's Construction
Cold in-place Asphalt	— All States Asphalt
Cold Planing	— Roads Corp.
Grind, find grade & roll	— All States Asphalt
Cracksealing	— Sealcoating

cc: VSOF's 8/9/96

Equipment:

Road grader w operator — Murray Paving & Reclamation
Steel drum roller w operator - Murray Paving & Reclamation
Paver machine w operator - Murray Paving & Reclamation
Rock screen-all - S.M. Lorusso & Sons
Excavator w operator - Kingstown Corp.
Front end loader w operator - Kingstown Corp.
10 wheeler trailer dump w operator - Murray Paving & Reclamation
High-velocity water jetting - no bid

Traffic Line Painting - Markings Inc.
Heating Fuel
#2 Fuel Oil - Hellerton Oil
Propane - Medway Oil

Catch Basin Cleaning - Lloyd Trux

BOARD OF SELECTMEN

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

REVISED AGENDA

August 5, 1996

7:00 p.m.	Open meeting. Sign warrants. Approve minutes of 7/29/96 meeting.
7:05	Open Bids for Highway Materials, Catch Basin Cleaning, Heating Fuel, and Street line markings.
8:10	Paul Wilson, Town Hall Building Committee regarding Front and Rear Door Bids
8:15	Rick Merrick, Engineer for Swenson Granite regarding drainage.
8:30	Site Plan - Medway Cooperative Bank
	Committee Reports
	Action Items
	Executive Session.

REVISED

ACTION ITEMS FOR SELECTMEN'S MEETING OF AUGUST 5, 1996

1. Discuss letter from Wolfgang Bauer regarding CRPCD - Holliston
2. Discuss and sign Agreement from MMA for Management study.
3. Sign Employee Notification form for Brian Johnson.
4. Discuss letter from Town Counsel regarding Vine Lane.
5. Acknowledge letter from Town of Millis regarding additional discharge capacity at CRPCD.
6. Acknowledge letter from J. Ladieu regarding Farm Street sewer connections.
7. Re-appoint Robert Doherty to Computer Committee
8. Acknowledge receipt of Peer-to-Peer Report
9. Announce vacancy on the Planning Board
10. Sign lease/purchase paper work for payment of Backhoe
11. Roadway Access Permit

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Present: Lee Henry, Doug Downing, Jim Brodeur, Administrative Assistant Ruth Allen.

7:00 p.m.-Mr. Henry called the meeting to order in the Selectmen's Meeting Room 2 of Town Hall. Warrants were signed totalling $466,080.87.

- Mr. Downing moved approval of the minutes of July 29th; Mr. Henry seconded; Mr. Brodeur arrived at this time and made some corrections and then moved approval of the minutes as amended; Mr. Downing seconded; all aye.

7:05 - Mr. Brodeur read the ads that appeared in local papers for bids for catch basin cleaning, heating fuel, street line markings, highway materials. The Board opened all the bids, read them, and noted if bid bonds were included where required. Mr. Brodeur moved they be turned over to the Administrative Assistant, in the absence of a Highway Supt. and the Assistant Highway Supt. being on vacation, for a matrix and recommendation; all aye.

8:10 - Rick Merrikin, engineer and Scott Herrick of Swenson-Granite came before the Board with a revised drainage plan. Mr. Merrikin stated he went to the site and observed the conditions Mr. Brodeur had noted at the previous meeting.

The piping elevations were adjusted to reflect the conditions in the catchbasin; the two catchbasins will be adjusted to the appropriate rim elevations; the FES bell needs to be repaired and positioned properly in the ground; detention basin will have sloping sides; existing catch basin/manhole will be replaced by a concrete manhole with solid cover; hay bales were placed around the perimeter of the site.

With reference to Marc Road, Mr. Merrikin felt this was not the concern of Swenson-Granite as the property is being leased from Huna Rosenfeld. He said the Board could contact Mr. Rosenfeld if they want to discuss the use of Marc Road or any improvements to the road, but indicated that Industrial Park Road is being used as the main access. Mr. Merrikin said Mr. Rosenfeld plans on putting in sewer on Marc Road if he sells one more lot, so he did not want to fix the road and then have to tear it up again. Mr. Brodeur said as long as the ANR is being held and the ownership does not change, he did not have a problem.

Mr. Brodeur moved to accept the revised drainage and utility site plan of Swenson-Granite dated August 5,

1996; Mr. Henry seconded; Mr. Downing abstained; aye.

8:25 - Bob Stratton, President of the Medway Co-op Bank came before the Board again for his site plan for his new proposed location at Holliston and Main Streets.

Mr. Brodeur said he met with the engineer Friday morning and everything has been redesigned by Bryan Backis of Tectonic with an underground detention basin. Mr. Brodeur felt it was a new, innovative, first-in-town design and was very pleased with what was proposed to reduce outflow of water.

Mr. Brodeur moved to approve the Medway Co-op Bank storm water management system plan dated August 5, 1996 and resultant site plan prepared by Tectonic; Mr. Downing seconded; all aye.

Mr. Stratton said they hoped to groundbreak in September and open in Spring of 1997.

8:35 - Committee Reports.

- The Board noted the drainage plan of GCG for Cottage Street proposed easements. Mrs. Allen said Mr. Giovinazzo was coming in to meet with the Board on August 19th.

- Mr. Henry said he attended the Municipal Facilities Study Committee's meeting last Tuesday and explained to them what their charge was, part of which is to look at the Town Hall and nearby Medway Co-op building. Mr. Henry asked that we pass on copies of any chapter 61, 61A properties to the Committee at the same time we make copies for other departments.

- Mr. Henry said that the MMA Consulting Group and the Town Administrator Review Committee would like an All Boards Meeting on a Saturday, and maybe one mid-week, to get input from committees on the Government Study being done. It was suggested the meetings take place mid-September.

- Mr. Henry said he would be meeting with the Town Hall Building Committee Tuesday morning to talk about completion of the project and space allocation.

Mr. Henry asked Mr. Brodeur if anything new had developed over his discussion of the walks in front of the Town Hall, and felt Bruce Bruno should come back to take another look at the ramps and walks being proposed. Mr. Brodeur said he would be happy to meet with him, and

Mr. Henry asked that it be an action item on next week's agenda after Mrs. Allen speaks to Bob Speroni about it.

Mr. Downing asked that some consideration be given to central air conditioning. Mrs. Allen will speak to Bay State Gas about that.

- Gardner Rice stopped in to say that only one bid was received from Haley & Ward for the water/sewer engineering to be done on Holliston Street, and felt confident in stating that the cost should not exceed $15,250.

- Mr. Downing said he and Mr. Henry met with CRPCD's reps, the Holliston Board of Selectmen, the Holliston Sewer Commission, the Holliston Sewer Action committee, and two of the Medway Water/Sewer Commissioners continuing the discussion of Holliston tying into CRPCD. Mr. Downing stated that the next meeting would be on September 5th at 6:30 p.m. at the District, and said the public is welcome. He noted that the engineers through the District has submitted to Holliston a proposal on a waste load allocation system for the Upper Charles River with 4 sampling points.

- Mr. Downing said the School Building Committee would be meeting on Wednesday, August 14th. He suggested Mr. Kabitza, the Clerk of the Works, and John Boczanowski meet with the Board for an update of the new school.

  Mr. Henry asked about the any leftover loam, and Mr. Downing said we have all the loam stockpiled we're going to get. He said it is stated in the contract that if it is loam and has value, it can't be moved; if it is dirt, it can be moved.

- Mr. Henry said that the quarterly cash reconciliation report has been received from the Treasurer and the Accountant for the quarter ended June 30, 1996.

- Mr. Henry brought up the letter from DEP dated July 31st concerning recycling and the need for towns to continue doing so. He stated prior to receipt of this letter, DEP did not want to get involved, and now they do. Mr. Henry said he would like to respond to Robin Ingenthron on behalf of the Board, but he would show them a draft first. He stated that the Town of Medway never had any intention of stopping recycling and was annoyed that DEP had such an impression.

- Assistant Attorney General Jonathan Abbott wrote to Town Counsel, with a copy to the Board, stating that his

office had received two letters opposing approval of a portion of the Wetlands Protection By-law recently passed at Town Meeting. Mrs. Allen said Mr. Maciolek would like to discuss this issue with the Conservation Commission, therefore, the Board agreed that Town Counsel should contact ConCom.

- Mr. Henry stated he had received a phone call from Franklin Town Administrator, Wolfgang Bauer. Mr. Bauer stated the Board had not responded to his letter dated June 25th, and requested the Board re-address that letter where Franklin was asking if the two Towns could jointly share in the cost of evaluating Holliston's joining the District.

  Mr. Downing suggested the Board get together with Mr. Bauer on either August 15th or 16th during the day, but he assumed the cost would be proportional as everything has been in the past. He also wondered if one of the District reps would like to join in the meeting, and Mr. Brodeur suggested one of the Water/Sewer Commissioners as well.

- The agreement to be signed between the Town and the MMA Consulting Group for the government study was put on next week's agenda. In the meantime, it will be sent on to Town Counsel for his review as to form.

- Mr. Brodeur moved to approve the notification of new employee for Brian Johnson as a Probationary Dispatcher at a grade 6, step 1 effective July 28th; Mr. Downing seconded; all aye.

- The Board acknowledged receipt of a letter from Town Counsel concerning Vine Lane, which Mrs. Allen said is just a paper street. Attached to Mr. Maciolek's letter was a letter from the apparent owner of the property and a land court document, which Mr. Brodeur had a problem with as it was not dated. The Board requested more information on the matter, the date of the case, and to re-visit it at a later time.

- The Board acknowledged the letter received from Jim Ladieu of Farm Street concerning the tying in to sewer of that neighborhood. Mr. Downing recommended not overlooking the needs of Millis before committing anything with Holliston in negotiations.

  Mr. Henry clarified that the discussion of modification of the plant is on-going whether Holliston is in or not; expansion will take place only when Holliston comes in.

In discussing the plans of sewer on Farm Street, Mrs. Allen stated that the original plans have not changed, but that the change to include #11 Farm Street was made in the field, but they were looking to see if #13 could be tied in too. Mr. Brodeur said he would like to look at this issue further to see if there is an old design vs. new design, and the cost then vs. the cost now.

Mention was made of ConCom's involvement in the past, but Mr. Henry said ConCom only allowed the wetland crossing; they can't allow them to put in sewer.

Mr. Downing said they have to come up with a remedy and message to give to Millis, and therefore, recommended going along with Mr. Brodeur's suggestion that he look at this whole issue further, along with the plans and draft a memo for the Board to review.

Mrs. Allen noted she had not yet received a street opening permit from the Town of Millis for Farm Street, but was told they were working on it.

- The Board acknowledged Millis Town Administrator, Charlie Aspinwall's letter of July 31st concerning purchasing additional discharge capacity in the treatment plant in the next expansion round. Mrs. Allen was asked to contact our CRPCD Commissioners and ask them to respond to the Board on the contents of the letter.

- Mr. Downing moved to appoint Robert Doherty to the Computer Committee through June 30, 1997; Mr. Brodeur seconded; all aye.

- The Board agreed to take Kate Fitzpatrick's Peer to Peer report under advisement.

- The Board acknowledged formal receipt of Chris Tzianabos' resignation from the Planning Board, and noted that a joint meeting has been set up for August 26th to fill the vacancy until the May election.

- Mrs. Allen asked Mr. Henry to sign the agreement of final acceptance of the backhoe and release of payment.

- The new roadway access permit was brought up. Mr. Henry noted he had drafted a sample application and agreement for the Board members to review. Mr. Henry said the Inspector of Buildings could only hold up occupancy if there is a problem with an agreement.

Mr. Downing said he was ready to move it to Town

Counsel. Mr. Brodeur agreed and moved to approve the roadway access permit pages 1-4 as proposed by Mr. Henry tonight subject to Town Counsel's review and recommendation and approved as to form and content; Mr. Brodeur seconded; all aye.

- Mr. Henry brought up the Town Engineer position and said he did not see the position as Highway Supt. but as technical services. He said he spoke to the Chairman of the Planning Board and he thought it was a good idea. Mr. Henry also said the FinCom had said in the past the position of Town Engineer was in their mind, but he would talk to the Chairman further. Mr. Henry said he would also like to speak to the Chairman of the Water/Sewer Commissioners as well. He thought it could become a new administrative position and be posted and advertised, with maybe a screening committee.

Mr. Brodeur had some concerns as they had an opening for an interim Highway Supt. in the budget, not a Town Engineer. Mr. Henry suggested creating a position, and then figure out how to fund it at a Special Town Meeting, but he did not want a Highway Supt.

Mr. Downing noted the cost can be shared among different departments and boards, but recommended the Board take the subject under advisement. Mrs. Allen was asked to contact Mr. Yorkis to see if he could meet with the Board, with Mr. Henry saying he wanted to meet with Mr. Hjerpe and Mr. Rice. Mr. Downing then suggested meeting jointly at 6:30 p.m. on August 12th for this discussion.

Mr. Downing felt that the interim position or a consultant is not a position that needs to be posted as an employee, but agreed if it is the position of Town Engineer, then it should go to Town Meeting. Mr. Henry felt it was an interim position as a consultant.

Mrs. Allen was asked to post the Selectmen's meeting for 6:30 p.m. on Monday, August 12th.

10:05- Mr. Downing moved to adjourn to executive session for the purpose of considering the purchase, exchange, lease or value of real property, and to discuss strategy as it relates to union and non-union personnel, not to return to open session; Mr. Brodeur seconded; all aye. The vote: Mr. Downing - yes; Mr. Brodeur - yes; Mr. Henry - yes. The Administrative Assistant was asked to stay; the Secretary was not.

Respectfully submitted,
M. J. Fredette, Secretary

Approved 8/12/96 mj

BOARD OF SELECTMEN

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

AGENDA

July 29, 1996

7:00 p.m.	Open meeting. Sign warrants. Approve minutes of 7/22/96 meeting.
7:01	Attorney John Wosniak regarding a sign permit.
7:05	Open Bids for Front and Rear doors for Town Hall.
	IDC Update
7:15	Rick Merrikin, Engineer for Swenson Granite regarding drainage.
7:30	Site Plan - Medway Cooperative Bank
8:00	Mr. Wesley Fjeldheim regarding Interim Highway Superintendent position
	Committee Reports
	Action Items

ACTION ITEMS FOR SELECTMEN'S MEETING OF JULY 29, 1996

1. Discuss Roadway Access Permit.

2. Appoint Sam Petnov, Police Chaplain and Carl Citron to Cable Advisory Committee.

3. Review historical data sheet for Town Hall.

4. Review and discuss definitive sub-division plan for Cutler Willson Lane and Brookfield. Also, revised preliminary sub-division plan for Wingate Farms.

5. Vote on Board of Health request for use of Town Counsel.

6. Sign transfer request for Patricia Sampson to Town Clerk's Office.

7. Discuss railroad beds.

8. Vote on request for permission to close off Riverview Street for Annual Block Party.

9. Discuss additional Chapter 90 funds of $47,134.00.

actitems.doc

Present: Lee Henry, Doug Downing, Administrative Assistant Ruth Allen.

7:00 p.m.-Mr. Henry called the meeting to order in the Selectmen's Meeting Room 2 of Town Hall.

- Mr. Downing moved to accept the minutes of July 22nd; Mr. Henry seconded; aye.

- Mr. Wosniak's appointment with the Board was delayed until later in the meeting while he obtained further information.

7:05 - Mr. Downing read the ad that appeared in local papers for bids for the front and rear doors for Town Hall. Two bids were received from:

- Start-Rite Corp. of Natick - $36,400 - bid bond and certificate of eligibility enclosed.

- Bob Menzone & Sons of Dudley - $30,374 - bid and proposal bond enclosed.

Mr. Downing moved that the bids be turned over to the Town Hall Building Committee for their review and recommendation; Mr. Henry seconded; aye. A representative from Start-Rite Corp. indicated that a certificate of eligibility must be enclosed with any bid over $25,000; however, he was told that the bids were turned over to the Committee and to discuss that matter with them.

7:10 - Rick Merrikin design engineer for Swenson-Granite, came before the Board to discuss some drainage problems he was asked to correct. The Board reviewed the new plan, and the first change he was asked to make was to correct the name of Jayar Road to Marc Road.

Mr. Merrikin revised the plan to show where the existing manhole actually was, and where the 18" pipe has been installed to the manhole from the catch basin. He felt that the existing manhole should be rebuilt, and did not feel the new pipe would not be a problem even though it was lower.

7:12 Jim Brodeur arrived at the meeting.

Mr. Henry said, in speaking with Bob Power and Bob Speroni, the consensus was that the manhole should be replaced with a 5' concrete structure, not as an alternative, but as a requirement. Mr. Merrikin said Mr. Herrick would agree to that.

Mr. Brodeur felt that the catch basin, manhole and elevations were serious construction problems. He, first of all, stated that there were no haybales in place, which Mr. Merrick said would be taken care of.

Mr. Brodeur was concerned with the rim of the catch basins being equal to the berm on Industrial Park Road ~~within 1 to 2"~~ of 1-2" within same, and with a peepsite found them to be 7-1/4" high above the road. Mr. Brodeur had observed that the structure had been broken and the pipe pitched in the wrong direction; a lot of the pipe was cracked; the whole installation was totally inferior and needs to be addressed; and 6" of silt in the outlet of the detention basin.

Mr. Merrick said he would do an inspection and send a copy of his report to the Board and the contractor. Mr. Henry wondered if the Board should send a letter to Swenson-Granite stating that the site plan had not been approved yet.

Mr. Brodeur felt that the status of Marc Road had not been decided yet in that the ANR for access was not approved. He felt that the owner (Huna Rosenfeld) is splitting off lots and trying to access Marc Road, which is still a town-owned road that has never been finished.

Mr. Henry suggested getting a report from the Planning Board as to the status of Marc Road. Mr. Brodeur recommended getting a copy of the Planning Board minutes of January 23rd and April 9th, with Mr. Henry saying they should take the site plan under advisement for further discussion on accessing Marc Road. Mr. Henry again felt a letter should be sent to Swenson-Granite with our concerns, and in the meantime, await a report from Mr. Merrick. Mr. Brodeur said there should be a mechanism in place for the enforcement of cleaning catch basins in private areas. He also felt that there should be some notification sent to the Conservation Commission of the existing situation of catch basins on private property that are not getting cleaned. Mr. Merrick was placed on the agenda for August 5th at 8:15 p.m.

7:40 - John Wosniak returned to meet with the Board concerning a permit for a sign for his business at 149 Main Street. Mr. Downing said he had done a site visit and felt there was nothing like it on 109, except for what may be built at Chicken Brook. He also questioned if the requirement of 6 sq. ft. is per business or per location. It was believed to be per location.

Mr. Wosniak said he was trying to be in conformance with

a multi-use building, which is 25 sq. ft. The Board was concerned about the posts already put in for the sign prior to the Board's approval, but Mr. Wosniak said Mr. Speroni thought it would be alright to just do that.

Mr. Henry felt it was a massive sign for the size of the lot, and was suggesting he come back with something more scaled down. Mr. Brodeur agreed saying he would rather see 3 signs each 6 sq. ft., rather than each 8-10 sq. ft. Mr. Wosniak said it would be similar in style to the sign at Choate Park.

After getting some clarification on the description of the sign and total overall height and square footage, Mr. Downing said he didn't think the sign was offensive or a detriment to traffic and felt it would blend in.

Mr. Brodeur moved to allow a maximum of 3 signs of 6 sq. ft. each with no restriction to the address of 149 Main Street other then a 9' maximum height; there was no second.

Mr. Brodeur amended his motion to allow any number of signs totalling 18 sq. ft. at 149 Main Street in the placard area not including the address (header) not to exceed 9 ft. in height including the address; Mr. Downing seconded; all aye.

8:05 - Members of the Industrial Development Commission (Paul DeSimone, Paul Mitchell, Jim Mucci, Fred Rossetti, Buddy Rabaioli) came before the Board to talk about the grant for Trotter Drive.

Mr. DeSimone, on behalf of the Town Hall Building Committee, first questioned who was going to install the computers and telephones in the renovated area of Town Hall? Mr. Henry said this is something they could speak to the Computer Systems Manager about. It was also noted that the bids they received for Town Hall does not include the demolition work to be done by Highway.

Back to IDC. Mr. DeSimone said he, Paul Mitchell and Gino Carlucci met with the Department of Transportation who told them to go back and look over the numbers and increase the requested amount to nearly $1 million. Therefore, the new resolution to the Board to sign was for $950,000.

Mr. Brodeur moved to re-resolve the resolution for the PWED grant to amend the amount to $950,000 for the design and construction of Alder Street and Trotter Drive as requested by the IDC; Mr. Downing seconded; all

aye. (The previous amount was $800,000.) It was noted sewer costs were increased as well. Mr. Henry clarified that the owner in the development would have to commit up to $750,000 for expansion, etc.

Mr. DeSimone said the Committee would be in need of a cabinet for storage of materials and a location to meet. He also said that Mr. Carlucci's time with the Committee ran out on June 30th, and he requested an additional $650 out of the Selectmen's Consultant account to pay for his assistance until the grant is submitted in August. Mr. Brodeur moved that $650 be set aside out of the Selectmen's Consultant account to pay for Mr. Carlucci's services; Mr. Downing seconded; all aye. For the record, a public hearing was held at the Library on June 8th.

Mr. DeSimone asked if the Board had discussed any of the safety issues brought up at the public hearing, at which Mr. Brodeur was present? Mr. Brodeur noted that some new street signs have been placed around Town, and hopefully, they have helped to deter or reverse some of the problems. He gave a rough draft of the grant to the Board.

Mr. DeSimone asked about the status of their request to have a sixth member appointed to the IDC. Mr. Henry said a majority of the Board decided to keep the Committee at 5 members.

Mr. DeSimone requested they set aside some funds for secretarial help, which Mrs. Allen said could only be done with an emergency transfer. He asked if they could get a volunteer secretary until budget season? The Board thought that would be OK, with Mr. Downing saying it was important that credibility rests with the IDC because persons change, and the Town needs to move forward.

Mr. Rabaioli suggested the closing of the elevator door be delayed an additional 10-15 seconds.

Mr. DeSimone said there is a 6 week turnover after the application is filed, so something should be known by mi to end September. He then thought they could sit with the Board to select an engineer and hope to be under construction by next Spring.

8:25 - Bob Stratton, President of Medway Co-Op Bank and engineer, Bryan Backis of Tectonic came before the Board discuss a site plan for their new two-story bank building at the corner of Main and Holliston Streets.

Mr. Stratton said they have addressed concerns with the Police Department (right turn only onto Main Street); Fire Department (two egresses); Highway Department (drainage sloping to Holliston Street in 15" pipe and reconstruction of the catch basin); and Conservation Commission (25' setback of driveway).

Mr. Brodeur was concerned with excess water onto the roadway feeling post run-off should be equal to or less than existing conditions and designed to non-impact the total system. Mr. Henry agreed saying it wouldn't work and the intersection of Holliston and Main would be a sheet of ice in the winter.

Mr. Backis said he had spoken to Mr. Power 4-6 weeks ago, and it was felt not to be a problem at that time. Mr. Brodeur said the engineering solution is not talking to the Assistant Highway Supt. Mr. Backis said they had reviewed the plan for corrections at this time, and how to make permanent corrections after the State comes in. He agreed a manhole to where the 24" pipe is located is part of the solution.

Noting maintenance of the catch basin is important, Mr. Backis said they would also want to double the inlet catch basin with side by side grates. Mr. Backis said it would have been ideal to dump the excess water in the wetlands, but that area is higher than the parking lot, literally 10 feet between Holliston Street and the wetlands. Mr. Backis also stated that there are no engineering design standards or regulations in Medway.

Mr. Brodeur asked if we have a design study of preset water shed tables vs what would occur if extra water will be added. Mr. Backis said that Mr. Power had felt there would be sufficient capacity.

Mr. Henry noted that he was not against the bank going in that location but the drainage and excess water were issues that needed to be addressed, as there were other on-going projects that are still being addressed because of their accumulative effect. He said the State requires if the road is opened within five years, it has to be repaved berm to berm.

Mr. Stratton apologized for any misunderstandings, but believed they had met with all appropriate departments, and those departments had relayed that information back to the Board. Mr. Henry said he had not received any information from Mr Power. Mr. Stratton then questioned since Mr. Power was not an engineer, would they want him to contact Mr. Perrault? Mr. Brodeur said it was not

necessary to contact Mr. Perrault as ultimately this Board makes the decision. Mr. Stratton asked when the drainage was reconstructed on Main Street, were there calculations made? It was suggested these could be reviewed the next time they met with the Board. Mr. Brodeur said 25 years ago, the drainage was designed for a certain capacity; now, what is it and what is the overall impact?

Mr. Henry reiterated the issues being water flow and the possible need for a detention area. Mr. Downing agreed that he didn't want to see a detention basin, but wanted to make sure the water flow issue was addressed. Mr. Brodeur also wanted to make sure the construction of the building was not delayed waiting for the site construction to be settled. Mr. Stratton was reassured these were the only problems they visualized.

Mr. Brodeur moved to approve the layout site plan C-102 as presented and landscape plan C-104, and taking out the ~~grading~~ grading and drainage plan under advisement subject to modifications and to not restrict construction; there was no second. Mr. Stratton said they hoped to break ground in September. They will be placed on a future agenda when the Board speaks to Mr. Power and any calculations are reviewed.

9:15 - Wes Fjeldheim came before the Board to discuss the position of interim Highway Supt. Mr. Henry said he asked Mr. Fjeldheim to come in for an interview after reading in the paper that he was not re-appointed Highway Supt. in Holliston and we had a position available. It was noted that Mr. Fjeldheim is a registered engineer as well, and Mr. Henry indicated some of the problems are drainage, sidewalks, repaving, major projects and rebuilding Route 109. Mr. Brodeur brought up the new roadway access by-law, with Mr. Henry saying that the bonding requirement and the berm to berm paving had been removed from the by-law, so it looked as if the fees just went up.

Mr. Fjeldheim said he started off in construction in Maine and then went to engineering and inspecting of utility lines and installation of pump stations. He said he has worked in the design phase in highway, and has worked on state-owned roads.

Mr. Henry said they need engineering inspections, maybe Planning Board inspections, DPS reviews. He felt they needed to develop the job description more to include engineering such as site plan reviews, drainage, and growth of town with over 200 more building permits in

the pipeline. Mr. Henry asked Mr. Fjeldheim if he was interested?

Mr. Fjeldheim said he was interested in the engineering, and asked if they were trying to link engineering with highway? Mr. Henry said they were not sure. Mr. Fjeldheim said in Holliston, they didn't get engineering when he was hired as Highway Supt. He stated you can't have two positions in one and would not be the direction he would recommend to the Board. If they want assistance for filing Chapter 90 funds, etc. fine, but as a full time individual, he didn't know if he could do it.

Mr. Brodeur told Mr. Fjeldheim he was the town engineer from 1971 to 1978, and then the position was eliminated. He noted how there are now more Planning Board inspections to be done, and they need a Highway Supt., and they need some direction and advice, i.e. they have a new street opening permit process. They need some short term direction until budget time (January 1997) with what the Town should do to include Planning Board, Park, Highway and Water/Sewer, not so much to revamp personnel, but to advise the Board what to do.

Mr. Fjeldheim said he was interested in working for the Town, with Mr. Henry adding they were looking for interim, 6-10 months, until the end of the Fiscal Year, with the option for review.

Mr. Downing said they require an individual to fill their needs, and they don't want someone to be scared of a 6-12 month interim position; they want to look long term. He said they don't want anyone to not submit their resume for that reason. If we need an engineer/ highway supt., then we need to ask for it. If we didn't appropriate monies in the budget for that, then we need to be creative for that expertise. Mr. Downing said there is a commitment to get the position in place, to fund it, and to staff it. He suggested Mr. Fjeldheim come back to the Board with a proposal and they can fashion some sort of a job description.

Mr. Fjeldheim said it probably was multi-discipline for engineering, but up in the air on highway supt. Mr. Brodeur felt the positions were combined in their minds. Mr. Fjeldheim said they need to focus on highway first, then engineering down the road.

Mr. Downing said the individual the Board hires for this new position is to be supervisory, but not hands-on, and only report to the Board. Mr. Brodeur said everyone's

chipped in; the hands-on is excellent. Again, Mr. Henry asked Mr. Fjeldheim to give something to the Board by Monday, and then they can meet with him again on August 12th at 7:05 p.m. Mr. Brodeur also suggested this is an area for possible training of a younger individual.

10:00- Mr. Downing said he could not make the scheduled meeting on Saturday, August 3rd at 8:00 a.m., and the Board decided it was unnecessary anyway. Mr. Brodeur moved they cancel the meeting; Mr. Downing seconded; all aye.

- Warrants were signed totalling $740,091.84.

- Mr. Downing noted he could not attend the Planning Board public hearing on July 30th; Mr. Brodeur said he would go.

- Medway Block filing bankruptcy was noted as a possible future location for the Highway barn.

- The certified letter from Robert Briggs asking the Town for a response to first right of refusal on a lot he was selling was acknowledged. Mr. Downing said he did not want to start fragmentizing lots, as this was the second lot he had offered to the Town. Mrs. Allen will look up the map and parcel number of the lot, and check out its location in relation to the other lot, and ask the pertinent Boards to respond to the Selectmen with their response on purchasing the lot.

- Action Items.

- The Board decided to take the roadway access permit under advisement.

- Mr. Brodeur moved to appoint Samuel Petnov, Police Chaplain through June 30, 1996; Mr. Downing seconded; all aye.

- Mr. Brodeur moved to appoint Carl Citron to the Cable Advisory Committee; Mr. Downing seconded; all aye.

- Mr. Downing moved to appoint Gardner Rice as Local Water Resource Management Official; Mr. Brodeur seconded; all aye.

- Mr. Downing moved to appoint Robert Ciavarra as CIPC rep to the Municipal Facilities Study Committee; Mr. Brodeur seconded; all aye.

- Mr. Downing moved to appoint Sam Mushnick as citizen-at-

large to the Job Classification Review Board; Mr. Brodeur seconded; all aye.

- The Board signed the appointment slip of Paul Yorkis as Sealer of Weights/Measures already approved last week.

- The Board looked over the historical data sheet for Town Hall as prepared by the Historical Commission. They added comments: roof being asphalt shingle and rubberized membrane; exterior material is brick with granite; and recent interior remodeling was done, not exterior.

- The Board reviewed three subdivision plans, a definitive for Cutler Wilson Lane and Brookfield, and a preliminary for Wingate Farms. The only one to cause concern was Wingate Farms, which the Board felt had problems insofar as lack of frontage and conformance to zoning. The Board will take this plan under advisement as the hearing is not until August 20th. Cutler Wilson and Brookfield plans were not a problem, both scheduled for hearings on July 30th.

- Mr. Brodeur moved approval of the request of the Board of Health to confer with Town Counsel on the Prins Recycling issue; Mr. Downing seconded for discussion. He felt the motion should be amended to be, and any subsequent need to go to Town Counsel on Prins without coming back to the Board each time, but still advising the Board with updates; Mr. Brodeur moved to amend his motion to include that statement; Mr. Downing seconded; all aye.

- Mr. Downing moved to approve the transfer of Pat Sampson as Financial Office Assistant in the Treasurer/ Collector's office at a grade 3, step 4 to a grade 5, step 1 as Assistant Town Clerk; Mr. Brodeur seconded; all aye.

- The Board decided to hold off discussion of the railroad bed to the next meeting.

- Mr. Brodeur moved to approve the request of Mr. and Mrs. Mee of 5 Wamesit Street for a block party Riverview Street on August 10th from 12 Noon to 7:00 p.m., with a raindate of August 11th; Mr. Downing seconded; all aye.

- The Board noted receipt of Chapter 90 funds of $47,134. To spend the funds would require putting an article on a Special Town Meeting warrant.

- The Board noted the Chapter 81 forms indicating the

Town's appropriation of $893,897.25 for maintenance of roads under Chapter 497 of the Acts of 1971. Mr. Brodeur moved they be signed by the Board and submitted to Mass. Highway; Mr. Downing seconded; all aye.

- Mrs. Allen gave the Board an emergency transfer request for the Law account for Special Counsel for $1,264.27. She indicated there is only $5,000 in that account and bills in hand already total $6,264.27. Mr. Brodeur moved the emergency transfer request be approved and passed on to the Finance Committee; Mr. Downing seconded; all aye.

- The Board acknowledged the letter from Rep. Gardner pursuing the issue of the repair of the Walker Street Bridge. An October completion date was noted rather than August.

- Mr. Downing moved that the Chairman sign the Cops Fast reimbursement for $4,000; Mr. Brodeur seconded; all aye.

- The Board noted receipt of the hiring of William Fisher as Board of Health agent for a salary of $37,000 effective July 29, 1996. Mr. Downing moved the Board sign the notification of hire; Mr. Brodeur seconded; all aye.

- The Board acknowledged receipt of a reply from C.R.P.C.D. indicting an odor problem a resident complained about seemed to come from the Populatic Street area, but they would continue to monitor their plant.

- Mrs. Allen told the Board that an additional five responses had come in on the Community Action Statement, and she would be sending those in. It was mentioned that possibly the FinCom could come up with a mechanism to include the Community Action Statement in their budget process.

- It was noted that GCG Associates was doing up an easement plan, and then Town Counsel would do up the agreement for the easement.

- It was noted that we went to Town Meeting to have money appropriated to have appraisals done for the Route 109 project, and Mrs. Allen asked if the Board should go out to bid for those appraisals. Mr. Brodeur said if we had a scope, then we could tell if the cost would be over $4,000 and then we'd have to go out to bid. He asked about the process to be followed, and Mrs. Allen stated that was what the appraisal was to determine.

- Mrs. Allen said she now had the name of someone to contact for the telephone building on Village Street, and would write a letter to him asking for a response to a resident's complaint about the use of the building.

- The Board discussed the Farm Street sewerage situation again, and wondered about the design plans, and still had questions and needed information. Mrs. Allen said they did pick up the street opening permit application. Mr. Brodeur asked that a copy of our minutes relating to this subject be sent to the Water/Sewer Commissioners.

- The Board noted Mr. Speroni's letter to Mr. Solari requesting that certain steps be taken by Mr. Solari within the 30-day time frame. Mr. Brodeur said he had done a visual inspection and noted to the Board the vehicles he found on the premises. He was told he could have 17 vehicles on the property.

11:05- Mr. Downing moved to adjourn to executive session for the purpose of considering the purchase, exchange, lease or value of real property, and to discuss strategy as it relates to union and non-union personnel, not to return to open session; Mr. Brodeur seconded; all aye. The vote: Mr. Downing - yes; Mr. Brodeur - yes; Mr. Henry - yes. The Administrative Assistant was asked to stay; the Secretary was not.

Respectfully submitted,

M. J. Fredette, Secretary
mj

Approved as amended 8/5/96

BOARD OF SELECTMEN

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

AGENDA

July 22, 1996

7:00 p.m. - Open meeting. Sign warrants.
Approve minutes of 7/15/96.

7:01 - Continuation of Public Hearing.
Boston Edison & N. E. Telephone
Legion Avenue pole petition.

7:05 - Attorney John Wozniak regarding a
sign permit.

7:15 - Cable Advisory Committee (Harris
O'Brasky & Frank Pelletier) regarding
cable contract.

7:30 - Swenson-Granite
re: drainage plan.

---- - Committee Reports.

---- - Action Items.

---- - Executive Session -
- strategy for collective bargaining.
- consider purchase, exchange, lease or
purchase of real property.

ACTION ITEMS FOR SELECTMEN'S MEETING - JULY 22, 1996

1. Discuss remaining appointments for FY'97.

2. Sign Animal Control Agreement with Millis.

3. Discuss letter from Commonwealth of Mass. re: expression of interest-participation in Community Septic Management Program.

4. Discuss revision of street opening permit.

5. Discuss interim highway position.

Present: Lee Henry, Doug Downing, Jim Brodeur, Administrative Assistant Ruth Allen.

7:00 p.m.-Mr. Henry called the meeting to order in the Selectmen's Meeting Room 2 of Town Hall. Warrants were signed totalling $176,004.44.

- Mr. Henry mentioned that the next Cable Advisory Committee meeting was on August 14th, and suggested Mr. Downing attend that meeting, especially as the new school could be involved in the discussion. Mr. Downing requested if anyone had any specific issues they wanted discussed, to get them to him prior to the 14th. Mr. Henry then felt the Committee could meet with the Board mid-September.

- Mr. Downing moved approval of the minutes of July 15th; Mr. Brodeur seconded; all aye. On a follow-up, Mr. Downing asked if any info had been received on Chapter 90 funds yet, and Mr. Allen noted it had not. On a follow-up, Mr. Henry asked if letters had been sent to those who bid on the Government Study, and Mrs. Allen said they had not but she would do it this week. Mr. Henry also clarified a sentence on the Prins bankruptcy.

7:01 - Mr. Downing moved that the continuation of a public hearing of a pole petition from Boston Edison and New England Telephone be opened; Mr. Brodeur seconded. The revised request is for the placing of two poles on the west side of Legion Avenue. No one was present in favor or opposition. Mr. Brodeur moved the hearing be closed; Mr. Downing seconded; all aye. Mr. Brodeur moved the petition of Boston Edison and New England Telephone #96-03 be granted; Mr. Downing seconded; all aye.

7:05 - John Wozniak came before the Board to discuss the denial of a sign permit by the Inspector of Buildings. Mr. Wozniak was denied because the area of the sign he was requesting was 36 sq. ft. instead of 6 sq. ft. Mr. Downing had a problem with the size feeling it was overwhelming to the size of the lot. Mr. Wozniak thought the sign he was requesting was replacing a sign that had previously been there. Mr. Henry wanted to speak to Mr. Speroni further about this and suggested they take his request under advisement. Mr. Downing moved they table Mr. Wozniak's request until next Monday at 7:01 p.m., during which time he would look at the site for the sign; Mr. Brodeur seconded; all aye.

- Even though the meeting with the Cable Advisory Committee had been cancelled, Vern Robertson (one of the members of the Committee) stopped in. He commented that

he felt CVI had been reasonably generous back in 1983 in their contract with the Town, such as providing a program coordinator. Mr. Robertson stated that the Town has no control over rates and no influence over programming. He felt that we should be looking at other areas such as to the Technical Vision Committee for a joint hookup with Library, School, and the Town, as well as increasing usage of what we presently have. He was confident that by next February, there should be a proposal forthcoming of what could be included in the franchise, but it would help to know what other inclusions should be formulated in that proposal. A survey of the residents and Town Boards would be helpful.

Mr. Henry suggested inviting Steve Barrasso, Chairman of the School Committee, to the next Cable meeting, and possibly someone from the Technical Vision Committee, along with the Computer Systems Manager and the Chairman of the Computer Committee.

Mr. Downing suggested sending an advisory to all Boards with Mr. Robertson's/Cable Advisory Committee's concerns and then asking other Boards for their concerns so they can obtain a different focus of issues, rather than just stating they want all Boards' input.

Mr. Henry acknowledged receipt of a letter from Time-Warner on the rate order and refund plan, but felt it needed more clarification.

7:45 - Scott Herrick, Mike McNeil, and Paul DeSimone came before the Board to discuss a problem with the drainage plan for Swensom-Granite on Industrial Park Road.

Mr. Henry stated how the Inspector of Buildings discussed with Bob Power, Asst. Highway Supt., and himself the concerns he had with the catch basin and pipe not being as indicated on the 4/8/96 approved site plan. He stated that the plan that was signed by the Board was incorrect and requested that they resubmit a revised plan. Mr. Power noted that the pipe is below the invert which is at 135.7. It was felt that there was 45' of pipe that needed to be installed.

Mr. Downing thought that the new revised 25% plan of Route 109 has drainage going down 109 to Industrial Park Road. Mrs. Allen said she would call for a copy of the new plan.

Mr. DeSimone felt they could retap the line to pick up the invert and repair the catch basin that is there.

Mr. Brodeur felt someone should be consulted for their expertise with whatever revised drainage plan is submitted, and asked Mr. Henry who the Board consults, and what about site plans? Mr. Henry said they send it to the Planning Board.

Mr. Downing noted that it was not a Consulting Engineer who brought this to our engineer's attention, but our Inspector of Buildings bringing it to the Asst. Highway Supt.'s attention to a Selectman to the Water/Sewer Supt.

Again, Mr. Brodeur asked who is going to decide if a revision will work? Mr. Henry said they could rely on common sense. Mr. Herrick stated they have a registered engineer who will work up the plan, but Mr. Brodeur pursued his line of questioning in that the engineer works for them; how will this Board judge what is submitted is right for the Town? Mr. Henry suggested the Board discuss this further.

Mr. DeSimone questioned if they could continue in the construction of the building, with Mr. McNeil stating that the concrete floor is at least 2' above the water table. He further asked about the street opening permit that has not been issued yet.

Mr. Brodeur stated that when he was on the Planning Board, they were upset that the "approval not required" plan had access off of Marc Road, and should not be used in this discussion of the land by the Board until the landowner has completed the construction he agreed to six months ago, and said this property should not be developed and approved because of that lack of compliance. Mr. Brodeur felt that the landowner of the property has been deficient in completing the roadway system and the Town of Medway should be concerned about it before any new business takes over those streets. Mrs. Allen said that the Planning Board and Board of Health recommended approval of the petitioners, but Mr. Brodeur felt that the Planning Board had denied it. He recommended reviewing the Planning Board minutes for this information, and felt the "ANR" had not been signed. Mr. Herrick stated that the main entrance is on Industrial Park Road, and Marc Road is secondary. Mr. Brodeur again felt that the developer is trying to get out of completing the road, and that he no longer has a bond on Marc Road but continues to ask for new approvals. Mr. Henry asked Mr. Brodeur to please research the Planning Board minutes. Mr. Herrick said that they could still negotiate with Mr. Rosenfeld. Mr. Brodeur said that if the road is not completed, he would

deny the roadway access to Swenson-Granite.

Mr. Brodeur moved to approve the water and sewer connection for the street opening permit for Swenson-Granite on Industrial Park Road; Mr. Henry seconded; Mr. Downing abstained.

- ☺Committee ☺Reports ☺- ☺Selectmen.

- Mr. Downing publicly thanked Rep. Barbara Gardner for her support in trying to get the Red Bridge repaired. Mr. Henry noted that Rep. Gardner has gone directly to the Commissioners on this issue, and wants to be kept updated on what is transpiring.

- Mr. Henry spoke about the COA public hearing on the proposed Senior Center, and said the Board was taken to task for not submitting the Community Action State by the deadline of July 1st, and possibly has lost the $600,000 grant the Town was shooting for.

  Mr. Henry wanted to know the process that was followed, and Mrs. Allen stated she had sent out a letter to all pertinent departments with their particular attachments asking for their portion filled out by June 1st.

  Mr. Downing recommended starting a "follow-up file", with Mrs. Allen adding that the whole package had changed, and the whole statement had to be revised, not just up-dated.

  Mr. Downing stated the problem with part-time boards that only meet once or twice a month trying to get paperwork completed, or sending it to the Selectmen's Office for completion. He also felt something as important as this should be backed up even further into the fiscal year budget process so that both projects could be worked on at the same time. Mr. Downing also thought that the liaisons could be utilized to make sure everything is submitted on time.

  Mr. Henry said he will not be taken to task again for something that the Selectmen/Selectmen's Office failed to do.

- ☺Action ☺Items ☺- ☺Administrative ☺Assistant.

- Mrs. Allen brought up the subject of appointments that still needed to be done.

  Mr. Henry moved to accept with regret the resignation of Bob Nelson from the Finance Committee; Mr. Downing

seconded; all aye.

Mr. Downing moved to approve the recommendation of the Inspector of Buildings to appoint Paul Yorkis as Sealer of Weights/Measures; Mr. Brodeur seconded subject to Town Counsel giving clarification of conflict of interest laws relative to a paid appointed position vs. the Planning Board elected position; Mr. Downing seconded Mr. Brodeur's amended motion; all aye.

Mr. Downing moved to re-appoint Kelly O'Rourke to the Computer Committee; Mr. Brodeur seconded; all aye.

Mr. Downing moved to appoint Tim Choate to the Capital Improvement Program Committee as the Selectmen's rep through June 30, 1999; Mr. Brodeur seconded; all aye.

Mr. Brodeur noted that Chris Tzianabos had resigned from the Planning Board, although not official to the Town Clerk yet.

The Board wondered about other appointed officials that had not responded to them yet, such as Gardner Rice for Local Water Resource Management Official, and Joe Russo and Bob Doherty for Computer Committee.

- The Board signed the Animal Control agreement already approved as to form by Town Counsel, and voted at Town Meeting.

- The Board acknowledged the letter from the Commonwealth of Mass. on a septic betterment program for septic systems that have failed Title V. It was requested that Mrs. Allen send copies of the documentation to the Treasurer/Collector, the Board of Health and Water/Sewer Commissioners asking for their comments by August 15th for submittal by September 30th.

- The Board discussed the Roadway Access by-law, and Mr. Henry noted that about 99% of the proposed by-law had been approved by the Attorney General. Now, they needed to work on the revised Street Opening Permit itself, but had to look at the new by-law to see what actually was approved. Mr. Henry said that the Inspector of Buildings was looking at only occupancy, and needed to see the Street Opening Permit to know if it had been signed off so he could issue a Certificate of Occupancy. Mrs. Allen was requested to get a copy of the approved by-law for the Board for review again on Monday.

- Mr. Henry said that Wes Feldhjeim had submitted his resume for position of Interim Highway Superintendent

and noted he was an engineer. Mr. Brodeur felt we were not budgeted for the qualifications of an engineer. Mr. Downing asked if he had responded to the ad for Interim Highway Engineer? Mr. Henry said he had approached Mr. Feldhjeim but asked the Board to review his letter. Mr. Downing suggested they review his letter and resume and if the Chairman felt it appropriate, to invite him to next Monday's meeting for an interview. He was put on the agenda for 8:00 p.m.

- Mrs. Allen said she had spoken to Jim Ladieu and he, in turn, had spoken to some of the Farm Street residents. Mr. Ladieu had stated they don't mind paying the $1,000 to Medway, but that most of the residents would have to pump up to sewer, so in that case, they don't feel they should pay anything.

Mr. Henry asked that Mrs. Allen contact the Town Administrator in Millis to get the contractor to pull a Street Opening Permit for Medway. Mr. Downing also wanted to receive a current construction plan of the area.

Mr. Brodeur brought up the minutes of the Conservation Commission of 1991 where it had been stated that all would be sewered but one home, and wanted to see the design. He thought if only one home couldn't tie into the gravity-fed system, did that mean that all the others could? Mr. Brodeur stated before he agreed to any approval or a Street Opening Permit, he wanted to know if 5 out of 6 have to pump up, and if so, then it was an inappropriate design.

Mr. Downing was concerned as to how many changes to the original plan of 1991 have been made? Mrs. Allen will ask Mr. Aspinwall if the design has changed since 1991, and specifically since 7/14/95 elevations.

- Mr. Downing said that Ray Kelley of Village Street called him complaining about the Telephone Company's building next door. Mr. Kelley indicated that, considering the building was designed to be an unoccupied building, there had been an increase of truck traffic and idling trucks there, as well as their employees harassing guests at his home. Mrs. Allen was requested to find out who our telephone company's local rep was, and to send them a letter asking for a response to Mr. Kelley's complaint by August 15th.

10:00- Mr. Downing moved to adjourn to executive session for the purpose of strategy relative to collective bargaining for union and non-union personnel, for

strategy for litigation, and to consider the purchase, exchange, lease or value of real property, not to return to public session; Mr. Brodeur seconded; all aye. The vote: Mr. Downing - yes; Mr. Brodeur - yes; Mr. Henry - yes. The Administrative Assistant was asked to stay; the Secretary was not.

Respectfully submitted,

M. J. Fredette, Secretary
mj

Approved 7/29/96

BOARD OF SELECTMEN

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

REVISED AGENDA

July 15, 1996

7:00 p.m.	Open meeting. Sign warrants.
7:01	Town Clerk - vacation coverage
7:05	Public Hearing, Boston Edison & N. E. telephone - Cassidy Lane, Legion Ave. and Cole Avenue - pole petitions
7:15	Government Review Committee - recommendation on RFP
7:30	Jay Rasku, representative from Seirra Club - solicitor's permit
	Committee Reports
	Action Items
	Executive Session

REVISED

ACTION ITEMS FOR SELECTMEN'S MEETING OF JULY 10, 1996

1. Discuss and vote on signing Stop Loss insurance agreements.

2. COA Public Hearing 7/18/96 in Sanford Hall at 7:00p.m.

3. PRINS update (8:15p.m.)

4. Millis sewer easement and Meday connections.(8:00ish)

5. Park Commissioners request for use of Town Counsel regarding boat launch.

6. sign appointment slip for Doug for Norfolk County Advisory Board member.

7. Appoint Kate Hammond to fill vacancy on Historical Commission

8. Appoint Judith Notturno to Street Naming Committee.

9.. What action do you want to take on Keno License for Keystone Liquors

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AGENDA

July 15, 1996

7:00 p.m.	Open meeting. Sign warrants. Approve minutes of 7/1+7/8
7:05	Public Hearing, Boston Edison & N. E. telephone - Cassidy Lane, Legion Ave. and Cole Avenue - pole petitions
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	Committee Reports
	Action Items

ACTION ITEMS FOR SELECTMEN'S MEETING OF JULY 10, 1996

1. Discuss and vote on signing Stop Loss insurance agreements.

2. CoA Public Hearing - Sanford Hall 7/18 - 7:00

3. Prin update

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Present: Lee Henry, Doug Downing, Lee Henry, Administrative Assistant Ruth Allen.

Prior to the meeting, the Board spoke about their concerns for the Walker Street Bridge not being worked on. Mr. Henry asked Mrs. Allen to write to Peter Donahue again.

7:00 - Mr. Henry called the meeting to order in the Selectmen's Meeting Room 2 of Town Hall. Warrants were signed totalling $269,650.23 for FY'96 and $903,481.71. Mrs. Allen said this should be the last warrant for FY'96.

7:01 - Town Clerk Maryjane White met with the Board to tell the viewing audience that former Town Clerk Fran Donovan would be filling in for her while she was on vacation from 7/17-7/19.

- Mr. Brodeur moved the minutes of July 1st be approved, Mr. Downing seconded for discussion, and made a correction of who was represented at a recent CRPCD meeting. He then seconded that the minutes be approved as amended; all aye.

- Mr. Downing moved the minutes of July 8th be approved, "smiley faces" and all; Mr. Brodeur seconded; all aye.

7:05 - Pat Lovett of New England Telephone and also representing Boston Edison came before the Board to discuss three petitions. Mr. Brodeur read the public hearing notice that appeared in local papers.

The first petition 96-01 was for pole with anchor on Cassidy Lane. Mr. Lovett said this had been reviewed with Bob Power and there was no problem. There was no one present in opposition. Mr. Downing moved the petition be granted; Mr. Brodeur seconded; all aye.

The second petition 96-02 was for the placing of a pole and removal of a pole on Cole Avenue. There was no one present in opposition. Mr. Downing moved the petition be granted; Mr. Brodeur seconded; all aye.

The third petition 96-03 was for the placing of two poles on Legion Avenue for a new house's accessibility. Mr. Brodeur noted that location description was not accurate and asked that the drawing and description be resubmitted. The Board tabled this petition until July 22nd at 7:01 p.m.

7:20 - Members of the Town Administrator Review Committee came before the Board with their recommendation for the RFP. Mrs. Cataldo and Mrs. Rehl stated that they had gone

through the criteria per the technical proposal as outlined, and MMA Consulting Group came out much higher than Bennett. Their committee was recommending MMA Consulting be approved by the Board. The cost proposals were then opened showing MMA's bid of $9,500 and Bennett's bid of $8,500. Even though Bennett was the low bid, the Committee still chose MMA as their choice.

Mr. Downing moved that the Board accept the recommendation of the Town Administrator Review Committee and award the contract to MMA Consulting; Mr. Brodeur seconded; all aye. Mrs. Allen will send a letter of confirmation to MMA. Mr. Downing suggested a memo be sent to all departments letting them know the action the Board has taken so that there can be honest and open participation by all with the hopes of completion early November.

Mrs. Rehl said she would speak with MMA and give them suggested dates of follow-ups so it can be passed on to the Board and other departments. She would also get a standard contract from MMA for submittal to the Town. A spare technical proposal will be available in the Selectmen's Office.

7:35 - Jay Rasku representing the Sierra Club came before the Board to request a solicitor's permit for two weeks. Mr. Rasku stated they were an environmental group seeking membership by door-to-door solicitation with six canvassers from 4-9 p.m. After some discussion, the Board said they would go along with two weeks starting from 7/17 to 7/31 and from 4-8 p.m. with a list of the six people and some data on them. Mr. Brodeur moved that the solicitor's permit be granted from 7/17 to 7/31 from 4-8 p.m. subject to a list of the six people being sent to the Selectmen's Office; Mr. Downing seconded; all aye. Mr. Henry also asked Mrs. Allen to advise the Chief of the solicitor's permit process procedure with his dispatchers. Mr. Downing asked for a synopsis of the Sierra Club from Mr. Rasku, which he will send.

7:50 - ☺Committee ☺reports ☺- ☺Selectmen.

- Mr. Downing said he had received a call from the Tetraults of 316 Village Street two weeks ago telling him that there was excessive speed on Village Street with truck traffic. Mr. Henry suggested a traffic count indicating speeds of vehicles. Mrs. Allen felt it was a matter of enforcing the speed limit, and Mr. Brodeur agreed. Mr. Henry then suggested talking to Safety

Officer Watson and Chief Lambirth about it in the future.

- Mr. Brodeur mentioned meeting with one member of the Town Hall Building Committee and their consultant on Saturday when they discussed the handicap access to the building. He stated the level of the ramp and how it will be from the front door leading out to parking on Village Street, as well as using the back entrance handicap access ramp as the main entrance. Mr. Brodeur did state that the Highway forces would be asked to jackhammer out the concrete so new concrete can be placed in the front. He also said that the side entrance next to the Church would not be eliminated but a step would be placed 6-8" high there so it was known that it was not a ramp. This was different than what they had proposed to the Board, and Mr. Henry wondered if the rest of the committee was aware of this. It was then noted from looking at the proposed plans that what was discussed on Saturday was not on the plans. Mr. Brodeur will check this out further.

Mr. Henry said they need to discuss space utilization further after he met with the Town Hall Building Committee last week. He also said he spoke to Wayne Simpson of the Norfolk County Sheriff's Office and he would be willing to have some of his men come in to paint the vacated rooms when that time comes if a schedule can be provided. He told the Board that they have the sole responsibility to allocate and make plans.

- Mr. Henry said he went to the School Technology Committee meeting and two subjects were discussed: computers in the classroom and computers for interactive administration. He felt an outside consultant should look at school and town usage for communication on software between departments and split the cost. More will be discussed at a later time.

- Mr. Henry said he had attended a meeting in Walpole called by Prins and they have filed bankruptcy under Chapter 11 for recycleables delivered to them. He noted each of the member towns have individual contracts, and an emergency ~~has been declared,~~ so the contracts are unenforceable.

B of H declared

due to the filing of Ch. 11

Rob Collum, Chairman of the Board of Health, stated that recycling is still going on with no interruption. At this point BFI is taking the recycleables and a contract will be drawn up for a 0/0 - no cost basis. It was also understood that a contract for Cassidy will have to be re-negotiated. Mr. Collum said C. B. was hauling to Auburn starting today. It was noted that clarification needs to be made on pick up of the schools. Mr. Collum also stated that some of the items Prins took, BFI

won't, and they will elaborate in a future newsletter to the residents.

8:32 - Mrs. Allen brought up the Group Benefits Strategies Insurance Stop Loss Agreement that needed to be signed for the second year. We are self-funded, and claims are paid out of the premiums and appropriation. Mrs. Allen said it runs about $70,000. Mr. Downing moved that the Chairman sign the agreement; Mr. Brodeur seconded; all aye.

- Mr. Henry stated that the Council on Aging public hearing for Thursday evening had been cancelled. He said that the application would not be heard because of failure to send in the community action statement which is a State requirement to be done by July 1st and needed to be updated. Mrs. Allen stated that the whole statement had to be redone this year but she did not hear from all departments with their input. Mr. Brodeur suggested having others being assigned to chase down those departments next time to make sure the statement gets submitted on time. Mr. Henry suggested sending in what we do have.

8:40 - Residents of Farm Street (Jim Ladieu #7, Rob Pearl #5, Wendy Burr #13) came in to discuss sewer issues and the easement to Millis. Also in attendance were the Water/ Sewer Commissioners.

Mr. Henry stated Millis went before Medway's Conservation Commission back in 1991 to cross the wetlands. He went over various portions of the Order of Conditions, noting one restriction which stated it wouldn't be effective until all permits have been issued. Mr. Henry said no street opening permit was obtained when the street was recently opened. Mr. Henry further stated that at no time were the Water/Sewer Commissioners requested to approve, react, agree or

review a request for sewers in Medway on Farm Street.

At the annual town meeting in May of 1991, the words "for due consideration" were part of the warrant article and approved; 1995 was a different article, and those words were not part of it. Mr. Rice said he had written to the Selectmen, with a copy to the ConCom, back in 1991 objecting to the way this was all handled. He had also told Mr. Aspinwall not to enter Medway without the Town knowing about it, and if Millis went into Medway streets, they needed a street opening permit. Mr. Henry again said the questions are why weren't the Water/Sewer Commissioners consulted and how did they open the street without a street opening permit. It was understood that

the original order of conditions were no longer valid and a different Order of Conditions had to be issued. Mr. Henry again said it was a matter of protocol, jurisdiction and responsibility, and now we have to correct the problem.

It was agreed that what happened, happened, but now we have to go on. Mr. Rice said there should be an entrance fee of $1,000 if someone else is doing the work but the Town can't charge a fee if there isn't a charge to the Town.

Mr. Pearl said he understood the quote from Mr. Aspinwall to be $6,000 betterment and $1000 entrance fee, where Mrs. Burr was told $7,500.

Mr. Brodeur questioned if the contractor who did the work should have been the one to pull the permit, but Mr. Rice said the engineer and what he put on the plan is responsible.

Mr. Henry felt the Board needed to meet with the Millis Selectmen and iron out the problem. To this end, Mr. Downing asked Mr. Ladieu if he could get a consensus of the residents affected in that area of what they want and what would they be willing to pay so this could be brought up in the discussion. Mr. Ladieu felt they just want what's fair and would be willing to pay what other Medway residents paid, but not $7,000 to Millis. Mr. Pearl also added Mr. Aspinwall had stated the payment would have to be up front in one lump sum, which didn't seem fair to him.

Mr. Brodeur suggested Mrs. Allen contact Mr. Aspinwall to advise the contractor pull a street opening permit.

Mrs. Burr asked if her house being tied in could also be a part of the discussion with the Millis Selectmen. She felt if the plan was already changed to include one house, why couldn't it be changed again to include her. Mr. Downing said they would put together an "issue agenda" and then request a joint meeting with Millis. He asked Mr. Ladieu to think about the issue and get back to the Board before next Monday night.

- On another note, Mr. Ladieu noted that, while on vacation this week, the plant seemed to be emanating some odors again often. Mrs. Burr concurred although not as frequently. Mr. Henry asked Mrs. Allen to send a memo to the District Commissioners asking them to check this out. Mr. Downing recommended CRPCD, the Water/ Sewer Commissioners and the Board meet as well.

- Mr. Rice requested permission to consult with Town Counsel about potential litigation from the Longmeadow residents. It was approved that he be allowed to contact Town Counsel, and Mrs. Allen will write a letter confirming.

- Mr. Rice also asked about the loam being moved from the Burke School, which Mr. Downing said has all been moved. On the subject of the new school, Mr. Rice noted there might be a pressure problem on Center Street for installation of a fire system, but Mark Flaherty will be checking it out.

- The Board acknowledged Mr. Rice's letter on a master plan for sewer which they will read.

- Mr. Henry acknowledged the Park Commissioners' letter to request the use of Town Counsel concerning the boat launch. It was approved that he be allowed to contact Town Counsel, and Mrs. Allen will write a letter confirming.

- Mr. Henry brought up SWAP and what was the Board going to do. Mr. Brodeur said Mrs. Rozanski had contacted him and said the Town had two votes, which was contrary to the agreement the Board had previously seen which said the Town only had one vote. Mr. Downing noted we could have up to three people, and Mary Ellen Lavenberg was our MAPC rep already and can vote on our behalf for SWAP. The Board agreed to hold off on this.

- The Board signed the appointment slip of Doug Downing for representation on the Norfolk County Advisory Board, previously voted on.

- Mr. Brodeur moved to accept the resignation of Kathleen Hickey from the Historical Commission; Mr. Downing seconded; all aye.

- Mr. Downing moved to appoint Kate Hammond to the Historical Commission; Mr. Brodeur seconded; all aye.

- Mr. Downing moved to appoint Judith Notturno to the Street Naming Committee; Mr. Brodeur seconded; all aye.

- Mrs. Allen said that the Board needed to inform the State of their position on Keystone Liquors' request for a Keno license. Mr. Downing abstained and left the room. Mr. Henry said his position still was the same in opposition to granting the license. Mr. Brodeur moved to uphold the objection of granting a Keno license to Keystone Liquors as outlined in the Board's March 8th

letter; Mr. Henry seconded; one abstention.

- On a follow-up, Mr. Downing was assured the Kenneys on Village Street had received an acknowledgment to their letter by Mrs. Allen on behalf of the Board.

- Mr. Downing referred to a June 14th legislative bulletin on chapter 90 funds, which he gave to Mrs. Allen, wondering what the Town's options were. She would check it out further as there were new requirements under Section 9.

- The Board noted that in trying to bring the building into the twentieth century, maybe central air should be considered. At this point, it looked as if no ports for air conditioning had been considered in the new windows on the first floor. This should possibly be considered for an RFP for CIPC. Mr. Henry asked Mrs. Allen to try and get a sample spec sheet for the project.

- Mr. Henry said the Board had changed the date of the negotiations from the 24th to the 25th, and for Mrs. Allen to notify the Association. This freed up Mr. Brodeur and Mr. Downing to attend the Selectmen's Association Meeting. Mr. Henry said the Municipal Facilities Study Committee had set up the 24th as well for a meeting, and since none of the Selectmen could attend, Mr. Downing suggested Mr. Henry contact Mrs. Dickson and advise her of the Committee's charge.

- It was noted that when the Board signs the warrant, it is approving payment to P. J. Stella, the contractor for the new school. Mr. Downing noted a site completion date of June 13, 1997.

10:30- Mr. Downing moved to adjourn to executive session for the purpose of discussing strategy for collective bargaining, as it relates to union and non-union personnel, not to return to public session; Mr. Brodeur seconded; all aye. The vote: Mr. Downing - yes; Mr. Brodeur - yes; Mr. Henry - yes. The Administrative Assistant was asked to stay; the Secretary was not.

Respectfully submitted,

M. J. Fredette, Secretary
mj

Approved 8/12/96

BOARD OF SELECTMEN

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

AGENDA

July 8, 1996

7:00 p.m.	Open meeting. Sign warrants.
7:05	Joanne O'Leary, Boston Edison re: update on transmission rebuild
7:30	Gwen Hendry, report on status of Historical Commission survey
	Committee Reports
	Action Items

ACTION ITEMS FOR SELECTMEN'S MEETING OF JULY 8, 1996

1. Discuss letter from Mr. and Mrs. P.Joseph Kenney regarding the sidewalk repair.

2. Appoint Democratic Town Election workers.

3. Reservations for Norfolk County Selectmen's Association July 24th meeting.

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Present: Lee Henry, Doug Downing, Jim Brodeur, Administrative Assistant Ruth Allen.

7:00 p.m.-Mr. Henry called the meeting to order in the Selectmen's Meeting Room 2 of Town Hall.

- Warrants were signed totalling $56,248.98 for FY'96, and $1,070,644.74 for FY'97.

- Mr. Henry noted the Secretary's on-loan printer had broken, and the Computer Systems Manager had temporarily hooked her up to the Administrative Assistant's printer. Mrs. Mehta will work on getting a permanent printer after July 15th, as part of the plan of updating the computers at Town Hall.

7:05 - JoAnne O'Leary of Boston Edison came before the Board with other representatives including Jim Bodkin, Project Manager; Tom Sodin, Health Scientist, and Dr. Valberg for an update on the transmission rebuild.

Mr. Henry recalled when Ms. O'Leary had come before the Board a couple of months ago and had stated that Boston Edison was upgrading some of the structures. She clarified that the steel towers were not being touched, and some of the two-pole structures were being changed to one-pole. Ms. O'Leary said they had gone to the Conservation Commission in all three towns (Medway, Sherborn and Holliston) for Orders of Condition. Mr. Henry asked to see a copy of those Orders. She stated the general plan of the project and the location of the poles hasn't changed since they were here last because of the Orders. Mr. Bodkin added the lines total 1700 amps, instead of about 1200 amps from 40-50 years ago. He also stated they now have to file the environmental form since they have completed their hearings with Conservation. They hope to start construction in the Fall with completion next Spring, and demolition by next Summer. Mr. Bodkin said they were looking to the future for at least the next 30-60 years.

Mr. Henry asked if de-regulation occurs, who owns them then? Ms. O'Leary said that Boston Edison could stay in business, or a subsidiary, or another company; the customer will have the choice of who generates their power. Mr. Henry said Medway was concerned about that area of de-regulation and would like to be kept informed and updated.

Mr. Brodeur asked if the assessed value of Medway increases because of this investment, and Mr. Henry asked about cost of construction. Mr. Bodkin said the

cost was three million and would be broken down among the towns by mileage, with Medway's percentage being about one third.

Residents Stephanie Long of Algonguin Avenue and Nancy Tooey of Skyline Drive said she had never gotten notification of the proposed project and they lived right near the area they are to work. Mr. Henry suggested they contact the Conservation Commission with their concerns and questions, adding that only abutters for the Conservation Commission hearings had been notified, not for the project itself. Ms. O'Leary stated that the ConCom hearings are required; the rest is courtesy and informational.

Mr. Henry asked what danger EMF (electric mangnetic field) posed. Mr. Sodin deferred to Dr. Valberg who stated because the current is being consolidated into one line, it's closer together thereby reducing the field slightly. Ms. O'Leary said, to monitor EMF, when a house is sold and there is a new owner, they go in and take measurements. When Mr. Henry asked about the setting up of safe levels of EMF, Dr. Valberg said there were no federal or state standards and no evidence of hazardous levels; different agencies set different levels. With reference to the higher amperage of 1700, Dr. Valberg said there was nothing to cause alarm at this time, and gave the Board a booklet on EMF's for their reference.

A resident asked why they don't bury their lines, to which Mr. Henry stated it's their easement, a wetland crossing problem and the prohibitive cost. Mr. Bodkin did not foresee any other work for at least 10 years. They were asked about the use of chemicals, and Ms. O'Leary said they no longer use chemicals. Ms. O'Leary assured residents they would not lose power when this rebuild is being done. She also stated she would put together a packet of information for the three Town Libraries.

8:00 - Gwen Hendry and Mary Ellen Lavenberg of the Historical Commission came before the Board to review phase one of the comprehensive study of historic houses in Medway done by Claire Dempsey. With this project we could become certified by the Mass. Historic Commission, and we could apply for more grants. Ms. Hendry stated that Medway Village was the densest area so they started in

7/8/96

3)

that section first. She also said that she has the information necessary for anyone who wants to get a listing on the National Register.

Ms. Hendry was asked if Ms. Dempsey could continue doing the next two phases, and she said they don't have to re-advertise, but could if they want to, or just give the Board their recommendation and work up a contract. Ms. Hendry said she would give a copy of the study to the Planning Board, and just the Selectmen and Historical Commission members have copies as well. Mrs. Lavenberg added that at the end of the three year study, they would hold a public hearing and share the study with the residents. Mr. Henry suggested review of the study in different phases rather than all at one time. He gave as an example of the zoning by-laws which did not fare well being reviewed all at one time. The entire Board complimented Ms. Dempsey on the work done.

8:15 - ☺Committee ☺Reports ☺- ☺Selectmen.

- Mr. Henry mentioned that a resident pointed out to him that the Town Hall flag was missing. In checking it out, he discovered it had been stolen, and since has been replaced. He appreciated being notified.

- Mr. Henry brought up a clarification on the Farm Street sewer situation. He said he spoke to Water Supt. Mark Flaherty and it was felt that Millis put in the manhole and line for the sewer connection in the wrong place, and without the prior knowledge of the Medway Water/ Sewer Commissioners. Mr. Henry said he asked Mr. Flaherty to have the Commissioners document what happened. It was noted that the residents on Farm Street who want to tie in to the connection have been told it would cost $7,000 per home plus $1,000 to tie in. The Board said they do need to talk to Millis Board of Selectmen about the situation.

Mr. Downing said the Medway Conservation Commission

granted an easement to the Town of Millis and gave them an Order of Conditions. He asked for documentation to back this up, as well as how it was presented for the warrant and given to the Board of Selectmen. Mr. Brodeur was concerned about betterment fees for Medway residents vs. Millis residents, and Mrs. Allen added that Millis had gone through the legislature because of the Conservation Commission.

Mr. Downing went back to the original Order of Conditions in 1992 which Medway approved, but Millis did not. He felt they had just picked up where they left off and put it on the warrant with a new Order of Conditions.

Again, Mr. Henry said they need to come up with a strategy and speak to our Water/Sewer Commissioners as well. Mr. Brodeur added he appreciated the residents contacting the Board with their concerns.

- Mr. Henry brought up the Choate Park plantings recently done and how nice it looked, thanks to the efforts of Park Commissioners Ellen Gove and Maureen Giles, and her son Jim.

- Mr. Henry said David Hoag had contacted him with reference to the boat ramp issue. Mrs. Allen said, at the Board's request, she had written the Park Commissioners to get their comments. She added that Town Counsel had advised the Board it would be a big liability to the Town even though the Public Access Board would have done the work, because then it would be turned over to the Town for maintenance and under our insurance for liability. Mrs. Allen was asked to contact the Park Commissioners again. Mr. Brodeur stated there was already one Town access to the Charles

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River off of Charles River Road, with Mrs. Allen adding there were several accesses.

- Mr. Henry said he understood that Prins Recycling was going Chapter 11, and there would be a meeting in Walpole on Wednesday, July 10th, at 10:30 a.m. for the Consortium members. Mr. Downing said it would be difficult for him to attend, so Mr. Henry said he would try and go.

- Mr. Brodeur said he had spoken to Bob Power, and with their schedules, it was just impossible to get together during the daytime to discuss drainage, pavement and potential sidewalk issues. He moved for authorization to meet with him on overtime rate when it was convenient for 4-5 hours; Mr. Downing seconded; all aye. Mr. Downing agreed it was important for Mr. Brodeur to get exposure first-hand on these issues.

- Action Items - Administrative Assistant.

- The letter from Mr. and Mrs. Kenney of 179 Village Street was acknowledged. Mr. Brodeur said that what was referred to as cold patch is really hot mix and is a permanent repair, and what's normally used. He stated there is concrete repair follow-ups that need to be considered as part of an overall program, but the cost is four times as much as asphalt hot mix. Mr. Brodeur said years ago, concrete sidewalks were considered a betterment. Mr. Henry mentioned the sidewalks that need to be replaced in the plan for Cottage Street. Mr. Brodeur felt that concrete sidewalk replacement should

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be included now in the CIPC's budget. It was requested that the issue of sidewalks be placed on the agenda again in two weeks. Mr. Brodeur also stated that Bob Power should make a list of sidewalks that have not been replaced with concrete yet. Mrs. Allen will acknowledge the Kenney's letter.

- Mr. Downing moved that the Board appoint the Democratic Town Committee's election workers per the list submitted dated June 26; Mr. Brodeur seconded; all aye.

- Mr. Henry brought up the Norfolk County Selectmen's Association meeting to be held on July 24th, and said he would be in attendance, until Mr. Downing reminded him that it was the same night as a negotiation session. Mr. Downing urged Mr. Henry to attend the Selectmen's Association meeting to represent the Town, and he and Mr. Brodeur could attend the negotiation session.

- Mr. Henry noted the letter from the Town of Holliston thanking the Town for allowing them to have access through Medway to C.R.P.C.D. Next tentative meeting date is August 1st.

- Mr. Brodeur requested clarification on other appointments such as which elected officials can also hold appointed positions. Mr. Henry also asked for the list of special employees for general review.

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- Mr. Brodeur accepted Lisa Mawn's resignation from the Conservation Commission with regret and hoped she will return; Mr. Downing seconded; all aye. It was noted that she requested to still stay on the Open Space Committee, which is a sub-committee of the Conservation Commission.

- Mr. Brodeur accepted Judith Notturno's resignation from the Street Naming Committee with regret; Mr. Downing seconded; all aye.

- Mr. Brodeur accepted Andy Mawn's resignation from the Finance Committee with regret and hoped he will return; Mr. Downing seconded; all aye.

- Mr. Downing noted a conflict with attending the Cable meeting on July 16th, and Mr. Henry said he would go. Mrs. Allen was asked to post the meeting in case Mr. Brodeur could attend.

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- Mr. Henry noted the School Committee meeting on July 11th.

- The next employees negotiation session on July 10th was noted; Mr. Brodeur cannot attend. Mr. Henry asked that a copy of the job descriptions be given to the union representative.

- Mr. Henry noted receipt of the certificate of appreciation to the Board from the Medway Pride Day Committee.

- Mrs. Allen gave the Board an emergency transfer request from the Fire Department for a miscalculation that had been made. Mr. Downing moved approval of the emergency transfer request to the FinCom for $533.68 to meet FY'96

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payroll expenses for the Fire Department; Mr. Brodeur seconded; all aye. It was noted that the Chief did not take his full salary at this time so the men could all be paid first. It had been confirmed by the Town Accountant that there was enough money available to cover this.

- It was moved and seconded that the Chairman sign the lease/purchase agreement for the truck and backhoe that was approved at annual Town Meeting.

- Continuous problems with work being done on the Walker Street Bridge was noted.

- Mr. Henry said that two demonstrations of street sweepers had been held. Mr. Downing wondered if lease/purchase may not be the way to go, but possibly contracting it out. He suggested inquiring with other Towns as to what they do. Mrs. Allen said they could still get quotes by giving companies the number of miles to be swept.

- It was determined there was no need for an executive session.

9:20 - Mr. Downing moved the meeting be adjourned; Mr. Brodeur seconded; all aye.

Respectfully submitted,

Mary Jean Fredette
Secretary
mj

BOARD OF SELECTMEN

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

AGENDA

July 1, 1996

7:00 p.m.	Open meeting. Sign warrants 6/24/96 Approve minutes of 6/17/96 meetings.
7:01	Open Bids for Town Administrator consulting RFP.
7:15	Police Chief Lambirth, to update boardmembers.
7:30	Decision on Ronald Allard grievance
8:00	Keno License hearing for Keystone Liquors
8:30	Chairman, Water/Sewer Commissioners, Gardner Rice, update Board

Committee Reports

Action Items

Executive Session

BOARD OF SELECTMEN

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

ACTION ITEMS FOR SELECTMEN'S MEETING OF JULY 1, 1996

1. Signs have been installed on Alder Street - Speed limit, No truck left turn onto Alder Street from West Street.

2. Sign appointment slips for FY'97.

3. Discuss letter from Town of Franklin re: CRPCD - Holliston.

4. Discuss letter from Prins Recycling

5. Discuss and vote on Amendment #1 and #2 from GCG Associates regarding Cottage Street Drainage Project.

6. Vote on request of Town Accountant to carry forward all (15) of her vacation days to FY'97.

actitems.doc

Present: Lee Henry, Doug Downing, Jim Brodeur, Administrative Assistant Ruth Allen.

7:00 p.m.-Mr. Henry called the meeting to order in the Selectmen's Meeting Room 2 of Town Hall.

- Warrants totalling $344,638.19 for FY'96 were signed by the Board. Warrants totalling $22,853.29 for FY'97 were signed by the Board.

- Mr. Downing moved that the minutes of June 17th be approved as written; Mr. Brodeur seconded; all aye.

- Mr. Downing moved that the minutes of June 24th be approved as written; Mr. Brodeur seconded; all aye.

7:05 - Mr. Brodeur read the advertisement that appeared in local papers for bids for the Town Administrator Review Committee's study of town government. Two bids were received:

  - from MMA Consulting in Boston with 8 copies of the technical proposal and a separate cost proposal.

  - from Bennett Associates in Boston with 8 copies of the technical proposal and 8 separate copies of the cost proposal.

Mr. Downing moved that the bids be turned over to the Town Administrator Review Committee for their review and recommendation; Mr. Brodeur seconded; all aye. They were placed on the agenda for July 15th at 7:15 p.m.

7:12 - Chief David Lambirth came before the Board on several matters.

He noted that two Special Police Officers, Stephen Pickering and Craig Harris, were inadvertently omitted from the original list he had submitted to the Board, and requested that they be appointed. Mr. Brodeur moved that Stephen Pickering be appointed a Special Police Officer; Mr. Downing seconded; all aye. Mr. Downing moved that Craig Harris be appointed a Special Police Officer; Mr. Brodeur seconded; all aye.

Chief Lambirth noted to the Board that he had two officers at the Academy on the Civil Service requisition and wanted to get the process going on them.

The Chief also expressed his intent to request an exam for Police Sgt. as he had a roster of personnel. He had

already requested the exam for Lieutenant to be held in October. Mr. Brodeur had some questions as to adequate funding for a Lieutenant, but the Chief noted that this is not an issue for this fiscal year, but the following year. He made mention that it was good to have an eligibility list going which expires after two years. The Chief stated that the cost of the three-hour exam is borne by the individual, noting there were 13 patrolmen, but not all were eligible to take the exam.

Mr. Downing moved that the Chairman be allowed to sign the Chief's requisition of the roster of patrolmen and to hold a Sgt.'s exam; Mr. Brodeur seconded; all aye.

The Chief spoke about the acquisition of replacement police cruisers. He said that the CIPC and the FinCom had indicated they would support the number of vehicles, but not the amount. He stated he would like to pursue going with a company from New Hampshire where they could get that quantity with 1995 models, and just wanted to make sure the Board would go along with his recommendation. On behalf of the Board, Mr. Henry felt it was a good strategic move.

7:35 - The Board had said they would make a decision on the Ron Allard case this evening, and Mr. Allard and his attorney were present along with Chief Vinton to hear that decision.

Mr. Henry made some observations. He stated the sole issue was that the discharge took place on information from the Fire Chief. Per the Town by-law, was sufficient evidence presented that Mr. Allard was no longer a resident of Medway. Mr. Brodeur asked Mr. Henry if a legal recommendation had been received from Town Counsel as he was present that evening. Mr. Henry said Town Counsel was there at his request, and the Board did not need a recommendation from him as this matter was under the personnel policies. He further stated that Town Counsel was present to make sure they did not stray from the issue, and again asked the Board members if the applicant had proven his case as residency is the only issue, or was he discharged in error. Mr. Henry decided to state that he wasn't convinced that Mr. Allard had proven his residency and would uphold the discharge. Mr. Downing asked the Chief if he had changed his mind on the decision; the Chief had not. On that, Mr. Downing said he agreed with Mr. Henry and would uphold the discharge. Mr. Brodeur had no comment. Mr. Downing moved that the decision of the Board was to uphold the original decision to discharge Mr. Allard based on information as provided to the Board by Chief Vinton in his memo of March 11th; Mr. Henry seconded; Mr. Brodeur opposed; motion carries.

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7:45 - ☺Committee_Reports_-_Selectmen.

- Mr. Brodeur said he had spoken to Bob Power briefly but there wasn't enough time to cover the issues as he was going on vacation and felt they needed two days for discussion. Mr. Brodeur again said, Mr. Power is not the Highway Supt., and the three Board members need to deal with the Supt. issue - where are they going? what do they want? Mrs. Allen said they need leadership, possibly someone with engineering in their background. The Board agreed to meet on Saturday, August 3rd at 8 a.m. to discuss further. Mrs. Allen was asked to post this meeting. In the meantime, Mr. Brodeur said he would meet with Mr. Power to talk about highway and road maintenance and with George Cole to talk about equipment maintenance.

- Mr. Henry spoke of attending the exit conference on the audit with Frank Biron of Melanson Greenwood on Wednesday, June 26th. Mr. Biron went over the management letter and financial statements. Pete Langelier of the DOR's Bureau of Accounts in Worcester was also present.

- Mr. Downing said he had attended the CRPCD meeting, where five ~~from Franklin~~ were also in attendance, though not present at the first meeting. He stated they welcomed Holliston to come through Medway in an area to yet be determined but forced main was the least desirable as Medway would not gain anything. He asked Mrs. Allen to post a meeting for August 1st, Thursday, at 6:30 p.m. at the District for a joint meeting and update. Mr. Downing reiterated that the Board would talk to the two District members and the Water/Sewer Board prior to making any decisions.

8:00 - A hearing/meeting was conducted with Keystone Liquors represented by Jack McDonnell for the purpose of requesting a Keno license. Mr. Downing excused himself from this meeting.

Mr. Henry elaborated that he had written the Mass. State Lottery Commission on behalf of the Board on March 28th, copy of which was then given to Mr. McDonnell, and which Mr. Downing did not participate in the writing of, and which Mr. Henry read into the minutes (copy attached). Mr. Henry's letter basically objected to the granting of a Keno license to a package store. On May 29th, the Board was advised that they needed to have a hearing with Keystone Liquors. Mr. McDonnell stated that they requested the license at the insistence of their customers, not themselves. He explained that only a few people at a time would be playing and a few stools and a table would be set up for their convenience. He stated

that the customers do not have to stick around to see if they have won or not as they can come back up to a year to check on a winning ticket.

Mr. Henry said that the funds for Keno go to the State; that they are not a portion the lottery aid that comes back to the Town. Mr. Brodeur moved that the hearing be closed; Mr. Henry seconded; all aye. Mr. Henry said that his opinion has not changed, but the Board would take the request under advisement. He also noted that the hearing with the State could not be held until there had been a hearing with the Board.

- Mr. Downing moved that the appointment slips for various Selectmen-appointed positions be signed by the Board; Mr. Brodeur seconded; all aye.

- Mr. Downing asked that Mrs. Allen contact Vern Robertson to find out how to update the bulletin board calendar on Cable, and also to discuss talking about the new school which has to be hooked up to cable per the current contract. Bob O'Neill called at this time and mentioned Vern was unavailable, but that the next scheduled meeting was on July 16th if a member of the Board wanted to attend. The possibility of getting a VDS keyboard for the Town Hall was noted.

- Mr. Downing said he had briefly attended the Conservation Commission meeting where Bob Stratton of the Medway Co-Op Bank was present and they talked about their new location at Holliston and Main Streets, and the request to be placed on our agenda for a site plan review. He tentatively was placed on the July 22nd agenda at 7:05 p.m. pending receipt of the paperwork.

8:40 - The three members of the Water/Sewer Commission were present to discuss the Summer Street sewer hook-up issue. Mr. Rice noted that the residents had to cut off the septic tanks from the leaching beds. Involved are seven trenches, two detail policemen, and three contractors (Ed Callow, Tom Pettis of DP Construction, and Paul Trufant) who have been asked to dig two trenches each. Mr. Rice wants it to be a one-shot deal, all done in one day, but work will not begin for another month with our personnel cutting the asphalt for those trenches. He was also concerned about the cost of $750 per street crossing that the homeowners would have to incur. Mr. Rice said they were the victims of someone's else mistake, and can we work together on the bonds and the road opening permit cost.

Mr. Henry stated that under the present application, the contractor is the one responsible for maintaining the road for one year as well as the permit bond. The Board

could waive the maintenance with the Water/Sewer Supt. and the Highway Supt. overseeing, and Mr. Power felt that $750 would be sufficient to cover the cost. Mr. Rice felt this was a question of relief for those homeowners - relief for 12 months of maintenance and relief from the bond.

Some discussion ensued with Mr. Brodeur recommending compacting of the trenches and water jetting after backfilling to ensure that compaction was done properly. He felt if this was done, he would go along with relieving the homeowners of the responsibility of the maintenance.

Mark Flaherty, Water/Sewer Supt., was also present noting that the other resources such as the Fire Department would have to be available to provide the hose, which Mr. Brodeur was concerned about.

Mr. Downing voiced a little concern about the project and the setting of precedents in relieving requirements. He asked if others were going to come forward with the same problem. Mr. Rice assured him it should not occur elsewhere. Mr. Heavey asked whose name would the street opening permit be under, and was told it had to be the homeowners.

Mr. Downing moved that the 12 month trench maintenance requirement for the ☺contractors for the Summer Street project as outlined in Jim Edwards' letter of June 27th and diagram #1 (copy attached) be waived; Mr. Brodeur did not second; Mr. Henry seconded; aye. Mr. Downing noted that this is not ideal, but what is practical.

Insofar as the trenches were concerned, Mr. Brodeur recommended a minimum of one foot of crushed stone and processed gravel over the pipe and six inches above the water table to the underside of the ultimate pavement; Mr. Downing seconded; all aye.

Mr. Downing moved to waive the bonding requirement from the ☺contractors and allow the applicants to establish a passbook bank account of $750 for each of the seven trenches for a total of $5,250; Mr. Brodeur seconded; all aye.

Mr. Rice brought up the Farm Street residents who might be connecting to the Millis interceptor, all but one homeowner. It was alleged that Charles Aspinwall, Town Administrator in Millis, had said the Medway residents would have to pay the same amount as Millis. It was noted that Conservation Commission Order of Conditions were involved here, and Millis had been granted an easement. Mr. Downing felt they needed to look at the

original agreement, not just what was voted on at the Annual Town Meeting.

Mr. Rice brought up the sewering of the school on Holliston Street, and how they will be going out to bid for engineering and then out to bid for construction. Mr. Brodeur suggested the Water/Sewer Board include grinding of Holliston Street in their contract, with possibly Highway funds helping out in part.
The Water/Sewer Board noted to the viewing audience that the mandatory water ban is off, and back to voluntary, with well #2 on Oakland Street back on line.

Mr. Rice brought up proposed sewer rates that were first proposed some months back. He felt there were enough homeowners on sewer now to generate the formation of a committee to look into these rates. Mr. Downing thought there was nothing wrong with an enterprise account to fund future expansion and improve the system.

10:05- Mr. Brodeur brought up the signs on Alder Street, and felt we should remove the "dead end street" or "no thru trucking" sign. Mrs. Allen will see that it is done.

- The Board acknowledged receipt of a letter from Wolfgang Bauer, Town Administrator of Franklin, concerning C.R.P.C.D. It was noted that the District has the figures and will be putting together the buy-in charges for discussion later on.

- With reference to Prins, Mrs. Allen said they have not heard anything yet from the Consortium, but all Towns have been given an offer.

- The Board was in receipt of two amendment letters for Cottage Street from GCG Associates: amendment #1 for an additional $2,000 for the hydraulic study of Chicken Brook and amendment #2 for $6,100 for modifications of design. The total contract price then would be $22,000 so far. It was noted we cannot exceed the $40,000 of grant monies allocated to the project, although Mr. Henry noted that Arthur Darley and Tom Loughlin of Mass Highway said Chapter 90 funds can be used for appraisals and takings, most anything related to road maintenance such as a road sweeper.

  Mr. Brodeur moved approval of GCG's amendment #1 for $2,000; Mr. Downing seconded; all aye. Mr. Brodeur moved approval of GCG's amendment #2 for $6,100; Mr. Downing seconded; all aye.

- The Board noted the Town Accountant's request to carry over all her vacation days to FY'97. Mr. Downing moved to deny the request; Mr. Brodeur seconded believing it

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would have been setting a precedent; all aye.

- Mr. Downing said he would try and get a report from the Clerk of the Works for the new school.

10:30- Mr. Downing moved to adjourn to executive session for the purpose of discussing strategy for collective bargaining as it relates to union and non-union personnel, not to return to public session; Mr. Brodeur seconded; all aye. The vote: Mr. Downing - yes; Mr. Brodeur - yes; Mr. Henry - yes. The Administrative Assistant was asked to stay; the Secretary was not.

Respectfully submitted,

Mary Jean Fredette
Secretary
mj

130 Summer Street
Medway, MA 02053
27 June 1996

RECEIVED
JUN 27 1996
TOWN OF MEDWAY
BOARD OF SELECTMEN

Board of Selectmen
Town of Medway
Medway, MA 02053

Dear Sirs:

As you may know, a number of Summer St. homeowners were ordered by the Board of Health to connect to the sewer due to failed septic systems. This order was issued in late April. In some cases, including my own, we were ordered to cap the septic tank outlet and pump as necessary until the sewer connection was made.

In early May, most of the affected Summer St. homeowners attended the Water & Sewer Commissioners meeting to discuss the problem. At that meeting, it was decided to attempt to hire a single contractor to handle all of the necessary road crossing work. At that time, I was "elected" to serve as the neighborhood's representative to both the various town boards involved and contractors.

During May, Mark Flaherty of the Water and Sewer Department spent a great deal of time with me in preparing a bid package to be sent to contractors regarding this project. On May 29th, I sent the package to 10 contractors who currently hold Drainlayer licenses in the Town of Medway. I received exactly one response back. In my discussions with numerous contractors, I was expecting the cost to install the necessary 6" PVC pipe to be in range of $30 to $40 per foot. The bid that I received stated a cost of $90 per foot; note that this figure does not include any necessary fill, pavement, materials, police details, etc.

The homeowners (including myself) decided that this bid was unacceptable. I then attended a Water & Sewer Commissioners meeting to discuss the situation. At that meeting, two suggestions were made. The first was to contact a number of other contractors who have done work in Medway in the past. The second was to attempt to hire a number of contractors for a single day to install the necessary road crossings that day.

I have subsequently contacted an additional 8 contractors. While there is one who is currently still evaluating the project, the rest have indicated that they are not interested in the job. In my discussions with various contractors, most have cited the problems with working on Summer St., the requirement to do the road work in halves in order to keep the road open, and the 12 month trench maintenance requirement for so many trenches. When discussing a single connection instead of the multiple connection project, I have been told by most contractors that fall would be the earliest that they would be available. It was also apparent that once the road work was completed, a number of the smaller contractors would be interested and available to do the final connection to the house in a more acceptable time period .

On June 25th, I met with Gardner Rice, Mark Flaherty, Sgt. Malo, and representatives from DP Construction, PL Trufant, and E.W. Callow to discuss the second suggested approach. In brief, the plan would be to schedule all three contractors to install the road crossings on the same day. Work would commence at 9 AM and the road would be closed. The contractors felt that it would be possible to complete the work before the evening rush hour. Sgt. Malo indicated that, while the road closure is not desirable, it would be possible with proper planning and coordination. Please note that the objective is to get only the road related work done on that day.

While the closure of the road addresses two of three commonly cited problems with doing this project, the issue of the 12 month trench maintenance requirement remains. None of the contractors involved in the discussion of this approach indicated a willingness to take responsibility for such a joint effort. The logistics of distributing the responsibility was deemed to be unworkable. The meeting pending resolution of this issue.

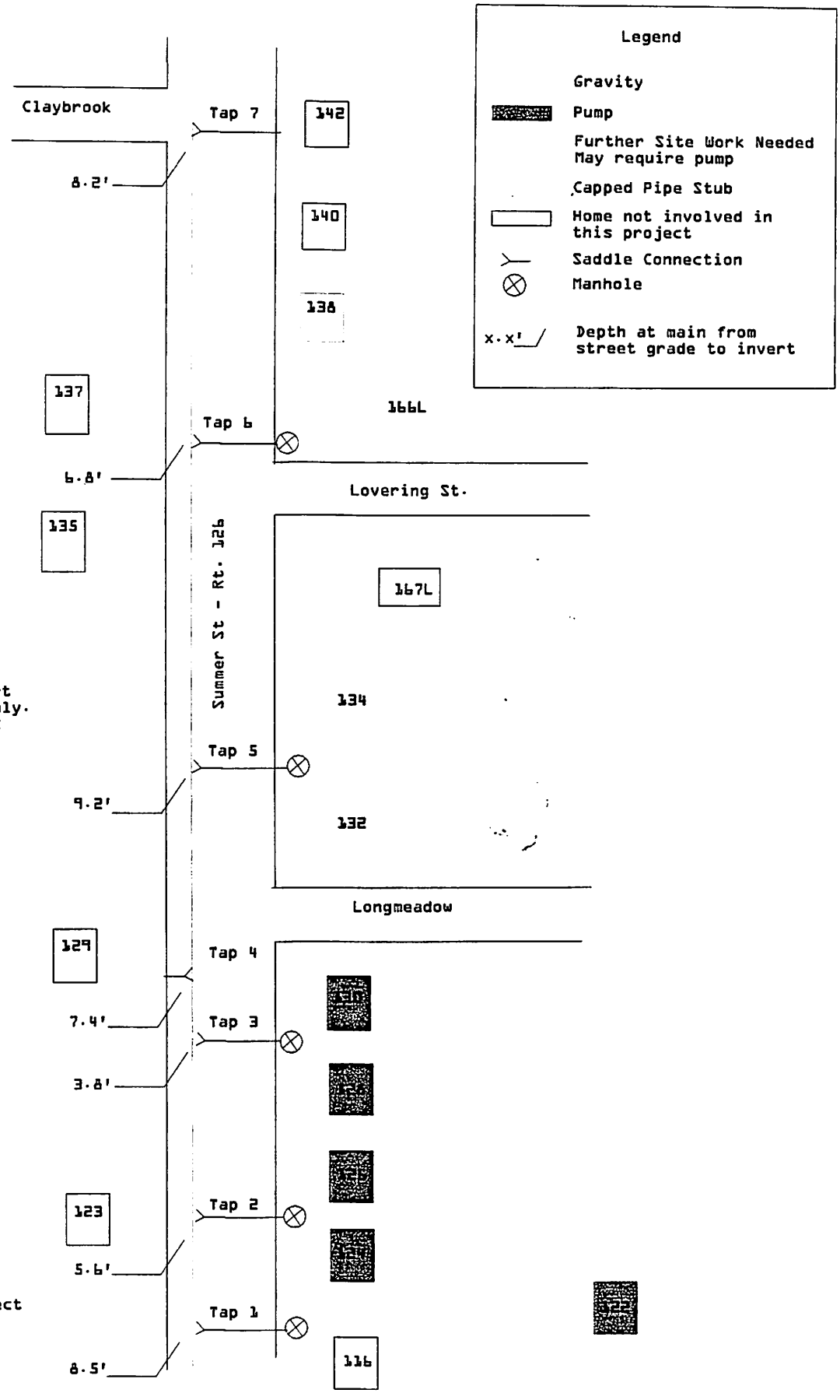
In order to make this approach viable, I am asking the Board of Selectmen if the 12 month trench maintenance requirement of the street opening permit could be waived in this circumstance and the appropriate town agency assume responsibility for the trenches. With respect to bonds, I am also asking if it would be possible for the homeowners, as a group, to provide the required sum of $750 per trench in the form of a passbook account. The understanding is that this money will be used by the Town of Medway to maintain those trenches. Any amount remaining after 12 months would be returned to the homeowners.

Please note that I do not ask for this waiver frivolously. I am well aware of the problems in closing Summer St. and need to maintain trenches on such a busy road. However, I do not see many options available to the affected homeowners on Summer St. at the current time.

Enclosed is a copy of the bid package sent to each contractor along with a layout of the proposed road cuts. Please contact me (533-5048 or 533-4591) if I can provide you with any additional information.

Sincerely

Jim Edwards



NOTE:

Depths at main from street grade to invert are approximations only. FIELD VERIFICATION IS REQUIRED.

Summer St. Sewer Project
Medway Ma
Drawn 29 May 96
Jim Edwards
(508)533-5048

Diagram 1

Request for Quotation

In order to evaluate all bids on an equal basis, an estimated material list/cost sheet has been generated for the entire project. Please fill out both the unit cost and total cost for each item listed. *Please note that since this list may not be complete, be sure to list any additional items/costs required to complete the job.* Also provide an overall project total bid price at the bottom of material list.

The following page contains a questionnaire containing a number of questions related to the contractor's business, availability, etc. Please return this information along with the bid information.

To bid on this project, please return this sheet along with both the materials/cost sheet and company information sheet by June 14, 1996 to:

Jim Edwards
130 Summer Street
Medway, MA 02053
(508) 533-5048

Company Name: _____

Completed by: _____

Date: _____

Contact Name: _____

Contractor Information Sheet

Description of Company with respect to years in business, number of employees, number of crews:

Projected Start Date and Completion Date
(assume a contract award date of 21 June 1996):

Will Subcontractors be used?
(All subcontractors must be licensed by the Town of Medway as Drainlayers):

Interest in individual connection jobs?

If interested, list experience with pressurized systems:

References

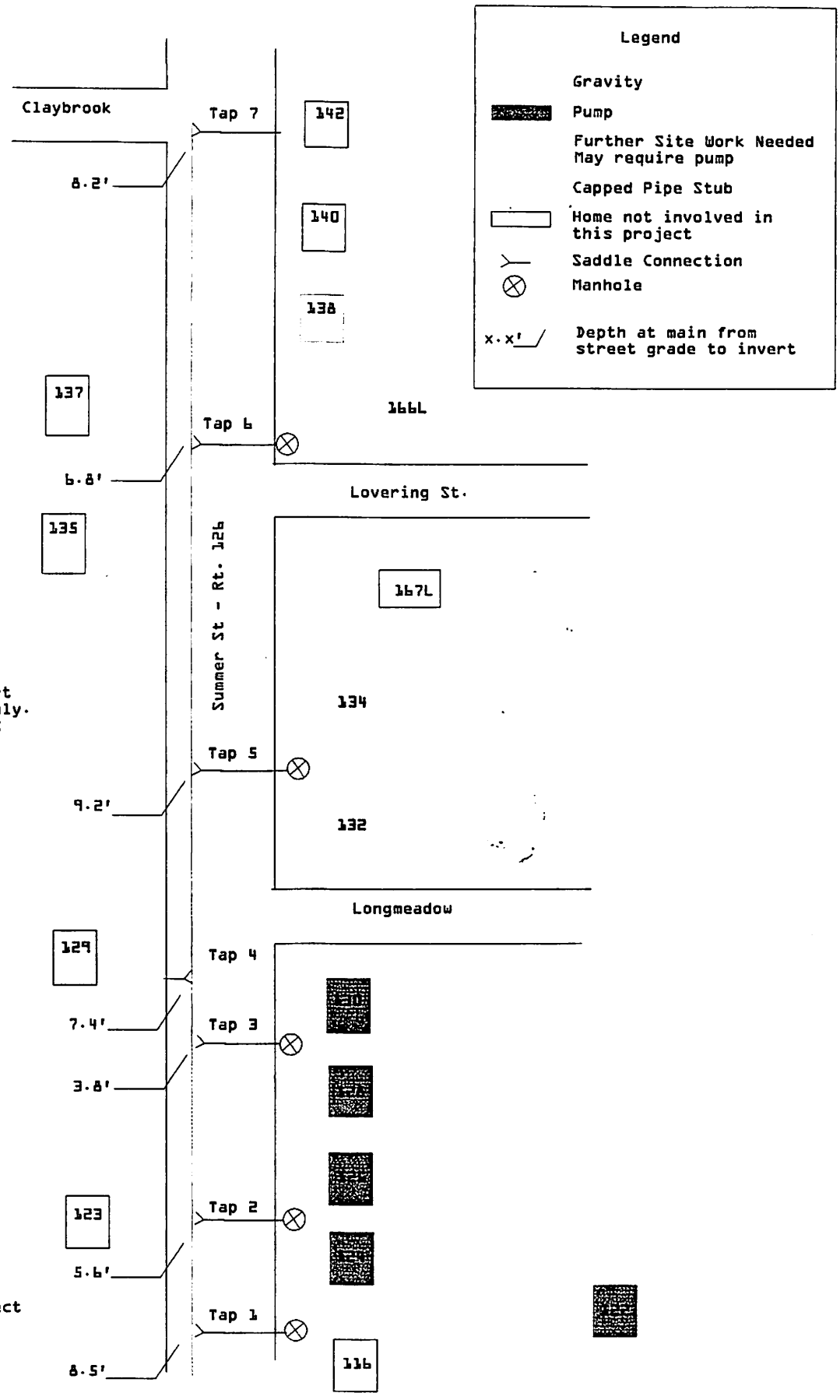
Estimated Materials List/Cost Sheet

Item#	Qty	Units	Description	Unit Cost	Total Cost	Notes
1	320	Lin Ft	6" PVC pipe, installed			
2	10	cu. yd	Rock Excavation & Disposal			
3	4	per top	Flat-slab top for shallow manhole			
4	100	cu. yd	Bank-run gravel			
5			Permits/Bonds			
6	5	per base	Bases with inverts			
7	3	vert. Feet	cone			
8	5	per set	Std. Frames and Covers			
9	200	lin. Ft	Temporary Pavement			
10	200	lin. Ft	Permanent Pavement			
11	80	hours	Police details			
12						
13						
14						
15						
16						
17						
18						
19						
20						

Total Project Cost $ _____

Please note:

1. Quantities are estimated only. Actual quantities may be increased or decreased based on field installation.
2. Bid will be awarded based on bid price and estimated project completion date.
3. Please add items/costs as necessary to complete the project.



NOTE:

Depths at main from street grade to invert are approximations only. FIELD VERIFICATION IS REQUIRED.

Summer St. Sewer Project
Medway Ma
Drawn 29 May 96
Jim Edwards
(508)533-5048

Diagram 1

1.0 Summer Street Sewer Line Connection Project

This project entails the installation of 7 sewer connection stubs to service 11 homes located on Summer Street (Rt. 126) in Medway MA. Diagram 1 is a rough drawing showing the locations of the connections to be installed. The homes involved in this project are on Summer Street: #122, #124, #126, #128, #129, #130, #132, #134, #138, #142. In addition, the home on #166 Lovering Street is to connected as well. Four of the connections will each service two homes while three will service a single home each. Table 1 provides a summary description of each connection shown on Diagram 1.

Tap #	Main Sewer Connection Type	Homeowner Connection Terminus	Estimated Length of Crossing Pipe Required	Home(s) Serviced
1	Saddle	Manhole	50	#122
2	Saddle	Manhole	50	#124, #126
3	Saddle	Manhole	50	#128, #130
4	Saddle	Capped Pipe	20	#129
5	Saddle	Manhole	50	#132, #134
6	Saddle	Manhole	50	#138, #166 Lovering
7	Saddle	Capped Pipe	50	#142

Table 1 - Connection Description

2.0 General Construction Specifications

In general, the contractor shall comply with all state and local laws and ordinances. Specifically, the work shall comply with all regulations of the Medway Water/Sewer Commission. All services shall be inspected by the Medway Water/Sewer Commission prior to backfilling.

2.1 Permits/Bonds

The contractor shall be responsible for obtaining street opening permits and any bonds that may be required. Contractor to be responsible for notification of affected utility providers (note: natural gas line is located on the east side of the roadway).

2.2 Roadwork

Pavement shall be cut with pneumatic tool to the necessary width for pipe installation. Pavement may need to be cut again for paving it trench is irregular.

To maintain traffic flow the services shall be installed to the centerline of the road, plugged, the trench compacted and temporary cold patch placed. The work should be scheduled so as to install as many services as is practical in the south bound lane of Summer Street and then cross to the north bound lane and complete the services.

Temporary patch shall be excavated, gravel placed and compacted and 3" of binder with 1" of top installed with tac-coat. Contractor shall be responsible for trenches for a period of 1 year at no additional cost if repair is required.

If unsuitable material is found, it shall be removed and borrow material if available or bank gravel shall be used in its place.

Trenches shall be compacted in 12" lifts

Proper shoring of trenches shall be used per OSHA standards.

The roadway shall be properly signed and safety cones used to direct traffic. At the end of each day, the road will be swept and barricaded.

See Diagram 2 for details regarding road patch requirements

2.2.1 Police Details

The contractor shall be responsible for providing and coordinating police details. Two officers minimum shall be required.

2.3 Sewer Line Connection

Connections to sewer mains shall be made with a 10" X 6" saddle.

See Diagram 3 for details regarding sewer line connection requirements

2.4 Pipe

Services shall be installed at a 1% slope and great care shall be taken to ensure proper grade.

Six inch (6") SDR35 pipe shall be used.

Price of pipe shall include: pipe, stone, and installation.

See Diagram 3 for details regarding piping installation requirements

2.5 Manholes

All manholes shall be standard 4' diameter assemblies.

24" Medium Duty 4" high frames and covers shall be used.

The manholes used for Taps 2, 3, and 5 will require openings at 6 o'clock only The manholes used at Taps 1 and 6 will require openings at 2 - 6 - 10 o'clock with 6" stubs and plugs.

All manholes shall have all red brick inverts.

See Diagrams 4 and 5 for manhole requirements.

2.6 Landscaping

No landscaping costs are to be included in this project since the individual connection contracts will address this issue.

3.0 Description of Individual Home Connection Projects

This section contains a brief description of the individual home connection jobs that will need to be done after completion of the Summer Street Sewer Line Connection Project. Do not include any estimated costs in the bid for sewer line connection project. This work will need to be contracted on an individual basis with each homeowner. However, since the majority of the installations are very similar, the possibility exists to implement them using the same basic approach.

As indicated on Diagram 1, most homes will require the use of a pump. Two homes may be able to be gravity feed if internal plumbing changes could be made. For all homes, the relative elevation of the outlet pipe to the sewer connection will need to be accurately determined as part of the job. For most, if not all, homes, the existing septic system (and outlet pipe) is located at the rear of the dwelling.

If interested in the individual home projects, please contact Jim Edwards at (508) 533-5048.

4.1 General Description of Pump Based Installations

Most homes have existing 1000 gallon septic tanks which may be used as the pump chamber. Connection to the designated manhole will be made using 2" PVC - Schedule 40 pipe. The required pump size must be determined for each installation based on pipe length and relative elevation.

Town of Medway Health Dept. regulations require the pump chamber to provide at least 1 day storage above the pump on position. Regulations also require a high water alarm. Contractor is to contact the Board of Health upon completion of the installation.

It is hoped that some degree of cost savings could be achieved through the use of identical pumping equipment if possible.

4.2 General Description of Gravity Feed Installations

Gravity Feed installations will use 6" PVC pipe interconnecting the home's outlet pipe with the designated tap. Pitch is to be 1% per foot minimum.

4.2 Overview Description of Each Home

Address	System Type	Est. Distance	Designated Tap
#122	Pump	>500 feet	#1
#124	Pump	~100 feet	#2
#126	Pump	~100 feet	#2
#128	Pump	~100 feet	#3
#130	Pump	~100 feet	#3
#132	Pump?	~100 feet	#5
#132	Pump?	~100 feet	#5
#138	Gravity?	>100 feet	#6
#166 Lovering	Gravity?	>125 feet	#6

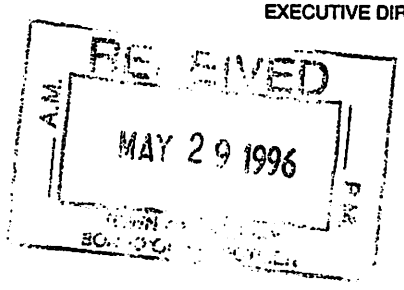
Massachusetts State Lottery Commission

60 Columbian Street
Braintree, Massachusetts 02184
Tel. (617) 849-5555

Members
JOSEPH D. MALONE
CHAIRMAN
WILLIAM KILMARTIN
SALVATORE LOMBARDO
MATTHEW J. MERRITT, JR.
KATHLEEN M. O'TOOLE

TTY (617) 849-5678
FAX: (617) 849-5546

SAMUEL M. DePHILLIPPO
EXECUTIVE DIRECTOR



May 23, 1996

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

RE: Keno Hearing - Keystone Liquors

Dear Sir/Madam:

Your request for a Hearing regarding the above captioned applicant is pending before the Massachusetts State Lottery Commission (MSLC). You will be notified in writing of the date and time of the Hearing.

On May 20, 1996 Governor William Weld signed into law, House Bill 5886. The effective date of this law is January 1, 1996.

Among other things, the bill requires that cities and towns objecting to the issuance of a Keno license must do so "as a result of an official action.. ... ". In order to be fair and apply the same criteria to all cities, towns, and applicants, the MSLC defines an "official action" to be one in which the applicant appeared, or was given the opportunity to appear, before the licensing authority to discuss the issue at the local level in a open hearing or meeting prior to the Hearing at the MSLC.

Before my office schedules the Hearing in Braintree, please confirm to me in writing that the "official action" has taken place or that it is your intention to conduct a local level hearing/meeting with the applicant prior to appearing before the MSLC.

If you have any questions please call me at (617)849-5515 or John Harney at (617)849-5535.

Very truly yours,

James F. Driscoll

James F. Driscoll
General Counsel

JFD/hk

cc: J. Harney, MSLC

Keystone Liquors
88 Main Street
Medway, MA 02053

BOARD OF SELECTMEN

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

March 28, 1996

Mr. James F. Driscoll
General Counsel
Massachusetts State Lottery Commission
60 Columbian St.
Braintree, MA 02184

RE: Keno License Application
Keystone Liquors
Medway, MA 02053
Letter dated March 8, 1996
Received March 12, 1996

Dear Mr. Driscoll;

The Board of Selectmen, at its regular meeting on Monday, March 18, 1996, discussed the application of Keystone Liquors for a Keno sales agent license, as outlined in the above referenced letter from Mr. Ted Moriarty, Director of Sales.

The Board of Selectmen strongly objects to the granting of Keno licenses in any retail establishment, which would include Keystone Liquors. The nature of Keno play creates serious problems with customer congestion in establishments not designed for the retention of customers for long periods of time. The potential impact on the safety and security of the Keno playing and non-Keno playing clientele is of utmost concern to our public safety personnel and the Board of Selectmen.

In addition, the attraction of Keno to an age group not normally allowed into retail liquor establishments will create serious problems for the business owner and the municipal authorities.

In view of these concerns, the Board of Selectmen requests that this application for a Keno sales agent license be denied.

Very truly yours,

Lee E. Henry

Lee E. Henry
Board of Selectmen
Recording Clerk

Massachusetts State Lottery Commission

60 Columbian Street
Braintree, Massachusetts 02184
Tel. (617) 849-5555

TTY (617) 849-5678
FAX: (617) 849-5546

Members

JOSEPH D. MALONE
CHAIRMAN

WILLIAM KILMARTIN
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SAMUEL M. DePHILLIPPO
EXECUTIVE DIRECTOR

RECEIVED
A.M. MAR 1 3 1996 P.M.
TOWN OF MEDWAY
BOARD OF SELECTMEN

March 8, 1996

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

Dear Sir/Madame:

On January 1, 1996, the Massachusetts State Lottery Commisssion's (Lottery) obligation to publish a notice that a license application for Keno has been filed with the Lottery ended. However, the Lottery feels it is important to keep the lines of communication open with all local licensing boards regarding Keno applications.

Therefore, until the Massachusetts Legislature reaches a final resolution regarding the entire Keno issue, it will be the Lottery's policy to continue to notify each local Licensing Board about pending applications.

Specifically, the following application for a Keno sales agent license has been received:

Keystone Liquors
Liquor Store
88 Main Street
Medway, MA 02053

If the Board objects to the issuance of a Keno license it must do so in writing within twenty one (21) days of receipt of this letter in accordance with the provisions of Massachusetts General Laws, chapter 10, section 27.

Please address your written objections to James F. Driscoll, General Counsel, Massachusetts State Lottery Commission, 60 Columbian Street, Braintree, MA 02184.

Very truly yours,

Ted Moriarty

Ted Moriarty
Director of Sales

Present: Lee Henry, Doug Downing, Jim Brodeur (arrived later), Administrative Assistant Ruth Allen.

6:30 p.m.-Mr. Henry opened the meeting in Room 111 at Medway High School.

- Mr. Downing moved to recommend approval to the FinCom for the emergency reserve transfer for the Animal Control Officer's salary budget for $595.32; Mr. Henry seconded; all aye.

- Treasurer/Collector Marjorie Sanford came before the Board to have 13 notes signed totalling $508,000 at a rate of 4.05 from Express & Co. dated 7/3/96 and due 7/3/97. Denominations were as follows: #1 -$100,000; #2-5 -$50,000; #6 -$33,000; #7-13 -$25,000. Mrs. Sanford explained that $100,000 was for the new school and $408,000 was for Idylbrook. The Town Clerk was present as well to sign and seal. Mr. Downing moved the notes as listed above be signed; Mr. Brodeur seconded; all aye.

- Warrants were signed totalling $1,343,178.10. Mr. Brodeur was able to sign warrant G52SB (school building) and G52 (town bills) with the other two Selectmen; the other three warrants P52 (payroll), G52W (withholdings), and G52WS (withholdings) were only signed by the two Selectmen.

- Mrs. Allen gave the Board the FinCom motions for tonight's warrant; along with Planning Board letters on the zoning by-law revisions and map; Brian Aulenbach's letter on the new school building property; and figures from Rep. Gardner's office for chapter 70 funds of $3,970,254.

- Mrs. Allen said nothing new had come in yet on the Prins agreement, and that we were still waiting to hear from the Millis Consortium.

- With reference to an accident claim submitted, Mrs. Allen said there was no mention in the police log that the accident was reported; therefore, no substantiation.

6:47 - Meeting was adjourned to the Special Town Meeting.

Respectfully submitted,

Mary Jean Fredette
Secretary
mj

Approved 7/1/96

BOARD OF SELECTMEN

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

REVISED

AGENDA

June 17, 1996

7:00 p.m.	Open meeting. Sign warrants. Approve minutes of 6/3/96 and 6/10/96 meetings.
7:05	Joe Giovinazzo, GCG Associates, Inc. regarding Cottage Street drainage
7:30	Kate Fitzpatrick, Peer to Peer
7:50	Arti Mehta, Town Accountant regarding Ambulance receivables
8:00	Executive Session
	Committee Reports
	Action Items
	Executive Session

BOARD OF SELECTMEN

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

AGENDA

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BOARD OF SELECTMEN

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

REVISED

ACTION ITEMS FOR SELECTMEN'S MEETING OF JUNE 17, 1996

1. Update from Selectman Brodeur regarding flooding on Coffee Street.
2. Sign ACO agreement.
3. Decision on Mrs. Flaherty's letter regarding damage to her vehicle on Sunset Drive along with Robert Power's note.
4. Discuss damage done to fence at Backyard Garden during the winter.
5. Discuss support of Special Town Meeting articles
6. Discuss letter from the Zoning Board of Appeals regarding the increase in the filing fee.
7. Discuss signing form for noninterest in Ellis Farms
8. Discuss Cutler Wilson Lane revised Preliminary Plan.
9. Discuss lack of ventilation in 2nd floor ladies room.
10. Library request for Town Counsel to review contract for architectural services.
11. Discuss Alder Street problems - i.e. Speed limit, "No truck turn on West Street.
12. Discuss July 5th Personal Day for Ruth & MJ
13. Discuss letter from Town of Bellingham - support for Incentive Aid Grant Application.
14. Discuss letter from Prins Recycling

actitems.doc

BOARD OF SELECTMEN

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

ACTION ITEMS FOR SELECTMEN'S MEETING OF JUNE 17, 1996

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8. Discuss Cutler Wilson Lane revised Preliminary Plan.

9. Discuss lack of ventilation in 2nd floor ladies room.

10. Library request for Town Counsel to review contract for architectural services.

actitems.doc

Giovanazzo said when there was a 100-year flood, it would overflow the rim onto the street anyway.

Mr. Henry asked Mr. Giovanazzo to consider Choate Pond across Route 109 which goes under the USM building in his plans also. He stated that a public hearing will be held with abutters in the area when plans are finalized. It was noted that there should be a contact person for areas upstream, as it was believed Dusty Lardin was the contact person for areas downstream.

Mr. Downing made a motion to move forward and endorse the proposal dated June 17th as presented by GCG Associates this evening; Mr. Brodeur seconded; all aye. Mr. Giovanazzo felt they might make Fall construction. Mr. Henry reminded him if they open up Route 109, the cost of repaving 50' berm to berm will have to be included in the cost. Mr. Giovanazzo said he would go over everything with Mass. Highway's District 3. Mr. Brodeur mentioned flowbofill, and Mr. Giovanazzo said he did not prefer to use it, and will discuss other alternatives with the State.

7:50 - Kate Fitzpatrick, our Peer to Peer rep, stopped in to query the Board as to what they were requesting her to do. She stated that EOCD had asked her to handle this as it was "personnel related" for classification of positions, or personnel by-laws or for personnel analysis of comparable communities for comparable analysis. She felt most of this was already done as prepared by MMA, but she could look at policies to see if they needed to be amended; or she could do goal setting for department managers, but at least 85% needed to be done by June 30th, with at least the work done, even if the report was not written.

Mr. Downing said he did not feel they were looking for a classification plan, but looking more for a process evaluation, flow of paperwork, how departments inter-relate with one another, that it forms a complete circle and an orderly process from one department to another. He also indicated that they were revamping the building and recommendations were made as to which departments would go where. He wanted to make sure the way they were heading - the process of the building - was the correct way.

Ms. Fitzpatrick indicated it would be difficult to determine where everything or everyone should go, since not everyone was in one building, but she could make recommendations. She indicated she only had 30 hours allocated and would narrow down her responsibilities to

administrative in nature, conduct interviews, and talk to EOCD about the approaching deadline.

7:55 - Town Accountant Arti Mehta came to talk to the Board about ambulance billings. Also in attendance were Chief Vinton and Treasurer/Collector Marge Sanford. She stated that they went as far back as 1988 where the Treasurer's ledger starts, which indicates $188,209.45 in outstanding receivables, while the Accountant's records indicate $161,858.22. The Chief added that beyond 1993 are uncollectible, but current years are collectable, and those which are not, have been abated. He stated that he has gone over each billing one by one from Comstar.

Mr. Henry queried why some of the older years are still on the books, to which Chief Vinton said that sometimes occasional payments still come in on them through insurance claims or estates. The Chief stated that during two months in FY'92, $12,000 was not even sent to the billing service. In order to close out the books for FY'96 before June 30th, she was requesting that the difference between the Treasurer's listing and the Accountant's general ledger be abated which was $26,351.22 since they do not know what that figure represents and would not affect free cash. Mr. Downing said he did not want the figures to be adjusted so it looked good for the audit. Mr. Henry stated previous audits indicate ambulance billing has always been a problem. Mr. Downing did note that they owe it to these departments to get the figures in balance; therefore, he Downing moved to abate ambulance billings prior to 1988 for $26,351.22 as requested in the Town Accountant's letter of June 14th; Mr. Brodeur seconded; all aye.

8:15 - Mr. Henry opened the hearing on a grievance filed by Ron Allard to order and asked Mr. Allard if he wanted to hold the hearing in open session; he said he did. Mr. Allard was represented by Stephen Clapp, 12 Church St., N. Attleborough. Mr. Clapp said accompanying them were two witnesses: Mr. Allard's fiancee Alyssa D'Innocenzo and Mr. Allard's stepfather Robert Johnson. Mr. Downing also noted that the press was in attendance and the hearing was being televised.

Mr. Hearing said the hearing was being called in open session for grievance of discharge under personnel policies #24-2. Mr. Brodeur said he was a member of the Fire Department, but not on officer status and had nothing to do with salary, and, therefore, had been cleared to be in attendance.

In attendance were: the Board members, the Administrative Assistant, the Board Secretary, Chief Vinton, Town Counsel, members of the audience. Mr. Henry said the audience could observe, but only the witnesses could speak, or the hearing could be closed. He stated that the hearing and determination of grievance was being held at the request of Ron Allard who was discharged by the Fire Chief on March 1st because of a violation of the Town By-law under personnel policies step 3 of #24-4, believed actually referring to #24-2.

Mr. Henry asked Mr. Allard if he had been hired in October of 1994 as a firefighter and discharged on March 1, 1996 on the basis that according to the Town by-law, section 3.2, a firefighter must be a Medway resident and the Chief had noted he was not; Mr. Allard said yes.

Attorney Clapp said the basis for the hearing was a formal grievance filed with Chief Vinton, and read the grievance filed by Mr. Allard (copy attached). He then asked Mr. Allard confirming questions with regard to what was stated in the grievance, i.e. that these were the facts, etc. to which he replied they were. Attorney Clapp asked Mr. Allard to review the chronological listing of events, which Mr. Allard said were correct. Mr. Allard further stated he had responded to all calls and taken training courses at the fire academy which he completed, and a listing was given to the Board.

The Board and Town Counsel had no questions for Mr. Allard.

Alyssa D'Innocenzo was called by Attorney Clapp to confirm some of the information contained in Mr. Allard's grievance. Robert Johnson was called by Attorney Clapp to also confirm some of the information contained in Mr. Allard's statement.

Chief Vinton came forward to read his statement (copy attached) noting that because Mr. Allard was no longer a resident of Medway, the bringing of alcohol into the Fire Station, and not returning the Town's equipment (insubordination), he had recommended Mr. Allard's dismissal.

The Board had no questions for Chief Vinton.

Mr. Henry asked why excise taxes were not paid, and Attorney Clapp surmised they still had the address for N. Attleborough - he wasn't sure. Mr. Downing commented he was concerned that if Mr. Allard could make an

immature decision to change his address, then what type of decisions would he make under an emergency situation. Attorney Clapp then wanted to ask some questions of Chief Vinton, but Mr. Henry said it was not in their purview for him to do so. Attorney Clapp did say that some of the Chief's comments were not referenced in the original letter; they were new allegations and Mr. Allard should have a hearing only on the contents of the letter. He also felt that people could have more than one residence, that Mr. Allard was not interested in back payments withheld, but just wanted to be a firefighter and EMT.

Mr. Henry stated they have 14 days from today to render a decision. Mr. Downing moved to take the facts as presented under advisement and make a decision on July 1st at 7:30 p.m.; Mr. Brodeur seconded; all aye. Mr. Downing moved the hearing be closed; Mr. Brodeur seconded; all aye.

9:05 - Committee Reports - Selectmen.

- Mr. Downing said they met with the Holliston Board of Selectmen last Thursday and will again on June 27th at CRPCD. He said they received the preliminary study from the engineers and forwarded it to the Water/Sewer Commissioners for their review. More on this later.

- Mr. Downing said he went to the hearing on the zoning by-law revisions.

- Mr. Downing noted he would be attending the Norfolk County Advisory Meeting on June 19th.

- Mr. Henry noted to the viewing audience the map of Holliston indicating where the proposed pumping line would be to go through Medway. He stated that the Board would need to allow Holliston to go through Medway and to look at the system laterals which are under the jurisdiction of the Water/Sewer Commissioners. It was noted that modifications to the CRPCD plant would be planned for the future.

Gardner Rice stopped in at this point and expressed his annoyance that the Board was putting the cart before the horse. He stated that he was told the Water/Sewer Board would be told of upcoming meetings and just found out about the meeting on June 27th this evening. He felt that they were the ones with the expertise and yet discussion has already begun without them. Mr. Downing thought that there may have been a breakdown in communication because he had told Holliston last

Thursday nothing would happen unless the Water/Sewer Board and the CRPCD Commissioners buy into the plan. He said he had told their Secretary that the meeting was on the 27th and more info would be coming from Mr. Henry. Mr. Henry said that the District called the meeting with both Boards of Selectmen and then jointly set up the 27th. He stated that they have not committed Medway to anything; all Holliston wanted was a vote of the Board to allow them to pass through Medway to get to the District. Mr. Rice said he didn't see anything to benefit Medway from this, and recommended they don't proceed too far too quickly. Mr. Brodeur reminded all that Western & Sampson was working for Holliston, not Medway. Mr. Henry said they would continue to bring back information and let the Water/Sewer Board know the status. Mr. Downing added no commitment will be made on the 27th other than to allow them to come through Medway.

9:40 - The Board understood that Mary Lou Navin has agreed to be the FinCom's rep to the Municipal Facilities Study Committee.

- <u>Action Items - Administrative Assistant.</u>

- Mr. Brodeur stated he had met with Mr. and Mrs. McManus of 33 Coffee Street with respect to flooding in that area. He said they will do whatever is necessary to resolve the problem Mr. Brodeur will speak to Bob Power as well.

- Mr. Henry told the viewing audience not to call him about potholes. It was discovered that the patching material the Town was using was different than what we used to use and not working properly since it is water-based. We would be going back to hot patch.

- Mrs. Allen brought up the ACO agreement but noted that Town Counsel had not signed it yet, and preferred to sign it after he had.

- Mrs. Allen brought up the request of Mrs. Flaherty of 18 Sunset Drive to be reimbursed for damage done to her car. The Board had noted the comments of Bob Power, and Mr. Downing moved to deny her request; Mr. Brodeur seconded; all aye.

- Mrs. Allen brought up the request of Mr. Dolloff of 230 Village Street to be reimbursed for damage done to his fence with snow from the snow blower. The Board felt it was conceivable, but seemed set back too far for the damage to have been done by the sidewalk plow. Mr.

Downing moved to deny his request; Mr. Brodeur seconded; all aye.

- The Board started discussed two of the articles on the Special Town Meeting warrant since members of the School Department were present.

  They first discussed article 10 which is the request for technology equipment. Dr. Bettencourt stated that the CIPC had met and agreed they would support the hardware portion only understanding that it had not been planned originally, but at least it would upgrade the hardware for the students immediately. A contingency had been placed on their support in that a comprehensive plan would be submitted to them by the end of December. Mr. Brodeur noted that the FinCom had not come up with a recommendation yet. Dr. Bettencourt also noted that Ed Hjerpe had questioned the balance in their account being that it could possibly cover this expense; however, the funds left are to cover the balloon payment of teachers' salaries at the end of the fiscal year.

  The Board discussed article 11 which is the request to tie the school into Town sewer. Mr. Henry felt it really should have been co-sponsored with the Water/Sewer Commissioners and the School. Mr. Brodeur asked if the Water/Sewer Board had been asked to handle this project, and it was not known, therefore, Dr. Bettencourt would contact Mark Flaherty and talk to him and see if the Commissioners would want to meet with the School Department. Mr. Brodeur moved to endorse the article; Mr. Downing seconded; all aye.

- Mrs. Allen brought up the letter from the Zoning Board requesting an increase in their filing fees. Mr. Brodeur moved to approve the increase in the ZBA's filing fee from $100 to $125 effective July 1st; Mr. Downing seconded; all aye.

- Mrs. Allen brought up Ellis Farms and that no interest is shown to purchase the property by Town officials, including Planning Board, Assessors, and Conservation Commission. Mr. Brodeur moved to sign the release to exercise the Board's right of first refusal option after receiving the above-noted Boards' letters; Mr. Downing seconded; all aye.

- The Board noted the revised preliminary plan of Cutler Wilson Lane, but also noted that the lots don't meet zoning requirements. Mr. Downing moved that Mrs. Allen send a letter to the Planning Board advising them that the lots as shown do not meet zoning (area and

- Mr. Henry said he had heard the Board of Assessors had voted to close their office on Fridays at 1 p.m., and he had told the Assistant Assessor Paul Keefe that it was the subject of negotiations so it could not be done, at least for the members of the bargaining units.

  Mr. Downing thought they could not close the office either, but he said they can't demand what other elected boards can or cannot do, and other elected boards might take similar action. He suggested they let it take its course.

- Mrs. Allen gave the Board a request from the Town Accountant to carry over five additional days more than she would be allowed to carry over under the present personnel policies. Mr. Henry said they have a Memo of Understanding (MOU) with Mrs. Mehta and should take her request under advisement, with Mr. Downing asking for more information as to why this request was being asked.

- Mr. Henry also noted he did not like making decisions on documentation just given to them that evening.

- Mrs. Allen told the Board of the Medway Municipal Employee Association's (MMEA) request for future negotiating dates. The Board agreed on Wednesdays at the Police Station at 7:30 p.m. on July 10th, 17th and 24th. Mrs. Allen will write a letter to the President so informing her. A list is also required to be sent to the Police Department informing them of who would be coming to the negotiations.

- Mr. Brodeur abstained from this conversation. Mr. Downing suggested a letter be drafted for joint signature to the Holliston Board of Selectmen advising them that the Medway Board of Selectmen had voted to officially approve Holliston's access through Medway. Mr. Henry moved to authorize, in draft form for Town Counsel's review, that the Town of Holliston be allowed to access the Town of Medway for the purpose of putting sewer drain pipes in place subject to the conclusion of successful negotiation, and pending approval of the voters at Town Meeting; Mr. Downing seconded; Mr. Brodeur abstained.

11:15- Resident Jeff Zinchuk of Fuller Brook Lane was still present at this late hour to ask the Board what their position was on Center Street, which Mr. Henry elaborated on. He further asked what the Board's position was on the railroad bed, to which Mr. Downing said they were on record that they would like to see a lineal path and to seek any grants with Millis. Mr.

Zinchuk asked the Board if they were aware of the restrictions of no transportation, electrical or communications are permitted along that corridor. The Board had not seen that restriction, and he was asked if he could get a copy of that documentation for the Board. Mr. Henry stated the lawsuit was not in the court anymore, but Mr. Zinchuk seemed to think the case was still open because as of last week, it was still pending and still in the courts. He also seemed to think that the Penn Central never owed the land, and he was told there was no title insurance back then.

11:25p.m.-Mr. Brodeur moved to adjourn to executive session for the purpose of discussing strategy as it relates to union and non-union personnel, and pending litigation, not to return to open session; Mr. Downing seconded; all aye. The vote: Mr. Brodeur - yes; Mr. Downing - yes; Mr. Henry - yes. The Administrative was asked to stay; the Secretary was not.

Respectfully submitted,

MJF

Mary Jean Fredette
Secretary
mj
attachments

Approved 7/1/96

STEPHEN D. CLAPP
PETER F. MURPHY

CLAPP & MURPHY
COUNSELLORS AT LAW
12 CHURCH STREET
NORTH ATTLEBOROUGH, MA 02760-1625

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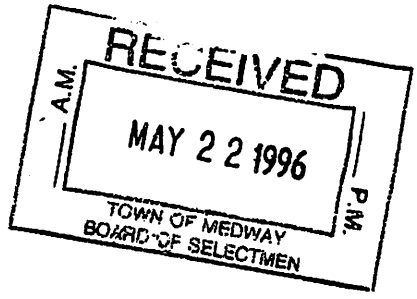
OF COUNSEL
(508) 695-3533

(508) 695-3554
FAX (508) 695-2523

May 22, 1996



Hand Delivered

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

Dear Members of the Board of Selectmen:

I represent Ronald Allard concerning his grievance under Town of Medway Personnel Policies Section 24-2, filed with his appointing Authority (Fire Chief) on March 21, 1996.

A copy of that grievance is enclosed. On May 15, 1996, Mr. Allard received a copy of the Fire Chief's decision on the grievance. A copy of the decision is also enclosed.

Ronald Allard, not being satisfied with the decision of the Fire Chief, hereby applies to the Medway Board of Selectmen for a hearing and determination of his grievance under the provisions of Step 3 of Section 24-4.

Please notify me of the date, time and place of the required hearing at your earliest convenience.

Very truly yours,

Stephen D. Clapp

Stephen D. Clapp

SDC/lmb
Enclosures

cc: Bd of S - 5/23/96
Fire Chief
Town Counsel

Grievance of Ronald Allard Concerning
Discharge From Medway Fire Department

In September, 1994, I applied for employment by Medway Fire and Medway EMS. I was hired on Medway Fire in October, 1994. Shortly thereafter I inquired about a position on Medway EMS. At that time, Medway EMS was a part of the police department, but I was told that it was being combined with Medway Fire, and that I would have to speak to Chief Vinton. When I spoke to Chief Vinton, he stated that I would not have to apply for the position again, but any new hires would be a few months away.

In July, 1995, I became aware of two openings on Medway EMS. When I inquired about the position at this time Chief Vinton stated I would be on EMS soon, but I would have to wait until the transition period was complete. Over the next few months, I spoke to Chief Vinton several times about the position, and each time, he simply stated that he hadn't heard anything yet concerning the EMS budget.

In December, 1995, Chief Vinton assigned two brand new EMTs to Medway Fire EMS, both of which were fellow Medway Firefighters and had less EMS experience than I had. Within a few days of hiring these new EMTs, Chief Vinton approached me and notified me that I would be on Medway EMS within two weeks. He stated that he was waiting on the arrival of a pager and equipment that he had ordered for me.

After a few weeks of hearing nothing concerning the position, I made an inquiry to my superior officers, Lt. Stephen Redings and Captain Harry Lynch. I explained to them after

several months of attempting to become a member of Medway EMS and being told repeatedly that I would soon hold a position, I received no action. Instead, Chief Vinton appointed two new EMTs ahead of me. I also explained to them I have been a full time EMT with Chaulk Ambulance for three years, and I have a very flexible schedule. I only work two full days with Chaulk Ambulance which would leave me available for Medway the rest of the week. Upon hearing these facts, Cap. Harry Lynch sated that he couldn't understand why I hadn't been appointed especially due to my availability during weekday morning hours. He explained to me that he would notify the Chief concerning this issue.

A few days later, Chief Vinton met with me and gave me an EMS schedule dated 12/11 to 12/17 to examine. He asked me to look it over, figure out my availability and that he would get back to me. The entire month of January went by, and I still had not been notified. While at the fire station, I asked the Chief about the progress of my EMS position. He stated that he was now awaiting approval of the budget before he would appoint me. In February, I contacted Cap. Lynch concerning the non-progress of my EMS position. He offered to discuss the issue with the Chief.

On March 1, 1996, I was told by Chief Victon that I was being discharged from the fire department due to the town by law (Article 3.2) stating that you must be a resident of Medway to be a member of the fire department. He drew the conclusion that I was no longer a resident of Medway because my driver's license and voter registration had been changed from Medway to North Attleborough on February 15, 1996.

I grew up in North Attleborough where I lived with my parents at 59 Westside Avenue until August of 1993. In August of 1993, my fiancé Alyssa D'Innocenzo and I had saved

enough money to establish a home together. Our first apartment was at 207 South Street, Plainville, Massachusetts. We lived there for one year and then in September 1994, we moved to 1 Kadin Lane, Medway. The property at 1 Kadin Lane is owned by my fiancé's parents. My fiancé and I have rented the property at l Kadin Lane from her parents continuously since September, 1994. I continue to reside at this address today.

On February 15, 1996, my fiancé and I had a lover's spat concerning household economics. On that day, I took some, but not all of my clothing and none of my furniture, sports equipment or tools, and went to stay with my parents in North Attleborough. That day, I was rather upset with my fiancé and on an impulse, I stopped into the Registry of Motor Vehicles office at Emerald Square Mall and filed a change of address on my driver's license from l Kadin Lane to my parents' address. I later found out that this automatically changed my voter registration to North Attleborough. Within the week, my fiancé and I began working to patch up our differences. On February 25, 1996, I came home to 1 Kadin Lane, Medway. Before I could rechange my driver's license address to l Kadin Lane, Fire Chief Vinton approached me about the residence issue.

I assured the chief that my only home was at l Kadin Lane. I explained about my short stay with my parents in North Attleborough, and I told him I would correct the address on my driver's license that day. The Chief stated that it was too late and that I was discharged.

On March 9, 1996, I had my driver's license address changed back to l Kadin Lane, Medway. *Since September, 1994, I have always considered l Kadin Lane, Medway as my home and residence. On February 15th when, out of anger at my fiancé, I changed my driver's license address to my parents' home in North Attleborough, I still considered l Kadin

Lane, Medway as my home and residence. Continuously since September, 1994, I have maintained 1 Kadin Lane as my mailing address for my VISA card, my Home depot card, my bank statements, my pay checks, my W-2 forms, and my income taxes. Continuously since September, 1994, my cherished tools have remained in my garage workshop at 1 Kadin Lane, Medway, Massachusetts. I have kept my prized football and hockey autograph collection at 1 Kadin Lane, Medway continuously since September, 1994. I have always been a resident of Medway since September 1994.

I believe that the Chief's reasons for discharging me are erroneous. I wish to be reinstated to my position on the Medway Fire Department and to be appointed to the Medway EMS as an EMT.

Signed under the penalties of perjury this 21st day of March, 1996.

Ronald M. Allard

Ronald Allard

MEDWAY FIRE DEPARTMENT
165 VILLAGE STREET
MEDWAY, MASSACHUSETTS 02053
(508)533-3813 • FAX: (508)533-3201

APRIL 19, 1996

Mr. Ronald Allard
54 Westside Ave
North Attleboro, MA 02760

Dear Ron,

As the appointing authority for the Medway Fire Department, this letter is in response to your letter dated March 21, 1996. Section 3.2 of Article III, of the General BY-LAWS of the Town of Medway, states that members of the department "shall be residents of the town".

On the date of your discharge you did not meet this requirement. Therefor, my action as appointing authority can not be grieved.

For the Department

Wayne M. Vinton
Chief

Ron Allard was appointed to the Medway Fire Department in October 1994.

In May of 1995 I was approached by Chief Harrop of the Plainville Fire Department who asked if Ron Allard was a member of my department. Chief Harrop stated that Ron Allard was still responding to calls in Plainville and asked me to request him to return the equipment which belonged to the town of Plainville. When I asked Ron Allard if this was the case he informed me that it was not. I informed Ron Allard that Chief Harrop wanted his equipment returned. Ron Allard then said that there must be some mistake and would take care of the misunderstanding.

In June of 1995 I was again informed by Chief Harrop that Ron Allard had not returned the equipment and that he may have to take out a complaint to get his equipment back. When asked about this again, Ron Allard denied that he still had Plainville's equipment and that he had responded to calls in Plainville from Medway.

During 1995 the registry of motor vehicles required renewal of all red light permits. When the approved permits were returned to the department, Ron Allard's permit was rejected due to an incorrect address. The address was in North Attleboro. I then asked Ron Allard to correct the problem and resubmit the permit for approval by the registry. This was done and the permit was received shortly thereafter.

On several occasions Ron Allard has asked to be appointed as an EMT. I informed him that openings were not available and that he would be considered when an opening occurred. On another occasion he again asked to be appointed as an EMT and I informed him that I was involved in the budget process and did not have any openings at the present time. Evidently this was not acceptable to him because he contacted Captain Lynch and complained that I was not treating him fairly.

In January 1996 Officer MacDougall noticed that Ron Allard had two different number plates on his vehicle. Officer MacDougall checked both plate numbers through the Police Department and found that one was inactive and the other came back as a swap. A swap means that information had recently been changed and the system had not been updated.

On the morning of February 26, 1996, Lt. Vinton informed me that firefighter David Cooper had approach him and reported that on the afternoon of Sunday February 18, 1996 he was at

Station One and observed Ron Allard entering the station with two friends to play a game of pool. He also reported that they brought beer with them. While leaving the station on that same morning, Firefighter Cooper reported the same incident to me and verified Ron Allard and two friends did in fact have beer in the station.
With the several incidents mentioned above, most especially the registrations and the red light permit, I made inquiries as to Ron Allard's status at the Assessors' office as well as the Town Clerk's office. The Assessors' office shows no record of Ron Allard's vehicle being registered in the town of Medway for the last three years, indicated by no excise tax being paid. When I asked about his status at the Town Clerk's office I was informed that she had received notice from the town of North Attleboro that he had recently changed his voter registration and resident listing to 59 Westside Ave., North Attleboro. The Town Clerk gave me a copy of the notice received from the Town of North Attleboro indicating this action was taken on February 15, 1996.

I then requested the Police/Fire dispatch to check the status of Ron Allard's vehicle and license which came back to the same North Attleboro address.

On Friday March 1, 1996 I met with Ron Allard in my office concerning this matter and he denied that he had changed his address and there must be a mistake. When I produced the copy of the VRIS computer report, and asked him to produce his registration and driver's license he started to explain that it is difficult to get appointed to a fire department unless you had a local address. I informed him that he could no longer serve as a member of the Medway Fire Department for the same reason. The Town of Medway Bylaw governing the Fire Department clearly states that members shall be residents of the town. I then asked Ron Allard to return the equipment which belongs to the town and he informed me that he did not have the equipment with him and would go and get it. Ron Allard then left my office.

Several issues in the above report are just cause for dismissal:

First and foremost is the requirement that members of the department shall be residents of the town. Ron Allard's actions of changing his voter registration and resident listing for whatever reason indicates that he does not consider himself a resident of Medway.

Second, alcoholic beverages are not allowed on or about town property.

Third, Ron Allard has not returned the equipment which belongs to the fire department after a direct order to turn it in.

It is therefor my recommendation that Ron Allard be dismissed from the Medway Fire Department because of non residence, drinking alcoholic beverages on town property, and insubordination.

BOARD OF SELECTMEN

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

REVISED AGENDA

June 10, 1996

7:00 p.m.	Open meeting. Sign warrants.
7:05	Treasurer/Collector, Marge Sanford, Sign note for Idylbrook Land
	Committee Reports
7:20	Robert Dubovsky, regarding railroad bed at Holliston Street/Lovers Lane
8:00	John Cicciu, discuss Emergency Planning
	Action Items
	Executive Session, Strategy

BOARD OF SELECTMEN

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AGENDA

June 10, 1996

7:00 p.m.	Open meeting, approve minutes of the 6/3/96 meeting. Sign warrants.
	Committee Reports
7:20	Robert Dubovsky, regarding railroad bed at Holliston Street/Lovers Lane
8:00	John Cicciu, discuss Emergency Planning
	Action Items
	Executive Session, Strategy

ACTION ITEMS FOR SELECTMEN'S MEETING JUNE 10, 1996

1. Update from Selectman Brodeur regarding flooding on Coffee Street.

2. MMA action items of May 30th release.

3. Sign notification to Town Accountant of changes to Library employees Buday and Cyr.

4. Acknowledge and discuss letter from Town of Mansfield's Town Manager regarding Ed Reform Act.

5. Continuation of discussion of Town Accountant's memo on Fire Chief's salary.

6. Any interest in MMMA meeting.

7. Discuss SWAP letter (MOA most recently signed 12/94).

8. Discuss Mass Highway project request for Route 109.

9. Any concerns with Planning Board preliminary plan for Cunningham's Way.

10. Discuss of PWED draft resolution.

11. Discuss Bay State Gas street opening permit for Main St.

12. Acknowledge Ms. Bosse's letter.

13. Approve auto amusement license for Corner Pizza.

14. Sign intermunicipal agreement for ACO.

15. Approve Zoning Enforcement Officer's request to confer with Town Counsel.

16. Acknowledge Medway Housing Authority's letter.

Present: Lee Henry, Doug Downing, Jim Brodeur, Administrative Assistant Ruth Allen.

7:05 p.m.-Mr. Henry called the meeting to order in the Selectmen's Meeting Room 2 of Town Hall. Five warrants were signed totalling $534,865.29.

- Treasurer/Collector Marge Sanford came before the Board to have several notes for Idylbrook signed by the Clerk of the Board. Mr. Brodeur moved that the Board approve the $3.7 million 4.0% note dated 6/14/96 and payable 6/13/97 to Bay Bank for $9,840.87; Mr. Downing seconded; all aye. Mr. Brodeur further moved to confirm the financial advisor's consent of 6/6/96 and bidding and certifying of votes; Mr. Downing seconded; all aye. Mrs. Sanford also noted that the percentage was reduced from 4% to 3.733%.

7:20 - Robert Dubovsky and Ed Reardon came before the Board to discuss the railroad bed research they had done. He said he had given copies to Richard Maciolek, not knowing they were not distributed to the Board. Mr. Dubovsky expressed annoyance that he has never been approached by Mr. Maciolek for further discussion of the work done, and felt he should be working for the Town's best interest. Mr. Dubovsky pursued his questioning of the Board wondering why everything is in limbo since Mr. Maciolek needs the Board's direction as monies have been paid out for the acquisition and there are so many ways to go.

Mr. Downing said he read everything and felt it was enlightening, but asked what they hoped to attain. Mr. Dubovsky said they were trying to save some of the costs associated with the new school by providing a better access road, better use of town funds, and the perfect solution of alleviating traffic problems around Legion Avenue.

Mr. Brodeur said he was well aware of the railroad bed issue and stated if the Town takes the right of way from Millis to Bellingham, the minimum width is 82-1/2 feet. He did not know legally where the Town stood, but someone should be determining how to get off first base.

Mr. Henry said he appreciated their efforts, but Town Counsel was appointed and worked for this Board, with the responsibility being to advise, consult and give rulings to the Board's requests. This Board, in turn, reports to the voters and this issue was discussed at Town Meeting. Mr. Henry said different opinions from the community are needed, and it did not go forward

because the majority of the voters did not want it to be pursued as it stands now.

Mr. Aulenbach said the previous Board had given Mr. Reardon and Mr. Dubovsky permission to move forward; however, Mr. Henry stated he was a part of that Board and knew what they were allowed to pursue. Mr. Aulenbach still went on to note his concerns about safety.

Mr. Downing noted he would be remiss if he didn't mention that the Conservation Commission wants to talk to Millis and see if there are any grants available for bikeways/lineal paths.

Mr. Aulenbach pursued his questioning wondering when the Town was going to get clear title to the railroad bed since Mr. Henry had stated that the land court has bounced the issue back to local control. Mr. Henry felt the Town's position is that we have title; others are in dispute of it.

Mr. Brodeur commented that the Town voted to purchase the railroad bed, and we did so; don't we have the right to improve it? Should the Town initiate to improve the entire railroad bed and clear the brush to the minimum width of 82-1/2 feet? Should we direct Highway to clear it at least 50 feet wide and force the issue?

Mr. Downing said he liked the idea but was not sure if it was judicious use of resources to take those 82-1/2 feet. Mr. Downing said he would like to walk it, and Mr. Brodeur agreed as well.

Mr. Henry spoke about the limited use of a work force, and that we would need to go out to bid on such a big project. Mr. Downing felt we could utilize Town employees and encourage the Conservation Commission to go for grants.

Mr. Brodeur then suggested just clearing to a 20 foot width minimum and create a corridor from the Millis town line to the Police Station. Mr. Henry felt that as part of project planning, they would have to look at safety, traffic and the railroad bed crossings. Would we be creating a bikeway, walkway or an attractive nuisance? Is this an available project we want to get involved in?

Mr. Dubovsky felt that there was summer help available, convicts, or the youth, and that cutting and leveling was better than nothing. He stated that the Town had originally acquisitioned the land and they should

enforce that acquisition. Mr. Reardon added that the base of the railroad bed could be left alone, but we could improve along the sides of it.

Mr. Henry said the Board needed to discuss this further, and would review the documentation again. He said they would respond to them in writing in a week or two after talking to others with historical experience. Mr. Henry also told the viewing audience that a copy of that documentation was in the Selectmen's Office if anyone wanted to review it.

Mr. Petnov suggested a copy of the documentation be forwarded to Fran Donovan as the Town's Historian.

8:20 - Civil Defense Director John Cicciu came before the Board at the Board's request. Mr. Henry said he wanted to do an emergency management exercise in Medway some time between now and October in case of a natural disaster and we were isolated for several days, we were all aware of what had to be done. Mr. Cicciu also noted it would be good to know what we would do if we could not depend on mutual aid for 3-5 days and we were on our own. Mr. Henry also wanted to know the chain of command if none of the Selectmen were available. Mr. Brodeur added it would be good to have a system or method to get a general alarm called to reach nurses at home if needed, as well as a list of qualified first responders.

Mr. Downing suggested Mr. Cicciu write a memo at the Board's direction to the Highway, Police, Fire, Police/ Fire Communications asking them to forward a copy of their emergency plan to him. Mr. Cicciu said it would be good to know who is on wells, with Mr. Brodeur adding those on generators as well. Mr. Downing added that the command post should be relocated from the Town Hall to the Police Station. Mrs. Allen stated that Boston Edison relocated to the Police Station for that very reason. Mr. Downing said that a disaster preparedness file should be available if the main contact is not around. Mr. Cicciu stated that a file of maps should be available at the Police Station to show such features as gas mains, etc.

Mr. Downing said that, during the last winter storm, he (Mrs. Rozanski was not available), Chief Vinton, Mr. Cicciu and the bus coordinator did get together to discuss the situation. Mr. Cicciu did say that the State has package plans available if needed.

8:35 - **Committee Reports - Selectmen.**

- Mr. Downing brought up the change order for the new school. He said he had reviewed it and would like the Board to sign it as presented. Mr. Brodeur moved to authorize the Chairman to sign change order #001 for $28,085; Mr. Downing seconded; all aye. Mr. Downing commended the work of the Clerk of the Works noting they were about three weeks behind schedule, primarily due to the weather. He stated that the so-called fill that remains is not fill, but excess material.

- Mr. Downing said he and Mr. Henry went to the open house at CRPCD with no commitment made on the Town's part. He indicated that they welcomed Holliston, but it would not be the Town's design; we would be endorsing what the District puts forth. A joint meeting will be held at the regular monthly scheduled meeting on June 13th, to which the other towns are invited. Mr. Brodeur said he did not attend the open house, and will not be going to the meeting on the 13th due to potential conflict of interest. The Board stated that no decision will be reached at this meeting about Holliston coming on board.

8:50 - Mr. Brodeur stated that the IDC had a public hearing on Saturday at the Library. Some residents had concerns about the existing traffic and trucks going southerly to Trotter Drive, as well as employee traffic cutting through Granite Street and Fox Run Road to get to work. Mr. Brodeur said he did not see any speed limit signs on Alder Street. For future reference, if you double the amount of employees, you double the amount of traffic and then you double the problems. Mr. Brodeur suggested placing a "no left turn ahead for trucks" going north on West Street before getting to Alder Street, and taking down the "no thru way" sign eliminating the dead end.

Mr. Brodeur felt there were no objections to the commercial/industrial properties. He felt the Board could sign the resolution, but be aware of the "doubling" problem.

9:00 - Mr. Henry told the Board he heard that Chris Lorenzen of Medway was going to be one of those carrying the Olympic torch, and the whole Board extended their heartiest congratulations to her on that honor.

- Mr. Henry said he went to the ZBA hearing last week and that they were trying to enforce the '91 site plan.

- Mr. Henry stated he, Cathy Chenard and Kathy Rehl met with Joe Motzkin of Prins Recycling in an effort to

stave off bankruptcy and asked the Town to forgive $8,000 owed and write a new contract. Mr. Henry told him that they needed a proposal in writing and the Board will probably ask Town Counsel to review it, as well as the Board of Health and the Millis Consortium. Mr. Downing recommended not taking any action until the Consortium gives their opinion. Mr. Henry also wanted to know what the impact would be from the FinCom and the Town Accountant. Mrs. Allen also suggested getting feedback from Kathy Rehl.

- Mr. Henry said he was meeting with Chicken Brook Realty on the 18th; tomorrow night with the Planning Board at 8:30 for the public hearing; and with the FinCom on the 12th. Mr. Downing voiced his concern and had a problem with the School Committee's meeting as well on the 12th. He cited professional fairness in that they have chosen to place the CIPC and FinCom on their agenda when the FinCom already had a meeting posted. Mr. Downing said he could go to the School Committee meeting, and Mr. Henry said he would go to the FinCom meeting. Mr. Henry added that it was the Board's purview to place articles on the warrant, and to endorse them if they so choose. He suggested putting the entire warrant on next week's agenda for review and comments.

- Mr. Henry brought up the two bank buildings next door and Mr. Downing suggested involving those members of the Municipal Facilities Study Committee they've appointed into the picture. This prompted a letter from the School Committee to be brought up wherein Leeanne Dixon has agreed to be on the committee. Mr. Downing moved that Leeanne Dixon be appointed to the Municipal Facilities Study Committee through 6/1/97; Mr. Brodeur seconded; all aye.

- Mr. Henry noted that the exit conference has been scheduled for June 26th at 7:00 p.m. in the bandroom.

- Mr. Henry noted the negotiations set up for June 19th at the Police Station, with Mr. Downing not being able to participate due to a previous engagement.

- Mr. Henry noted that the meeting with Ron Allard was set up for June 17th at 8:00 p.m.

- <u>Action Items - Administrative Assistant</u>

- With reference to Coffee Street flooding in the vicinity of Mr. McManus, Mr. Brodeur said he will be getting together with Bob Power to look at this area, as well as other problem areas in town, such as Hill Street.

- Mr. Henry brought up a memo written by the ConCom to the Town Accountant noting that filing fees were not being deposited into the Wetlands Protection Fund. The Town Accountant, in turn, wrote to Mrs. Mawn, and Mr. Henry asked Mrs. Allen to see if Mrs. Mawn's questions were answered.

- Mrs. Allen gave the Board notification of change in status on two employees to sign. Mr. Brodeur moved to approve the change in status of Eileen Cyr from full time (21 hrs.) to part time (10 hrs.) effective June 30th; Mr. Downing seconded; all aye. Mr. Brodeur moved to approve the change in status of Katherine Buday from part time to full time (24 hrs.) effective June 30th; Mr. Downing seconded; all aye.

- Mrs. Allen brought up a letter sent to the Board by the Town Manager of Mansfield noting Medway's increased school growth, and recommended we pursue more funding from the State. Mr. Downing felt we should always go after extra monies when available and said we should show our support. Mr. Downing moved we send letters to Sen. Magnani and Rep. Gardner requesting Medway be included in any extra funding available from the State; Mr. Brodeur seconded; all aye. Mr. Henry asked that Mrs. Allen draft the letter for the Board's signatures, with a copy to the Foundation Budget Review Commission, School Administration, and Mansfield's Town Manager.

- With reference to further discussion on the Town Accountant's memo concerning the Fire Chief's salary, Mr. Henry said it looked as if funding was not appropriated for 40 hours vs the 35 hours. He suggested the Board take this under advisement and re-visit it again, with Mr. Downing adding maybe Chief Vinton should come in to meet with the Board.

- Mrs. Allen brought up the memo from SWAP's Chairman Raphaela Rozanski. The Board took the letter under advisement, and its appointment will placed on the list with other appointments. This prompted them to set up a date to discuss only appointments which will be Saturday, June 22nd at 8 a.m.

- The Board discussed Mass Highway's Peter Donahue's letter noting our request to continue the Route 109 project to Papa Gino's has been deferred to a later time. Mrs. Allen was asked to check and see if that area is on the list for crosswalk signs. Mr. Donahue's letter was asked to be available as a future reminder.

- The Board reviewed the preliminary plan on Cunningham's

Way from the Planning Board, and did not provide any comments since it is a private way. Insofar as the Town's By-law on road access was concerned, it was noted that we have not heard from the Attorney General yet. Mr. Henry also asked Mrs. Allen to contact Joe Giovanazzo from GCG Associates to get an update on the Cottage Street drainage project.

- Mrs. Allen brought up the PWED resolution submitted by Gino Carlucci of PGC Associates for Alder Street. Mr. Brodeur said he had read the draft copy and saw no problem. Mr. Downing moved that the Board sign the resolution; Mr. Brodeur seconded; all aye.

- The Board discussed the Bay State Gas street opening permit for new gas service near 20 Main Street. Mrs. Allen noted this area had just been resurfaced last summer. Mr. Brodeur moved to approve the permit, but to highlight the area where the street has to be repaved berm to berm or feathered into the patch 50 feet in either direction if opened within five years; Mr. Downing seconded; all aye.

- The Board noted the letter received from Lily Bosse of Village Street who was requesting a tree near her property be trimmed. Mrs. Allen said Mr. Dolloff went to look at the tree and agreed that Tripp will take out one dead limb, but he did not see any infestion. Mrs. Allen will so advise Ms. Bosse.

- Mr. Brodeur moved the Board sign the automatic amusement license for one counter-type game machine at Corner Pizza through December 31, 1996; Mr. Downing seconded; all aye.

- The Board noted receipt of the Animal Control Officer's intermunicipal agreement with Millis, and asked that it be placed on next week's agenda for discussion and signing after Town Counsel has had time to review it.

- Mrs. Allen brought up the request of Bob Speroni, Zoning Enforcement Officer, to confer with Town Counsel on a zoning enforcement matter. Mr. Brodeur asked that he be more specific on future requests. Mr. Downing moved that Mr. Speroni be authorized to utilize the services of Town Counsel as outlined in his memo of June 7th; Mr. Brodeur seconded; all aye.

- The Board noted receipt of a letter from Helen Luccio of the Housing Authority indicating they were planning to submit an application to the Federal Government for funds to upgrade Mahan Circle/Maple Lane. They

requested a letter of support from the Board in this process. Mr. Brodeur moved to authorize the Chairman to sign the Housing Authority's letter of support of the comprehensive plan as drafted by Mrs. Allen; Mr. Downing seconded; all aye.

10:20- Mrs. Allen brought up the position of Highway Supt. as discussed with a rep from MMA. He stated they could advertise on local net, but he needed a job description, contact person and salary range. Mr. Brodeur suggested modifying the Acting Highway Supt.'s job description, but would review both further.

- Mrs. Allen stated she had spoken with Town Counsel, and there was no problem with Mike Fasolino, a call firefighter, working on the Town Hall as he was a special municipal employee.

- Mrs. Allen brought up a claim notice from the insurance company for work done by Boston Edison on cables at the High School. It was noted that the money needs to come out of stabilization for insurance reimbursement. The Board asked that a copy of the sample settlement letter be sent to Town Counsel for his review, and to give Mrs. Allen his recommendation.

- Mrs. Allen asked the Board to note Town Counsel's letter indicating he had already exceeded his budget and would be looking for additional funds. She mentioned that there is already an article on the Special Town Meeting for Law. Mr. Downing remarked that this also reflects part-time management.

- The Board acknowledged receipt of a letter from a resident who had some car damage while driving on Sunset Drive. Mr. Henry asked Mrs. Allen to acknowledge its receipt and the Board would discuss it at a future time.

- Mrs. Allen noted receipt of a fax from Bob Brothers requesting a copy of an April 23rd letter from Western Surety Company denying a claim for the Town's former Treasurers that the press referred to. Mr. Henry said he couldn't get the letter from the Board as it still executive session material and under litigation and not available. Mr. Downing noted that the Board did discuss the letter in executive session; Mr. Henry said it was with Town Counsel; and Mr. Brodeur added this was prior to his being Selectman. Mr. Downing said if details were released, it was done without his knowledge, and where the information came from, he didn't know.

- Mrs. Allen brought up a quote received for storm damage to a resident's fence rails. The Board same they would review it again next week.

- Mrs. Allen brought up Ellis Farms again, and that the 120 days is up on July 16th. The Board said they need all the responses, and to send reminders to those who have not sent the Board a letter. Also, Mr. Downing wanted to ask the ConCom if the strawberry issue had been resolved at Idylbrook.

- The Board acknowledged receipt of the resignation of Maryjane White from the Street Naming Committee.

10:40- Mr. Brodeur moved to adjourn to executive session for the purpose of discussing strategy as it relates to union and non-union personnel, and potential litigation, not to return to open session; Mr. Downing seconded; all aye. The vote: Mr. Brodeur - yes; Mr. Downing - yes; Mr. Henry - yes. The Administrative Assistant was asked to stay; the Secretary was not.

Respectfully submitted,

Mary Jean Fredette
Secretary
mj

approved 6/19/96

BOARD OF SELECTMEN

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

AGENDA

June 3, 1996

7:00 p.m.	Open meeting, approve minutes of the 5/20/96 and 5/28/96 meetings. Sign warrants.
7:05	Robert Speroni, regarding replacing the Fire Escape door.
	Raphaela Rozanski, SWAP report
7:15	IDC - update on Grant Application
7:30	Timothy Choate, regarding condition of the end of Iroquis Street.
	Committee Reports
	Action Items
	Executive Session, Strategy

BOARD OF SELECTMEN

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

REVISED

ACTION ITEMS FOR SELECTMEN'S MEETING OF JUNE 3, 1996

1. Discuss liaison designations for Town Boards and committees.

2. Acknowledge letter from Medway Cooperative Bank regarding bank owned buildings.

3. Sign Application for Employer Assisted Education for Officer Watson.

4. Vote and sign proclamation for Foster Grant Day.

5. Discuss letter from Massachusetts State Lottery Commission on Keystone Liquors Keno License request.

6. Acknowledge letter from Richard Gildea, chairman of the Council on Aging.

7. Vote on Articles for June 24th Special Town Meeting.

8. Acknowledge letter from Michael McManus regarding flooding on Coffee Street.

9. Acknowledge letter from Arti on Fire Chief's Salary line item.

10. Discuss exit conference date for FY95 Audit.

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BOARD OF SELECTMEN

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

ACTION ITEMS FOR SELECTMEN'S MEETING OF JUNE 3, 1996

1. Discuss liaison designations for Town Boards and committees.

2. Acknowledge letter from Medway Cooperative Bank regarding bank owned buildings.

3. Sign Application for Employer Assisted Education for Officer Watson.

4. Vote and sign proclamation for Foster Grant Day.

5. Discuss letter from Massachusetts State Lottery Commission on Keystone Liquors Keno License request.

6. Acknowledge letter from Richard Gildea, chairman of the Council on Aging.

7. Vote on Articles for June 24th Special Town Meeting.

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Present: Lee Henry, Doug Downing, Jim Brodeur, Administrative Assistant Ruth Allen.

7:05 p.m.-Mr. Henry called the meeting to order in the Selectmen's Meeting Room 2 of Town Hall.

- Five warrants were signed totalling $411,499.86.

- Mr. Downing moved approval of the minutes of May 20th; Mr. Henry seconded; Mr. Brodeur abstained. On a follow-up, Mr. Brodeur stated copies of the groundwater map from DEP were reproduced by Tom Carson, and the Office had it distributed.

- Mr. Downing moved approval of the minutes of May 28th; Mr. Brodeur seconded; all aye. On a follow-up, Mr. Henry noted that a memo had been sent to the Water/Sewer Board and the Board of Health for the joint meeting.

7:07 - Inspector of Buildings Bob Speroni came before the Board to recommend a contractor for the replacement of the steel fire escape door and panic hardware at Town Hall. He stated that he had received two quotes, and solely on price, recommended awarding the contract to Fasolino Home Improvement for $465 over the Coakley Brothers quote of $475. It was noted the jam and casing were fine, the hardware was reusable, but a hydraulic closure was needed. Mr. Henry felt that the Town Hall maintenance account would cover the cost. Mr. Downing moved approval of the Inspector of Building's recommendation to enter into an agreement for $465 for the fire escape door subject to review by Town Counsel; Mr. Brodeur seconded; all aye.

A problem with footings for the fire escape was brought up, and Mr. Speroni stated that three footings need to be put in. He had already received a quote of $850 but will get two others. Mr. Brodeur moved to authorize the Chairman to enter into an agreement for $350 for footings subject to funding, the Inspector of Buildings' recommendation, and Town Counsel's review; Mr. Downing seconded; all aye.

Mr. Speroni spoke for a few moments about the cornices indicating he had spoken to Villenueva and would be meeting with them in the morning to discuss filling in of a hole that was not done, after which a final inspection could be done and final payment authorized.

Mr. Henry added that he would like to go out to bid for the windows for the second floor for which specs would be needed, and would ask Mr. Speroni for info on that.

7:20 - Raphaela Rozanski came before the Board to update them on SWAP (Southwest Advisory Planning Committee). She noted grants available through the Mass. Planning Organization and spoke about Gov. Weld's Planning for Growth, as well as zoning and land maps they are working on in a sub-regional basis. Mrs. Rozanski noted that Mary Ellen Lavenberg had been appointed by the Board to the Metropolitan Area Planning Council, of which SWAP is a part of.

7:35 - Members of the Industrial Development Commission (Paul DeSimone, Jim Mucci, Paul Mitchell) came before the Board to update them on the grant process for Alder Street/Trotter Drive. Others members Buddy Rabaioli and Fred Rossetti could not make it. Mary Ann Padien from Senator Magnani's office, and grant writer Gino Carlucci, were also in attendance.

Mr. DeSimone first spoke about the Town Hall renovations in the absence of Chairman Paul Wilson, and asked that Mr. Carlucci's contract for his work on the Town Hall be extended for three more months for $1,500 through September 30th. He also indicated that over the next three weeks, the following work remains to be done: plastering, doors to be hung, finish plumbing and electrical, ceilings, carpeting and front and rear entrances. They will go out to bid for the entrances, and the sidewalk on the side leading to the driveway next to the Church needs to be broken up maybe by Town forces to save money.

Mr. Henry noted the question had been brought up last week as to a design plan of what is being done. Mr. Mitchell said the recommendation had come from the Handicap Commission that one ramp should be eliminated and the other two made handicap accessible.

Mr. Brodeur moved to grant an extension to Gino Carlucci's contract from 6/30/96 to 9/30/96 for $500 per month for a total of $1,500 from the original contract of 1/18/95, and to authorize the Chairman to sign on the Board's behalf; Mr. Downing seconded; all aye. Mr. Brodeur again said he would like to see a plan of construction, and then maybe authorize Highway to assist them.

The Committee now focused on the IDC portion of their presentation. Mr. DeSimone stated they had to secure letters of support from the business and banking community for work on Alder Street and 600 ft. of Trotter Drive extension, (the 600 ft. is considered private, but is included in the grant). Cost estimate

is $800,000 excluding utilities and the water line already done for $110,000. Sewer is a separate step, but project is $978,000. He noted a public hearing has been set up at the library on June 8th, and they needed the Board to prepare a resolution to authorize the submittal of the application, which Mr. Carlucci will draft, with the possibility of designating the IDC to coordinate. Everything is according to the plan of 10/14/77 affecting only the industrial area to the Milford town line, and slope profiles and easements can't be changed. Submittal of the PWED grant needs to be made by the end of June according to Mr. Carlucci. Mr. DeSimone noted the Town may have to accept the 600 feet of Trotter Drive Extension before we receive money from the State.

Mr. Henry asked why they were pursuing the grant, to which Mr. DeSimone answered, to induce industry and stabilize the tax rate. He added that he didn't know if there were any funds that the Town would have to kick in but right now the Town was applying for a 100% grant.

Mr. DeSimone brought up the appointment of Raphaela Rozanski to the IDC. Mr. Mitchell said that the Committee has laid everything out, and the Board will get the credit for it, and now they wanted someone they can work with. Mr. Henry moved to appoint Mrs. Rozanski to the IDC through 1998; no second was heard; motion dismissed. Mr. Mitchell wanted a liaison to the IDC to come to their meetings to keep abreast of what is going on.

8:30 - Tim Choate of 7 Iroquois Street came before the Board to request some consideration to a portion of his street to be paved. He stated that the gravel road used to be paved a long time ago, but it has not been maintained for the last 20 years. Since his house was built there, difficulties have arisen with heavy rains creating ruts and channels, and a washout of his lawn. Mr. Henry asked Mr. Brodeur, as Highway liaison, to check this out with Bob Power.

8:35 - **Committee Reports - Selectmen.**

- Mr. Downing asked that a letter of congratulations be sent to Rep. Barbara Gardner for being appointed House Majority Whip. The entire Board would like to sign the letter. Mr. Downing also congratulated Mr. Barrasso on his graduation speech at exercises on Sunday.

- Mr. Henry said the Board went to the public hearing on the Route 109 reconstruction. He said they could

discuss this more in depth later on.

- Mr. Downing moved to take article 7 of the action items out of order; Mr. Brodeur seconded; all aye. This was in reference to going over the articles for the upcoming Special Town Meeting on June 24th. It was agreed to first go over all the articles, and then vote on their inclusion.

Mr. Henry noted that 100 people are required at the STM to vote on zoning by-law changes and the map.

An article submitted by the Treasurer was to correct an error made by the FinCom in the "net" amount being appropriated for payment of interest on debt.

The article submitted for technology equipment brought up discussion centering around the fact that it is already on the five-year plan with CIPC for '98 and '99. Mr. Henry also stated the STM was not the place to request a capital expenditure when all appropriations were established at the ATM, and at this time, could not support the article being on the warrant. Mr. Barrasso indicated this was an on-going discussion with FinCom and CIPC, and noted that the Technology Vision Committee only recently proposed the need for this equipment for $86,000. Mr. Downing was supportive, but felt that the whole picture was not being looked at as Town and School were being looked at separately. Mr. Henry suggested a future STM.

With reference to the sewer tie-in on Holliston Street, for the record Mr. Downing stated that he is already tied in and would not be benefitting from this article. Mr. Barrasso noted that this was the second septic failure at the Middle School, and did receive an emergency transfer from the FinCom to conduct a feasibility study.

With reference to the article on easements for the Route 109 reconstruction project, Mr. Brodeur moved that the article include the words, including appraisal services; Mr. Downing seconded; all aye.

Mr. Brodeur moved to include articles 1 through 8 (both numbered sixes) in the warrant; Mr. Downing seconded; all aye.

Mr. Downing moved to include articles 9 and 10 subject to review and changes as recommended by the Chairman and Town Counsel; Mr. Brodeur seconded; Mr. Henry - nay.

Mr. Brodeur left the room.

Mr. Downing moved to include articles 11 through 13 in the warrant; Mr. Henry seconded.

Mr. Downing moved to exclude article 14 from the warrant; Mr. Henry seconded.

Mr. Brodeur returned to the room.

Mr. Brodeur moved to include article 15 as amended earlier; Mr. Downing seconded; all aye.

Mr. Brodeur moved to include articles 15 through 21; Mr. Downing seconded; all aye.

Mr. Brodeur moved to exclude article 22; Mr Downing seconded; all aye.

9:30 - Lisa Mawn stopped in to ask the Board what should be done about the strawberry plants at Idylbrook; is there any liability to allowing people to pick/eat them; could she consult with Town Counsel. Mr. Downing said they should investigate Boy/Girl Scouts' use of picking them as a fundraiser, but the general public should not be allowed to go there. Mr. Henry recommended Mrs. Allen check on insurance liability with the insurance company and to also check with Town Counsel. Mr. Brodeur felt it could be opened up to groups that are under our insurance. Mr. Brodeur moved to authorize the Chairman or Mrs. Allen to check liability with Town Counsel for groups that the Conservation Commission and the Park Commissioners would give permission to pick strawberry plants; Mr. Downing seconded for discussion; motion was then withdrawn. Mr. Downing moved to authorize Lisa Mawn to utilize the services of Town Counsel on behalf of the Conservation Commission and Park Commissioners for Idylbrook; Mr. Brodeur seconded; all aye.

Mrs. Mawn also brought up a sign that appeared on the property and wondered where it came from. Mrs. Allen said it was a federal sign put there by the grant committee which had to be in place by June 1st. Mrs. Mawn said the ConCom and Park did not know about it until the action was completed. Mr. Henry said they will try and keep them both informed in the future.

9:45 - Gardner Rice and Ron Wilson stopped in to ask what a joint meeting can accomplish to discuss septic/sewer problems, and the whole board was not available on June 10th anyway. Mr. Wilson stated that the Water/Sewer Board had not changed policy, and the letter being

referred to as written by Mike Perrault is only his opinion. He said that the most cost effective way to handle the problem is to do what others have done, and that is - forced main on private property with their own right of way which would not impinge on town property; easements would be required however. Mr. Rice indicated that the possibility exists that someday it could be designed to go by forced gravity. He also had a problem with Mr. Perrault using PMP stationary if he is representing the Board of Health. Mr. Rice noted that two residents on Longmeadow need to take action, and felt that the Town was negligent in building those homes, and should help them out. Mr. Brodeur felt the Board should support the Water/Sewer Board in their recommendations. Mr. Rice again said he felt the Town should absorb some of the cost as long as it was not setting a precedent. Mr. Downing suggested sending a letter to the Water/Sewer Board in support of forced main and municipal piping status, with a copy to the ZBA, Planning Board, Board of Health (also telling the Board of Health the meeting on the 10th may not be necessary unless they so desire); Mr. Brodeur seconded; all aye.

- **Action Items - Administrative Assistant.**

- The Board approved the liaison list as submitted.

- The Board discussed the Medway Co-Op Bank, and Mrs. Allen stated that the Board does not need Town Meeting vote to begin negotiations.

  The Board discussed the Municipal Facilities Study Committee, and the names of Joel Osborne and Andrea Knupp requesting to be on the committee. Mr. Brodeur moved that Andrea Knupp be appointed to the Municipal Facilities Study Committee as Library rep through June 30, 1997 effective July 1, 1996; Mr. Downing seconded; all aye. Mr. Brodeur moved that Joel Osborne be appointed to the Municipal Facilities Study Committee as citizen-at-large through June 30, 1997 effective July 1, 1996; Mr. Downing seconded; all aye. It was suggested that they be given copies of the letters received from Medway Co-Op Bank. Mr. Downing asked Mr. Henry to acknowledge to Mr. Stratton that the Board is addressing their offer, and asked Mrs. Allen to contact CIPC, FinCom, and School Department to request a rep for that Committee.

- Mr. Brodeur moved that the Board sign the application for employer-assisted education for $503 for Officer Jeff Watson; Mr. Downing seconded; all aye

- Mr. Brodeur moved that the Board sign the proclamation for Foster Grant Day on June 8th; Mr. Downing seconded; all aye.

- The Board discussed the letter from Mass. State Lottery Commission on Keystone Liquors' request for a keno license. Mr. Brodeur moved that a hearing be held on July 1st at 8:00 p.m.; Mr. Downing abstained; Mr. Henry seconded. Mrs. Allen was asked to advise Keystone.

- The Board acknowledged a letter from Council on Aging Chairman Richard Gildea concerning the possibility of using taxi service for in-town trips. The Board decided to take this under advisement for further review, but Mr. Henry asked that Mr. Gildea be advised of this action.

- The Board acknowledged receipt of a letter from Mr. and Mrs. McManus of 33 Coffee Street, and decided to take it under advisement. Mr. Brodeur will go down and review the situation and talk personally to them reporting back to the Board.

- The Board brought up the Town Accountant's letter on the Fire Chief's salary, and Mr. Brodeur left the room. Mr. Downing said he wanted to discuss this further and to put it on the agenda for June 10th.

- Mrs. Allen noted the exit conference set up for June 11th, however, she said that the Treasurer could not make it. Mr. Henry suggested they cancel that meeting, and that the Treasurer and the Town Accountant plan a date contacting Melanson & Greenwood for confirmation.

- With reference to the Secretary's note that it is not in the Town By-laws that a citizen-at-large is to be chairman of the Audit Committee, Mr. Henry said it was their operating procedure.

- The Board discussed the response of David Verdolino to Peter Manijak of 17 Center Street concerning new school construction, and Mr. Manijak's subsequent phone call to the Selectmen's Office. Mr. Downing said he would review it further. Mr. Henry noted that, in speaking with Town Counsel, the architect and the clerk of the works ultimately work for the Board of Selectmen. The Board agreed that John Boczanowski and John Kubitza should meet with the Board whenever any major issues need to be discussed until the contract is completed.

- Mr. Downing asked if we had anything more on the peer coming to Medway; Mrs. Allen will call them.

- Mr. Downing and Mr. Henry said they would attend the ZBA hearing on June 5th.

- The Board noted the MMA Action release and will review its content further.

- The Board noted a request from the Planning Board requesting the use of Town Counsel for status investigation of Hoppin Brook and Brandywine Village. Mr. Brodeur moved to allow the Planning Board to utilize the services of Town Counsel or Special Counsel for Hoppin Brook and Brandywine Village; Mr. Downing seconded; all aye.

- With reference to street opening permits for the Summer Street residents who want to tie in to sewer, Mr. Henry stated that we are to follow current process.

- Mrs. Allen noted the Board needed to discuss Apollo with reference to the Route 109 project.

- The Board acknowledged Chief Vinton's letter requesting Jim Brodeur be allowed to continue being a call firefighter. Mr. Brodeur expressed that same desire, and then left the room. Mr. Downing moved that Jim Brodeur be allowed to continue being a call firefighter by filing a disclosure per section 20F of article 20 of Mass. General Law. Ch. 268A, section G; Mr. Henry seconded. Mr. Brodeur returned to the room, and said he would file the disclosure.

11:10- Mr. Downing moved that the Board adjourn to executive session for the purpose of discussing strategy as it relates to union and non-union personnel, and potential litigation, not to return to open session; Mr. Brodeur seconded; all aye. The vote: Mr. Brodeur - yes; Mr. Downing - yes; Mr. Henry - yes. The Administrative Assistant was asked to stay; the Secretary was not.

Respectfully submitted,

M. J. Fredette, Secretary
mj

Approved 6/17/96

BOARD OF SELECTMEN

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

AGENDA

May 28, 1996

7:00 p.m.	Open meeting, approve minutes of the 5/10/96 Executive Session meeting. Sign warrants.
7:05	Committee Reports
7:15	Chicken Brook Realty Trust, Robert and Michael Rojee - request for sign permits.
	Action Items
	Executive Session, Strategy a Litigation

ACTION ITEMS FOR SELECTMEN'S MEETING OF MAY 28, 1996

1. Discuss liaison designations for Town Boards and committees.

2. Discuss Summer Schedule for Board meetings and Early Friday closings for Town Hall.

3. Discuss and vote on automatic amusement license for Corner Pizza .

4. Discuss and vote on permit for Boston>New York AIDS Ride #2.

5. Discuss Ellis Farms and their request to come and discuss this mattter with the Board.

6. Sign letter to Peter Donahue regarding reconstruction of Route 109.

7. Discuss letter from "Dr." Stepanski.

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Present: Lee Henry, Doug Downing, Jim Brodeur, Administrative Assistant Ruth Allen.

7:00 p.m.-Mr. Henry called the meeting to order in the Selectmen's Meeting Room 2 of Town Hall.

- The Board noted a meeting with CRPCD on June 13th.

7:05 - Mr. Brodeur excused himself from the meeting.

- Bob Rojee came before the Board to further discuss signage at three locations on Main Street: #165, 163, 161. The ZBA had already approved the main sign indicating all the different businesses there; however, Mr. Rojee now wanted to place signs on each of the three buildings denoting the businesses in the buildings, and signs directing the flow of traffic to those particular buildings, for a total of six signs.

  Mr. Downing moved that the Board approve the request of Chicken Brook Realty for signs as presented by them this evening; Mr. Henry amended the motion to include all comprehensive sign locations including previous endorsements of ZBA approvals of the main sign and the one on Lincoln Street and tonight's submission; all aye.

  With regard to the drainage issue, Mr. Henry said he wanted to talk to the rest of the Board about the easement and then get back to Mr. Rojee within two weeks.

7:25 - Mr. Brodeur rejoined the Board.

- Mr. Brodeur moved, and Mr. Downing seconded, to approve the executive session minutes of May 10th but not for release; all aye.

- Mr. Henry expressed his personal thanks to the Memorial Committee and the Memorial Day Parade Committee for the ceremonies held, and asked Mrs. Allen to convey his feelings in a letter to them.

- **Committee Reports - Selectmen**

- Mr. Brodeur reported attending a recent Board of Health meeting with residents of Longmeadow, and noted they were trying to meet with the Water/Sewer Board as well. He said there was an outbreak occurring at one home, and an enforcement order given by the Board of Health agent. Question becomes what is the Town going to do to help the ten other homeowners up there - put in pumps or

gravity feed. Mr. Brodeur said if they all have to go to a forced pumping system, it would be cheaper to go and put in the systems now rather then individually. Mr. Downing suggested being accommodating, but not bending. It was felt that what Mike Perrault deemed necessary and serviceable, DEP agreed with, but other areas are important too. Mr. Henry noted the Board should keep an eye on what happens with Holliston too, and to be aware of neighborhoods with problems as the District hopes to expand.

Mr. Downing suggested they set up a strategy session to try and help, and asked that a memo be sent to the Water/Sewer Board and the Board of Health for a joint meeting June 10th to collaborate on a resolution.

- Mr. Henry asked Mrs. Allen to contact Ted Scripsack and notify him that a meeting with the Medway Municipal Employees Association negotiating team for April 6th at Fire Station II at 7:30 p.m. was fine; that April 13th was not; how about April 12th; and leaving April 20th as well.

- Mrs. Allen was also asked to post and confirm a quorum of the Board of Selectmen being in attendance at the open house on April 8th at 9:30 a.m. at CRPCD; and to also post their attendance at a meeting on April 13th involving those Towns affected; Franklin is not.

- Mr. Downing complimented Mr. Henry on his concise and to-the-point speech on Memorial Day.

- Mr. Henry brought up a follow-up letter mailed to his home from the residents in attendance for the discussion of flooding on Coffee Street, confirming that discussion and action taken. The other Board members did not receive a copy of that letter so it was given to Mrs. Allen for copying. It was noted for future reference when the Chairman sends out a letter on behalf of the Board, the other Board members will get a copy. Mr. Downing noted that Paul DeSimone and Ed DeSimone are not related and live at different residences. Mr. Henry suggested their letter be compared with the Secretary's minutes. Mr. Henry also brought up comments made concerning the Town providing wood chips to the homeowner on Coffee Street. Upon investigation, he stated that the Town sweeper did dump road sand on the edge of the property, as is usually done in various locations in Town, but did not dump any wood chips.

- Mr. Henry brought up a letter received from P. J. Stella concerning excess topsoil removal, and asked Mr. Downing

to follow up on it. The Board believed they had allowed one more day for its removal.

- Mr. Downing moved, and Mr. Brodeur seconded, to take the subject of liaisons out of order; all aye. Some reshuffling was done to try and even out the burden of some of the boards that meet more frequently and with heavier agendas. The Secretary will re-do the list for the next meeting.

- The Planning Board public hearing for the revision of Zoning By-laws for June 11th at 8:30 p.m. was noted.

- Mr. Downing asked about the exit conference for the audit for FY'95, and suggested Tuesday, June 11th at the bandroom. Mrs. Allen will contact the Chairman of the Audit Committee and Frank Burke of the DOR, and any other apropos departments.

- Mr. Henry brought up the request of Ron Allard to have a grievance hearing before the Board. Mrs. Allen noted the question if Mr. Allard is under the Town by-law which is a different set of regulations, or under the personnel policies. Mr. Henry suggested setting a tentative date through Mr. Allard's attorney pending Town Counsel's written opinion as to whom Mr. Allard's appeal is to. Mr. Downing felt as long as he had received remuneration from the Town, he was covered under the personnel policies and is an employee. He then recommended contacting Mr. Allard's attorney and putting Mr. Allard on the agenda for June 10th for a public or private hearing at 9 p.m., with Mr. Henry noting this was pending Town Counsel's opinion.

- Mr. Downing brought up the spread sheet for the Police Department indicating it did not state how the figures matched up with what was appropriated at Town Meeting, and needed further information.

- Mr. Henry asked Mr. Brodeur if he had pursued the Highway Supt.'s position any further, and he had not yet done so, with Mrs. Allen adding the men need direction. Mr. Downing suggested asking the MMA for assistance, with Mr. Brodeur assuming this was for a temporary individual.

- Mr. Henry brought up the summer schedule and the customary closing of Town Hall on Fridays at 1 p.m. It was felt this was the subject of negotiations and to hold off and take no action. Insofar as the Selectmen's weekly meeting schedule, they felt they should not deviate from it at this time.

- Mr. Henry brought up the Boston to New York Aids Ride scheduled for September 5th from 9 a.m. to 12:30 p.m. with access to Route 126 and Route 109 being requested. Mr. Downing moved, and Mr. Brodeur seconded, to approve their request making sure the Police Department is aware of the bicyclists and had no problems with it; all aye.

- Mr. Henry brought up the letter from Jedediah Mannis, Attorney for the Ellis Farms Corporation indicating a new purchase and sale agreement had been made, and was giving the town their option of first refusal for forestry land. Mr. Henry was of the opinion that this was a new submission, and the 120 days would start from date of receipt of the letter which was May 23rd. Mrs. Allen was asked to check this out with Town Counsel and determine if this was the case, or was it a continuation of the previously submitted purchase and sale. Mr. Downing also asked for written responses from the three other Boards the letter was sent to: Planning Board, Conservation Commission, and Board of Assessors.

- Mr. Henry signed the letter to Peter Donahue on the Route 109 project, and asked for a copy of it before the meeting the next evening.

- Mr. Henry brought up the letter received from Lisa Stepanski, and asked Mr. Brodeur to check if Oakland Street was on the plan for sidewalks. Mr. Downing stated that the only sidewalk on Oakland Street is from Oakview Circle to the other end of Oakview Circle, and in speaking to some of the residents on Oakland Street, they have commented they do not want, nor feel they need sidewalks.

- June Murray of the Board of Assessors stopped in with regard to Ellis Farms, and stated they will be taxed as of January 1, 1996 according to the plan submitted on November 10, 1995. She also noted they have not received any formal notification that the original purchase and sale agreement fell through.

- Back to sidewalks. Mr. Brodeur said he needed the latest priority of sidewalks, with Mrs. Allen indicting Village and Maple Streets were the only ones on the list. The Board indicated in addition to a sidewalks list, they also wanted to review the paving list, and the drainage list.

- Mr. Henry said to put Raphaela Rozanski on the agenda for next week for an update on SWAP, prior to the IDC coming in. This prompted Mr. Brodeur to bring up a letter sent to his home from Paul DeSimone stating a

public hearing had been set up for June 8th for Alder Street and Trotter Drive PWED's grant, and asking that Raphaela Rozanski be appointed to that committee. Mrs. Allen was asked to make copies of that letter for the Board.

- Back to the Assessors. Harry Johnson stopped in with regard to Ellis Farms, and felt if this was not the original buyer, then it is a new 120 day time frame. Mr. Downing noted that the buyers for the two purchase and sale agreements may be one in the same, although under different names.

- Back to Lisa Stepanski's letter. Mr. Henry referred to a portion of the letter wherein the Selectmen's Office staff was mentioned, and stated the Board has to notify those involved and post the meeting 48 hours prior to meeting. Mr. Downing said if this was her opinion, then the matter does not have to be pursued and she does not have to be contacted. He said he was in the Office that day, and could attest to the confusion that existed as the Office was filling in for the Town Clerk's Office as well. Mr. Brodeur suggested putting this on the agenda for the next meeting, and possibly Mr. Henry could call her. Mr. Downing recommended he tell her the Board discussed it, and if she wants to discuss further, they could make arrangements on a future agenda. Mr. Henry said he would write a letter to her and sign it indicating to contact him.

- Mr. Downing said he would contact the Police Department about radar on Oakland Street.

- Mr. Brodeur moved, and Mr. Downing seconded, to authorize the Chairman to sign the lease/purchase agreement on the Police cruisers final payment M126A*2,3,4,5; all aye. Mr. Downing asked Mrs. Allen to send a memo to Chief Lambirth to let him know the Chairman was authorized to sign on behalf of the Board.

- Members of the Planning Board stopped in to confirm all paperwork for Idylbrook has been completed, and Mr. Henry will meet with Town Counsel the bext day for final signature notarization, with Mr. Brodeur and Mr. Downing signing this evening. Mr. Brodeur moved, and Mr. Downing seconded, that the Board sign the deed for Parcel A for less than $100 for consideration to the Conservation Commission for the Town of Medway of the plan dated 12/14/95, and revised 4/30/96; all aye. Mr. Brodeur moved, and Mr. Downing seconded, that the Board sign the deed for Parcel B for less than $100 for consideration to the Park Commission for the Town of

Medway of the plan dated 12/14/95, and revised 4/30/96; all aye. Mr. Yorkis indicated this was only the plan of land; there is no plan for active recreation, and gave Mr. Henry one set of original documents to give to Town Counsel for recording at the Registry of Deeds.

- Some discussion on plans being submitted by the Planning Board for new subdivisions, and the hope that new Rules and Regulations are put into effect. It was noted that they will be reviewing the new Rules and Regulations on June 11th.

- Mrs. Allen asked the Board to sign the notification of employment for a full-time dispatcher and a probationary dispatcher. Mr. Brodeur moved, and Mr. Downing seconded, to approve the employment of Paul Adams at a grade 6, step 1 as Probationary Dispatcher effective May 12th; all aye. Mr. Brodeur moved, and Mr. Downing seconded, to approve the employment of John McLaughlin at a grade 6, step 1 as full-time Dispatcher effective April 21st; all aye.

- Mrs. Allen brought up the request of Villenueva Painting for their final payment apportionment. Mr. Henry asked that Mrs. Allen have Bob Speroni do a final inspection, and that the payment could be issued subject to his approval.

- The Board noted the annual appointments list which they will review.

- Mrs. Allen said that the Town Hall Building Committee would like someone, possibly the Highway Department, to take up the walkway along the front of the building. This led to some discussion as to what the designs and plans show, with Mr. Brodeur specifically asking to see those plans prior to anything being taken up.

- Mrs. Allen went over the snow monies the Town received from the State, MEMA and FEMA.

- Mr. Henry asked that the Civil Defense Director be put on the June 10th agenda to discuss emergency preparedness before winter.

- Mr. Henry also asked for end-of-year reports from those Selectmen-appointed committees who don't usually send in reports. This also came with his suggestion of asking people if they want to be re-appointed to their respective committees for another term. Mr. Brodeur suggested Mrs. Allen and Mr. Downing work on that.

10:25 - Mr. Downing moved, and Mr. Brodeur seconded, that the Board adjourn to executive session for the purpose of strategy as it involves union personnel, and strategy for litigation, not to return to public session; all aye. The vote: Mr. Brodeur - yes; Mr. Downing - yes; Mr. Henry - yes. The Administrative Assistant was asked to stay; the Secretary was not.

Respectfully submitted,

Mary Jean Fredette
Secretary
mj

Approved 6/3/96

BOARD OF SELECTMEN

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

AGENDA

May 20, 1996

7:00 p.m.	Open meeting, approve minutes of the 5/6/96, 5/7/96 and 5/13/96 meetings. Sign warrants.
7:05	John Boczanowski, School Building Committee, regarding excess topsoil
7:15	Chicken Brook Realty Trust, Robert and Michael Rojee - request for a sign permit.
7:30	Paul DeSimone regarding flooding on Coffee Street
8:00	Webelos with leader Bernard Cornelia
	Committee Reports
	Action Items
	Executive Session, Strategy

ACTION ITEMS FOR SELECTMEN'S MEETING OF MAY 20, 1996

1. Discuss and vote on Change Order #001 for new elementary school.

2. Sign Police Chief's contract

3. Discuss draft letter to Massachusetts Highway regarding Route 109 reconstruction and section of Main Street from Coffee Street to Papa Gino's

4. Discuss liaison designations for Town Boards and committees.

5. Acknowledge letter and information from DEP regarding groundwater and drinking water.

6. Acknowledge letter from Edward Duggan dated 5-14-96

7. Acknowledge letter from Thomas McDonough received 5-13-96

8. Acknowledge letter from Mass. Highway regarding the bridge on Winthrop Street.

actitems.doc

Present: Lee Henry, Doug Downing, Jim Brodeur, Administrative Assistant Ruth Allen.

7:00 p.m.-Mr. Henry called the meeting to order in the Selectmen's Meeting Room 2 of Town Hall. He introduced himself as the Chairman, the other Board members, and noted it would be a busy year.

- Four warrants were signed totalling $665,150.97.

- Mr. Downing moved that the minutes of May 6th be approved as written; Mr. Brodeur abstained; Mr. Henry seconded after some corrections were made; all aye.

- Mr. Downing moved that the minutes of May 7th be approved as written; Mr. Brodeur seconded; all aye. In follow-ups, Mr. Downing asked if a communication would be forthcoming from Town Counsel on the railroad bed; Mrs. Allen said it would. Mr. Downing asked about Ryan Road, and Mrs. Allen remarked that we were waiting for another court decision as it was still in litigation.

- Mr. Downing moved that the minutes of May 13th be approved as written; Mr. Brodeur seconded; all aye.

7:10 - Treasurer/Collector Marge Sanford and Assistant Town Clerk Charlene Walter came before the Board to have notes signed and notarized by the Town Clerk. The notes were for borrowing for the school tax exempt bonds. Mr. Brodeur moved; and Mr. Downing seconded; to sign the notes in anticipation of bonds for $400,000 to be submitted on 5/23/96 for certification of covenant of tax exemption #8038G; all aye.

Mr. Brodeur moved to acknowledge the Town Clerk's counter-signature and the promissory note #928 to Bay Bank for $400,000 on 5/23/96; Mr. Downing seconded; all aye.

7:20 - John Boczanowski, Chairman of the School Building Committee came before the Board to discuss excess topsoil removal from the area around the new school. He stated that 2,000 yards had already been removed to the park area and the highway barn, but it looked like there might be as much as 6,000 more yards to remove. Mr. Boczanowski stated that it belongs to the Town, and he needed to know what should be done with it.

A lengthy discussion was held on the subject of what to do with the extra topsoil. Mr. Boczanowski stated the cost to move the 2,000 yards was already around $3,900, and the Committee felt they should sell the balance of

the topsoil and put the money in general revenue. He said our trucks were not big enough to haul this great amount of topsoil as quickly, it would be taking our men away from their other jobs, and where would we put it? This previous time, it took four trucks and one loader to move the topsoil. Clerk of the Works John Kubitza was present with Mr. Boczanowski when they were told by Framingham Excavators to move the topsoil as it was hindering the progress of the project.

Mr. Downing noted that the cost on this project goes up every time we move it. Mr. Brodeur felt they should move it now, and decide later where to stockpile it, with Mr. Henry suggesting storing it at Winter Street. Mr. Boczanowski added that there had been a contingency to spend $4,000 to move the topsoil, and that has already been spent. Mr. Downing moved to haul one more day's worth of topsoil; Mr. Brodeur seconded; all aye. Mr. Boczanowski did note his concern about the funding of 69% reimbursable if there were any other changes. Mrs. Allen was asked to contact Town Counsel and get his opinion about the remainder of the topsoil.

Mr. Henry reviewed Change Order #001 dated 5/8/96 for $28,085 with Mr. Boczanowski. This change order was to cover costs incurred with the excavation and removal of the septic system tank, which was never removed at the Burke School when they tied in to town sewer. Mr. Brodeur wished it to be noted that there may be improper foundation for the slab, and also stated that the Board needed to see the contract quantities and pricing with more backup. Mr. Downing added that it would have been beneficial if Mr. Kubitza was present. The Board would like to further discuss this issue next week.

8:05 - Bob Rojee came before the Board to discuss a sign permit request for Chicken Brook Realty on Main Street. Mr. Brodeur abstained from any discussion. Mr. Rojee stated that since the ZBA meeting, the postmaster changed their address to two separate building addresses, # 161 and 163, along with 165, and now is requesting two signs for those locations to identify the occupants in each of the two buildings. Mr. Henry asked for a layout of where the signs would be located, what was free-standing and what was attached to the buildings. This prompted Mr. Henry to ask Mr. Rojee to come back to the Board with more info and layouts.

8:10 - Paul DeSimone and three nearby residents of Coffee Street came before the Board to discuss their concern of water being detoured to their property and collecting on the street to possibly create a dangerous condition.

Mr. Henry said he understood the safety issue here, but noted many residents think that what is their property is really town property. Mr. DeSimone thought the landowner was advised to find out where the Town property began and ended, and felt the wood chips placed there were on Town property, with the landowner knowing it. He also alleged dirt and wood chips were brought and placed there by Town trucks one day early in the morning.

Mr. Brodeur said if the wood chips are on Town property, the Board could direct Highway to remove them. He felt that if the chips were removed making the shoulder of the road lower than the pavement, that would take the extra water.

Mr. Downing suggested the Board, with Mr. Henry signing the letter, notify the property owner to remove the chips and regrade that area to meet our specs, otherwise the Town would take action. One of the residents suggested allowing the landowner 30 days (June 20th) to accomplish the work, and that was agreed with. Mr. Downing also noted that the Highway Department is available for consultation on the project.

8:35 - Webelos leader Bernie Cornelia and some of his scouts came before the Board for a general introduction to Town government. Mr. Cornelia mentioned that the boys were here as part of their Arrow of Light - citizen badge. The boys asked questions, and the Board, in turn, posed questions to them. They were appreciative for the time allowed them.

8:53 - Mr. Brodeur asked for a moment of silence for Jim Gallagher who passed away over the weekend.

- Mr. Henry acknowledged various communications received, and the following action:

  - A complimentary letter from Joe O'Hara was asked to be copied for personnel files of those involved.

  - A response sent by Town Counsel to the Attorney General on the roadway access by-law was clear and concise, and he asked that a letter be sent to Mr. Maciolek, signed by him, thanking him.

  - An update on the town hall renovations was made, noting work would continue the Memorial Day weekend. Mr. Henry said the fire door, not the steel frame, also needs to be replaced at a cost between $300-$500. He made note of the cooperation received by Custodian

Walter Mahoney in moving the Accounting staff around, and asked Mrs. Allen to write a letter of thanks to him, and he would sign it. Mr. Henry also felt some thought should be given to replacing the balance of the old windows in Town Hall.

- Raphaela Rozanski's request for appointment to the IDC was brought up; however, Mr. Brodeur could not make the motion at this time after seeing a copy of a letter on Selectmen's stationary written by the former chairman, the subject of which was of executive session material, and four days after the election. Mr. Downing hesitated making a motion as well on that same basis. Mr. Henry felt the former chairman was just advising the people involved of the status of the situation, but asked if it should be taken under advisement. Mr. Downing felt it should be considered when all other appointments are up for discussion; so agreed.

- Congratulations to the Open Space Committee on a job well done with the grant project.

- Mrs. Allen was asked to check and see if any employees were green card holders so all proper documentation had been filed.

- Committee Reports - Selectmen.

- Mr. Downing reported attending the Norfolk County Advisory meeting, and joined a sub-committee to review the County Engineers budget. He noted the budget had already been submitted which makes the process of review late, and is being recommended to be done prior to the submittal.

- Mr. Brodeur commended the work of the FinCom and the CIPC at the Annual Town Meeting, with Mr. Henry asking that a letter be sent to all committee members thanking them for their efforts.

9:20 - Action Items - Administrative Assistant.

- Mr. Brodeur moved, and Mr. Downing seconded, to approve and endorse the Police Chief's contract from 7/1/96 to 6/30/99; all aye. Mr. Henry said he would like the Police Chief and the Town Accountant to cost out the Police Department contracts so it can be discussed further at their next meeting.

9:28 - The Water/Sewer Commissioners met with the Board to note a problem with one of the wells. Mr. Rice stated their

engineer had inspected all three wells, and two needed repairs, one immediately off of Oakland Street needed a pump, which would cost about $10,000. Mr. Rice stated that because a mandatory emergency has been declared, the procedure of going out to bid for anything over $4,000 has been waived. Mr. Henry clarified that the Water/Sewer Board was meeting with the Selectmen because of the bidding procedure deviating from norm.

On another matter, Mr. Rice stated he would like to speak to the auditors with regard to a $40,000 difference in cross charges. He was told the Water/Sewer Board will be asked to respond to the management letter and meet with the auditors; however, Mr. Rice said he would like an explanation before that.

On a third matter, Mr. Rice mentioned the residents of Summer Street, with Jim Edwards as the spokesperson, who jointly will be hooking up to sewer, and whatever the Selectmen can do to minimize costs for bonds and details will be appreciated. Mr. Rice complimented these residents for accepting the challenge of improving the situation in their area. Mr. Rice suggested both Boards sign a letter to those residents, outlining the procedure to follow and what the Town would do to assist. Mr. Downing moved, and Mr. Brodeur seconded, to authorize the Chairman to sign a joint letter with the Water/Sewer Board Chairman subject to his review and approval; all aye.

- A reminder of the public hearing on the Route 109 reconstruction on May 29th for the 25% plan. Mr. Brodeur suggested a small article be placed in the newspaper indicating this includes Medway as well. Mr. Brodeur moved, and Mr. Downing seconded, that the Chairman be authorized to sign the letter to be sent to Peter Donahue of Mass. Highway concerning the reconstruction to include from Coffee Street to Papa Gino's; all aye.

- The Board reviewed liaisons, made some recommendations, and agreed to look over the list retyped next week. Mr. Brodeur moved, and Mr. Henry seconded, that Mr. Downing be appointed to the Audit Committee as the Selectmen's rep; all aye. Mr. Henry stated that the Selectmen's rep can't be Chairman of that Committee; it had to be a citizen-at-large. (Secretary's note: No mention of that in the By-law.)

- A letter from DEP concerning groundwater was acknowledged, and Mr. Henry suggested Conservation, Open Space, and Water/Sewer get a copy of the letter asking

Walter Mahoney in moving the Accounting staff around, and asked Mrs. Allen to write a letter of thanks to him, and he would sign it. Mr. Henry also felt some thought should be given to replacing the balance of the old windows in Town Hall.

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- A letter from DEP concerning groundwater was acknowledged, and Mr. Henry suggested Conservation, Open Space, and Water/Sewer get a copy of the letter asking

for their comments. Mr. Brodeur took the map to make copies and it will be forwarded to those committees later on. A deadline of June 28th was given.

- The Board acknowledged a letter from Ed Duggan, and noted that the proper Boards had received copies of his letters, i.e. Water/Sewer and Board of Health. They note there is no master plan for sewer services, and no group researching to expand water and sewer where it is not now. Mrs. Allen will respond to Mr. Duggan and let him know that, and also Boards do not dictate to other Boards.

- The Board acknowledged a letter from Tom McDonough requesting to meet with the Board to discuss property on Walker Street. Mrs. Allen stated the property is in court, has been, and the previous owner has appealed to a six-man jury in this regard. Mr. Henry agreed that until a verdict is reached, nothing can be done, but Mrs. Allen was requested to send Mr. McDonough a letter advising him of this.

- Mrs. Allen said there was action on the Walker Street Bridge so Mass Highway must be there continuing the project. The Board also acknowledged the letter from Mass Highway regarding the Winthrop Street Bridge which passed inspection, but noted the sidewalk in that area needed repair.

- Mr. Downing brought up the Audit report and wanted to know if it had been distributed, and when the exit conference would be scheduled.

- Mrs. Allen noted to the Board that the EMS budget is short $114.54 for the purchase of oxygen and needs an emergency transfer. Mr. Downing moved that the request dated 5/20/96 from EMS be approved for $114.54 to the FinCom; Mr. Henry seconded; Mr. Brodeur abstained; aye.

- Mrs. Allen reminded the Board of a hearing with the Longmeadow residents with the Board of Health on Wed., May 22nd.

- Mrs. Allen was asked to post a Selectmen's meeting for Tuesday, May 28th.

- Mr. Brodeur moved, and Mr. Downing seconded, that a Special Town Meeting be held on June 24th; all aye. Mr. Brodeur moved, and Mr. Downing seconded, that the warrant be opened today, May 20th and be closed at the close of business on Friday, May 31st; all aye. It is hoped that the warrant can be ready for review and

signing on June 3rd.

- Mr. Brodeur read the letter from residents Jim and Vicki Pavlick expressing their thanks to everyone for the help given in the move of their home. Mr. Brodeur moved, and Mr. Downing seconded, that the letter be posted in the various locations of the departments involved; all aye.

- Mr. Henry noted a meeting on June 5th concerning block grants.

10:40- Mr. Downing moved, and Mr. Brodeur seconded, that the Board adjourn to executive session for the purposing of discussing strategy as it related to union members, not to return to public session; all aye. The vote: Mr. Brodeur - yes; Mr. Downing - yes; Mr. Henry - yes.

Respectfully submitted,

M. J. Fredette
Secretary
mj

Approved 6/3/96

Present: Lee Henry, Doug Downing, Administrative Assistant Ruth Allen. Jim Brodeur and the Secretary arrived late.

6:30 p.m.-Mr. Henry called the meeting to order in the Career Room of the High School.

- The Board reviewed the change orders from the School Building Committee, but prior to signing, the Board wanted to see the causes and conditions of the change orders, and requested copies of the attachments explaining the cost differences.

- Five warrants were signed totalling $754,051.62.

- Mr. Henry brought up Chicken Brook Realty and asked Mrs. Allen to check the orders of condition for a special permit before the ZBA indicating that an easement may already be a part of the conditions. It was clarified that it was not an order of conditions, but conditions of the special permit from the ZBA that Mr. Henry was referring to.

  Mr. Henry officially for the record asked Mr. Brodeur about his relationship with the Rojees as they were discussing Chicken Brook Realty Trust which is a business owned by the Rojees. Mr. Brodeur said he was a cousin by marriage, and on the payroll for over $50, and, therefore, felt it would be a conflict for him to be involved in negotiations on the easement.

- The Board signed the Police Association contract for July 1, 1996 through June 30, 1999.

- Mrs. Allen told the Board that the Audit for FY'95 was completed and a copy of the reports was given to the Office. The Secretary will make copies for the Board.

- Mr. Henry asked to hold off approval of the minutes of May 6th until next week.

- Mr. Henry brought up the request of Raphaela Rozanski to be appointed to the IDC. Mr. Brodeur asked that it be held over until next week.

- Mr. Henry stated that the Police Chief had accepted the contract, which had not been signed yet, and he had dropped off a copy to Town Counsel for his review.

- It was noted the Board had a copy of the draft of the Animal Control Officer's agreement with the Town of Millis and Medway.

- Treasurer/Collector Marge Sanford was present to ask the Board to sign the notes authorizing her to short-term borrow on behalf of the Town $3.7 million for school construction bonds. Mr. Downing so moved; Mr. Brodeur seconded; all aye.

6:55 - Mr. Brodeur moved, and Mr. Downing seconded, that the Board adjourn the meeting and go to the auditorium for the Annual Town Meeting; all aye.

Respectfully submitted,

Ruth Allen, Administrative Assistant/
Mary Jean Fredette, Secretary
mj

approved 5/20/96

Present: Lee Henry, Doug Downing, Jim Brodeur, Administrative Assistant Ruth Allen.

8:10 a.m.-Mr. Henry called the meeting to order in the Selectmen's Meeting Room 2 of Town Hall. He noted that the first order of business was to re-organize, and asked for nominations for Chairman. Mr. Brodeur nominated Mr. Henry; Mr. Downing seconded. As there were no other nominations, it was moved and seconded that nominations be closed; Mr. Henry is Chairman. Mr. Henry asked for nominations for Clerk. Mr. Downing nominated Mr. Brodeur; Mr. Henry seconded. As there were no other nominations, it was moved and seconded that nominations be closed; Mr. Brodeur is Clerk.

- Mr. Henry brought up the Tuesday morning meetings, and the Board will consider if it is something that should continue. Mr. Downing noted that there are no votes taken but are for general follow-up. Mr. Brodeur asked about a summer schedule for Selectmen's meetings, and again, the Board will consider if they should go to an every other week schedule.

- The Board reviewed the Annual Town Meeting warrant articles, with each Board member giving their comments on each article, and deciding who would discuss the article if residents had any further questions about it.

  Some general comments noted from the Board:

  - With reference to the article on space utilization, Mr. Downing suggested a rotation system for working on the rest of Town Hall, i.e. moving the Selectmen's office staff out while the office can be painted, and then moved back in. He also felt some further thought should be given to the location of the Treasurer and the Accountant, saying he did not feel they should be together, as well as how best to use the "physical plant".

    Mr. Henry noted the peer would be coming in soon, and her recommendations and conclusions might prove useful in this area. He also mentioned that the consultant coming in on the RFP for Town Administrator could also offer some input for the future.

  - With reference to the citizens petitions, it was suggested the Board get an update from Mr. Maciolek on the railroad bed litigation, so Mr. Henry said he would contact him. Mr. Downing felt the Board should take a position and support

dismissal of the six articles numbered 23 through 28 as recommended by the Finance Committee; so moved; Mr. Brodeur seconded; all aye.

- In discussing budgets, reference was made to the Medway Municipal Employee Association. Mr. Downing felt the Board should cancel the meeting set up for May 14th so they could adequately update Mr. Brodeur. He noted that a tentative date of May 16th had also been proposed, but suggested they go with the May 23rd date that had been set up. Mr. Henry asked that Mrs. Bennett be conferred with as to the cancellation.

  Mr. Brodeur asked about the minutes of previous meetings to familiarize himself. Mr. Henry noted they had not been done, but felt he could fill Mr. Brodeur in. Mr. Downing said sometimes the recording process is not sufficient, and you have to have a sense of what is going on. Mr. Brodeur asked if the Administrative Assistant was present during those executive sessions, and when informed she was not, and not a part of the Association, he said he felt she should be at those executive sessions.

  Mr. Downing said he personally felt things were going well, and that articles 1-16 looked OK, and 17-28 and salary still needed to be discussed. He suggested adjourning to executive session on May 20th to confer further. The Secretary noted to the Board that there was no mention of the Association's negotiations in the FinCom book, and any possible salary adjustments. Mr. Henry said the FinCom was aware of what was going on.

- Mrs. Allen gave the Board several emergency transfers to sign. The first being for Traffic Signals for $590.85. Mr. Brodeur moved, and Mr. Downing seconded, that the emergency transfer be approved; all aye. The second transfer was for Law Special Counsel for $1,921.87. Mr. Brodeur moved, and Mr. Downing seconded, that the emergency transfer be approved; all aye. The third transfer was for Street Lighting for $12,100.00. Mr. Brodeur moved, and Mr. Downing seconded, that the emergency transfer be approved; all aye.

- Mrs. Allen gave the Board the amended Chapter 90 funds transfer to sign allowing the use of leftover funds of $54,978.87 from the Fisher Street drainage project to be used elsewhere. The original amount approved was $87,172.00.

- Mr. Henry discussed the work being done on the Town Hall renovations project, noting that we started with $35,942.00 from the proceeds of the sale of the Cole Library and the Torrent Fire Station. It was noted receipt of the quote from Villanueva to repair the holes in the cornices while the equipment is here for $3,495.00, but not enough funds would remain to do that and the work on the gutters by Kelly Bros. Mr. Brodeur suggested not doing the additional chimney work on the side of the building for $960.00, since that could be done anytime, and then there would be enough funds to then do the repair work on the cornices. Mr. Brodeur moved, and Mr. Downing seconded, to authorize Mrs. Allen to check the legality with Town Counsel to contract Villanueva to repair the cornices for $3,495.00 subject to his approval; all aye. The Board also discussed the Town clock, and Mrs. Allen said she would try and get some quotes on its repair.

  Inspector of Buildings Bob Speroni stopped in to give his recommendation that Kelly Bros. be authorized to do the gutter repair. Mr. Brodeur moved, and Mr. Downing seconded, to award the bid for gutter repairs to Kelly Bros. for $5,849.00; all aye. Mr. Henry asked Mr. Speroni to coordinate the work so that the fire escape is done first, then the chimney, and finally the gutters.

- Fire Chief Wayne Vinton stopped in to recommend that the skid unit bid be awarded to Conway Associates for $9,020.00. Mr. Downing so moved; Mr. Henry seconded; Mr. Brodeur abstained; all aye. The Chief will write a letter of confirmation to Conway Associates.

  The Chief asked about the ladder truck being on standby when the fire escape is worked on at Town Hall, as there has to be a second means of egress from the building. Mr. Henry suggested checking with the installer to find out the length of time it will take to do the work, and then discuss the standby. Mr. Downing recommended the Chief and Mr. Speroni continue coordinating the project.

- Mr. Downing moved, and Mr. Brodeur seconded, that the Board approve the Police Association contract from July 1, 1996 through June 30, 1999, subject to Town Counsel's review as to form; all aye. It was then noted that the contract had not been signed by the Association, and the length of the contract was typed from '93-'96. Mrs. Allen said she would contact Officer Watson, and have the last page changed and sent to Town Counsel.

- Mrs. Allen brought up the Walker Street Bridge and stated she had spoken to Peter Donahue on Wednesday who said he would try and pursue what the hold-up was further. Mr. Downing asked for a note on this project so he could discuss the problems the Town is having at the Norfolk County Advisory meeting.

- Mr. Downing brought up the Ryan Road foundation and asked if they had filled it in yet. Mrs. Allen said she would check with Town Counsel.

- Raphaela Rozanski had come in earlier to give the Board a request to be appointed to the Industrial Development Commission. The Secretary noted she wasn't sure if only five can be on the Commission, but said she would check.

- Steve Reding stopped in, and while here, briefly mentioned the litigation with the Zoning Board and George Maravelous of Innovative Coatings.

10:15- Mr. Downing moved, and Mr. Brodeur seconded, to adjourn to executive session for the purpose of discussing strategy as it relates to union personnel, not to return to public session; all aye. The vote: Mr. Downing - yes; Mr. Brodeur - yes; Mr. Henry - yes. The Administrative Assistant was asked to stay; the Secretary was not.

Respectfully submitted,

Mary Jean Fredette
Secretary
mj

approved 5/20/96

BOARD OF SELECTMEN

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

AGENDA

May 6, 1996

7:00 p.m.	Open meeting, approve minutes of the 4/29/96 meeting. Sign warrants.
7:05	Open bids for Town Hall gutter repair
7:15	Open bids for Fire Skid Unit
7:20	Conservation Commission regarding Wetlands by-law
	Committee Reports
7:45	Town Administrator Review Committee Updating the Board on RFP
	Action Items
	Executive Session, Strategy

Present: Lee Henry, Doug Downing, Administrative Assistant Ruth Allen. Raphaela Rozanski was not in attendance.

7:00 p.m.-Mr. Henry as Clerk called the meeting to order, reminding the viewing audience that it was election night and there was still time to vote.

- Mr. Downing moved approval of the minutes of April 29th as presented; Mr. Henry seconded; all aye. Mr. Henry had a follow-up with regard to the list of streets to be opened by Bay State Gas, feeling that Bob Power had indicated Village Street would have to be re-opened. The Secretary said she would check.

- Warrants were signed totalling $447,780.15.

7:05 - Mr. Downing read the advertisement that appeared in local papers concerning bids for gutter repairs at Town Hall. One bid was received from Kelly Brothers for $5,849. Mr. Downing moved that the bid be turned over to Mr. Henry and Mr. Speroni for their review and recommendation since they had been coordinating the Town Hall project; Mr. Henry seconded; all aye.

7:10 - Mr. Downing read the advertisement that appeared in local papers concerning bids for a skid unit for the Fire Department brush truck. One bid was received from Conway Associates of Haverhill for $9,020. Mr. Downing moved that the bid be turned over to the Fire Chief for his review and recommendation; Mr. Henry seconded; all aye.

7:15 - <u>Committee Reports - Selectmen.</u>

- Mr. Henry provided the Board with a sweeper update, noting that he had met with Asst. Supt. Bob Power, Mechanic George Cole, and Millis DPW Director Irving Priest on Tuesday, April 30th. Information given at that time indicated it would cost $2,500 ($1,250 each town) to repair the existing problem, and that it would be down for almost a month. A survey done previously had indicated it would cost $38,000 to rebuild, which was a very conservative figure and could actually be as high as $50,000.

  Between them, a decision was made to get it up and running and invest the $2,500 to fix it; however, Mr. Henry stated he asked Mr. Power and Mr. Cole to check into contracting the street sweeping out. The sweeper has been brought to C. N. Wood and is being worked on at this time. When it has been repaired, it will be returned to Medway for use and observation. Mr. Henry

said Mr. Priest was going to see how the Town of Millis felt about contracting out as well. Mr. Downing suggested some thought be given to usage by the two Towns for contracting services. Mr. Henry threw out a "guesstimate" of $85/hr. for sweeping services, noting three passes would probably have to be made on 74 miles of road.

- Mr. Henry said he, Mrs. Allen, and the Town Accountant met with Arthur Dowley of Mass. Highway to go over reimbursement paperwork for chapter 90 monies for Main/ Summer/Village St. intersection.

- Mr. Henry noted a meeting the next morning, Tuesday, May ~~6th~~ 7th with GCG Associates' Joe Giovanazzo to discuss the drainage ~~situation~~ on Cottage Street & Evergreen St. engineering plans

- Mr. Henry said he attended the Open Space Committee's meeting on April 30th, and then went to the Planning Board's public hearing on Idylbrook. He noted some of the residents' concerns with the 10 acres of park land, and the Park Commissioners had to reiterate that this was just to ~~designate~~ the ~~10 acres~~. There was also discussion on the potential access off of Kimberly Drive with nearby residents. Mr. Henry explained that once the decision is made to accept ~~it~~, then a copy of the plan goes to the Town Clerk and the 20-day appeal period begins.

- Balance of Committee Reports were held over after the Conservation Commission's meeting with the Board.

7:20 - Representatives of the Conservation Commission Lisa Mawn and Daniel Padien came before the Board to gain support for, and hopefully endorse, the General Wetlands Protection By-law being included in the Annual Town Meeting warrant. Mrs. Mawn noted that they will give a presentation on town meeting floor to explain its impact.

Mr. Downing said he had read the By-law and supported it noting it will be tighter than the State's by-law. He, therefore, moved that the Board support and endorse the By-law as prepared by the Conservation Commission on May 13, 1996; Mr. Henry seconded; all aye.

- <u>Back to Committee Reports.</u>

- Mr. Henry stated he had met with Town Counsel concerning the Roadway Access By-law and several issues in question namely the performance bond, berm to berm repaving, replacing town utilities, and, on a separate issue, town

hall exterior work. Mr. Henry noted the fire escape is scheduled to be installed by the end of May by Norfolk Ironworks, and the chimney work will be done by Simpson in a coordinated effort. Mr. Downing suggested the Fire Chief be asked if the ladder truck could stand by when the old fire escape is being dismantled and the new one installed so no one is put at risk in case of emergency. Mr. Henry also suggested Mr. Speroni be so informed.

Mr. Henry brought up the subject of the painting being done by Villanueva, and the gaps of holes found in the cornices. A proposal was received to do the repair work with sheetmetal or wood for $3,495. Mr. Henry suggested they think about the proposal and discuss it further with Mr. Speroni, as well as the status of funds. Mr. Downing agreed they should take it under advisement.

- Mrs. Allen said she had spoken to Millis Town Administrator Charlie Aspinwall concerning an additional public hearing on the Route 109 project scheduled for May 29th at 7:00 p.m. at the Millis High School.

- Mr. Henry acknowledged receipt of a letter from Boy Scout Leader Bernie Cornelia requesting the Boy Scouts be allowed to come to a Selectmen's meeting to observe and ask questions. Mrs. Allen said she had put them on the May 20th agenda, but anyone is welcome anytime.

- Mr. Henry requested clarification on a letter received from DEP concerning Footware Associated's property at 163 Main Street. The letter was a notice of noncompliance of failure to submit tier classification. Mrs. Allen felt it was an old notice since the property is now owned by Chicken Brook Realty. Mr. Downing agreed stating that the site had already been signed off by DEP, and the names just did not match the address. Mr. Henry asked Mrs. Allen to call DEP and get the status of the location, and to then respond to Mr. Benoit advising him with a copy to the Board.

7:47 - All of the members of the Town Administrator Review Committee came before the Board for a update on their findings. Co-chair Kathy Rehl said they had prepared a draft of an RFP for a government study of the Town. She briefly summarized the nature of services required, which they called minimum deliverables. This included comparing the Town's government with five municipalities and reviewing materials of two town administrator review committees, including interviews with Town personnel.

Mrs. Rehl also identified their goals and minimum deliverables as being what they wanted to get out of

study, which included presenting three different government structures, identifying long-term growth considerations, problems with the existing infrastructure, and opportunities for regionalization, as well as examining the present personnel structure. Mr. Downing noted to the Committee that a peer would be coming to the Town soon to review the personnel classification plan, which could possibly be incorporated into the RFP.

Mrs. Rehl stated that the time frame as set up would be to advertise the RFP mid-May with the study concluded at the beginning of November.

Mr. Henry asked about documentation submitted to the Committee from other sources. Mrs. Rehl said some information was available, but still not specific enough to compare with Medway.

Co-Chair Carla Cataldo further clarifying said they need to identify if there is a problem, and then meld information from other towns and see if we are comparable and how we could be more efficient. Mr. Downing told the Committee the Selectmen assist by being liaisons to different Boards and Committees, and if the Consultant has a problem with any of them, to let the Board know.

Mrs. Cataldo also noted that a figure of $5,000 appears in the FinCom book as the requested cost, however, in her research, it looks as if the amount should be closer to $10,000. Mrs. Allen asked about advertising costs, and it was noted about $100 of the appropriated figure should be set aside for that purpose.

Mr. Downing moved that the Board approve and support the Town Administrator Review Committee in their recommendation to prepare an RFP for a researcher to study Medway's town government; Mr. Henry seconded; all aye.

- Mr. Downing asked that the Board's liaison list be looked at again.

- Mr. Henry noted an EOCD meeting being held on June 5th concerning industrial development block grants feeling one of the Board members should attend. The Board said they would consider it, and possibly someone from IDC should also attend. Mr. Henry asked Mrs. Allen to contact IDC, with Mr. Downing adding that it be placed on the May 20th agenda for further discussion.

- Mr. Henry noted the change in the next School Committee meeting from May 16th to May 22nd.

8:10 - Mr. Downing moved the meeting be adjourned; Mr. Henry seconded; all aye.

Respectfully submitted,

Mary Jean Fredette
Secretary
mj

approved as amended 5/20/96

BOARD OF SELECTMEN

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

AGENDA

April 29, 1996

7:00 p.m.	Open meeting, approve minutes of the 4/22/96 meeting. Sign warrants.
7:05	Open bids for backhoe loader.
7:10	Mike Fasolino and Bob Reding. re: boot collections for Steve Reding.
7:15	Site plan review for Mobil Gas Station, Main Street for canopy.
----	Committee reports.
----	Action items.
----	Executive session - strategy.

ACTION ITEMS FOR SELECTMEN'S MEETING OF APRIL 29, 1996

1. Acknowledge and discuss memo and maps received from the Chairman of the Open Space Subcommittee regarding their Final Draft of Medway's Open Space and Recreation Plan.

2. Acknowledge receipt of contract for the EOCD Peer to Peer program.

3. Acknowledge receipt of letter dated April 11, 1996 from Edward Duggan.

actitems.doc

ACTION ITEMS FOR DEPARTMENT MEETING OF APRIL 29, 1996

1. Acknowledge and discuss memo and maps received from the Chairman of the Open Space Subcommittee regarding their Final Draft of Medway's Open Space and Recreation Plan.

2. Acknowledge receipt of contract for the ELDS user fee program.

3. Acknowledge receipt of letter dated April 17, 1996 from Edward Rogers Property.

Present: Raphaela Rozanski, Lee Henry, Doug Downing
Administrative Assistant Ruth Allen.

7:00 p.m.-Mrs. Rozanski called the meeting to order in the Selectmen's Meeting Room 2 of Town Hall.

- Mrs. Rozanski said she was changing the agenda because of a request of the Town Clerk to honor Leo Szymanski. Mr. Henry moved, and Mr. Downing seconded, to proclaim Monday, May 6, 1996 as Leo P. Szymanski Day in the Town of Medway; all aye. Mrs. Rozanski read a proclamation she had prepared and the Board signed it.

- Mr. Henry moved, and Mr. Downing seconded with a minor correction, to accept the minutes of April 22nd; all aye. On a follow-up, Mr. Downing said he did speak to Ed Hjerpe detailing the Municipal Facilities Study Committee and that a rep from the FinCom is requested.

- Four warrants totalling $516,822.58 were signed.

7:08 - Mr. Henry read the ad that appeared in local papers for bidders for a backhoe loader. One bid was received from Schmidt Equipment of North Oxford for $69,938, with a trade-in for the old backhoe of $20,500, for a total of $49,438. Mr. Henry moved, and Mr. Downing seconded, to turn the bid over to the Assistant Highway Superintendent for his review and recommendation; all aye.

7:10 - Mike Fasolino and Bob Reding came before the Board to mention that Steve Reding has ALS and a committee has been formed to raise money to cover his medical expenses. One of the fundraisers is a dance on May 25th at the Millis AmVets.

With permission already given by the Fire Chief, Mr. Fasolino stated that the firefighters would like to conduct a "boot" collection in uniform at the corner of Holliston and Main Streets, and in the parking lot of the High School for Pride Day on May 18th and the Soccer Tournament on May 25th. He said that they will be going over safety precautions with Chief Lambirth. The Board agreed it was a good idea with safety being kept in mind. Mr. Henry suggested talking to Norfolk to see how they organize their "boot" collections.

Mr. Henry moved, and Mr. Downing seconded, to grant permission to the Fire Department to run a fundraiser for Steve Reding with a "boot" collection on May 18th and May 25th at the corner of Holliston and Main Streets, and in the parking lot at the High School; all

aye. Mrs. Rozanski asked Mrs. Allen to send a letter to Chief Vinton and Chief Lambirth letting them know that the Board had granted permission.

7:20 - Representatives from Mobil Gas Station on Main Street came before the Board for a site plan review. They had already appeared before the Zoning Board and permission had been granted to place the canopy over the pumps, and the 20-day appeal period had expired. They explained that it would be a shingled roof to go along with the other structures on that side of the street, with no change in the footprint, along with the placement of a stockade fence enclosing the area and the dumpster.

Mr. Henry moved, and Mr. Downing seconded, to approve the site plan of Mobil Gas Station on Main Street as presented on April 29, 1996; Mrs. Rozanski amended the motion to reference drawing #93017SP; all aye.

7:26 - Committee Reports.

- Mr. Henry discussed a meeting he attended since he was on the Equipment Committee and liaison to the Highway Department. The problem concerned the joint sweeper we share with Millis which finally died. He had met with Asst. Highway Supt. Bob Power, mechanic George Cole, Millis DPW Supt. Irving Priest, and their mechanic Charlie. Mr. Henry said that C. N. Wood services the Elgin sweeper and they had done a complete cost survey of the sweeper in the fall of 1995.

The discussion came down to three areas: the cost to repair the sweeper; the cost as determined by the survey; and should the sweeper be replaced since it is 11 years old, noting Medway has twice as many streets as Millis. Mr. Henry said he had asked Mr. Cole to determine the cost in repairing the sweeper, and he had come up with a figure of $5,000 to get it running. The overhaul survey by C. N. Wood had been figured at $38,000, and to replace it would be $92,500. He noted they needed to make a decision, and also determine if the joint sweeper has been beneficial to both Towns, and is it meeting the needs of Medway to get the streets swept. Mr. Henry said that we now have the Holder tractor which sweeps and cleans sidewalks, but we have no street sweeper. Also, should we consider a lease/ purchase for a new piece of equipment; and should Highway still be doing the sweeping, or should we contract it out as we do with catch basin cleaning.

Mr. Henry said he wants to talk further with Mr. Power and Mr. Cole and see what they recommend, and talk to

Millis as well. He stated that if each Town's portion is $2,500 to get it up and running, how long will it last, and if we encounter further problems, then what. Mr. Henry was uncertain as to any trade-in value.

Mr. Downing wondered if this was a band-aid approach for $5,000, and what is the guarantee if we each put in $19,000 to overhaul it; also, what is the direct labor cost vs. lease/purchase of $4,500 over five years. Mr. Henry said that Mr. Cole had told him we had already spent $1,000 in broom replacements so far in three days. Mr. Downing suggested looking at the original sweeper document and see what the guarantee was. He also agreed that it should be kept with the Equipment Committee and see what Millis wants to do. Mr. Henry said he would follow through and get back to the Board.

- Mrs. Rozanski brought up a letter received from Don Martin of EOCD concerning the peer-to-peer technical assistance grant to evaluate the personnel classification system for $810 that Medway received. Mr. Henry moved, and Mr. Downing seconded, that Mrs. Rozanski sign the contract to allow Kate Fitzpatrick, Personnel Director of Needham to be the peer; all aye.

- Mr. Henry stated he had met with Mary Ann Padien from Senator Magnani's office and had passed on to her the Board's concerns on the Walker Street Bridge and also discussed the industrial portion of Alder Street. Mr. Henry recommended that phase #1 deal with the industrial portion of Alder Street and phase #2 deal with the residential portion. Based on engineering cost estimates for the Cottage Street drainage project, he figured $50,000 as well for Alder Street.

- Mr. Henry said he and Mrs. Allen would be meeting with Arthur Dowley of Mass. Highway on Tuesday morning, April 30th at 10:00 a.m. to finalize the paperwork for Main/Summer/Village Streets.

- A reminder that the Board will be meeting with Joe Giovanazzo of GCG Associates on Tuesday morning, May 7th at 8:30 a.m. to review plans and get an update on the Cottage Street drainage issue.

- <u>Action Items.</u>

- The Board acknowledged receipt of a memo from the Open Space Committee attaching the maps that go with the final draft of the Open Space and Recreation Plan previously given to the Board. It was noted that the Open Space Committee was having a public hearing the

next evening, Tuesday, April 30th at 7:00 p.m. Mrs. Allen restated everything needs to be submitted by June 1st. Mr. Henry commended the members of the committee for all their work, and moved that the Board endorse the plan as submitted with maps for the Open Space and Recreation Plan; Mr. Downing seconded; all aye. The plan was signed off by the Board.

- Mrs. Rozanski asked that Mrs. Allen send a copy of Rep. Gardner's letter on septic issues to Ed Duggan, and to let him know the Board was concerned, and there was a betterment article on the Town Meeting warrant. She also wondered if the Board of Health was aware of his problem. The Board discussed if a joint meeting should be held with the Water/Sewer and Board of Health on septic issues. Mr. Downing said CRPCD should be included on any joint meeting, and that it was up to the Water/Sewer Board to try and get the developer to take most of the cost; now that there is an open space plan, a master plan should be developed. Mr. Downing noted how difficult it was to come up with a program when the rules keep changing. Mrs. Allen referred to a comment of Mr. Duggan's where he thought a 10 year plan that existed, but Chairman Gardner Rice stated there was none.

- Mr. Henry referred to Bay State Gas' opposition to the amendment as approved at the Special Town Meeting of April 1st on road access. He felt they had disapproved the article because of three requirements: berm to berm repaving; the bonding stipulation, and replacing town utilities they had moved. Mr. Henry said these three factors were in our existing By-law, and requested he be allowed to discuss it with Town Counsel. Mrs. Rozanski stated he should go ahead and do that. Mr. Henry also thought the Bay State Gas community representative could come in and talk to the Board about their concerns, if deemed appropriate after he spoke to Town Counsel, but Mrs. Rozanski felt we should talk to them anyway.

- Mrs. Allen asked Mrs. Rozanski to sign the form for snow reimbursement money from FEMA for $32,105. Mr. Henry moved, and Mr. Downing seconded, that the Chairman be allowed to sign the FEMA form in compliance to receive snow money reimbursement; all aye.

- Mrs. Allen stated she had finally gotten in touch with Peter Donahue to discuss the Walker Street Bridge, but because of a death in the family, would not be able to get further information from John Donahue until Thursday. Mrs. Rozanski asked Mrs. Allen to call Rep. Gardner and ask her to pursue it as well. Mr. Henry

suggested asking the Town of Franklin to call their reps as both Towns pursuing resolution might do some good.

- Mrs. Allen asked Mrs. Rozanski to sign MIIA documentation to extend the low premium coverage through July 1, 1998 for property and casualty. She noted they certainly have saved the Town money. Mr. Henry moved, and Mr. Downing seconded, to allow the Chairman to sign the premium for MIIA extended coverage; all aye.

- Mr. Henry reminded everyone of the Planning Board's public hearing on Idylbrook the next evening, Tuesday, April 30th at 8:00 p.m. Mr. Downing said he went to the last Planning Board meeting and there was confusion as to which plan the Board had endorsed. It was clarified that the first plan did not have the corrections made to it for park and recreation, but it was just a reconfiguring of the 10 acres.

- The Board noted which streets Bay State Gas would be working on for replacement gas mains, which included: Holliston Street (between #15-59); Sanford Street; Walker Street Bridge; and nothing on Village Street.

- Mr. Downing said there was a proposal in the works to be submitted by the School Department to the Water/Sewer Board to sewer the school on Holliston Street, basically from Fuller Brook Road to Kelley Street. He said Fuller Brook is already sewered, but there were about 10-14 homes included in the area, with more information to follow. Mr. Downing also noted that there was some concern that roof run-off was going into the septic system; he clarified that it was not.

- Mr. Henry acknowledged a letter from Peter Manijak of 17 Center Street concerning new school construction, which Mr. Downing said he would follow up on.

8:45 - Mr. Henry moved, and Mr. Downing seconded, to adjourn to executive session for the purpose of discussing strategy as it relates to union and non-union personnel, not to return to open session; all aye. The vote: Mr. Henry - yes; Mr. Downing - yes; Mrs. Rozanski - yes. The Administrative Assistant and the Secretary were not in attendance.

Respectfully submitted,

Mary Jean Fredette
Secretary
mj

approved 5/14/96

BOARD OF SELECTMEN

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

AGENDA

April 22, 1996

7:00 p.m.	Open meeting, approve minutes of the 4/8/96 and 4/16/96 meetings. Sign warrants.
7:05	Open bids for Park Playground Equipment.
7:15	Open bids for DPS Chipper.
	Committee Reports
	Action Items
	Executive Session, Strategy

ACTION ITEMS FOR SELECTMEN'S MEETING OF APRIL 22, 1996

1. Acknowledge and discuss memo received from Chairman of the Finance Committee regarding committee appointment.

2. Acknowledge and discuss request of Medway Pride Day Committee to place sign at Main/Village Street.

3. Acknowledge, discuss and approve first payment requisition for the new elementary school.

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Present: Raphaela Rozanski, Lee Henry, Doug Downing, Administrative Assistant Ruth Allen.

7:00 p.m.-Mrs. Rozanski called the meeting to order in the Selectmen's Meeting Room 2 of Town Hall. Mr. Henry mentioned that Mary Ann Padien with Senator Magnani's office would be meeting with Selectmen on Tuesday morning.

- Mr. Henry moved, and Mr. Downing seconded, that the minutes of April 8th be approved; all aye.

- Mr. Henry moved, and Mr. Downing seconded, that the minutes of April 16th be approved; all aye.

- Four warrants totalling $635,859.90 were signed, which included the first payment of $223,429.55 for the construction of the new school.

7:10 - Mr. Henry read the advertisement for bids that appeared in local papers for playground equipment. Seven bids were received from the following:

1. New England Rec. - Westboro - $29,699
2. Goric - Ashland - $39,516
3. Gametime, c/o Marturano Rec. - $29,039.50
4. Childscapes - Nashville - $35,864
5. O'Brien & Sons - Medfield - $26,197
6. Gibbons - Ledyard, CT - $30,803
7. Bill Simione - Rensselaer, NY - $31,720.46

Mr. Henry moved, and Mr. Downing seconded, that the bids be turned over to the Park Commissioners for their review and recommendation; all aye. Chairman Ellen Gove mentioned to the Board that the Commissioners and the Open Space Committee had done the Idylbrook walk on Sunday with no additional changes recommended.

7:20 - Mr. Henry read the advertisement for bids that appeared in local papers for a brush chipper. Three bids were received from the following:

1. Vermeer Sales - Raynham - $19,427
2. Cleaves - Needham - $20,500

3. CUES Inc. - Amherst - $20,138

Mr. Henry moved, and Mr. Downing seconded, that the bids be turned over to the Assistant Highway Superintendent for his review and recommendation; all aye.

- Committee Reports - Selectmen.

- Mrs. Rozanski brought up Idylbrook Farm and if any response had been received from the Planning Board concerning the proposed plan. Mrs. Allen said there had not been, so it is assumed the public hearing is on schedule.

- Mrs. Rozanski asked about the tanker truck that Chief Vinton had been told about. Mrs. Allen indicated that the Chief felt it was too large, but the discussion is still on-going.

- Mrs. Rozanski stated that Board members had attended the Medway/Millis Medal of Honor Day on Sunday, April 21st.

- Mrs. Rozanski said she had spoken to the Board of Selectmen in Millis concerning the Route 109 reconstruction project, and noted another 25% hearing will be coming up with almost all of the recommendations being incorporated, including 40 mph speed limit; not as wide as originally planned; and another look at the intersection of Holliston Street and Route 109.

- Mrs. Rozanski acknowledged the memo from Jim Brodeur, and stated she had spoken to Bob Speroni concerning the political signs. She said she requested he review the placement of the signs and let the Board know of his findings.

- Mrs. Rozanski noted receipt of the MMA bulletin, and in particular the House adoption of Title V 0% interest for loans.

- Mr. Henry said he had met with Bob Power and Mrs. Allen to review roadwork, sidewalks and drainage issues. He noted they were listing priorities and problems encountered with repairs and reconstruction. Mr. Henry said they just got an indication that some sections of roadway will be opened up by Bay State Gas that we had planned to work on, such as Village Street and Holliston Street. He also hoped that they would be able to meet again this week and get input from other

departments that might be affected. They also talked about the streets listed for acceptance on the annual town meeting warrant which Mr. Power had reviewed and given his comments. The Board asked that a copy of Mr. Power's comments be given to the Planning Board so they would know which streets still had work to be done prior to any acceptance.

- Mr. Henry brought up the Cottage Street project. Mrs. Allen said she has been trying to reach the engineer, but to no avail. Mr. Henry thought Mr. Giovanzzo had received the federal hydraulic study and that the Board should meet with him to discuss it. Mrs. Allen will keep trying to get him.

- Mr. Henry brought up Alder Street and how part of the road is in residential area, and part is in industrial area. He noted that the IDC is working on reconstructing that area of Alder Street in the industrial park, and also repairing or redesigning that residential part of Alder Street. It is possible that we might be able to get some funding from Senator Magnani's Office.

  Mrs. Rozanski stated she had input from IDC, and that they were applying for a PWED grant for the industrial side of Alder Street, not the residential area. She said she could ask the IDC to send the Board some notes on this. Mr. Henry inquired if the IDC would be interested in handling the project for us.

  Mrs. Rozanski asked Mrs. Allen to see if a sign could be placed on Milford Street near Trotter Drive indicating the location of Alder Street.

- Mr. Downing said the Clerk of the Works for the new school had given him some information on Center Street, and he would be reviewing that information with the architect and get back to the Board. Mr. Henry said the sidewalks will be going in and the street will be repaved after all construction is completed.

- <u>Action Items - Administrative Assistant.</u>

  - FinCom Chairman Ed Hjerpe's letter to the Board was acknowledged. Mr. Downing will speak further to Mr. Hjerpe concerning getting a FinCom rep on the Municipal Facilities Study Committee.

  - The Board received a request to sign a building

permit as the owner of property at the corner of Main and Village Streets for a temporary sign for Pride Day. Mr. Henry moved, and Mr. Downing seconded, to approve a sign request for Pride Day from April 22nd through May 18th at the corner of Main and Village Streets; all aye.

- A request was received from the Permanent School Building and Site Selection Committee to utilize the services of Town Counsel from time to time with regard to the construction of the new school. Mr. Downing moved, and Mr. Henry seconded, to approve the Permanent School Building Committee's use of Town Counsel periodically as outlined in their memo of April 10th; all aye.

- Mrs. Rozanski acknowledged the letter of complaint regarding ~~from~~ Swenson Granite. When asked why the Board received it, Mrs. Allen explained the original goes to the Town Clerk; the Board receives copies of appeals.

- Mrs. Allen noted receipt of the draft copy of the open space documentation on file in the Selectmen's Office.

- Mrs. Allen said that Jed Mannis representing Ellis Farms had called and stated that the purchase and sales agreement has fallen through. He would be confirming this in a letter, and Mrs. Rozanski asked that a copy of that letter be given to the Assessors when it comes in.

- Mrs. Allen said that Don Martin of EOCD had called and they had a peer. Her name was Kate Fitzpatrick and she was the personnel director in Needham. He stated a contract would be sent in about two weeks.

- Mr. Henry acknowledged receipt of a letter from Bruce Babcock, Town Engineer for the Town of Franklin indicating that construction of the 12-inch sewer main within Populatic Street would begin on June 1st; and that they would complete the construction and patching of Populatic Street on June 10th.

- Mrs. Rozanski asked Mrs. Allen to contact Peter Donahue again to see about the status of the Walker Street Bridge. Mrs. Allen said she had spoken to him mid-March, and at that time, they were waiting for the water to go down before they could begin work again.

- Mr. Downing asked about the Animal Control agreement, and Mrs. Allen said that it had been reviewed by Town Counsel and any changes had been made. Mrs. Rozanski noted that the ACO's line item is listed as expenses.

- Mrs. Rozanski noted that the line item for accounting equipment (business equipment) had been changed by CIPC, and given to FinCom prior to the warrant going to press.

7:55 - Mr. Henry moved, and Mr. Downing seconded, to adjourn to executive session for the purpose of discussing strategy as it relates to union and non-union personnel, not to return to open session; all aye. The vote: Mr. Henry - yes; Mr. Downing - yes; Mrs. Rozanski - yes. The Administrative Assistant and the Secretary were not in attendance.

Respectfully submitted,

Mary Jean Fredette
Secretary
mj

4/29/96

Present: Raphaela Rozanski, Lee Henry, Douglas Downing and Administrative Assistant, Ruth Allen.

8:48 a.m. The Chairman called the meeting to order. Signed warrants in the amount of $483,260.52.

8:52 The Board met with Ellen Gove, Chairman of the Park Commission and Lisa Mawn, Chairman of the Open Space Committee to discuss the plan for the land at Idylbrook Farm. They brought a copy of their plan for the land with them. Douglas Downing made a motion to approve the Park Commission and Conservation Commission Plan dated February, 1996 subject to any changes required by the Conservation Commission after their walk of the property on April 21, 1996, seconded by Lee Henry. All aye. The Board requested the Administrative Assistant send a letter to the Planning Board advising them of the Board of Selectmen's action along with a copy of the plan and if they had any questions to contact the Board of Selectmen.

- Discussed Solicitor's permit for Schwan's Sales, all the paperwork had been received and Police Chief Lambirth had checked with the towns of Bellingham, Franklin, Holliston and Millis; these towns had no reported problems with this company. Mr. Downing moved, and Mr. Henry seconded that the Board approve the Solictor's permit for Schwan's Sales. All aye.

- The Board discussed the final draft for the Annual Town meeting warrant, Article 21 and 22 have been reversed and the Board signed the warrant so the final copy could be given to the Finance Committee.

- Mrs. Rozanski acknowledged the letter received from the Department of Environmental Protection regarding a new Technical Assistance Grant Funding Round concerning hazardous waste disposal sites in Medway listing the dates for workshops.

Present: Nathaniel Rosenfeld, Lee Abner, Douglas Downing and Administrative Assistant, Nina Allen.

Bids & A. The Chairman called the meeting to order, stated [illegible] present in the amount of $487,240.12

Bids [illegible] was moved by Peter Nova, [illegible] by Jean Cornelius and Lisa Ryan, Chairman of the Board directed Secretary to distribute the plan for the land at Individual Bank. They brought a copy of their plan for the land with them. Douglas [illegible] made a motion to approve the Bank Commitment and Construction Plan noted [illegible] Bank, seconded by Lee Abner. All [illegible] The Board requested the Administrative Assistant [illegible] to the Minutes of the Board of Directors.

[illegible] Secretary's salary [illegible] Carl Schwartz's salary, all who presently had been received and Police Chief Lawrence had checked with the towns of Pawlingham, Franklin, Holliston and Milford these towns had no restrictions with this company, however Mr. and Mr. Henry assured that the bond expense was solicitor be paid for [illegible] Mr. [illegible]

The Board discussed the final draft for the Annual Town Meeting warrant, article 21 and it was to have been removed and the Board adjourned from Annual Town Meeting warrant, article 21 and it was to be given to the Town Counsel copy could be given to the [illegible]

[illegible] Secretary acknowledged the letter from [illegible] Bank [illegible] Bank [illegible] Conservation Commission either their work at the property in April 11, 1990, accepted by the Conservation Commission either their work at this property may be any changes result in by Febraury, 1990 [illegible] Bank [illegible] Plan noted Commission and Lisa Ryan, Chairman of the Bank [illegible] Douglas [illegible] Individual Bank for the land with them. Douglas made a motion to approve the Bank Commitment and Lisa Ryan, Chairman of the Bank [illegible] Douglas Downing

- Mr. Downing acknowledged receipt of a copy of a memorandum from the chairman of the Zoning Board of Appeals to Town Counsel. Mr. Henry made a motion and Mr. Downing seconded, to approve the request of the Zoning Board for the use of Town Counsel regarding the petition of George Maravelias. All aye.

- Mr. Downing acknowledged receipt of the memorandum from the Town Accountant informing the Board she would be using compensatory time the week of April 15, 1996. Mrs. Rozanski stated that this compensatory time had been approved by the Board prior to Mr. Downing's election and at that time Mrs. Mehta fell and did not use this comp time.

- The Board acknowledged the request from the Planning Board for the use of Town Counsel. Mrs. Rozanski questioned why Mr. Yorkis' name and work number along with Jim Brodeur's would be in the letter for Town Counsel to get in touch with if he should have any questions regarding the matters and if he was listing any of the properties in Claybrook. Mr. Downing stated that Mr. Yorkis is around town more often during the day and that the chairman had made this request of the Board. Mr. Henry moved and Mr. Downing seconded, approval of the use of Town Counsel by the Planning Board for Claybrook II as requested per the Planning Board memo of 4/10/96. All aye. Mr. Henry moved and Mr. Downing seconded, approval of the use of Town Counsel by the Planning Board for Hunter Lane/Cedar Trail as requested per the Planning Board memo of 4/10/96. All aye.

- Mr. Henry moved and Mr. Downing seconded, approval of the Selectmen's meeting minutes of March 21, 1996. All aye.

- The Board dicussed the status of the FY'95 Audit Mrs. Rozanski stated that the Treasurer and the Town Accountant had received the draft copy of the Financial Statement and the Management Letter and that they were reviewing the same. Also

the Audit Committee would be meeting to set up a date for the Exit Conference with the auditing firm. Mr. Downing requested the Administrative Assistant obtain a copy of the draft audit from the Town Accountant for his review.

- Building Inspector, Robert Speroni, came before the Board for the signature on the building permit application for the new elementary school. Mr. Henry moved and Mr. Downing seconded, that the Chairman sign the Building Permit Application. All aye.

- Fire Chief Vinton informed the Board that through the efforts of Congressman Peter Blute and Medway resident, Carlo Molinari, he would be going to Freetown tomorrow to look at a 5,000 gallon Federal Government tanker truck.

10:00 a.m. Mr. Downing moved and Mr. Henry seconded to adjourn. All aye.

Respectfully submitted,

Ruth Allen,
Administrative Assistant

RA

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Approved 4/23/96

BOARD OF SELECTMEN

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

AGENDA

April 8, 1996

7:00 p.m.	Open meeting, approve minutes of the 3/25/96 and 4/1/96 meetings. Sign warrants.
7:05	Jerold Loomis, requests appointment as a constable
7:15	Robert Fultz, Schwan's Sales regarding Solicitors Permit
7:30	Dino Gaglione, Direct Access Marketing regarding Solicitors Permit
7:35	Site Plan, Scott Herrick, Swenson Granite Industrial Park Road

Committee Reports

Action Items

Executive Session, Strategy

ACTION ITEMS FOR SELECTMEN'S MEETING OF APRIL 8, 1996

1. Award bid for safety signs for Governor's Highway Safety Grant.

2. Discuss House Bill #5813, Sections 50-59.

3. Discuss Kelly Brothers proposal regarding the gutters.

4. Approve revised EMS budget for FY'97.

5. Revise ACO FY'97 budget and approve Articles for Annual Town meeting warrant.

6. Discuss fax from CIPC regarding ATM Articles #13, 15 and 16.

7. Clerk of Works contract for the new elementary school.

8. Discuss response to Certified letter from Brian Aulenbach.

9. Sign Recycling Grant agreement? Raphaela has the agreement.

10. Any written comments on Electric Industry Restructuring?

11. Any atendees to the Boston Edison Executive Leadership Forum Breakfast April 11th???

12. Any comments on Preliminary Plans for:
Gray Squirrel Estates or Colonel Fales Estates??

13. Emergency transfers requests for pre-employment physicals and law.

14. Vote on request for use of Town Counsel by Library Trustees.

15. Discuss Annual Town Meeting Warrant.

Notes:

Draft copy of the FY'97 School Department Budget is in the office.

Question was asked if the Board is still interested

in forming the subcommittee to study the availability of buildings or land for possible common shared facilities?

Reminder - Employee negotiations April 10th at 7:30 p.m. in meeting room of Fire Station II.

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Present: Raphaela Rozanski, Lee Henry, Doug Downing, Administrative Assistant Ruth Allen.

7:00 p.m.-Clerk Lee Henry called the meeting to order in Mrs. Rozanski's absence.

- Mr. Downing moved, and Mr. Henry seconded, approval of the minutes of March 25th; all aye. Mr. Downing moved, and Mr. Henry seconded, approval of the minutes of April 1st; all aye.

- Jerold Loomis came before the Board with a request to be appointed Constable. He noted he will be moving to Medway, and had over 130 constables working for him that service area towns, but wanted to service Medway himself. Mr. Henry wondered if Medway needed additional constables, but Mr. Downing added he had no problem endorsing him.

  Mrs. Rozanski joined the Board at this time, and asked if all the criteria had been met, which the Board stated it had. Mr. Henry moved, and Mr. Downing seconded, approval of Mr. Loomis being appointed Constable through April 8, 1999; all aye.

7:15 - Robert Fultz representing Schwan's Sales came before the Board to request a solicitor's permit for canvassing his products door-to-door. If the Board approved his permit, he would then approach the Board of Health for the necessary permits. He indicated that some products would be available on the truck, but the balance of the order would be available every other week. Mr. Fultz said that no more than four people from his company, two in each truck, would be in town at one time, usually from 8 a.m. to 9 p.m. He stated that they service the Towns of Milford, Millis and Bellingham in this area. Mrs. Rozanski asked Mr. Fultz to provide the Police Department with a daily listing of who is in Town on each day.

  At this point, Mr. Henry moved taking Mr. Fultz's solicitor's permit under advisement so he could confer with the Police Chief and the other area towns; Mr. Downing seconded on condition that the Board take this issue up at the next Tuesday morning session with the Selectmen on April 16th; all aye. Mrs. Rozanski asked that Mr. Fultz send a copy of the peddler's licenses for his employees to the Police Chief. Mr. Downing requested at this time that this meeting be posted as a regular meeting for a vote since no votes are taken at the Tuesday morning meetings. Mr. Fultz was assured that he could continue to service the customers he had.

7:35 - Dino Gaglione of Direct Access Marketing for a solicitor's permit for Primavera did not show for his appointment with the Board.

- Richard Merrikin of Swenson Granite, along with Scott Herrick, came before the Board to discuss a site plan for their firm at the intersection of Industrial Park Road and Route 109. Mr. Merrikin stated that the firm sells granite, posts and curbing, some of which would b displayed in the yard. They intend to use a second entrance from Jayar Road for trucks, and connect to town water and sewer. He noted they had already been before Conservation Commission with an Order of Conditions and before the ZBA for a variance and special permit. Trees will be planted near the buffer zone to create an esthetic setting for traffic flow to view. Mr. Merrikin stated they were occupying the premises on a lease/ purchase agreement.

  Mr. Merrikin also understood about the Route 109 reconstruction project, and he was advised by the Board to look at the redesign of the drainage and detention basin in his area from the 25% plan presented by the State, and to get something in writing concerning a proposed easement. Mr. Henry voiced his concern about the possible need for fencing around the detention pond.

  Mr. Henry moved, and Mr. Downing seconded, to approve the site plan for Swenson Granite as proposed in their site plan dated January 9, 1996; Mrs. Rozanski amended the motion to include the ZBA's hearing of February 7, 1996, and ConCom's Order of Conditions #216-395; all aye.

- Warrants were signed totalling $271,741.62.

- Committee Reports - Selectmen.

- Mr. Henry brought up correspondence received from Guertin & Associates of Stoneham concerning utilizing their assistance for grant funding for roadway reconstruction under the ISTEA program, which he believes has been re-authorized. He noted that Bob Power was coming up with a list of sidewalks, drainage areas and road repairs to be done, possibly utilizing Chapter 90 monies. Mr. Henry said he would be getting together with Mr. Power and Mrs. Allen to follow up.

- Action Items - Administrative Assistant.

- Mrs. Rozanski brought up the Idylbrook grant saying she had talked to Town Counsel and the Board has to approve the plan and then submit it to the Planning Board like a plan of land in Medway. She stated we don't need a formal public hearing but we do need input from Park and Conservation. She asked that a copy of Mr. Yorkis' letter be sent to them, noting that the Board has to approve the plan and does need to know in writing if they have any changes to be made by April 16th so it can be turned over to the State and then receive the funds. Mrs. Rozanski said that a public hearing will be held with the Planning Board on April 30th, but the Board needs to approve the plan prior to that. Mrs. Allen added that it first needs to be recorded before going on to the State. Mr. Downing hoped they could approve the plan on April 16th and then send it on to the Planning Board as the public hearing is on the "approved" plan, not the "proposed" plan.

- The Board brought up the safety signs for the Governor's highway safety grant, and Bob Power's recommendation to go along with Permaline. Mr. Henry moved, and Mr. Downing seconded, to accept the recommendation of the Assistant Highway Superintendent and award the bid for the safety signs to Permaline of Brockton for $3,855.34; all aye.

- Mr. Downing brought up House Bill #5813, which he is opposed to because it would eliminate the registries of deeds in various counties throughout the state and put them under the Secretary of State. He stated that Medway was active in the Norfolk County Advisory Committee and utilizes Norfolk County services, especially engineering. Mr. Downing urged the Board's support in writing a letter to Senator Magnani and Rep. Gardner opposing the bill and asking that they vote in opposition. The rest of the Board agreed, with Mr. Henry adding that we have also utilized the inmates from the Sheriff's Office, Mosquito Control, as well as an inmate at the Police Department.

  Mr. Downing moved, and Mr. Henry seconded, to request Mrs. Allen send a letter on behalf of the Board to Senator Magnani and Rep. Gardner voicing their concern with House Bill #5813; Mr. Henry added to request they vote against it; Mrs. Rozanski added that the Board should sign it personally; all aye.

- The Board discussed the quotes received from Kelly Brothers Construction concerning the gutter repair. Mr. Henry said he and Scott Kelly looked at the gutters, with thanks to Ladder One's Chief Vinton, Bob O'Neill,

Fred Tingley, and Building Inspector Bob Speroni. They noted that flashing had been done in sections, but sections of the wood were rotting. His recommendation was to go out to bid for rubberized membrane for the interior of the gutters. Mr. Kelly was aware if the cost was estimated to be over $4,000, that they would have to go out to bid. Mr. Henry did confirm that the work already done by Kelly Brothers for $7,200 was needed work, but the guttering also needs to be taken care of, and this particular work will last 30 years.

Mr. Henry moved, and Mr. Downing seconded, that they go out to bid for rubberized membrane to repair the Town Hall roof gutters; all aye. The question was asked if it might be cheaper to replace the gutters; and Mr. Henry said it would not as the soffit would have to be rebuilt as well.

- The Board brought up the revised EMS budget for FY'97 which inadvertently did not get approved last week. Mr. Henry moved, and Mr. Downing seconded, to approve the FY'97 EMS budget for salaries of $51,456; expenses of $10,780; totalling $62,236; all aye.

- The Board discussed the Animal Control Officer's budget for FY'97. Mrs. Allen noted that the ACO is under Millis for salaries and assessing Medway for a fee for services and an office. An article is needed to enter into an agreement with Millis for all expenses, no salaries. Mr. Henry moved, and Mr. Downing seconded, to approve the revised Animal Control Officer's line item for the budget for FY'97 for expenses of $21,096; all aye.

  Mrs. Rozanski asked about the ACO's vehicle, and should it go to CIPC. Mr. Henry felt that since it was over $5,000, it should. Mr. Downing said he had spoken to CIPC and told them he would get back to them.

- The Board discussed the fax from CIPC with reference to certain articles on the draft copy of the annual town meeting warrant; namely the bank buildings, town hall renovations, and the ACO vehicle. Mr. Downing noted that the Board agreed to sponsor the article for the two buildings prior to the formation of the study committee on space; on the renovations, Mr. Downing felt the article might be redundant; and on the ACO vehicle, he said he would speak to Charlie Aspinwall.

- The Board noted receipt of the Clerk of the Works contract with the suggested changes by Town Counsel made. It was signed by the Board.

- The Board acknowledged receipt of Brian Aulenbach's letter to the Board noting his concerns with some of what has transpired in the process of building for the new elementary school. Mr. Henry recommended they take his letter under advisement, but to respond to him and let him know we are doing so. Mrs. Rozanski asked Mrs. Allen to acknowledge his letter and to let him know that the Board would respond. She did note that the Board had asked him to put any comments in writing, which is what he did.

- The Board discussed receipt of the recycling grant agreement from DEP of $3,215 for 25 home composting bins, which Town Counsel had already reviewed. Mr. Henry moved, and Mr. Downing seconded, to have the Chairman sign the agreement; all aye.

- With reference to Electric Industry Restructuring, Mr. Henry felt it was too early to make any comments. Mrs. Rozanski noted that Rep. Gardner was keeping an eye on the issue.

- No one was able to attend the Boston Edison Executive Leadership Forum breakfast on April 11th.

- Mrs. Allen noted that the preliminary plans for Gray Squirrel Estates and Colonel Fales Estates were in the office for the Board's review.

- Mrs. Allen asked the Board to re-sign the emergency transfer requests to the FinCom for pre-employment physicals and law which FinCom misplaced. Mr. Henry moved, and Mr. Downing seconded, to re-sign the emergency transfer request for Special Counsel in the amount of $2,524.88; all aye. Mr. Henry moved, and Mr. Downing seconded, to re-sign the emergency transfer request for pre-employment physicals to the Selectmen's expense account for $931.00; all aye.

- The request of the Library Trustees for the use of Town Counsel for the architect's services was brought up. Mr. Downing moved, and Mr. Henry seconded, to authorize the Library Trustees to send their memo dated April 2nd and signed by Director Philip McNulty to Town Counsel; all aye. Mrs. Rozanski asked Mrs. Allen to let Mr. McNulty know of the authorization.

- The Board signed the employee notification form for Assistant Assessor Paul Keefe.

- The Board signed the revised contract between Transit Alternatives and the Town of Medway.

- The Board stated they would all be attending the parade and services on Monday, April 15th for the joint Millis/ Medway Medal of Honor Day. Mrs. Rozanski said she would let John Sheehan know.

- Mrs. Allen asked the Board if the Council on Aging and the Park Commissioners should be included as part of the committee to study space, land and building use which Mr. Downing called the Municipal Facilities Study Committee. (The committee consists of one rep from CIPC, FinCom, Library, School and 3 Citizens-at-large.) Mrs. Rozanski said they could be added at some later time.

- Mrs. Rozanski stated that the Board had signed notes for bonding at a rate of 3.72% on April 4th at 2:30 p.m. The notes were for as listed below, and confirmation of the vote to sign was done at the Selectmen's meeting that evening.

927-1	-	$100,000
-2	-	"
-3	-	"
-4	-	50,000
-5	-	"
-6	-	25,000
-7	-	"
-8	-	"
-9	-	"

- Mrs. Rozanski gave the other Board members the draft copy of the School Department budget she received on April 2nd at their public hearing. The FinCom has not made a recommendation yet on the budget.

- The Board reviewed the second draft of the annual town meeting warrant. The Council on Aging article was deleted, as was the re-formation of the Permanent School Building Committee article.

  Mrs. Rozanski asked Mrs. Allen to check with Town Counsel to see if an article is needed to negotiate a price for the two bank buildings, and to let the Board know. Mr. Downing suggested not putting the article on the warrant now to see what the new municipal facilities study committee has to say, but to let the committee know that the Board was still interested in the property. Mrs. Rozanski said that the Board needs to know if the Board can negotiate, not a sub-committee. Again, Mr. Downing said he didn't feel the article should be on the warrant. Mr. Henry suggested waiting for Town Counsel's opinion; however, Mrs. Rozanski

stated that the Board may already be authorized to work up a proposal. It was decided then if the Board does not need authorization, the article would be deleted from the warrant. If the article is to remain, proper wording would be needed from Town Counsel.

Mrs. Rozanski asked that the amount of the article for senior citizen real estate tax payment vouchers be increased to $15,000 per request of the Council on Aging.

The article on town hall renovations was removed as it was redundant with the CIPC article. Mr. Downing asked if CIPC had been notified that some of the items on their article had been approved at the Special Town Meeting on April 1st. Mrs. Rozanski said she would speak with Gino as she agreed the amount being requested should be reduced, as well as adding the $16,000 for business equipment.

The Board discussed the peer-to-peer program, and Mrs. Rozanski said that it was an organizational chart and the functions of the people involved. Mr. Downing suggested holding off on space utilization until after the peer-to-peer had been done. He suggested leaving the article on, but not to do anything with it until after the program had been done. Mrs. Allen noted that, in speaking with Don Martin, it would be awhile yet for a peer to be brought into Medway.

Mr. Henry asked Mrs. Allen to get a hold of GCG Associates for Chicken Brook and ask if it was possible to meet with them next week latest. Mr. Henry also asked Mrs. Allen to check with Town Counsel to see if an article would be needed on the warrant to rescind a previous vote at town meeting on the library issue.

Mrs. Allen noted that the builder's risk insurance costs can be carried by the proposed budget as has been presented.

10:00- Mr. Henry moved, and Mr. Downing seconded, that the Board adjourn to Executive Session for the purpose of discussing strategy with respect to collective bargaining for union and non-union personnel, not to return to open session; all aye. The vote: Mr. Henry - yes; Mr. Downing - yes; Mrs. Rozanski - yes. The Administrative Assistant and the Secretary were not in attendance.

Respectfully submitted,
Mary Jean Fredette, Secretary

4/22/96 mj

Present: Raphaela Rozanski, Lee Henry, Doug Downing, Administrative Assistant Ruth Allen.

6:00 p.m.-Meeting was called to order at the Medway High School, prior to the Special Town Meeting beginning at 7:00 p.m.

- The Board reviewed the FinCom recommendations made for the Special.

- Mrs. Allen was asked to post an executive session for Thursday night at 7:30 p.m. for contract negotiations discussion.

- Mr. Henry moved, and Mr. Downing seconded, to approve the Fire Department budget for FY'97 for salaries of $113,103; inspection fees of $500 and expenses of $57,000; totalling $170,603; all aye.

- The Board noted receipt of the contract for service between Alternatives Unlimited and the Medway Council on Aging. Mr. Downing moved, and Mr. Henry seconded, to support the recommendation of the Council on Aging subject to the approval of Town Counsel; all aye.

- The Board discussed Center Street with John Boczanowski and Mr. Henry asked him if paving of Center Street was included in the scope of services. Mr. Boczanowski was not sure; traditionally, the state does not include that type of work, but the State did include a sidewalk with some paving for that in the reimbursable figure.

6:40 - Mr. Henry moved the meeting be adjourned; Mr. Downing seconded; all aye.

Respectfully submitted,

Mary Jean Fredette
Secretary
mj

Approved 4/8/96

BOARD OF SELECTMEN

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

AGENDA

March 25, 1996

7:00 p.m.	Open meeting, approve minutes of the 3/18/96 meeting. Sign warrants.
7:05	Open bids for Safety Signs.
7:10	Thomas Barnes Green Peace representative regarding Solicitors Permit
7:15	John Rojee, Change of Manager for the Village Inn Liquor License.
	Committee Reports
	Action Items
	Executive Session, Strategy

REVISED

ACTION ITEMS FOR SELECTMEN'S MEETING OF MARCH 25, 1996

1. Request of Board of Health for use of Town Counsel.
2. Acknowledge request from Sen. Magnani regarding FY'97 budget item(s).
3. Sign Section 125/Form 5500 Filing for towns Cafeteria Plan
4. Approve Revised Fire and EMS budgets for FY'97
5. Approve draft letter to Congressman Peter Blute regarding surplus equipment
6. Next negotiation meeting between Selectmen and Employees?
7. Vote on and sign proclamation for Millis/Medway Medal of Honor Day.
8. Approve Job vacancy notices for Park Department laborer and Secretary

9. Solicitor's Permit for Primavera

10. Annual Town Meeting warrant

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REVISED

ACTION ITEMS FOR SELECTMEN'S MEETING OF MARCH 15, 1999

1. Request of Board of Health for use of Town Counsel.

2. Acknowledge request from Asst. Regional Township Budget Item#1.

3. Sign Section 125/Item 6100 Filing for Sewer Enterprise plan

4. Approve Revised Fire and EMS Budgets for FY'00

5. Approve draft letter to Commissioner Peter Blute requesting surplus equipment

6. Make recollection meeting between Selectmen and Employees?

7. Vote on and sign proclamation for Miller/Medway Medal of Honor Day.

8. Approve Job vacancy notices for Park Department laborer and Secretary

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BOARD OF SELECTMEN

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

ACTION ITEMS FOR SELECTMEN'S MEETING OF MARCH 25, 1996

1. Request of Board of Health for use of Town Counsel.

2. Acknowledge request from Sen. Magnani regarding FY'97 budget item(s).

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Present: Raphaela Rozanski, Lee Henry, Doug Downing, Administrative Assistant Ruth Allen.

7:00 p.m.-Mrs. Rozanski called the meeting to order in the Selectmen's Meeting Room 2 of Town Hall.

- With regard to the minutes of March 18th, Mr. Henry clarified a statement in the minutes with regard to Cottage Street. He noted that the original contract approved $13,900 from Chapter 90 monies for engineering, but the Town is eligible to receive an additional $40,000 which can be used for engineering or construction costs. Also, Mrs. Rozanski clarified that the Town Accountant/Computer System Manager's request for an additional $16,000 for computer equipment had not been voted on yet, and one of their recommendations was to come up with a uniform system for computers. Mr. Henry moved, and Mr. Downing seconded, that the minutes of March 18th be approved as amended; all aye.

- Mr. Downing followed up on a letter Mr. Henry was to draft on Keystone Liquor's request for Keno. He said he would do it this week.

7:05 - Mr. Henry read the advertisement for Safety signs and noted three bids had been received:

- Permaline of Brockton - $3,855.34

- New England Traffic of Franklin - $5,365.31

- MassCor of Norfolk - range of $1,817.14 - $4,800.00

Mr. Henry moved, and Mr. Downing seconded, to turn the bids over to the Assistant Highway Superintendent for his review and recommendation; all aye.

7:15 - As Thomas Barnes representing Greenpeace was not present yet for his appointment with the Board, Sam Petnov and Brian Aulenbach were allowed to voice some concerns to the Board.

Mr. Aulenbach questioned if there was anything in the contract for fencing around the work area for the new school, because there was no fencing up. Mrs. Rozanski stated it was up to the Permanent School Building Committee and suggested he contact the Clerk of the Works. Mr. Aulenbach said he was unaware there was a Clerk of the Works and also felt that trees were being gutted out that were not on the plan to remove, and felt an old plan was being used and not the new one. Mrs. Rozanski asked Mrs. Allen to check this out.

Mr. Aulenbach also asked what safeguards were being used feeling they were working within 100 ft. of the wetlands with a lot of big equipment. Mr. Downing questioned his allegations and if he was a civil engineer or architect; Mr. Aulenbach felt he could read site plans, and understands schematics and blueprints. Mrs. Rozanski asked him to put his comments in writing, while Mr. Downing asked if there were safety issues involved, why wait until this evening to pass on the information. Mr. Aulenbach said this occurred today, and not knowing there was a Clerk of the Works, called Mr. Verdolino and the Police.

Mr. Henry suggested that if Mr. Aulenbach felt there was something amiss next time, to put it in writing. He also suggested periodic meetings with the Clerk of the Works and the Inspector of Buildings for updates on any problems.

7:30 - Thomas Barnes of Greenpeace came before the Board to discuss soliciting in Medway from March 25th through April 25th. Mr. Barnes indicated their group of usually 12, with 4-7 at one time going out, try to solicit from 5 - 9 p.m. trying to educate and provide public awareness, discuss fund raising, and be a grassroots lobbying organization. They also check in with the Police Department and let them know each day who is going out and where they would be working.

Mr. Henry moved, and Mr. Downing seconded, to approve the solicitor's permit for Greenpeace from March 25th to April 25th, Monday through Friday, from 5 - 9 p.m.; all aye. Mr. Barnes thanked the Town of Medway for being supportive and for allowing them to come into Town.

7:35 - John Rojee came before the Board to discuss taking over as Manager for the Village Inn from his father, Naif Rojee, who has since passed away. His application appeared to be in order, therefore, Mr. Henry moved, and Mr. Downing seconded, to approve the Change of Manager for the Village Inn from Naif Rojee to John Rojee; all aye.

7:40 - Warrants were signed totalling $521,689.97.

- <u>Committee Reports - Selectmen.</u>

- Mrs. Rozanski's letter to Don Martin for the Peer to Peer Program was noted, wherein she asked, on behalf of the Board, for their assistance to assess and evaluate the Personnel Classification system, assist in making recommendations to set management goals, and coordinate

varied departments with the development of an organizational chart, and to clarify and streamline procedures.

- Mr. Downing reported attending the Norfolk County Advisory meeting, along with Mrs. Rozanski, at which time Medway received a $500 grant for the food pantry.

- Mr. Downing reported attending the Permanent School Building and Site Selection Committee meetings, some of which have been on-site and with the Clerk of the Works, extending the invitation to include the Inspector of Buildings.

  Mr. Henry hoped to have updates periodically from three perspectives - Mr. Downing, Mr. Speroni and the Clerk of the Works. Mrs. Rozanski hoped, however, that the tree clearing would be watched, and not just through Mr. Aulenbach's observations.

- Mr. Henry noted that the School Committee meeting was rescheduled from April 4 to April 2nd to review the budget. He also noted that preliminary estimates were in from the Department of Education for net school spending, which should be compared with the budget as proposed by the School Department. Mr. Henry encouraged the FinCom to attend the budget hearing on April 2nd.

- <u>Action Items - Administrative Assistant.</u>

- Mrs. Allen presented the Board with a request from the Board of Health to use Town Counsel. Mr. Henry moved, and Mr. Downing seconded, to approve the request of the Board of Health to approach Town Counsel on three matters as requested in their memo of March 21st - septic failure in Longmeadow Lane area; wording of betterment program article; and legality of tobacco by-law; all aye.

- Mrs. Allen noted Mary Anne Padien's request for Senator Magnani was to see if Medway had any priorities to be included in next year's state budget. Mrs. Rozanski asked Mrs. Allen to send a memo to all departments seeing if they had any needs, and to let the Board know.

- Mrs. Allen asked that the cafeteria plan's form 5500, which allows health, life and dental to be deducted pre-tax, needed to be signed by the Chairman.

- Mrs. Allen presented the EMS/Fire revised budget. Mr. Henry moved, and Mr. Downing seconded, to approve the revised Fire Department salary budget for $67,519.00;

all aye. Mr. Henry moved, and Mr. Downing seconded, to approve the revised EMS salary budget for $33,606.00; all aye. It was then felt that the budgets were not submitted in the acceptable format; therefore, Mr. Henry moved, and Mr. Downing seconded, to rescind the vote on both budgets and to ask the Chief to submit them on the proper format; all aye. Mr. Downing asked that a memo be sent to the FinCom noting the Board's support of the recommendation of the JCRB, and that actual budgets would be forthcoming.

- Mrs. Allen asked the Board to review the draft letter to Congressman Blute concerning a surplus tanker for the Fire Department. Mrs. Rozanski asked that it be put on Selectmen's letterhead and then would sign it. Mr. Henry suggested also speaking to John Cicciu about his vehicle needs, and Mr. Downing asked that Mr. Cicciu meet with the Board.

- Mrs. Allen asked to set up a date for the employee negotiations. The Board proposed April 10th at 7:30 p.m.

- Mrs. Allen asked the Board to sign the proclamation for the Millis/Medway Medal of Honor Day.

- Mrs. Allen stated that the Personnel Director needs to approve job vacancy notices - therefore, requesting approval for the Park Department laborer and secretary. Mr. Henry moved, and Mr. Downing seconded, that the Board approve the job vacancy notices for both; all aye.

- Mrs. Allen presented the Board with a solicitor's permit for Primavera. Mr. Henry asked that they come before the Board; the Board agreed. Mrs. Allen will put them on the agenda for April 8th.

8:30 - The Board reviewed the draft warrant for the annual town meeting.

- The separate article for the ambulance was removed as it was included in the omnibus article.

- The article for increasing bid amount cost from $4,000 to $10,000 was brought up. Mrs. Allen said that the Board of Health and the School Department had requested the article. Mr. Henry did not like the article because he felt it would be a temptation to purchase more, but said he would reconsider if other departments also wanted it on the warrant, noting it could also be on the special at the end of June. Mrs. Rozanski agreed it could wait until June. Mr. Henry

moved, and Mr. Downing seconded, to remove the article from the annual town meeting warrant, but hold it for future consideration; all aye.

- A figure of $15,000 was asked to be requested for the 1996 audit.

- The Board asked that the words "or borrow a sum of money" for the study of Medway's town government be eliminated, so it reads raise and appropriate or transfer from available funds, with an amount of $5,000.

- With reference to the two bank buildings articles, it was requested that it be left as "a sum of money".

- It was requested all the Selectmen articles be together, with non-money articles first, and the CIPC article near the omnibus article, which should be just before the citizens petitions at the end.

- Mrs. Allen was requested to break down the pre-employment physicals into two lines - town and school.

- The Board recommended the article of changing the makeup of the school building committee be held over until the Special in June. Mr. Downing said he would clarify the wording with Mr. Boczanowski.

- Mr. Downing moved that the article for the enterprise fund for the Fire/EMS Department be deleted; Mr. Henry seconded; all aye. The Board felt that because of the reorganization of that Department, next year would be a better time to consider the fund.

- With reference to the town hall building article, it was noted that it might be redundant so Mrs. Rozanski said she would check it out with Gino Carlucci. Mr. Henry wondered if a second phase should be included for renovations and would work on that.

- The article on the Animal Control Officer vehicle, the Board wondered if the wording needed to be the same as the wording on the Millis town meeting warrant, and is it being sponsored jointly. Mrs. Allen will check.

- It was requested that a figure be obtained for the article for inspection fees by the Building Department for the new school.

- It was requested that Town Counsel review the Council on Aging article.

- Stations will be needed for the Planning Board street acceptances, as well as review by the Highway Department.

- With reference to the Chicken Brook easement article, more information will be needed.

- Mrs. Rozanski wanted to clarify that there are three separate issues being discussed: 1) feasibility study of town hall use; 2) repairs and space utilization of town hall; 3) town administrator.

- It was noted that the article for the Park Department trailer is on the warrant because the Equipment Committee handles items over $4,000, and the CIPC handles items over $5,000, and the trailer is under $4,000.

- With regard to the six citizens petitions, a question was raised for Town Counsel if fill from the new school could be placed on the railroad bed. Mr. Downing said there would be no excess fill, but there would be excess loam.

- Mr. Downing acknowledged receipt of a registered letter with reference to a personnel issue, and noted it will be handled in the appropriate manner.

- Mr. Downing also noted that the Annual Town Report for 1995 is available free to residents at the Town Hall and at the Library.

9:30 - Mr. Henry moved, and Mr. Downing seconded, to adjourn to executive session for the purpose of discussing strategy with respect to collective bargaining for union and non-union personnel, and the discussion of real property, not to return to open session; all aye. The vote: Mr. Henry - yes; Mr. Downing - yes; Mrs. Rozanski - yes. The Administrative Assistant was asked to stay for a while. The Secretary was not in attendance.

Respectfully submitted,

Mary Jean Fredette
Secretary
mj

Approved 4/8/96

BOARD OF SELECTMEN

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

MINUTES OF THE SELECTMEN'S MEETING March 21, 1996 PAGE 1.

Present: Raphaela Rozanski, Douglas Downing, Lee Henry, Administrative Assistant, Ruth Allen; also Edward Hjerpe, Carla Cataldo, Frank Danehy, Sean Lynch, Linda Muir-Robinson, Arti Mehta, Marjorie Sanford, David Verdolino, Frank Biron from Melanson, Greenwood and Milford News Reporter Margaret Matthews.

8:45 a.m. The Chairman opened the meeting in Sanford Hall.

Frank Biron reviewed the status of the FY'1995 audit as per the attached listing and answered any questions. He stated that the audit should be finalized in two to three weeks.

Voted to adjourn at 9:45 a.m.

Respectfully submitted,

Ruth Allen

ra

Approved 4/16/96

TOWN OF MEDWAY

STATUS OF 1995 AUDIT

MARCH 21, 1996

I. FOLLOW-UP ON 1994 MANAGEMENT LETTER	CORRECTED?
– Segregate Duties (Treasurer/Collector)	yes
– Convert General Ledger to UMAS	yes
– Rectify Tax Title Problems With Computer	underway
– Maintain Trash Receivable Records	yes
– Maintain Log of Checks Issued/Voided	yes
– Improve Accountability Over Guarantee Deposits	yes
– Close Unauthorized Bank Accounts	yes
– Limit Use of Collector's Computer Terminal	yes
– Establish Tax Activity Log	~~underway~~ no
– Limit Access to Treasurer/Collector's Office	underway
– Install Panic Button	underway
– Reduce Number of Bank Accounts	no (repeat)
– Privatize Payroll Bank Reconciliation	no (repeat)
– Establish Tailings Account	no (repeat)
– Automate Cash Book	underway
– Lockbox Services	underway for FY 97
– Formalize Ambulance Abatements	yes
– Improve Collection of Police Detail	no
– Formalize Year End Encumbrance Policy	yes
– Improve Year End Expenditures Cut-Off	yes
– Monitor Revenue Budget	yes
– Off-Site Storage of Computer Backups	yes

II. FISCAL YEAR 1995 MANAGEMENT LETTER ISSUES

1) Establish Formal Cash Reconciliation Procedures:

   - Revise Procedures for Recording Payroll Withholding
   - Eliminate Excess Cash Accounts (prior year)
   - Privatize Payroll Reconciliation (prior year)
   - Consolidate Escrow Accounts
   - File Quarterly Reconciliation Reports (prior year)
   - Provide Documentation of Reconciliation Process (prior year)
   - Payroll/Vendor Should Operate as Zero Balance
   - Establish Tailings Account (prior year)

2) Establish Formal Receivable Reconciliation Procedures:

   - Fix Computer Tax Lien Problem (prior year)
   - Maintain "Control Accounts"(prior year)
   - Document evidence of Reconciliations

3) Segregate Duties Over Water Receivables

4) Improve "Tax Recap" Preparation:

   - Water Fund
   - Other Financing Sources

5) Establish Departmental Receipt Policies and Procedures

6) Automate General Ledger:

   - Link with School Department

BOARD OF SELECTMEN

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AGENDA

March 18, 1996

7:00 p.m.	Open meeting, approve minutes of the 3/11/96 meeting. Sign warrants.
7:01	Scott Kelly regarding town hall roof.
7:15	Robert Ciavarra, CIPC representative for approval of annual article
7:30	Award contract for the Clerk of the Works for new Elementary School; discuss excess loam etc.
	Committee Reports
	Action Items
	Executive Session, Strategy

BOARD OF SELECTMEN

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

ACTION ITEMS FOR SELECTMEN'S MEETING OF MARCH 18, 1996

1. Appointment of Edward Reardon to I.D.F.A.
2. Appointment of Evelyn Clorite to Board of Registrars.
3. Discuss letter from John F. Sheehan, Millis
4. Discuss MMA Update meetings.
5. Discuss Builders Risk Insurance
6. M.H.D. Agreement for Engineering of Cottage Street.
7. Revised Accountants Budget for FY97
8. Acknowledge letter from Commonwealth of Massachusetts, Division of Energy Resourses regarding deregulation.

actitems.doc

Present: Raphaela Rozanski, Lee Henry, Doug Downing, Administrative Assistant Ruth Allen.

7:00 p.m.-Mr. Henry moved that the minutes of March 11th be approved as written; Mr. Downing seconded; all aye.

- Warrants were signed totalling $416,196.11.

7:05 - Scott Kelly of Kelly Brothers Construction came before the Board to discuss existing problems on the Town Hall roof. He stated that the contract was to seal the seams on the roof, which was done, but that the problem the Board was eluding to was the rotted holes in the wooden gutters which was causing the dripping onto the ground below - the rot was in the gutters, not the seams.

Mr. Henry suggested they get together with the Inspector of Buildings and the Fire Chief for the use of a fire truck to go up on the roof and re-inspect the situation. Mr. Henry said he would let Mr. Kelly know what arrangements could be worked out. It was noted that Mr. Kelly and Mr. Henry were not on the roof at the same time so a misunderstanding may have occurred.

7:15 - Bob Ciavarra, representing CIPC, and later being joined by Rocco Derrigo, came before the Board to discuss their omnibus budget that will be presented at Annual Town Meeting. Mr. Ciavarra indicated that their Committee had voted favorably on a total of $385,026 as their omnibus budget to appear on the warrant, noting that $138,000 out of the $385,026 was designated as school's. He further stated that those that were approved were deemed more significant to the Town than those not approved. Mr. Ciavarra also said that the Town Accountant/Computer Systems Manager's request for an additional $16,000 ~~was not included as their~~ did not yet have copy of one of their recommendations ~~is~~ was to come up with a uniform system for computers before ordering any equipment.

Mr. Henry stated that the Equipment Committee had worked hard to determine priorities in submitting a list to CIPC. He noted that some bids may come in lower than what they originally appropriate, but that they were not just spending money. Insofar as the computers were concerned, Mr. Henry said they should get the Computer Committee and the School Technology Committees involved.

Mrs. Rozanski said that some articles on the special town meeting warrant and the annual town meeting warrant might be redundant and could be dismissed. He also noted that CIPC had voted zero on departmental requests for library renovations and Council on Aging building.

Mrs. Rozanski elaborated that, after attending a meeting at EOCD, some changes in criteria for the grant for the Council on Aging building had been made and they would not be approaching CIPC, but that they would resubmit an article for the Annual Town Meeting warrant.

Mr. Ciavarra felt there should be more investigation into the sharing of facilities, such as at Oakland Street with conference rooms that could be utilized by the Council on Aging and the Library. He was also concerned about the amount of parking that is limited off of High Street to house an addition. Mr. Downing eluded to the two bank buildings on Village Street that could be utilized. Mr. Derrigo shared Mr. Ciavarra's feelings that there should be more research done, and suggested an independent group be formed to look at all building needs for all the different groups.

Mr. Downing said this whole issue had been on his mind since the last annual town meeting, and commented that he wanted to improve library services, but not with a new library addition. This evening, he said he would be recommending drafting a sub-committee study group to the Board of Selectmen consisting of a rep from CIPC, FinCom, Library Trustees, School Committee, and three citizens-at-large, using the Board of Selectmen as a resource.

Mrs. Rozanski said they need to break down barriers and have different groups talk to one another, and not just to the Selectmen.

7:40 - John Boczanowski, representing the Permanent School Building and Site Selection Committee, came before the Board to recommend a Clerk of the Works. He stated that 32 applicants had come forward (Mr. Downing corrected that total to 50), and six were called for interviews. Of the five interviewed, John Kubitza of North Dighton was the unanimous choice. Mr. Boczanowski indicated that references had been called, and he will be reporting to the architect on a daily basis. Mr. Kubitza will be earning $1,250/wk. for approximately 68 weeks. Mr. Henry moved, and Mr. Downing seconded, to accept the recommendation of the Permanent School Building and Site Selection Committee and appoint John Kubitza Clerk of the Works for the new Medway elementary school; all aye. Mrs. Rozanski asked for a copy of the draft contract, final of which will come back to the Board for their signature. Mr. Boczanowski also stated that Mr. Kubitza will be involved in three specific areas: wetlands control; traffic control; and complaints from people.

Mr. Boczanowski asked if they should discuss the citizens petitions now, and Mrs. Rozanski suggested waiting for the Special Town Meeting. He also noted his concern that people come and go off the Committee, and they need stability among the members.

7:35 - Chief David Lambirth stopped in to request the Chairman sign the next apportionment for the Cops Fast Grant amounting to $4,266.

7:40 - Committee Reports - Selectmen.

- Mrs. Rozanski noted visiting EOCD with Council on Aging Chairman Dick Gildea. Rep. Gardner and Senator Magnani were also present. It was deemed worthwhile for the Medway COA to re-apply for the grant for the senior center.

- Mrs. Rozanski also said she had gone to a round table discussion where the Chairman of Ways and Means was in attendance. The discussion focused on trends and how to keep businesses in Massachusetts.

- Mrs. Rozanski attended a United Chamber of Commerce session where "visioning of communities" was discussed.

- Mr. Downing said he had attended a School Committee meeting and gave the other Board members drafts of the proposed school budget. That figure ($11,398,884) as proposed was submitted to the Finance Committee.

  Mr. Henry noted he had not seen the net school spending figures yet. Mrs. Rozanski asked Mrs. Allen to check with the Town Accountant to see if they were in, and if not, to check with the Department of Education.

- Mr. Downing again brought up the sub-committee he was requesting be formed to study land and buildings. Mrs. Rozanski suggested he draft something in writing.

- Mr. Downing noted an upcoming ZBA meeting coming up where Mobil will be coming for a special permit for a canopy over the pumps. Mrs. Rozanski said she would call Chairman Jan Morris and tell him about the self-service article on the Annual Town Meeting warrant.

8:00 - Action Items - Administrative Assistant.

- Mrs. Allen brought up the re-appointment of Ed Reardon to the IDFA. Mr. Henry moved, and Mr. Downing seconded, to re-appoint Ed Reardon to the Industrial Development Finance Authority through April 1, 2001; all aye.

- Mrs. Allen brought up the re-appointment of Evelyn Clorite to the Board of Registrars. Mr. Henry moved, and Mr. Downing seconded, to re-appoint Evelyn Clorite to the Board of Registrars through April 1, 1999; all aye.

- A letter from John Sheehan asking that the Board of Selectmen declare April 15th Medal of Honor Day in Medway, as will be jointly celebrated in Millis, was acknowledged. It was noted that two Medway residents had received congressional medals of honor and would be recognized. Mrs. Rozanski asked Mrs. Allen to check with Millis and see if a joint proclamation would be needed, and to make one up if necessary. Mr. Henry moved, and Mr. Downing seconded, to participate with Millis and declare April 15th Medal of Honor Day in Medway; all aye.

- Mrs. Rozanski said she would re-draft a letter for peer to peer for the Board. She noted they were now called the Bureau of Planning & Municipal Management, and require a vote of the Board on any proposal made. Mr. Henry moved, and Mr. Downing seconded, to authorize the Chairman to send a letter to the Bureau for a study on government management; all aye. She said she will show it to the Board before sending it out.

- The Board reviewed the MMA Municipal Update meeting dates, and Mr. Henry said he was interested in attending the May 9th meeting in Northborough.

- The Board discussed the builder's risk insurance from MIIA. Mrs. Allen stated that particular type of insurance was a condition with Stella for the new school, but wondered if the School Building Committee was going to be billed the premium. Mrs. Rozanski said it should go under the Town's insurance account, but the Board wondered what liabilities we're insuring. Mrs. Allen was asked to call MIIA and check this out, and to plan on putting $4,152 into next year's budget to cover this.

- Mrs. Allen brought up the Mass. Highway Department agreement for engineering of Cottage Street that needs to be signed by the Board. She noted that the size of the pipe is still undecided, but the maximum size is 54". Mr. Henry stated that $13,900 is ~~coming~~ from Chapter 90 monies for engineering, but in the meantime, the Town is eligible to receive $40,000 ~~for construction costs~~. Mr. Henry moved, and Mr. Downing seconded, that the Board sign agreement #7642 with GCG; all aye. Mr. Henry noted they hope to begin work this Spring.

- Mrs. Allen brought up the revised Town Accountant's budget for FY'97. Mr. Henry moved, and Mr. Downing seconded, to approve the Town Accountant's budget for FY'97 for salaries of $63,994; expenses of $3,100; totalling $67,094; all aye.

- Mrs. Allen noted that the snow removal budget was in a deficit for $152,461.82 of which about $71,000 is for hired plows. She said she hopes to get $30,000 back from MEMA, forms of which were sent in last week.

- The Board acknowledged receipt of a letter from the Division of Energy Resources concerning deregulation. Mr. Henry suggested looking at a publication entitled "Power Choice" as the subject is complicated. Mrs. Rozanski asked Mrs. Allen to get a copy of it for the Board.

- The CRPCD's budget of $178,210 was reviewed by the Board noting that Medway's assessment had been reduced from $194,130 while overall expenses for FY'97 went up.

- Mrs. Allen gave the Board a solicitor's permit application from March 25 to April 25 for Greenpeace. She noted that last year they requested one as well but never came before the Board as requested. Mr. Henry moved, and Mr. Downing seconded, that the Board take the request under advisement pending a representative coming before the Board so the matter can be discussed further. Mrs. Allen will so advise them.

- Three letters from the Fire Chief were acknowledged. Mr. Henry noted the first of the letters dealt with the Chief's opinion of self-service gas stations indicating he did not see it as posing any major problems.

  The second of the letters was the Chief's request to consider obtaining a tanker truck through government surplus through the efforts of Congressman Blute. Mr. Henry so moved; Mr. Downing seconded; all aye. Mrs. Allen and Chief Vinton will draft a letter with Mrs. Rozanski signing it.

  The third letter was Chief Vinton's request to consider the forming of a study committee to review the Fire/EMS pay structure, noting the Chief's concern that they are receiving the same pay for different job descriptions. Mr. Henry said he would talk further with the Chief about this, but Mr. Downing and Mrs. Allen agreed that since the classification plan is under the JCRB, and already has most of the suggested members on the JCRB, why not let the JCRB and the Chief review the pay scale

using the 13 points for rating. The difference is the stipend; maybe they should eliminate the stipend and factor that difference into the steps and grades. It was suggested this be taken under advisement.

- Mrs. Allen noted that the attorney for Ellis Farms Corporation had send letters to the Town, specifically Selectmen, Conservation Commission, Planning Board and Assessors, noting the land has a purchase and sales agreement for $1,832,000; since it is forest land, the Town may exercise its first refusal option to purchase the land for the same price. The Town now has 120 days from March 18th to respond. Mrs. Allen was requested to send a letter to the other Boards asking to respond to the Board with their comments as soon as possible.

- Mrs. Allen noted that there has not been an official awarding of the contract for transportation for the Council on Aging. She noted that Dick Gildea did state that only one bid was received. Mrs. Rozanski said she wanted to take this under advisement until she spoke to Mr. Gildea.

- Mrs. Allen told the Board she had a verbal request from Ed Hjerpe, FinCom Chairman, to speak to Town Counsel about the upcoming Special Town Meeting. Mrs. Rozanski asked that it be put in writing as is the usual procedure. Mr. Henry made a motion to approve the request of the FinCom chairman to speak to Town Counsel regarding legal questions for the Special Town Meeting pending receipt of a written request; all aye. At this point, Mr. Hjerpe called the office and clarified he wished to speak to Mr. Maciolek as Town Moderator, not as Town Counsel; so noted, motion was rescinded as permission from the Board is not needed to speak to the Moderator.

- Mrs. Allen gave the Board the Police Department's revised budget for FY'97 to approve. Mr. Henry moved, and Mr. Downing seconded, to approve the amended Police Department budget for FY'97 for salaries for $803,303; expenses for $68,501; totalling $871,804; all aye.

- Mrs. Allen brought up a joint letter from the Department of Environmental Management, the DEP, and MAPC informing the Board of a Water Use and Management Workshop to be held in Franklin on April 17th. She had already sent a copy to the Water/Sewer Commissioners, but Mr. Henry asked that a copy be sent to the Board of Health and the ConCom.

- The Board confirmed with Mrs. Allen that they would be

having a meeting on April 3rd for negotiations with the municipal employees. Mrs. Allen will notify all appropriate parties.

- A letter from the Mass. State Lottery Commission notified the Board that Keystone Liquors had sent in an application for Keno. Mrs. Rozanski asked Mrs. Allen to get Chief Lambirth's comments. Mr. Downing had a problem with a package store having a Keno license stating that it was inviting minors into the establishment, as well as possibly creating a log jam where the screen was waiting for the numbers to come up. He didn't see that same problem with a restaurant but did want to voice his concern with safety, means of egress and age of clientele. Mr. Downing felt he should remove himself from any further discussion as he operates a package store himself. Mr. Henry said he could draft a generic letter to be sent to the Lottery Commission for the Board to review.

- The Board requested Mrs. Allen to ask Bob Tucker to meet with them.

- The Board acknowledged the Inspector of Buildings' letter to Mr. Ciechanowski with reference to an associate's visit to Town Hall.

- The draft form of the Annual Town Meeting warrant was noted, and the Board will review it at another time.

- At this time, Mr. Downing moved, and Mr. Henry seconded, that the Board form a sub-committee consisting of one member of the Library Trustees, one member of the School Committee, one member of the Capital Improvement Program Committee, one member of the Finance Committee, and three citizens-at-large to study the availability of buildings or land for possible common-shared facilities; all aye. Mr. Downing asked Mrs. Allen to send a memo as soon as possible to the above-mentioned groups looking for a representative, as well as a press release looking for the citizens-at-large.

- Mr. Henry recognized a letter from Milford Hospital commending the workings of Medway's EMS staff, in particular, Charlene Tingley, John Reardon, Donna Tingley and Neil Coakley. He noted their work is appreciated. Mrs. Allen already placed a copy of the letter in their personnel files.

- Mrs. Rozanski noted a letter received from former Milford Town Planner Martha White saying she would continue to work with SWAP until the new planner was on

board. Mrs. Rozanski commended Ms. White on the excellent relationship she had with area communities.

9:30 - Mr. Downing moved, and Mr. Henry seconded, that they adjourn to executive session for the purpose of discussing strategy with respect to collective bargaining, and the discussion of acquisition of real property, not to return to open session; all aye. The vote: Mr. Henry - yes; Mr. Downing - yes; Mrs. Rozanski - yes. The Administrative Assistant was in attendance; the Secretary was not.

Respectfully submitted,

Mary Jean Fredette
Secretary
mj

3/25/96

BOARD OF SELECTMEN

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

REVISED AGENDA

March 11, 1996

7:00 p.m.	Open meeting, approve minutes of the 2/26/96 and 3/4/96 meetings. Sign warrants.
7:05	Presentation of Petition - Sam Petnov
7:15	Bob Dubrovsky and Edward Reardon regarding railroad bed at Lovers Lane
	Committee Reports
7:45	Town Administrator Review Committee
	Action Items
	Executive Session, Strategy

BOARD OF SELECTMEN

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AGENDA

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BOARD OF SELECTMEN

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ACTION ITEMS FOR SELECTMEN'S MEETING OF MARCH 11, 1996

1. Vote on Emergency Transfer Request for Law/Special Counsel.

2. Discuss letter from Design Consultants regarding the extension of the Route 109 project.

3. Acknowledge letter from Trudy Coxe, E.O.E.A. regarding Medway's recycling program.

4. Discuss and vote on Animal Control Budget.

5. Acknowledge and discuss letter from the City of New Bedford regarding mandatory sentence for possession of an illegal firearm.

6. Acknowledge copies of letters from Melanson, Greenwood & Co. regarding the FY'95 Audit.

7. Appointment of Rocco Derrigo to CIPC.

actitems.doc

Present: Raphaela Rozanski, Lee Henry, Doug Downing, Administrative Assistant Ruth Allen.

7:00 p.m.-Mrs. Rozanski called the meeting to order in the Selectmen's Meeting Room 2 of Town Hall.

- Mr. Henry moved, and Mr. Downing seconded, that the minutes of February 26th be approved; all aye.

- Mr. Henry moved, with a minor correction, that the minutes of March 4th be approved; all aye. On a follow-up, Mr. Downing asked if Mr. Henry had spoken to the Fire Chief about self-service gas stations; Mr. Henry said he would do it this week.

7:05 - Mr. Sam Petnov came before the Board to present a petition with 200 signatures of registered voters to call a special town meeting for three citizens petition articles. Brian Aulenbach of Center Street was also present to further present the concern of the Center Street residents. He read the articles as presented to the Board, and asked that they consider reopening the April 1st Special town Meeting warrant and including the three petitions, rather than calling another special town meeting. Mr. Aulenbach had stated there were no funds set aside for betterments to Center Street, which Mr. Downing took exception to; however, Mrs. Rozanski suggested any further discussion should be postponed to the town meeting floor.

Mr. Henry moved, and Mr. Downing seconded, that the April 1st Special Town Meeting warrant be reopened; all aye. The 200 signatures had been verified by the Town Clerk. Mr. Henry moved, and Mr. Downing seconded, to accept the three citizens petitions dealing with the new elementary school building for the Special Town Meeting on April 1st submitted on March 11th; all aye. Mr. Henry moved, and Mr. Downing seconded, that the Special Town Meeting warrant for April 1st be closed; all aye.

7:20 - Bob Dubrovsky and Ed Reardon came before the Board to submit six citizens petitions for the annual town meeting warrant on May 13th dealing with the use of the old railroad bed as a possible eminent domain proceeding, and possible access for the new elementary school, along with other suggested uses. Mr. Dubrovsky stated they are getting good deed descriptions, and wanted Town Counsel to start eminent domain proceedings. He explained his reasoning as to why he felt using the railroad bed was a better idea than the present planned course of action, stressing safety and a better use of the way our tax dollars are spent.

Mr. Henry moved, and Mr. Downing seconded, to accept the six citizens petitions for the Annual Town Meeting warrant on May 13th; all aye.

Mr. Dubrovsky also noted a recent purchase of a 90' x 300' tract of land and a possible swap of that land for some land on Broad Street near where the old railroad station used to be. Mrs. Rozanski suggested bringing that idea to the Planning Board. Mr. Downing added that the Open Space Committee was also considering the use of the land near Center Street as a lineal path. Mr. Dubrovsky suggested a combination effort. Again, Mrs. Rozanski suggested speaking to the Planning Board and the Open Space Committee.

7:35 - Jim and Vicki Pavlick came before the Board to further discuss the move of their house down Holliston Street to the lower end of Village Street. Mr. Pavlick said the anticipated moving date was April 16th, and has spoken to the utility companies and both the Police and Fire Departments. He indicated this would be an all-day project and would be getting police details as well. They have also worked with the Conservation Commission, the Zoning Board and the Building Department in filing all the necessary paperwork. Mrs. Pavlick stated part of the house was from 1780 and part from 1845.

7:40 - <u>Committee Reports - Selectmen</u>

- Mr. Henry stated he attended the joint conference sponsored by the MMA and the Mass. Police Chiefs Association on Police Chief contracts, and Sgt. Malo was also in attendance representing Chief Lambirth. Mr. Henry noted there were over 100 Police Chiefs, Selectmen and Town Administrators present, necessitating another conference to be scheduled soon in Auburn for those who could not be fitted in to this session.

- Mr. Downing stated he attended the Permanent School Building & Site Selection Committee meeting where they were conducting interviews for finalists for the Clerk of the Works. He stated that there were close to 50 applicants and they were interviewing 6, hoping to come to the Board on March 18th with a recommendation, with possibly a ground-breaking ceremony around March 25th or 26th, which is being coordinated with the Education Commissioner's visit to the area. Mr. Aulenbach said that the PSB&SSC have been calling the shots - once construction begins, he asked if it is still their project. Mrs. Rozanski stated the Board enters into the contract; the project still belongs to the Committee. He further asked if the Board could tell them not to cut

trees down, etc. He was told that everything goes through the Committee. Mr. Aulenbach then stated they will have to file an injunction.

- Mr. Reardon interjected that he and Jane Armstrong had their picture taken for the Boston Globe's West Weekly in various locations in Medway concerning the historical attributes of the Medway Village area.

- Mrs. Rozanski said that she and Mr. Downing had attended the award ceremony for Eagle Scout Gregory Haines' Court of Honor.

- Mrs. Rozanski stated that Congressman Blute was in town today and commented about the character of the Town.

- Mr. Downing stated that the JCRB had met and action was taken as outlined in their memo, along with another memo detailing all the action taken during the Fiscal Year. Mr. Henry moved, and Mr. Downing seconded, to accept the recommendation of the JCRB and reclassify the matrons to a grade 4, step 4 and the crossing guards to a grade 2, step 4; all aye. Mr. Henry moved, and Mr. Downing seconded, to approve the recommendation of the JCRB for a merit increase for the Fire Department as outlined in the Chief's memo of March 8th; all aye.

- Warrants were signed totalling $263,869.53.

7:55 - The Town Administrator Review Committee consisting of Kathy Rehl, Carla Cataldo, Pam Yanco, Marjorie Sanford and Wendy Rowe (who could not be here this evening) came before the Board to update them on their recent meetings. Mrs. Rehl said they had proceeded with the prior committee's recommendations and interviewed many people and looked at a great deal of material. Unfortunately, they found no consensus of opinion, therefore, they had three recommendations: 1) not to place an article on the Annual Town Meeting warrant at this time; 2) to contract with a professional consultant to get a recommendation (maybe from MMA); and 3) to elect a charter commission in 1998 to frame a charter. Mrs. Rehl said the committee would like to finish reviewing and studying to prepare for the commission's work, and then they would make three recommendations to them.

Mr. Henry thanked the Committee for their work and indicated his surprise at the outcome, saying they obviously didn't speak to the same people. Mrs. Rozanski asked about information services or teaching computer skills, and Mrs. Cataldo felt that was more

reachable through peer-to-peer.

Ed Hjerpe, Chairman of the FinCom, was present and asked if some interim solutions could be put in place during the two years. Mr. Henry said it would have to be defined what the interim person would do, but then it becomes the same problem - what would that person do. Mrs. Rozanski thought they were looking for government structure, not managerial services.

Mrs. Yanco felt this was a such an important issue to give just two weeks to, and they can't decide so fast what should be done. She would rather do it correctly with a neutral advisor, than to rush through it.

Mr. Downing said he fully supported the article they were presenting this evening for the Annual Town Meeting and supported the concept of a Town Administrator who was a manager with accountability, who seeks grants and interacts with the Boards. Mrs. Rozanski said the people she spoke with did not want an interim person.

Mr. Henry moved, and Mr. Downing seconded, to accept the recommendation of the Town Administrator Review Committee to put an article on the Annual Town Meeting warrant to contract with a professional consultant to study Medway's town government; all aye. The Board also reviewed the summary of charter commission process as presented, and will take it under advisement letting the co-chairs know of the Board's direction. The Committee will continue to gather information and begin the outline of the RFP, while Mr. Downing asked that the process be placed in chronological order for easier understanding.

8:35 - <u>Action Items - Administrative Assistant.</u>

- Mrs. Allen gave the Board an emergency transfer request for law/special counsel to approve. Mr. Henry moved, and Mr. Downing seconded, to recommend approval to the Finance Committee for the Law Department's Special Counsel for the Planning Board and the Zoning Board for an emergency transfer of $2,501.14; all aye. Mr. Henry clarified with Mr. Hjerpe that the FinCom will recommend approval of the bills as they are submitted.

- Mrs. Allen brought up the letter that the Board has been asked to send to Mass. Highway concerning the extension of the Route 109 project. After the Board thought about it for a week, it was agreed it was important to have the letter sent, knowing certain issues could still be

re-reviewed, but at least the area in question, especially the intersection of Holliston and Main, would be on the list. Mr. Henry moved, and Mr. Downing seconded, that the Board send the letter requesting an extension of the Route 109 project to Papa Gino's; all aye.

- Mrs. Allen noted the letter from Trudy Coxe, Executive Office of Environmental Affairs, giving Medway an "A" rating for recycling. Mr. Downing asked if Mrs. Allen could get an update of the account and status of PRINS from the Recycling Committee.

- Mrs. Rozanski stated that the Medway Housing Authority had scored a 95% on their audit.

- Mrs. Allen brought up the Animal Control Department's budget for Medway's share, noting the JCRB acknowledged that the position was contractual. Mr. Downing moved, and Mr. Henry seconded, that the Board approve the Animal Control Department's budget for salaries of $15,310; expenses of $5,786; totalling $21,096; all aye. Mr. Downing noted the need for locating an funding a new kennel, and suggested seeking Rep. Gardner's assistance.

- Mrs. Rozanski brought up the letters from auditors Melanson & Greenwood stating they wanted additional information indicating she had spoken to Frank Biron on Friday. She asked Mrs. Allen to call the Town Accountant and the Treasurer and get a status and update.

  Mr. Downing inquired as to what update, and said he had a problem with the CPA's going to the Town Accountant rather the Board and the Audit Committee. Mrs. Rozanski said it was customary for the Town Accountant to coordinate. Mr. Downing further stated that the Board is the CEO's of the corporation, and the auditors are performing at our pleasure. Mr. Hjerpe suggested a joint meeting between the Audit Committee, the auditors and the Board.

  Mrs. Allen noted that the Audit Committee by-law explains the duties of that Committee, and she would make a copy for its chairman. Mrs. Allen also had a problem with the ones being audited are in charge. Mrs. Allen was asked to contact the Audit Committee Chairman, Mrs. Robinson, and schedule a joint meeting with the auditors. Mrs. Rozanski also noted that an exit conference was scheduled for around March 19, 21st or 22nd, with a public hearing on March 25th. The Chairman of the FinCom and the Press were also invited.

- Mrs. Allen brought up the confidential letter received from the State Ethics Commission, and without disclosing the information contained therein otherwise it was public to everyone, recommended that Rocco Derrigo be re-appointed to the Capital Improvement Program Committee. Mr. Henry moved, and Mr. Downing seconded, that Rocco Derrigo be re-appointed to the CIPC through June 30, 1998; all aye.

- The letter from the City of New Bedford looking for support changing the one-year mandatory sentence to two years was discussed by the Board. Mr. Henry felt there was no difference between the two as the law is not applied now and was an exercise in futility. Mr. Downing felt some action should be taken by the Board even if it was to take no action. As there was no motion in support, Mrs. Allen will write to the City of New Bedford telling them that the Board chooses to take no action.

- The Board looked over the drafted warrant, and will come in during the week to sign the final copy.

- Mrs. Allen asked the Board to look over documentation that had come in during the day.

  - She told the Board that there was one resume in for the position of Interim Highway Superintendent.

  - She asked the Board to review the information that came in from Norfolk County relative to the Apollo building.

  - She asked the Board to note the response from the Water/Sewer Commissioners to Ed Duggan's letter to them, with a copy to the Selectmen.

  - She asked the Board to look over Paul Wilson's letter concerning a Town Administrator form of government.

  - She noted to the Board that the definitive plan for Orchard Street was in the office.

- Mrs. Rozanski inquired about a follow-up with Conservation Commission, Open Space and Park with reference to the Idylbrook plan. She said she spoke to Joan Robes and she had the contract in hand. Mrs. Rozanski wanted to know if the title was recorded? was the plan recorded? was there a public hearing on the plan? She will call Ms. Robes to make sure she understands the process.

- Mr. Hjerpe mentioned that he had met this evening with the Town Accountant and the Treasurer and they were looking at figures. They will meet again on Wednesday to look at sources of funding.

- Mrs. Rozanski noted the snow removal budget of a deficit of $126,279.01 as of March 7, 1996. Mrs. Allen said there was a possibility of getting back around $56,000 from FEMA & MEMA.

9:15 - Mr. Henry moved, and Mr. Downing seconded, that they adjourn to executive session for the purpose of discussing strategy with respect to collective bargaining, not to return to public session; all aye. The vote: Mr. Henry - yes; Mr. Downing - yes; Mrs. Rozanski - yes. The Administrative Assistant and the Secretary were not in attendance.

Respectfully submitted,

Mary Jean Fredette
Secretary
mj

approved 3/18/96

BOARD OF SELECTMEN

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

AGENDA

March 4, 1996

7:00 p.m.	Open meeting, approve minutes of the 2/5/96 and 2/12/96 Executive Session. Sign warrants.
7:15	Sign Contract for the new Elementary School
7:30	Jack O'Leary, representative from Mobil Gas Station, Main St.,; request for an Article to be placed on the ATM warrant.
	Committee Reports
	Action Items
	Executive Session, Strategy

AGENDA

March 6, 1998

7:00 p.m. Open meeting - approval minutes of the
Village and Village Executive Session.
Item MOTIONS:

7:15 Legislative Conference for the New Elementary
School

7:30 Open Discussion, Representative from Model
Cities Agency, Main St.,? Request for an
Action to be placed on the APA
Agenda.

Committee Reports

Action Items

Executive Session, Strategy

BOARD OF SELECTMEN

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

ACTION ITEMS FOR SELECTMEN'S MEETING OF MARCH 4, 1996

1. Vote on Permanent Intermittent Police Officer listing to fill 7 vacancies.

2. Acknowledge and discuss the fax request from Frank Burke, DOR, regarding Reconciliation of Accounts Receivable for 6/30/93 and 6/30/94 and the Treasurers Cash for 9/30/95 and 12/31/95.

3. Discuss call from State Ethics Commission attorney Carol O'Hare.

4. Discuss and vote on Animal Control Budget.

5. Acknowledge and discuss letter from Town Counsel regarding the "Land Management Agreement" for the boat launch site.

6. FYI both the Contract and Agreement have been sent to Joan Robes for the Idylbrook Land Grant.

7. Discuss and vote on Articles for the 4-1-96 Special Town Meeting.

8. Discuss and vote on letter to be sent to Mass. Highway regarding continuation of Route 109 Corridor.

9. Sign congratulatory letter for Rising Sun Lodge

10. Acknowledge letter regarding budgeting for Snow Insurance.

11. Acknowledge receipt information packet from Supt. Arthur Bettencourt on FY'97 Budget.

12. Discuss and vote on request of Sabina Doyle's for one day (4/17/96) Entertainment License.

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ACTION ITEMS FOR SELECTMEN'S MEETING OF MARCH 1, 2004

1. Vote on permanent funding/seed money for Clinton Library to full V version.

2. Acknowledge and discuss the two requests from Laurel Burton, DDR, regarding Reconciliation of Accounts Receivable for 04/05/03 and 04/30/04 and the Treasurers Open for 04/05/03 thru 12/31/03.

3. Discuss cell tree from Mayo Athlete commissions Attorney Cullen O'Malley.

4. Discuss and vote on Animal Control Budget.

5. Acknowledge and discuss letter from Town Counsel regarding the "Land Management Agreement" for the Bowl Island site.

6. FYI Bowl the contract and agreements have been sent to Joan Robbs for the Idylbrook Land Grant.

7. Discuss and vote on Article for the 4-1-04 Special Town Meeting.

8. Discuss and vote on letter to be sent to Rose, Murphy regarding construction at House 100 Cemetery.

9. Sign acceptance letter for Liberty Bus Lease Insurance.

10. Acknowledge letter regarding Subscribing for Bow Bowl Restaurant on Pat's Peddler.

11. Acknowledge receipt information packet from Supt. Arthur Bowl Restaurant on Pat's Peddler.

12. Discuss and vote on request of Sandra Hovley for the July (04/12/04) Entertainment License.

Present: Raphaela Rozanski, Lee Henry, Doug Downing, Administrative Assistant Ruth Allen.

7:00 p.m.-Mrs. Rozanski called the meeting to order in the Selectmen's Meeting Room 2 of Town Hall.

- Mr. Downing moved, and Mr. Henry seconded, that the executive session minutes of February 5th and 12th be approved as written but not released; all aye.

- Mr. Henry moved, and Mr. Downing seconded, that the minutes of February 1st be approved as presented; all aye.

- Warrants totalling $558,638.00 were signed.

- Mrs. Rozanski said she went to the MAPC meeting in Boston where new software for local net was displayed. For some reason, it shows that Medway's Route 109 Corridor Project is not on the TIP list, but it actually is. Mrs. Allen said she would check it out.

- Mrs. Rozanski said she and Dick Gildea, Chairman of the Council on Aging, would be going to an EOCD meeting.

- Mrs. Rozanski asked Mrs. Allen to update the Board on snow removal costs. She will have it for next week.

- Mrs. Rozanski said that a GIS map would be forthcoming showing open space in Medway.

7:15 - Representatives from P. J. Stella Company, Joseph and Paul Stella, came to meet with the Board to sign the contract for the new elementary school. Also present were John Boczanowski and Linda Reynolds of the Permanent School Building & Site Selection Committee. It was noted that a meeting scheduled for Tuesday, March 5th, had been rescheduled to Friday, March 8th. Mr. Stella gave the Board a performance bond, a certificate of vote, insurance certificate, builder's risk coverage, and building permit application. The application was returned to him for processing with the Inspector of Buildings. Mr. Stella noted that the subs have time limits to file contracts and bonds with them, otherwise they have to go to the next bidder. At this point, Mr. Downing suggested they finish their business with Mr. Boczanowski and Mrs. Reynolds.

7:25 - Jack O'Leary of Tyree Consulting and Attorney Peirce came before the Board to discuss the inclusion of an article on the Annual Town Meeting warrant. Both were representing Mobil Oil on Main Street, but the article

would affect the other gas stations in Town as well, as they would be changing the general by-laws to allow self-serve where one station is allowed now because it was grand-fathered.

Mr. Peirce said they would be going before the Zoning Board on March 20th for the redesigning and upgrading of the station with a 50 foot set-back for the addition of a canopy over the pumps.

Mr. O'Leary spoke to the Fire Chief on the phone and will make sure they have met with him and he has approved their plans. The Chief had told them he did not feel it was a problem if all proper precautions were taken. Their design is a split island style, part self-serve and part full-serve. A grooving system would also be in place around the pumps for spills. It will be required to have an attendant in view of anyone coming into the station. Mr. O'Leary also stated that the self-serve license can be revoked if necessary for failure to comply with regulations.

Mr. Downing did not have a problem with the concept, but would like a written recommendation from the Fire Chief. With reference to Mr. Downing's question on video cameras, Mr. O'Leary said they are usually placed on the opposite side of the attendant's view of the pumps.

For clarification, Mr. Peirce stated he was an attorney hired by Tyree Consulting, and Tyree was hired by Mobil.

Mr. Henry did have a problem with self-service stating he felt the by-law was put in place for a reason. He wondered if it would be cheaper at the self-serve pumps than at the full-serve; did not know if competition would be a good thing; and wanted to know what the benefit to the Town was.

Mr. Peirce honestly stated that they would not be asking for the article if they felt they could not make a profit or people wouldn't avail themselves of its use as a matter of convenience.

Mrs. Rozanski said she wanted a recommendation from the Fire Chief and it should go back to the Annual Town Meeting voters. Mr. Henry said he would speak to the Fire Chief, noting the deadline for the submittal of the article is March 15th, and would get back to Mr. O'Leary and Mr. Peirce.

- As Harry Johnson was leaving the building, he commented casually about the Town Administrator committee

wondering what happened to it. Mrs. Rozanski thought he did not want to be on it, but would ask Kathy Rehl to talk to him.

- Mr. Henry said that the ANR committee's job is done as the article is included in the draft of the Special Town Meeting, and thanked the members of the committee for the work done. Mr. Downing echoed Mr. Henry's comments, as well as complimenting him on the excellent job of keeping them on task and completing the preparation of the article. Mr. Henry said the Board also acts as "Road Commissioners" for certain lots which do not fall under the Planning Board's jurisdiction, especially with driveways onto public roads.

  Mr. Downing added that the Board became involved when they were made aware of a surface drainage situation that was created, and felt this was something that should be prevented in the future, He felt they were heading in the right direction with it. Mrs. Rozanski also noted the problems in the past with street opening permits and the number of people who want to go beyond the deadline, saying that it had been decreasing over the years.

- Mr. Downing said that the Board had met with the Apollo group on Tuesday, with Mrs. Allen adding she had not heard further from them. Mrs. Rozanski clarified that the building is in the right of way.

- Mrs. Rozanski asked Mrs. Allen if she had heard anything from the "granite and marble company" supposedly moving in off of Industrial Park Road, with Mr. Downing adding he thought it would be off of Marc Road. Mr. Henry said that the Board would determine where the opening of the driveway would be.

- Mr. Henry moved, and Mr. Downing seconded, that the Board approve the following list of permanent intermittent police officers to be appointed as recommended by the Police Chief, with the date of employment being May 1, 1996: John McLaughlin, Dave McRoberts, Stephen Mitchell, Joanne Boczanowski, Joseph Mele, Matthew Reardon, John Brady; all aye.

- Treasurer Marge Sanford was present to talk to the Board about a communication received from Frank Burke stating he did not have the Treasurer's cash reconciliation for September 30, 1995 and December 31, 1995 to determine if the difference was the same as June 30, 1995. Mrs. Sanford said she spoke to Frank Burke and Kathy Reed and they told her to combine the September and December

reconciliations. She also said she spoke to Mr. Burke last week (Wednesday) and he didn't appear to have any problems. Mrs. Sanford said information had been faxed and they are reconciled through December and waiting to hear if the balance at June 30th is O.K. She said that the Audit Committee meeting was scheduled for March 19 for an exit conference and March 25th for the public hearing.

Mr. Downing was trying to determine if Mr. Burke faxed his concerns before or after Mrs. Sanford spoke to him. It appeared the fax came on Wednesday at 11 a.m., and Mrs. Sanford said she spoke to him around noontime that same day. Mrs. Allen clarified she faxed the paperwork to Mr. Burke and Mrs. Reed Tuesday morning after getting permission from the Board Monday night. Mr. Downing again requested Mrs. Sanford call Mr. Burke on Tuesday. Mrs. Rozanski also asked that Mrs. Sanford call Frank Biron as well of Melanson & Greenwood.

With regard to Mr. Downing's question on Western Surety claims, Mrs. Allen said she spoke to Town Counsel and he stated that they want to look at the checks that were deposited into the bank in March of 1992, and if the checks had been deposited timely, how would it have been.

- Mrs. Allen brought up the Ethics Commission research on Rocco Derrigo, saying they need his permission to review the case further.

- The budget for the Animal Control Officer was tabled until next week as Mr. Downing said the JCRB was meeting this week.

- Mrs. Rozanski brought up the boat launch land management agreement and Town Counsel's response to the Board's inquiry as to liability. Mr. Maciolek had indicated that because of the cost involved and the increased potential liability, he did not think it was in the Town's best interest to become involved in the project. Mrs. Rozanski was not sure she agreed with Town Counsel on the amount of liability, and wondered if the project should appear on the town meeting warrant and let the voters decide. Mr. Downing asked that the Park Commissioners get a copy of the response and accompanying documentation from Town Counsel and to give their recommendation to the Board.

- Mrs. Rozanski asked about the Idylbrook contract, and Mrs. Allen stated it was brought directly to Joan Robes by Paul Yorkis. When she was asked why Mr. Yorkis

brought it in, Mrs. Allen said he is the contact person and is willing to bring it to her personally. Mrs. Rozanski said she would call Ms. Robes.

- The proposed letter to Mass Highway with reference to extending the project was brought up by the Board. Mr. Henry moved that the Board petition Mass Highway to extend the Route 109 reconstruction project from the Millis/Medway line to the present location of Papa Gino's; Mr. Downing seconded for discussion. Mr. Downing was a little hesitant in signing this request as part of the same project and creating a speedway by widening the road and possibly leading to other issues, such as flooding, safety, etc.

  Mrs. Rozanski said that the letter gives a description of problems, not solutions, and does not commit the Town. Mr. Downing was still concerned about negative press and hindering the remainder of the project. Mr. Henry suggested considering making the balance to Papa Gino's as a separate project, while Mrs. Rozanski felt that the intersection was really the problem. Mr. Henry withdrew the motion; Mr. Downing seconded while asking that they revisit the letter at another time, possibly next week; all aye.

- The congratulatory letter to the Rising Sun Lodge on their 150th anniversary was signed by the Board.

- Mrs. Allen brought up a letter from Hastings-Tapley where they asked the Town to consider purchasing snow insurance, which usually is ~~equipment~~ equivalent to 5-10% of the snow budget. The Board asked that Mrs. Allen try to obtain some figures for passing on to FinCom.

- The Board acknowledged the packet of information from the School Supt. with regard to the first proposed draft of the FY'97 school budget.

- The Board discussed a request from Sabina Doyle's for a one-day entertainment license for Sunday, March 17th. Mr. Henry moved, and Mr. Downing seconded, that the Board grant a one-day license for St. Patrick's Day as requested in their letter of February 29th; all aye.

- The Board reviewed the first draft of the articles for the Special Town Meeting on April 1st.

  All of the articles were placed on the warrant as submitted, except for the article having to do with the Route 109 reconstruction project which will be submitted for the annual town meeting, along with the article

asking for funds for a study of the layout of town hall. However, the three articles that were asking for transfer of monies were placed at the end of the warrant to see if the FinCom would handle them as emergency transfers, and if so, they could be removed. The citizens petition was placed at the end of the warrant. Mrs. Rozanski asked that Town Counsel and the FinCom chairman get an advance copy of the second draft of the warrant.

- Mr. Downing asked about a citizen's complaint when he was in the office this morning, and Mrs. Allen said that Bob Power would be following up on it.

9:40 - Mr. Downing moved, and Mr. Henry seconded, that the Board adjourn to executive session for the purpose of preparation for negotiations as it pertains to union and non-union personnel, not to return to open session; all aye. The vote: Mr. Henry - aye; Mr. Downing - aye; Mrs. Rozanski - aye. The meeting was adjourned. Mrs. Allen was asked to stay for the executive session.

Respectfully submitted,

Mary Jean Fredette
Secretary
mj

3/11/96

BOARD OF SELECTMEN

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

AGENDA

February 26, 1996

7:00 p.m.	Open meeting, Approve minutes of 2/12/96 meeting; 2/5/96 and 2/12/96 Executive Session. Approve notes of 1/27/96 All Boards meeting. Sign warrants.
7:05	Open Bids for Council on Aging van service
7:15	Sgt. Robert Saleski, Updated Police/Fire Communications Budget.ing transmission Chief W. David Lambirth - updates for the Board
7:30	Town Accountant, Arti Mehta - Executive Session
7:45	Public Access - Boat Ramp
8:00	Article for Town Administrator
	Committee Reports
	Action Items
	Executive Session - Collective Bargaining Strategy

ACTION ITEMS FOR SELECTMEN'S MEETING OF FEBRUARY 26, 1996

1. Vote to Open and Close the Special Town Meeting Warrant to be held on April 1, 1996.

2. Vote on request from Planning Board for use of Town Counsel regarding fees for Ellis Farm Subdivision.

3. Request of Kathy Rehl to serve on committee for study of a possibility of a Town Administrator.

4. Request of Kelly O'Rourke to serve on the Computer Committee.

5. Acknowledge invitation from Rising Sun Lodge No. 99.

6. Acknowledge letter from Water/Sewer Commissioners regarding Water Surplus Account.

7. Acknowledge letter from Town Accountant and Treasurer regarding FY 1996 Recap Sheet

8. Acknowledge letter from Carla Cataldo, Marjorie Sanford and Don Springer

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ACTION ITEMS FOR SELECTMEN'S MEETING OF FEBRUARY 26, 1990

6. Vote to open and close the Special Town Meeting Warrant to be held on April 3, 1990.

5. Vote on request from Planning Board for new Medical Condoned rezoning Zone for Cable Park Subdivision.

3 Request of Molly Kent to serve on committee for Elder a possibility of a Town Administrator.

4. Request of Molly D'Agostino to serve on the Cable Committee.

5. Acknowledge Invitation from Sterling Fire Dept. 50.

2. Acknowledge letter from Water/Sewer Commission regarding Water Surplus Account.

1. Acknowledge letter from Town Accountant and Treasurer regarding FY 1990 Recap Sheet

A. Acknowledge letter from Cecil Clayton, Hartford Accident and Dan Whitaker

Present: Raphaela Rozanski, Lee Henry, Doug Downing, Administrative Assistant Ruth Allen.

7:00 p.m.-Mrs. Rozanski called the meeting to order in the Selectmen's Meeting Room 2 of Town Hall.

- Mr. Downing moved, and Mr. Henry seconded, that the minutes of February 12th be approved with minor corrections; all aye.

- Mr. Henry moved that the minutes of February 20th be approved; Mr. Downing abstained since he was not present at the meeting; Mrs. Rozanski seconded; aye.

- The Board agreed to review the executive session minutes of February 5th and February 12th in executive session.

- Mr. Henry noted that last week's warrants totalling $487,428.19 were signed during the week.

7:05 - Mr. Henry read the ad that appeared in the newspaper for bidding for the Council on Aging van service. Only one bid was received from Transit Alternatives of Whitinsville for $18.25/hourly. Mr. Henry moved, and Mr. Downing seconded, to turn the bid over to the Council on Aging for their review and recommendation; all aye. Richard Gildea, Chairman of the COA, was present to voice his displeasure that the Town Accountant told him he had to go out to bid, and now Transit Alternatives bid $3.25 more than the COA was presently paying them.

- The All Boards notes of January 27th were brought up, and Mr. Henry moved they be accepted, Mr. Downing seconded with kudos to the Secretary for a job well done; Mr. Henry abstained from the actual vote as he was not present; aye.

7:15 - Sgt. Saleski came before the Board to state that the JCRB had approved the increases for Police/Fire Communication dispatchers, and therefore requested the Board re-approve the salary portion of that budget to $128,959. Mr. Henry moved approval of the revised FY'97 salary portion of the Police/Fire Communications budget, with Mr. Downing seconding, to $128,959, with the already approved expense portion of $6,130, for a total of $135,089; all aye.

7:20 - Chief Lambirth came before the Board to update them on several matters.

- First, he asked that the Board review the paperwork for permanent intermittent appointments.

- He indicated the call for the Lieutenant's exam is out again, but probably won't be held until the Fall of 1996. He needed the Chairman's signature to allow the exam.

- The Chief said he was asking for three cruisers through CIPC, but wanted to know if he should also submit a separate warrant article. Mrs. Rozanski said that the CIPC would probably do an omnibus article, but to give the Board a separate read-out of the article.

- He had submitted information on a job description of the crossing guards and wondered if anything else was required; no, nothing else was needed.

- The Chief asked about the highway safety grant program, and if he should do anything. Mrs. Allen said that everything has been done, the contract has been signed, and we are requesting bids. The grant amount is $7,300.

- He submitted a draft compact just clarifying the responsibilities of towns on mutual aid. Mrs. Rozanski asked Mrs. Allen to send a copy to Town Counsel for his comments.

- Mr. Henry also suggested they get together with the Chief after his vacation and discuss his position. Mr. Henry said he would be attending the workshop on police chief contracts. Mr. Downing said he was amenable to discussing negotiations for FY'97 and work toward FY'98, and not wait for the State's assistance with police contracts. The Chief said he was amenable to talking as well. Mr. Henry noted that he would get a copy of the Chief's contract in Westwood.

- Mr. Allen said that, in speaking with Peter Donahue, they expect to be back in Medway in the Spring to work on the bridge. Mrs. Rozanski asked Mrs. Allen to contact Rep. Gardner and get some information on erosion matters that she believed she had.

7:35 - Mr. Henry moved that they adjourn to executive session for exemption #3 for contract negotiations with non-union personnel, and to return to open session; Mr. Downing said he could not second the motion. He did not like breaking up a meeting; it made it fragmentized; and said it should have been at the beginning or the end.

Mrs. Rozanski stated it was being done at this time so Mrs. Mehta did not have to stay; Mrs. Rozanski seconded the motion. The vote: Mr. Henry - yes; Mr. Downing - no; Mrs. Rozanski - yes. The Administrative Assistant and the Secretary left the meeting.

8:05 - The meeting was reconvened.

- Mrs. Rozanski said she and Mr. Henry had met with Rep. Gardner near the Walker Street Bridge to review the site of a proposed boat ramp for public access with grant funds. She thought possibly this could be a community or Eagle Scout project. The Board had a copy of the land management agreement and back-up information of the public access board. Mrs. Rozanski asked Mrs. Allen to send a copy to Town Counsel for his review and comments, and to let the Board know if there were any precautions they should be made aware of.

Mr. Henry said if this went through, we would have to maintain it on a day-to-day basis, still making it accessible to the public, not just Medway residents. Mrs. Rozanski also noted this would have to be reviewed by the Conservation Commission. Mr. Henry commented further that this would be accessible as an area for canoes or kayaks, and not more than 3-4 cars would be allowed to park there. Mr. Downing had a problem with vehicles being parked there, and asked that the Safety Officer review the idea, asking if this would eventually be taken over by the Park Department. Mrs. Rozanski was not sure, maybe the Scouts. Mr. Downing asked that a copy of the public access information be given to the Park Department.

Mr. Henry reiterated that this meeting with Rep. Gardner was preliminary and to see if the Town was interested, and if it could be done. Mrs. Rozanski noted they had said it was "doable", but asked Mrs. Allen to also ask Town Counsel if the Board can execute the agreement, or must it go through as an article on the town meeting warrant.

8:20 - Kathy Rehl was present to talk to the Board about the proposed Town Administrator position, having expressed an interest to be involved in its review for the Town. Mrs. Rozanski noted letters of interest had also been received from Wendy Rowe and Pam Yanco. Mrs. Rehl looked over a letter received from Carla Cataldo, Marge Sanford and Don Springer who had put some thoughts down on paper. Mrs. Rehl said she works for four towns, all which have a form of Town Administrator, and she can access that information for some guidelines.

Mr. Henry asked why re-invent the wheel and come up with a whole new article when it was already done a few years ago and was perfectly fine then. He noted he would make a few suggestions, but he would recommend that the Board review the article as it was written and put forth back in 1991, and re-submit it. Mr. Downing said if it was to be done for the annual, then the article could be put in, but he felt it was the restructuring of positions that made the article fail. Mr. Henry said we could ask Town Counsel if there are any changes that the Board needs to be made aware of.

Mr. Downing said he wanted the committee to be "visionary" for the future and have a long-range plan. He wants them to review the documentation; look at the whole article again line by line, rather than just taking it the way it is, and then come back to the Board. Mr. Henry agreed they should aim for the annual. Mrs. Rozanski set two weeks for a deadline.

Mrs. Rehl said she was willing to work with Mrs. Cataldo. Mr. Downing had no problem with making the Committee as large as need be, feeling they should get as much help as possible. Mrs. Rozanski was a little reluctant to have two members of the Board of Library Trustees on the committee, but Mrs. Rehl stated that they were two of the smartest people she knew and could use their input. She also noted that there might be a conflict with Mrs. Cataldo as her husband was the Town Administrator in Wayland. Mrs. Rozanski did not feel that was a problem as she was only acting as coordinator for the committee. Mr. Downing said he had no problem with Mrs. Yanco and Mrs. Rowe being on the Committee and welcomed volunteers with open arms.

Mr. Henry moved, and Mr. Downing seconded, to establish a sub-committee to the Selectmen to review the Town Administrator documentation and report back to the Board by March 14th; all aye. Mr. Henry moved to appoint the following to the Town Administrator Review Committee: Carla Cataldo, Marjorie Sanford, Kathy Rehl, Pam Yanco and Wendy Rowe; Mr. Downing seconded by including that they be allowed to make additional appointments as necessary without coming back to the Board; Mr. Henry added that the appointments are through June 30, 1996; all aye. Mrs. Rehl said she would be happy to co-chair with Mrs. Cataldo.

Mr. Henry moved, and Mr. Downing seconded, that the closing date of the annual town meeting warrant be extended from March 11th (Monday) to March 15th (Friday); all aye.

- Committee Reports.

- Mr. Henry reported the ANR committee meeting had been meeting and they were almost done with their work.

- Mr. Henry said he had attended the School Committee meeting on February 20th where the building permit fees were discussed again. He clarified, hopefully for the last time, that the fee is charged to the contractor to erect a facility, that it covers the inspection process to make sure everything meets code, and ensures specific requirements of standards and code enforcement are met.

- Mr. Downing asked if everything was all set for negotiations on Thursday. Mrs. Rozanski asked Mrs. Allen to post the executive session at Station II at 7:30 p.m. for negotiations with the police association.

- Mr. Downing said that the Permanent School Building & Site Selection Committee had met and noted they had received 39 applications for Clerk of the Works, and they will be reviewed with the architect.

- Mrs. Rozanski said she met with Tim Stabile, the Eagle Scout who did the house numbers project, and gave him a letter saying his work had been completed.

- Mrs. Rozanski also said she received an invitation for Gregory Haines, another Eagle Scout who completed his project, and asked if the Board would approve a certificate for him. Mr. Henry moved, and Mr. Downing seconded, that Mrs. Rozanski prepare a certificate; all aye.

- Mrs. Rozanski brought up Rocco Derrigo's request to be re-appointed to the CIPC, and said she asked Mrs. Allen to contact the Ethics Commission and make sure that the process is being handled correctly. Mrs. Allen said she received a confidential acknowledgment and she should get an answer in six weeks.

- Warrants for $506,002.08 were signed by the Board. No reconciliation sheet was included with the warrants.

- Mrs. Rozanski said she spoke with Gardner Rice. He has met with DEP and will meet with the Board Tuesday morning to discuss how to proceed with I/I.

- Mrs. Rozanski asked about the Cottage and Main Street drainage project. Mrs. Allen stated we were waiting for FEMA's study to come in about the Charles and Chicken Brook Realty. Mrs. Rozanski said conversations have

been held between GCG and Chicken Brook Realty, but the neighbors would also like to give comments, and the easement has to be negotiated.

- Mr. Henry moved, and Mr. Downing seconded, that the Special Town Meeting warrant for April 1st be opened this evening and closed at the close of business on March 1st; all aye.

- Mr. Henry moved, and Mr. Downing seconded, that the Planning Board be granted permission to access Town Counsel with reference to review of the Ellis Farms subdivision per their letter of February 16th; all aye.

- A letter was received from resident Kelly O'Rourke who wished to be appointed to the Computer Committee. Mr. Henry moved, and Mr. Downing seconded, that she be appointed to the Computer Committee through June 30, 1996; all aye.

- Mrs. Rozanski said she will call all those appointed to the Town Administrator Review Committee and advise them of their appointment.

- Mrs. Allen will put together a congratulatory letter for the Rising Sun Lodge.

- Mrs. Rozanski said she would speak to Gardner Rice and the Town Accountant about the letter received from Mr. Rice on water surplus on Tuesday morning. Also noted was that there had been no response to Sandra Bennett's letter of September 20, 1995 to the Town Accountant. Mr. Henry said he would speak to the Treasurer as well.

- Mrs. Rozanski brought up the letter from the Treasurer and the Town Accountant on the FY'96 recap sheet. A copy to the Assessors was noted, but since the Board did not have their input yet, she felt that they should not discuss the letter, and asked Mrs. Allen to send a cover letter to the Assessors asking for their comments.

- Mrs. Allen noted she had attended a meeting in Newton for information gathering on reimbursement funds from FEMA and MEMA. She had signed the documentation but needed the Board to authorize her do the work as the Town's agent. Mr. Henry moved, and Mr. Downing seconded, to designate Mrs. Allen as the applicant's agent for snow removal reimbursement funds from FEMA and MEMA; all aye.

- Mrs. Allen gave the Board an emergency transfer to sign for pre-employment physicals for police intermittents.

Mr. Henry moved, and Mr. Downing seconded, to approve the request to the FinCom for an emergency transfer for $1,950 for physicals for police intermittents; all aye.

- Mrs. Allen clarified that Fred Sanford was appointed to the Building Code Board of Appeals as an engineer, and he did not qualify, however, he qualified as the builder. She asked that they rescind their previous vote and re-vote him again as the builder. Mr. Henry moved, and Mr. Downing seconded, that they rescind their vote for Mr. Sanford as the engineer; all aye. Mr. Henry moved, and Mr. Downing seconded, that Fred Sanford be appointed to the Building Code Board of Appeals as the builder; all aye.

- Mrs. Allen said she had met with David Giagrande who is working on the Route 109 reconstruction project and discussed bringing up the roadwork to Papa Gino's. He took the drawings and will review them, and get back to her.

- Mrs. Allen showed the Board versions 1 and 2 of the preliminary plans for Wilson/Cutler Lane.

- Mrs. Allen said that Kathy Reed of the DOR had called and asked about the audit. She had also stated that they have yet to receive the supplements as requested for FY'93 and FY'94. Mrs. Allen asked if she could release the Town Accountant's letter dated August 10, 1995 along with the attachments from Melanson & Greenwood that indicate it is "tentative and for discussion only". Mrs. Allen stated that these documents, therefore, are not the permanent record, but there were no others on file. Mrs. Reed had also stated she wanted to be part of the exit conference for the FY'95 audit. The Board agreed that Mrs. Allen could fax these documents to Mrs. Reed and Mr. Burke. Mr. Downing speculated that maybe the supplements never went into the DOR.

- Mrs. Allen stated no one had applied for the Interim Highway Supt. position, but she had sent out one spec sheet.

- It was noted that there is a town accountant conference on March 18th, which would at least mean Mrs. Mehta would not be at the audit public hearing if it was held that night. Mrs. Rozanski asked Mrs. Allen to remind her to talk to Mrs. Mehta about an alternative date for the public hearing, as well as a date for an exit conference with the Audit Committee prior to that public hearing. While they were on the subject, Mrs. Rozanski

said that Sean Lynch had sent her information on audits.

- Idylbrook contract was signed. Mrs. Rozanski said that when the application was submitted by Paul Yorkis, he was the contact person, so it went through and out to him and then back to us. Mrs. Rozanski said that the Board should get a copy of anything that goes out to Mr. Yorkis. She also said that next time make sure the contact person is in the office. She noted the contract has to be executed by June 1st and the monies encumbered.

- Mrs. Rozanski brought up the Animal Control Officer budget. Mr. Downing, as liaison, said he would discuss it with Millis and get back to the Board.

9:45 - Mr. Henry moved, and Mr. Downing seconded, to go into executive session for the purpose of discussion relative to collective bargaining, not to return to open session; all aye. The vote: Mr. Henry - yes; Mr. Downing - yes; Rozanski - yes. Meeting adjourned.

Respectfully submitted,

Mary Jean Fredette
Secretary
mj

3/11/96

Board of Selectmen's Meeting
Tuesday February 20, 1996

Mrs. Rozanski called to order at 9:15am. Lee Henry present.

Mrs. Rozanski and Mr. Henry signed the $100,000.00 note as authorized by article 1 of STM 1/24/94 for the purpose of design, drawings, etc. (described in the article) regarding new elementary school, in the presence of Assistant Town Clerk, Charlene Walter and Treasurer Marge Sanford.

Discussed need for building permit for new school building. Permitting process is a service, involving a fee. The service performed is required by law to ensure safety and certain standards are carried out. Services are being performed for the contractor who wins the contract and who must fulfill his responsibility under the State Building Code.

Mrs. R. requested that Ruth Allen send a letter regarding reappointing a member of the CIPC who had recently resigned to bid on school and had not been awarded the bid.
10:00am Arti provided a letter regarding PWED grant money, approximately $6000 not used. Records to be researched and anticipate reassigning money.

Requested police salary and contract records. Noted no response to advert for Interim Highway Superintendent. Requested Ruth obtain and provide the Board with a summary of JCRB activities after March 7 meeting.

Fire Chief discussed the organization of the fire and communication department, as well as, the characteristics of other towns with similar area size.

Discussion of timing of warrants for special town meeting and annual town meeting. Discussed placing article regarding Town Administrator at ATM. Wrote a memo asking Ruth to check on minutes for Jan. 27th All Boards' Meeting and from Tuesday morning 2/1/96 meeting with Town Counsel, Lee Henry, Doug Downing and Elementary School Building Committee.

Mr Henry to ask Ruth to obtain copy of article creating Town Administrator's post in Millis.

Adjournment at 11:00am

Raphaela Rozanski, Chairman

Approved 3/4/96

BOARD OF SELECTMEN

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

AGENDA

February 12, 1996

6:00 p.m.	Open meeting, Executive Session
6:30	Arti Mehta regarding evaluation
7:05	Joanne O'Leary, Boston Edison respresentative regarding transmission line re-build.
7:30	Library Trustees to discuss the need for a Special Town Meeting.
8:00	School Building Committee with recommendation for award of new school bid
	Sign warrants, approve minutes of 2/5/96 meeting
	Action Items

BOARD OF SELECTMEN

155 VILLAGE STREET
MEDWAY, MASSACHUSETTS 02053
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ACTION ITEMS FOR SELECTMEN'S MEETING OF FEBRUARY 12, 1996

1. Vote to Open and Close the Annual Town Meeting Warrant.

2. Discuss and sign letter to Melanson, Greenwood & Co. regarding the FY'95 Audit.

3. Vote on Revised Budget for ZBA.

4. Meeting on Tuesday, February 27th at 8:45 a.m. with the owner of Apollo and land owner.

5. Barbara Gardner has set up a meeting here at Town Hall on February 23rd at 9:30 a.m. regarding a boat launch site.

6. Discuss and approve Other Insurance Budget.

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Present: Raphaela Rozanski, Lee Henry, Doug Downing, Administrative Assistant Ruth Allen.

7:20 p.m.-The Board came out of executive session and went into open session. The meeting was called to order by Mrs. Rozanski in the Selectmen's Meeting Room 2 of Town Hall.

7:21 - Jo Ann O'Leary and Jim Bodkin, representatives of Boston Edison, came before the Board to discuss the transmission line re-build in Medway. This is under the Conservation Commission but are informing the Selectmen as a courtesy. Ms. O'Leary stated the line was from Sherborn, into Holliston and then to Medway on West Street. Mr. Bodkin explained this was being done to improve capacity of one transmission line, going to a single post design rather than a double post design. He indicated some structures will be relocated, basically on Lovering and Summer Streets, starting work in October of 1996 with completion in the fall of 1997. Ms. O'Leary indicated they had met informally with Conservation, and will be updating them and filing a notice of intent. They are not impacting the wetlands as work is overground, not underground and abutters will be sent a letter detailing what to expect. Some trimming of trees will be done and easements have already been received. With regard to Algonquin Gas, they will keep them abreast of what is going on. Ms. O'Leary stated she would keep the Board updated on de-regulations. Mr. Henry mentioned the pole at Cottage and Main Streets that is right in the middle of the road where drainage work is to be done and asked if it could be moved. Ms. O'Leary thought that Nynex "sets" the poles in Medway, but would check it out.

7:40 - Library Trustees (Gary Binder, Pam Yanco, Andrea Knupp, Wendy Rowe, Kathy Gaudreau) and Director Philip McNulty came before the Board to request that a special town meeting be held as discussed at the all boards and in previous communications. The Board was presented with the suggested text for the article, suggested ballot questions, and a synopsis reviewing their objectives, options explored, the timetable and a summary of what needs to be done. Mr. McNulty stated that the estimate is now $1,855,000 for 16,000 sq. ft. with the deadline being April 10th. They feel the reimbursement grant is best as only 17 would be applying for the $200,000, versus 74 applying for the 43% funding. The CIPC and FinCom would help decide if a debt exclusion was the route to go.

Mrs. Rozanski said that Town Clerk Maryjane White had told her that the ballot question could be combined with

the election. Mr. Henry asked for clarification that they would be adding 4,000+ sq. ft. to existing 11,000+ sq. ft., and asking the Town to commit $1.8 million by April 10th to get $200,000. Mr. Binder said it was that or try for the 43% grant. Mr. Downing stated they were not there to debate the merits of the issue - timing was of the essence. Mrs. Yanco noted they had been trying to see the Selectmen; they had done their homework; it was the Town's choice. Mrs. Rozanski stated it was the Selectmen's decision to have a special or not. Mr. Downing pursued the avenue of sitting down and discussing alternatives; library services enhancement is the bottom line - we are here to set a date. Mrs. Rozanski said that a special could be held by April 10th in time for the ballot question at the annual election in May. Mr. Binder stated that construction drawings need to be done by July/August for a September deadline. Mr. Downing noted the approximately $100,000 available that could be used to start the drawings. School Committee member Dawn Boyan was present to state she had been involved in some of the discussion of ~~combing~~ combining services between school and library, and was still willing to sit down and discuss again. Mr. Binder said a letter would be forthcoming to the School Committee on the matter. The Board discussed other issues that could be a part of the special, including the Route 109 reconstruction, I/I and for Water/Sewer, and zoning by-law revisions. Mr. Downing moved, with Mr. Henry seconding reluctantly, that they set the date of April 1st at 7:00 p.m. for a special town meeting; all aye. Mr. Downing suggested they refine the language of the article as submitted, and there was time to do so.

8:40 - Members of the School Building and Site Selection Committee (John Boczanowski, David Verdolino, David Consigli, Kelly Adler, Linda Reynolds, and Dawn Boyan) came before the Board to discuss the bids received for the new Medway Elementary School. Mr. Boczanowski noted that the preliminary low bidder (Superior Plumbing) had to withdraw its bid, and therefore, they were recommending awarding the bid to the next low bidder, changing the total to an additional $36,000. The Committee also was recommending they award the general construction contract to P. J. Stella of Wakefield for $7,876,000, which included the addition of alternates #1 through #4, which was within their budget range. Mr. Boczanowski indicated they had received references and checked them out.

Mr. Downing moved, and Mr. Henry seconded, to allow Superior Plumbing to withdraw its bid request pursuant to their January 30th written request; all aye. Mr.

Henry suggested this document be attached to the minutes, but Mrs. Allen recommended it be filed with the Town Clerk. Mr. Boczanowski confirmed that they are only allowed to spend reimbursable funds (69%) of the $10 million. Mr. Henry moved to accept the recommendation of the School Building & Site Selection Committee and award the general construction contract for the new elementary school to P. J. Stella Construction Corp. of Wakefield, MA in the amount of $7,733,000, and with alternates of 1-4 bringing the total to $7,876,000; Mr. Downing seconded; this was amended to include subject to negotiations and subject to review and recommendation and approval by Town Counsel; Mr. Downing seconded; all aye.

Mr. Boczanowski next brought up the request to waiver the building permit fee for the project. Mrs. Rozanski stated permit fees are to be included, and no fees are waived. When asked about the town hall, fire station and police station, it was stated no fees were waived for any of them. Mr. Boczanowski stated they hoped for groundbreaking in mid-March, and to have the kids involved. They are advertising for a clerk of the works with resumes due back by February 23rd and they asked to come back on March 4th with their recommendation.

- Five warrants were signed totalling $377,960.66.

- Mr. Downing moved, and Mr. Henry seconded, that the minutes of February 5th be approved as amended; all aye.

- Mr. Henry moved, and Mr. Downing seconded, that the executive session minutes of August 7, 1995 be approved for later release; all aye.

- <u>Action Items.</u>

- Mr. Henry moved, and Mr. Downing seconded, to open the annual town meeting warrant this evening, February 12th, for the annual town meeting to be held on May 13th, and to close the warrant at the close of business on March 11th; all aye.

- The Board reviewed the customary letter being sent to Melanson and Greenwood that was to be signed by the Chairman, already signed by the Treasurer and the Accountant. Mrs. Rozanski explained the letter verified that the town had released all pertinent information and made it available to the auditors. Mr. Henry noted, in speaking with the Accountant and the Treasurer, that the auditors were almost done with their field work. He also said he spoke with Melanson and Greenwood and they

will be needing a public hearing for a review of their findings. Mr. Henry moved, and Mr. Downing seconded, that the Chairman sign the letter; all aye.

- Budgets.

- Mrs. Allen brought up the revised ZBA budget which now includes the ZBA secretary's step increase for FY'97. **Mr. Downing moved, and Mr. Henry seconded, to approve the revised ZBA budget for FY'97 for salaries of $2,972.80; expenses of $2,120.00; totalling $5,092.80; all aye.**

- Mrs. Allen stated that the owner and land owner of Apollo wants to meet with the Board on February 27th at 8:45 a.m. concerning the Route 109 reconstruction and the moving and/or reconstruction of that building. Mr. Downing said he was not opposed to the meeting, as long as it was just a sharing of information. He said that Tuesday morning meetings were not for vote-taking, either pro or con. Mrs. Rozanski agreed.

- Mrs. Allen said she had spoken to Rep. Gardner's office and she was told Barbara would be at the Medway Town Hall on February 23rd at 9:30 a.m. to meet with residents and discuss a request for a boat launch near possibly the Walker Street Bridge. Mrs. Rozanski said she would attend adding that possibly there was were grant monies available. Mr. Downing suggested letting the ConCom be aware of her coming and possibly the scouts.

- Budgets.

- Mrs. Allen brought up the Other Insurance budget, and like snow removal, recommended a more realistic figure, based on what Group Benefits Strategies has said. Mrs. Allen explained we are self-funded - we only pay claims and a small administration fee. Mr. Henry began to make one motion for all the line items, and then amended that motion to be separate motions. **Mr. Henry moved, and Mr. Downing seconded, to approve the Health Insurance budget for FY'97 for $1,067,124; all aye. Mr. Henry moved, and Mr. Downing seconded, to approve the Other Insurance budget for FY'97 for $168,000; all aye. Mr. Henry moved, and Mr. Downing seconded, to approve the Municipal Property Insurance budget for FY'97 for $5,000; all aye.** Mrs. Rozanski asked about some monies being set aside for the MAPC rep, and also asked about the Hazardous Waste Coordinator's budget. Mrs. Allen will check on both.

- Mrs. Allen presented the Board with an emergency transfer for $2,101.02 for Professional/Technical Services to cover the services of Special Counsel on three cases he was working on for us. Mr. Henry moved, and Mr. Downing seconded, to recommend approval to the FinCom of the emergency transfer for Professional/ Technical Services of Special Counsel for bills amounting to $2,101.02; all aye.

- Mrs. Allen stated she had copies of the Idylbrook applications and contracts. She was waiting for minutes from the Conservation Commission signed by the members and certified by the Town Clerk. The Board asked that a copy of the documents be sent to Town Counsel for his review. Mr. Henry moved, and Mr. Downing seconded, to authorize the Chairman to sign both contracts on Idylbrook (SH#2 for $399,280 - 20+ acres and USH#1 for $50,000 - 10+ acres) pending review and recommendation of Town Counsel; all aye.

- Mrs. Allen brought up Rocco Derrigo's request to be re-appointed to the CIPC as the company he works for did not get the bid for the new school. Mrs. Rozanski said she wanted to review this.

- The Board noted the appraisal proposal for the Route 109 project by John Heaphy, which included the takings that need to be done, assisting in designating of parcel numbers, the contacting of all property owners and explaining the takings and obtaining rights of entry. His fee was $5,000 to be completed in 90 days which, since it was over $4,000, has to go out to bid. It was noted this could be a special article on the town meeting warrant or an emergency transfer from the reserve fund. Mrs. Allen said the Town has to pay for the easements, the research on the deeds, and plans referred to in the deeds.

- Mrs. Allen had some questions from the Water/Sewer Department for Town Counsel which Mrs. Rozanski said she would review.

- Mrs. Allen acknowledged a certified letter from the Massachusetts Laborers District Council that came in to the Board this day stating that the Medway Municipal Employee Association had voted unanimously to affiliate with the union and were looking to the Board for dates to begin negotiations on behalf of the three units.

- Mrs. Rozanski noted Scout Tim Stabile's letter and wondered what the results of his project were. She said

she would write him a letter of congratulations on his work.

- Mr. Downing acknowledged a letter from the Police Chief concerning classification of the matrons and crossing guards. He said the JCRB will address that letter and make a recommendation to the Selectmen.

- Mrs. Rozanski noted the upcoming seminar on police chief contracts, and Mr. Henry said he would like to attend. Mrs. Allen will register him for the March 5th date.

- Mrs. Rozanski said she went to a Treasurer/Collector meeting with the Treasurer and Accountant.

9:50 - Meeting was adjourned.

Respectfully submitted,

Mary Jean Fredette, Secretary
mj

Approved as amended
2/26/96

Selectmen's Meeting
Thursday, February 1, 1996

Meeting called to order at 10:34 a.m. Present were: Lee Henry and Doug Downing.

The Selectmen were joined by Police Chief David Lambirth; Sgt. Bob Saleski, Police/Fire Communication Supervisor; and Fire Chief Wayne Vinton. The purpose of this joint meeting was to review departmental communications needs - present and future.

It was determined that the Police Department and Fire Department each have two base radios primarily for in-house frequency and a multi-communication frequency for mutual aid use with other communities and/or services.

The main board in the Police Dispatch center presently utilizes 4 modules of the 7 modules available; however, of the 3 modules remaining, one is out of service due to a lightening strike. The consensus was that the damaged module should be built into a future repair budget, however, its lack of availability does not negatively impact immediate needs.

At this time, Chief Lambirth advised that, in the past few years, he has proposed in his department plan a change to a high frequency radio band to improve communications and to provide additional safety for the Police and Fire Departments by transmitting a stronger signal. The Chief recognizes that long distance service would diminish, but this change would eliminate "dead" spots within the community and also enhance communications from within a building, or an industrial/ commercial complex.

At 11:30 a.m., the Selectmen thanked those in attendance for their time and detailed discussion regarding the town-wide communications system, and encouraged Chief Lambirth to continue working with CIPC regarding the upgrade.

At this time, the Selectmen were joined by members of the Permanent School Building & Site Selection Committee and Town Counsel to discuss an error in the sub-contractors bids. It was stated by the Board at this time that, although this is a duly-posted meeting, votes by the Board would not be taken except for emergency purposes. The consensus of the Board of Selectmen was to allow an individual or agent of the PSB&SSC to use Town Counsel for bid or contract review so as not to jeopardize the starting date for the school project. However, once bids have been approved and contracts awarded and signed, all use of Counsel must then be approved by the Selectmen. After discussion by all parties, it was agreed that the best interest of the Town would be served by dismissing bids which were not complete or did not adhere to

specs as outlined by the Project Architect. The request to allow the withdrawal of a bid by one of the sub-contractors (Superior Plumbing) would have to wait until our next regularly scheduled meeting on February 12th.

All parties in agreement. Meeting adjourned at 12:10 p.m.

Respectfully submitted,

Douglas M. Downing
Acting Clerk

DMD/mj

Approved 3/4/96

BOARD OF SELECTMEN

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

AGENDA

February 5, 1996

5:00 p.m.	Open meeting
6:00 p.m.	Open general-bids for new elementary school
7:00	Town Hall Information Systems Budget
7:05	Conservation Commission, Park Commissioners, Planning Board and Open Space Committee - discuss Idylbrook Land Plan
7:15	William Clark - request for sign permit for Odd Fellows Hall
7:20	Fire Department Budget
	Sign Warrants, Approve minutes of 1/29/96 and 1/30/96
	Action Items
8:30	Water/Sewer Commissioners regarding Sewer rates

ACTION ITEMS FOR SELECTMEN'S MEETING OF FEBRUARY 5, 1996

1. Consider dates and/or whether or not to have a Special Town Meeting.

2. Review response from Conservation Commission and Board of Assessors regarding Lot A Ryan Road.

3. Letter from Town Accountant requesting yearly review

4. Review and discuss advertisement for Interim Highway Superintendent

5. Senator Magnani's letter requesting assistance in identifying budget priorities in Medway for the upcoming year.

6. Letter from Tri-County regarding transportation costs.

7. Discuss request for appointment to Cable Advisory Committee from Joseph Hoban

8. Attendance for Norfolk County Selectmen's Association

9. Need decision on Standard Uniform Services

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ACTION ITEMS FOR SELECTMEN'S MEETING OF FEBRUARY 8, 1994

1. Consider three and/or whether or not to have a Special Town Meeting

2. Review response from Conservation Commission and Board of Assessors regarding lot A Ryan Road.

3. Letter from Town Accountant requesting yearly review

4. Review and discuss advertisement for Lincoln Highway Superintendent

5. Monitor General Fiscal Matters regarding negotiations in identifying budget priorities in Hadley for the upcoming year.

6. Letter from Tri-County Regarding Transportation Group.

7. Discuss request for Appointment to Cable Advisory Committee from Joseph Cohen

8. Acknowledge for Mark Jr County Retirement Association

9. Meet Decision on Standard Utility Services

cc: items.doc

Present: Raphaela Rozanski, Lee Henry, Doug Downing, Administrative Assistant Ruth Allen.

5:00 p.m.-The Board convened their meeting and then adjourned to executive session. Deleted

6:00 p.m.-The Board came out of executive session and went into open session for the purpose of opening general bids for the new proposed Medway School. The Board recommended waiving the reading of the advertisement unless someone requested that it be read; no one did, therefore the reading of the ad was waived.

Nine general bids were received from:

1. P. J. Stella Construction Corp., 50 Main St., Wakefield 01880 - $7,733,000.

2. Eastern Contractors, Inc., 571 Union Ave., Framingham 01701 - $7,797, 000.

3. Bacon Construction Co., Inc.; 241 Narragansett Park Dr., E. Providence, RI 02916 - $8,086,700.

4. Barr Inc., 353 Pomfret St., P. O. Box 390, Putnam, CT 06260 - $8,195,000.

5. Congress Construction Co., Inc., Hawthorne Office Park, 491 Maple St., Danvers 01923 - $7,786,258.

6. John T. Callahan & Sons, Inc., 80 First St., P. O. Box 397, Bridgewater 02324 - $7,854,000.

7. O. Ahlborg & Sons Inc., 48 Molter St., Cranston, RI 02910 - $8,085,000.

8. Seaver Construction Inc., 99 Garfield Ave., Woburn 01801 - $8,394,450.

9. A. P. Whitaker & Sons, 652 W. Center St., W. Bridgewater 02379 - $8,734,000.

Mr. Henry moved, and Mr. Downing seconded, to turn the bids over to the Permanent School Building & Site Selection Committee for their review and recommendation; all aye.

6:20 - Mr. Downing moved, and Mr. Henry seconded, that they adjourn to executive session for the purpose of collective bargaining involving union and non-union personnel and to return to open session; all aye.

7:00 - The Board came out of executive session and reconvened the meeting in open session. Three warrants were signed totalling $641,884.57.

- Budgets.

7:01 - Computer Systems Manager - Arti Mehta. Mrs. Mehta came before the Board with a revised Informational Systems budget. She included various pieces of equipment that different departments were requesting, i.e. computer and printer for the Selectmen's and Treasurer's office, printer for the Assessors' office, decollector, burster, postage machine, and check signing machine for the Treasurer's office. However, the Board felt that these items were capital items and needed to possibly go before the CIPC. With that, **Mr. Henry moved, and Mr. Downing seconded, to approve Mrs. Mehta's recommendation for the Town Hall Information Systems budget for FY'97 for expenses of $35,888 without the above-noted equipment; all aye.** Mr. Henry then moved to include a special article at the annual town meeting for the Town Hall Information Systems budget for $13,250 to include the above-noted equipment; Mr. Downing seconded for sake of discussion. After a clarification was made, motion was seconded; all aye. Mrs. Allen will write up the article as outlined. Jim Torchia happened to stop in and mentioned that the ConCom was looking for a computer, possibly something could be worked out, and the Board suggested he speak with Mrs. Mehta.

7:22 - William Clark came before the Board with other members of the Oddfellows Lodge to request a sign for the Lodge on Main/Lincoln Streets. He had been denied a sign permit by the Inspector of Buildings because this is an additional sign to the one already on the front of the facade of the building. Mr. Clark said the sign is 30" and they were requesting the sign for additional advertisement for the Lodge, feeling their present sign was inadequate. Mr. Downing expressed concern for a nearby abutter, and suggested he confer with the Safety Officer and the Inspector of Buildings. Mr. Henry moved they take this under advisement while Mr. Clark spoke to the Safety Officer and the Inspector of Buildings; Mr. Downing seconded for sake of discussion. Mr. Downing felt some direction should be given to the Inspector of Buildings so he would only have to come back to the Board if there was a concern. Mr. Henry amended his motion to approve the sign pending review and approval of the placement of the sign by the Safety Officer and the Inspector of Buildings; Mr. Downing seconded; all aye.

7:31 - Members of the Conservation Commission (Jim Torchia and Lisa Mawn),Open Space (Lisa Mawn) and Park (Ellen Gove, Maureen Giles, Al Magliaro) came before the Board to discuss the Idylbrook property; (no one from Planning Board was able to attend). The Board needed to know if Park would dedicate 10 acres to active recreation and the balance to passive before signing the contracts. Those present had concerns about locating the right boundaries and determining the uses of the land. They were told it was not necessary to determine the uses at this time, but to just have Park and Conservation agree to dedicate the property for active and passive. No time frame has been established to come up with a plan to use the property. Mrs. Rozanski stated she needed a certified copy of the minutes of both Conservation and Park voting to sign the grant contracts. Mr. Henry moved, and Mr. Downing seconded, to authorize the Chairman to sign the contracts on behalf of the Town for the self-help grant for $399,280 and the urban self-help grant for $50,000 once the copies of the minutes are received; all aye.

- **Budgets.**

7:55 - Fire Department - Chief Wayne Vinton. The Chief came before the Board again after a previous meeting with Mr. Henry, Mr. Downing, Sgt. Saleski, and Chief Lambirth last Thursday to discuss the budget. With regard to expenses, it was agreed that the police/fire communications radios portion of the budget would be reviewed again later on for FY'98, as the Chief has a portion of the system in his plan for CIPC, with possibly a tie-in with Water/Sewer and Highway. The Chief also explained the need to try and get two Scott airpacks each year - they have 17 now, and there are 44 men. They cost $2,800 each and since the total is over $5,600, the Chief asked if he had to go before CIPC. It was finally agreed to just leave the figure as is, and possibly put a special article on the warrant for additional Scott airpacks or on a 5-year plan with CIPC.

With reference to salary, Mr. Downing stated he would have preferred that the Chief had met with the Board to discuss the increase from 35 to 40 hours prior to including it in his budget. He said he would support him but wanted him treated as a professional and expressed the desire that he sit down with the Board to discuss a contract. Chief Vinton noted that he had been placed on a grade 10, step 1 by the JCRB. The Board did not have this on their classification plan and requested backup documentation. He stated there is a by-law in place for the Fire Department's structure, but he was

not sure what the Chief's limitations on a contract were. He indicated he would research this and get back to the Board. **Mr. Henry moved, and Mr. Downing seconded, to approve the recommendation of the Fire Chief for the Fire Department budget for FY'97 for salaries for $111,124; inspection fees of $500; and expenses of $57,000; totalling $168,624; all aye.**

- Mr. Downing moved, and Mr. Henry seconded, to approve the minutes of January 29th as amended; all aye. Mr. Henry moved that the Chairman's minutes of January 30th be approved as submitted; Mr. Downing abstained as he was not present; Mrs. Rozanski seconded; aye.

- **Action Items.**

- The Board discussed Bernie Lewis' property at lot A, 14 Ryan Road, and the request from his attorney that the foundation be moved. The Board agreed that Mrs. Allen should request Town Counsel to proceed with the next step in the court order action. Mr. Henry noted that the Town could take the foundation down and charge him. Mr. Henry moved, and Mr. Downing seconded, to advise Mrs. Allen to tell Town Counsel to proceed with the next step of complying with court action as it relates to lot A, 14 Ryan Road; all aye.

- The Board was in receipt of a letter from the Town Accountant requesting her yearly review. It was suggested they each do her evaluation and review and discuss at the next meeting.

- The Board discussed the need for an Interim Highway Superintendent and agreed it needed to be advertised. Mr. Henry moved to authorize Mrs. Allen to advertise for the Interim Highway Superintendent's position with a weekly salary indicated, and with a deadline of February 26th to respond; all aye.

- The Board discussed Senator Magnani's letter requesting they identify budget priorities in Medway for him. The Board decided to think about it, and try to put something in writing with a cost range. Mr. Downing brought up the landfill, and Mrs. Allen said she would speak to Kathy Rehl about it.

- Mrs. Rozanski brought up the letter from Tri-County concerning regional school transportation costs that were to have been fully funded and reimbursed 100% and ended up being 58%. Mr. Jones requested the Board contact Rep. Gardner and Sen. Magnani to request 100% reimbursement, and Mrs. Rozanski said she would do that.

- It was noted there was a vacancy on the Cable Advisory Committee, and Joe Hoban requested to be appointed on behalf of the Council on Aging. Mr. Henry moved, and Mr. Downing seconded, that Joe Hoban be appointed to the Cable Advisory Committee through June 30, 1996; all aye.

- Mrs. Allen asked the Board about their attendance at the Norfolk County Selectmen's Association meeting on February 14th, and all indicated they were going.

- Mrs. Allen brought up the litigation on Standard Uniform Services and told the Board that Town Counsel needed a decision from them as to how he should proceed. Mr. Henry moved, and Mr. Downing seconded, to advise Town Counsel to appear on behalf of the Board of Selectmen at the hearing; all aye.

- Fred Sanford's request to be appointed to the Building Code Board of Appeals as a registered professional engineer was noted. Mr. Henry moved, and Mr. Downing seconded, to appoint Fred Sanford to the Building Code Board of Appeals as a registered professional engineer through June 30, 2001; all aye.

- The Board signed the Presidential Primary form for the primary on March 5th.

- Mrs. Allen told the Board that Rep. Gardner's office called and told her the Town would be receiving State snow aid in the amount of $26,369. It is noted that nothing has come in yet from FEMA.

- Mrs. Rozanski said that the auditors, Melanson & Greenwood, are in to audit FY'95.

- Mrs. Allen told the Board that Boston Edison would be in the next day for an emergency restoration drill.

- Mrs. Rozanski said she had been invited to lunch at the Globe on February 13th.

- A letter from the Cable Television Commission concerning a public hearing on rates was acknowledged, and a copy will be sent to the Cable Advisory Committee.

- Mrs. Rozanski stated she and Mr. Henry had attended the public hearing on the Route 109 reconstruction. The Board discussed the addition of a portion from Holliston Street to Coffee Street as part of phase II, and Mrs. Allen recommended it go from Papa Gino's which was where phase I ended.

- The Board discussed various letters submitted by the JCRB. Mr. Downing recommended support of the JCRB's letter of February 2nd; however, it was noted that there was no job description for the crossing guards and matrons, as well as no 13-step evaluation, and they needed to be done first. Mr. Downing said he would advise the JCRB that they write a letter to Chief Lambirth asking for that information. Mr. Downing moved, and Mr. Henry seconded, that they endorse the concept of getting the Crossing Guards and Matrons on the classification plan subject to review by Chief Lambirth and the JCRB; all aye.

  Mr. Henry moved, and Mr. Downing seconded, that they approve the recommendation of the JCRB for a step increase for the Zoning Board secretary from grade 3, step 2 to a grade 3, step 3; and for the Police/Fire Communications Department personnel as listed in the letter; all effective July 1, 1996; all aye.

  Mr. Downing was asked his recommendation on the Planning Board secretary, and he stated he would support it based on the letters by two of the Planning Board members. Mr. Downing moved, and Mr. Henry seconded, to approve the JCRB's recommendation as stated in their letter of January 29th for the Planning Board secretary's step increase from grade 3, step 1 to grade 3, step 2 effective July 1, 1996; all aye.

- Mrs. Rozanski asked Mrs. Allen to draft a special article for space utilization at Town Hall for the town meeting warrant.

- Mrs. Allen noted that she had gone through the plan of the Route 109 reconstruction, checked with the Assessors office, and sent notices to abutters of the public hearing.

- Mrs. Rozanski mentioned that she had asked Mrs. Allen to contact Town Counsel to see how sewer rates are set, and found out that they are all set the same way with the Sewer Commissioners and the Board of Selectmen doing it together at possibly a public hearing.

- The Board discussed if there was a need for a special town meeting; there was no motion by the Board to have one.

- It was noted that Gino Carlucci would be attending the EOCD workshop on February 16th.

9:15 - Gardner Rice and Ron Wilson, Water/Sewer Commissioners,

came in to meet with the Board concerning information they wanted to present on sewer rates. Mr. Rice did mention to the Board, however, the concern of the Longmeadow residents to want to be tied in to sewer because one of the residents had a septic problem. He stated it was recommended to them that they have private tests done, but they refuse to do it.

In discussing the sewer rates, Mr. Rice showed that sewer revenues for FY'95 had total receipts of $170,453 versus net cost of $193,620 thereby indicating the rates should be increased. Mr. Downing felt that FinCom should be aware of the process and we should see if they have any comments. He also suggested mentioning to Chairman Ed Hjerpe, who was meeting with the Board in the morning, of the Commissioners' interest in being placed on their next agenda to discuss the issue. Mr. Rice stated they need to check restrictions on fines that can be issued. It was suggested Town Counsel be contacted, and Mr. Rice said he would like to see a written reply to the Board of Selectmen with a copy to the Commissioners. Mr. Downing moved, and Mr. Henry seconded, to authorize the Chairman to seek counsel on the Water/Sewer Commissioners' questions; all aye. It was suggested the Commissioners be placed on the Selectmen's agenda on February 26th. Mr. Rice noted that they need the authority to bond at special town meeting - they can't contract for $130,000 with only $50,000, and the Town Accountant has to verify that the funds are available. It was felt that at the February 26th meeting, it can be decided if a special needs to be held around March 25th allowing one month's lead time.

9:50 - Meeting was adjourned.

Respectfully submitted,

Mary Jean Fredette, Secretary
mj

Approved 2/12/96

January 30, 1996 Tuesday Board of Selectmen's meeting

8:45AM Convened;present Doug Downing, Raphaela Rozanski, Lee Henry.

Warrants signed. The Board requested an Executive Session be placed on the agenda at 5:00PM on Feb 5. Mr Downing left.

Since the 5:00PM is not a regular time, Mrs Rozanski requested that Mrs Allen post the meeting with the Town Clerk. In addition Mrs. Rozanski requested that Mrs. Allen write a memo to all employees that there may be No parking at the rear of the Town Hall while the renovation is in progress.

Ruth Allen joined the Selectmen.

Joe Giovanazzo from GCG Engineering presented plans and various scenarios for the drainage problems at Cottage and Main St. Most of the discussion centered around placing a 54" pipe to carry the water, which presently overflows in this area. Additional discussion centered around the impact of the change, as well as, potential for including a detention area to decrease the flow peak.

Mrs. Allen dismissed herself.

It appears that it would be cost prohibitive to move the utility pole at Cottage and Main, but information will be pursued.

Issues remaining include the potential need for a Flood Study, easement necessity, contacts with Conservation and Mass Historical. The engineer will be keeping the Board updated and thanked us for Tuesday morning access.

Wayne Vinton joined the Selectmen. A meeting was set and posted for Thursday, Feb. 1 at 10:30AM to discuss various budget issues, but specifically how pagers might be handled.

Adjournment at 10:45AM

Raphaela Rozanski

Approved 2/5/96

BOARD OF SELECTMEN

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

AGENDA

January 29, 1996

6:00 p.m. Open meeting and open sub-bids for new elementary school

7:00 p.m. Sign warrants approve minutes of 1/22/96 meeting.

7:05 Budgets:

- 7:05 Inspector of Buildings
- 7:15 Fire Department
- 7:25 Emergency Medical Services
- 7:45 JCRB

D.P.S. Highway
Traffic Signals
Snow Removal
Street Lighting
Board of Selectmen
Town Hall
Annual Town Report
Tree Warden

Action Items

ACTION ITEMS FOR SELECTMEN'S MEETING OF JANUARY 29, 1996

1. Discuss replacement of the Highway Superintendent.

2. Vote to make Highway garage a "no smoking building" and "no smoking" in the vehicles.

actitems.doc

Present: Raphaela Rozanski, Lee Henry, Doug Downing, Administrative Assistant Ruth Allen.

6:01 p.m.-This earlier meeting of the Board of Selectmen was called to order by ~~Mrs. Rozanski~~ Mr. Henry for the purpose of opening sub-bids for the new proposed Medway School. The Board recommended waiving the reading of the advertisement unless someone requested that it be read; no one did, therefore the reading of the ad was waived.

It was noted roughly 120 bids were received for 16 categories. The Board read the category being bid upon, the name of the bidder and location, the base bid, if all addendums were included, if the bid bond or check was included, and if there were any exclusions or specific subs listed. Any bids that were sent FedEx and were not marked with the category were put into "miscellaneous" and will be read last. Categories being bid upon included: masonry; metal fabrications; waterproofing, damproofing and sealants; roofing and sheetmetal; aluminum windows; glass and glazing; ceramic tile; acoustical ceiling; resilient flooring; painting; food services; elevators; fire protection; plumbing; heating, ventilation and air conditioning; electrical. When miscellaneous was opened, they were put into their respective categories noted above.

Mr. Henry moved, and Mr. Downing seconded, to turn the bids over to the Permanent School Building & Site Selection Committee for their review and recommendation; all aye.

7:35 - Meeting was adjourned to the Selectmen's Meeting Room 2 for the balance of the meeting.

7:40 - Mr. Henry moved, and Mr. Downing seconded, to approve and sign the grant of easement, 20' permanent and 15' permanent off of Farm Street, for the Town of Millis as ~~approved~~ recommended by Town Counsel; all aye.

- Mrs. Rozanski thanked the Town Clerk for providing the information on the approval of the use of the Town Seal.

- Mrs. Rozanski informed the viewing audience of the delay in the start of the meeting due to the opening of the sub-bids at 6:00.

- <u>Budgets.</u>

7:45 - <u>Inspector of Buildings - Robert Speroni.</u> Mr. Speroni came to the Board with the Sealer of Weights and Measures' budget included with his other building

department budgets. This inclusion will be beneficial as a central location for filing and an area for source of contact. He increased his expenses slightly to reflect this changeover. Mr. Speroni also indicated that the Sealer was currently paid a stipend and requested that he be paid $17 per inspection as the other inspectors are. The Board asked that additional furniture not be included in his budget at this time, possibly at a later time with a special Town Hall article to also include another copier that may be needed. Mr. Speroni confirmed that he and his secretary were included in the Employees Association. For the record, Mr. Henry complimented the success of the full time Inspector of Buildings and Building Department. He noted that people appreciate the efficiency, service and administration provided to them since they incorporated all the inspectors into one department and enthusiastically supported its continuation. **Mr. Henry moved, and Mr. Downing seconded, to approve Mr. Speroni's request for the Building Department's budget for FY'97 for salaries of $48,756; expenses of $3,478; inspection fees of $27,010; totalling $79,244; all aye.**

8:20 - Fire Department - Chief Wayne Vinton. Chief Vinton came before the Board to present his budget which included an increase in his hours from 35 to 40. The stipends and inspection fees would remain the same. In expenses, he increased professional & technical for the HazMat vehicle, as well as radios and equipment repairs. Insofar as radios are concerned, the Chief mentioned that Sgt. Saleski would not include radios in his budget, therefore, they were in his. The Board felt they would like to discuss this further, and suggested meeting later on in the week with the Chief and Sgt. Saleski since the radios in question involve police, fire, highway, water/sewer, etc., and then take a vote at the next Selectmen's meeting. The Chief stated that a letter had been sent to the JCRB requesting a review of the Department. It was moved that they table the Fire Department budget until February 5th at 7:20 p.m.

8:45 - Emergency Medical Services - Chief Wayne Vinton. The Chief stated that salaries were level-funded. Expenses were increased slightly to include defibs maintenance. The Chief confirmed that his secretary was included in the Employees Association. **Mr. Henry moved, and Mr. Downing seconded, to approve Chief Vinton's request for the EMS budget for FY'97 for salaries of $50,202; expenses of $10,780; totalling $60,982; all aye.**

8:50 - Job Classification Review Board - Fred Tingley. Mr. Tingley stated there was a slight increase in hours for

the secretary from 33 to 35 hours per year. He confirmed she was not included in the Employees Association. **Mr. Henry moved, with Mr. Downing abstaining, to approve Mr. Tingley's request for the JCRB's budget for FY'97 for salary of $395.50; Mrs. Rozanski seconded; motion passed 2-0-1.**

8:55 - Tree Warden/Moth Agent - Ron Dolloff. Mr. Dolloff could not be present but had sent on his budget to the Board. He was requesting a level-funded budget of $500 for salary and $13,500 for expenses. **Mr. Henry moved, and Mr. Downing seconded, to approve Mr. Dolloff's request for the Tree Warden/Moth Agent's budget for FY'97 for salary of $500.00; expenses of $13,500; totalling $14,000; pending verification of stump grinding and its status; all aye.** Mrs. Allen will speak to Mr. Dolloff about the stump grinding.

- The Board acknowledged the resignation of Rocco Derrigo and Bernie Cornelia from the CIPC.

- Annual Town Report - Ruth Allen. Mrs. Allen asked for level-funding of the budget. **Mr. Downing moved, and Mr. Henry seconded, to approve Mrs. Allen's recommendation for the Annual Town Report budget for FY'97 for expenses of $1,800; all aye.**

- Traffic Signals - Ruth Allen. Mrs. Allen asked for level-funding of the budget. **Mr. Downing moved, and Mr. Henry seconded, to approve Mrs. Allen's recommendation for the Traffic Signals budget for FY'97 for expenses of $2,500; all aye.**

- Snow Removal - Ruth Allen. Mrs. Allen stated that the Board had previously discussed this budget and asked for their recommendation to increase it or not. The Board felt it should be increased; therefore, **Mr. Downing moved, and Mr. Henry seconded, to approve the Snow Removal budget for FY'97 for salaries of $13,000; expenses of $52,000; totalling $65,000; all aye.**

- Street Lighting - Ruth Allen. Mrs. Allen asked for an increase in the budget because of bills received. **Mr. Henry moved, and Mr. Downing seconded, to approve Mrs. Allen's recommendation for the Street Lighting budget for FY'97 for expenses of $92,000; all aye.**

- Department of Public Services - Ruth Allen. Mrs. Allen asked for level-funding of salaries, and confirmed all employees in the Highway Department were included in the Employees Association. With regard to expenses, she asked for an increase in heating oil and water due to

the bills received, as well as adding an additional line item for building maintenance and supplies. Insofar as road repairs were concerned, Mr. Henry said he would like to see the figures and notes on the different paving areas. Mrs. Allen thought the figures being requested were adequate for future repairs. **Mr. Henry moved, and Mr. Downing seconded, to approve Mrs. Allen's recommendation for the Department of Public Services budget for FY'97 for $252,876 for salaries; $65,816 for expenses; $108,000 for road repairs; and $47,500 for vehicular repair; totalling $474,192; all aye.**

- Town Hall - Ruth Allen. Mrs. Allen asked for level-funding for salary, and confirmed the custodian is included in the Employees Association. For expenses, she asked for a slight increase in gas heat and building repair and maintenance. The Board asked if Mrs. Allen could find out how much trash is generated at Town Hall. **Mr. Henry moved, and Mr. Downing seconded, to approve Mrs. Allen's recommendation for the Town Hall budget for FY'97 for salary of $13,572 and expenses of $31,664; totalling $45,236; all aye.**

- Dave Verdolino, School Business Manager, stopped in to say that the Permanent School Building & Site Selection Committee was meeting on February 7th, at which time the architect would be reviewing the general bids submitted on February 5th, and be ready to make a recommendation to the Board at their meeting on February 12th.

- Board of Selectmen - Ruth Allen. Mrs. Allen asked for a level-funded budget, confirming that one employee was included in the Employees Association and one was not. Expenses were only slightly increased with Mrs. Rozanski requesting a line item be changed to travel and entertainment to reflect food purchases such as at the All Boards. Mr. Henry requested an increase in the professional and technical line item to offset new committees who might need a little seed money to get a project going. It was noted that a special article or an emergency transfer could also be considered for needed funds. Mr. Downing felt that this line item should also be used for reviews by a labor lawyer for the labor contracts. Mrs. Rozanski asked about stipends for elected officials, feeling that the subject was brought up last year and may be brought up again this year. Mr. Downing was reluctant to include stipends while negotiations are underway for employees and police. **Mr. Henry moved, and Mr. Downing seconded, to approve Mrs. Allen's recommendation for the Board of Selectmen's budget for FY'97 for salaries of $62,525 and expenses of $7,490; totalling $72,515; all aye.**

- The Board reviewed the Town Hall Building Committee's renovation project budget indicated what has been spent to date and remaining work to be done. It looks as if the Committee will still need approximately $47,000 to complete the job. Mrs. Rozanski said she felt that there should be a special article to have a professional look over the building to see if the space is being utilized correctly or not. Mr. Downing agreed that if a professional has never come in to do an analysis, then it should be done. Mr. Henry felt if the Town gets a Town Administrator in place, part of that person's responsibility would be to analyze the building, however, Mrs. Rozanski said the analysis needs to be done in time for Town Meeting to approve the funds. Mr. Henry moved, and Mr. Downing seconded, that the Board put a special article on the Town Meeting warrant for $5,000 for a professional to do an analysis of the Town Hall; all aye.

- The hiring of a replacement Highway Superintendent was brought up, and Mrs. Rozanski said she would like to see a draft of an advertisement for the position, feeling that maybe some engineering and administrative skills should be included. Mr. Henry said he wasn't really sure what the Town needed, but thought they should meet with some of the area Superintendents to get a better picture. Mr. Downing felt there should be an interim superintendent, and posted as such. Possibly a retired individual might be interested in the position, and then they could review the job description for any changes. Mrs. Allen will draft up an ad.

- Mr. Henry said he had been requested that there be no smoking in the Highway Garage, for health reasons as well as safety factors because of the flammable products. He, therefore, moved, and Mr. Downing seconded, that the Board of Selectmen designate the Highway Garage as a non-smoking building; all aye. Mrs. Allen will send a memo to the personnel and ask them to put up the appropriate signs.

- The memo from the Zoning Board concerning property at 85 Main Street was discussed. It was the consensus of the Board that they were again constructing residential homes in a commercial area. Mr. Henry moved, and Mr. Downing seconded, that a memo be sent to the Zoning Board stating that the Board of Selectmen was against any reduction of the industrial/commercial property base; all aye.

- The Board discussed the letter sent by the Police Association stating they wanted to arrange a date and

time suitable for entering into negotiations. The Board suggested asking them if Thursday, February 8th, at 7:30 p.m. at Station I would be feasible.

- The Board signed the Police Mutual Aid and Lockup Agreement as requested by the Police Chief.

- The Board signed the contract from the Governor's Highway Safety Bureau for the purchase of pedestrian safety equipment.

- The Board agreed to sign the warrants in the morning during their office hours. Minutes of January 22nd approved.

10:30- The meeting was adjourned.

Respectfully submitted,

Mary Jean Fredette, Secretary
mj

Approved as amended 2/5/96

BOARD OF SELECTMEN

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

DATE: February 13, 1996

TO: Board of Selectmen
Finance Committee
Water/Sewer Commissioners
School Committee
Supt. Art Bettencourt
Treasurer/Collector
Planning Board
Fire Chief
Police Chief
Conservation Commission/Open Space Committee
Park Commissioners
Veterans Agent
Council on Aging
Rep. Barbara Gardner
Board of Assessors
Library Trustees
Board of Health

FROM: M. T. Fredette, Secretary
to Board of Selectmen

RE: ALL BOARDS - January 27, 1996

Attached are the notes taken at the All Boards held on January 27, 1996, along with the agenda, attendance sheet and information that was passed out by the Library Trustees and the Open Space Committee.

attachment.

ALL BOARD'S MEETING
January 27, 1996

AGENDA

9:00 AM Call to Order

Board of Selectmen: The Business of Municipal Government

Administrative services; how do we provide administration
Physical requirements; building, equipment
Potential for position of Town Administrator
Enhancement of services through technology;Computer Committee

9:45 AM Limited Natural Resources

Board of Water/Sewer Commissioners/Board of Health/Planning

Water; A Limited Resource
Potential for Development of Water/Sewer
Cost analysis; identification of resources
Future ability for expansion

10:30 AM Coffee break

11:00 AM A Vision of Medway

Conservation Commission/Open Space Committee

Presentation of Open Space Plan
Opportunities for Recreation-Park Dept.
Commercial Development
Build out; What does it mean? What will Medway be in the future-Planning Board

11:45 AM Board of Library Trustees

Community service;
What is needed
Cost anaylsis; Resource identification
Resource enhancement

12:30 PM Fiscal Responsibility

Finance Committee

Overview of FY 97
Projections for the upcoming year
Comparisons to FY 96
Special projects; Present liabilities
Priorities/Commitments

1:00 PM Adjournment

Attendance

Jan 27 1996 All Boards Meeting

9-1

Raphaela Kazanchy Selectmen

Carla C. Caballo	Fin Com
Roy Wilson	Water, Sewer
Richard T. Gilden	CO A
Diana Lovell	S Comm
Charles Myers	School Com
STEPHEN BARRASSO	School Comm.
Jan Dinda	School Comm
Carl Heacock	School Dept.
Barbara Gardner	State Rep.
Marjorie A Lampert	Treasurer/Collector
Catherine Chenard	Board of Health
Jim Brodeur	Planning Board
WAYNE VINTON	FIRE DEPT.
Phil McNulty	Library
Jon Sprague	Planning Board
Nancy T. Johnson	Assessor
Daniel Lombard	Police Dept
Susan Mann	ConCom / Open Space
Andrew J Mann	Fin Com
G Van Loey	Park
[illegible]	Veterans Services
DAVE DENNING	SELECTMEN
Ruth Allen	Adm. Asst.
[illegible]	Atty - Selectmen

Rebuilding the Medway Public Library

Renovation and expansion of the library will...

1. Improve Library Service:

- ✓ **Increase Study Space.** Solve our biggest patron complaint - lack of quiet study. Add seating in the Children's Room, including parent seats. Add individual study carrels in the adult section. Twenty more seats in all are needed to meet the standards set in the state construction grant regulations.
- ✓ **Increase Book Capacity.** Our limit has been reached at 38,000. We must discard one book for each one bought. increasing our capacity to 60,000 will keep up with Medway's recent and expected population growth.
- ✓ Provide safer, cleaner and more flexible **Meeting Rooms.** We book nearly 500 meetings a year. Community groups need convenient space, and we can provide it by fixing the auditorium and adding a folding wall.
- ✓ **Handle increased traffic.** We loaned 141,000 volumes last year, more than double a decade ago. We need a better way to handle foot traffic inside, and more parking outside.
- ✓ Create distinct areas: Children's Room; Reference Room; Quiet Study; Young Adults.

2. Improve Access for the Disabled:

- ✓ The library is out of compliance with the Americans With Disabilities Act in many areas:
  - No Elevator between floors. Service areas inaccessible to anyone who cannot manage the circular stairs.
  - Handicapped ramp too long. 95' without a rest stop or railing is too far.
  - Book aisles are too narrow.
  - Fixtures are non-compliant: Restrooms are inadequate upstairs and completely inaccessible downstairs. Door fixtures must be upgraded.
- ✓ The town is liable to suits if these issues are not addressed.

3. Improve the Physical Facility:

- ✓ Air conditioning is ineffective, costly and breaks frequently. Patrons cited this as the #1 physical problem on a survey of the library building.
- ✓ Heat does not reach all areas evenly. The boiler is leaky; pipes freeze; lower floor is cold.
- ✓ The Auditorium is nearly unusable: cracked ceiling plaster; hard fixed seating; poor lighting & heating; moisture & mildew.
- ✓ Water problems: Poor gutters and poor foundation drainage cause water seepage downstairs and a steady toppling of retaining walls outside; Old roofing & poor attic ventilation/insulation cause ice dams & leaks.
- ✓ Hazards to remove include asbestos pipe insulation and an underground oil tank.

Financing

- ❀ Nearly $100,000 in local funding already available.
- ❀ Apply by April 10 to state for $200,000 construction reimbursement grant (strong chance of award if deadlines are met)
  [If above deadlines are not met, apply by April 10 for a new project grant. 43% award, but remote chance of approval due to intense competition.]
- ❀ Ask town to approve bonding the remainder at a Special Town Meeting this winter.

Town of Medway
Conservation Commission Open Space Subcommittee

January 25, 1996

To: **The Town of Medway All Boards and Departments**
From: The Town of Medway Open Space Subcommittee
Subject: Open Space Topics for the January 27, 1996 All Boards Meeting

- We wish to thank all the Town Boards and Departments for taking the time and putting in the effort to create their Five Year Action Plans.
- We request the Handicap Action Plan as soon as possible, keeping in mind the deadline of Mid-March to be incorporated for All Board review.
- Discussion of the Plan for the Idylbrook Land development and the final distribution of responsibility for the property.
- **Schedule of Draft Time Deadlines**

Deadline	Action	Group Responsible
March 15, 1996	Draft for Open Space Completed: Maps Draft Document	Medway Open Space Subcommittee
March 16-April 12 1996	Review of all Contents of Draft Document	All Town Boards and Departments.
April 3, 1996	Presentation of Draft in general	Public Meeting
April 13-April 26 1996	Revisions based upon input from reviews	Medway Open Space Subcommittee
April 13-April 26, 1996	Submit to State Environmental Office for preliminary review	Medway Open Space Subcommittee
Upon return from State	Revisions based upon input from reviews	Medway Open Space Subcommittee
June 1, 1996	Final Submission to State	Medway Open Space Subcommittee

- Plans for Open Space Subcommittee as a Board and the expected functions of that Board, after the Open Space and Recreation Plan Requirements is accepted by the State.

Thank you again for your continuing support of our efforts.

Lisa Mawn
Open Space Subcommittee

VLC

Present: Raphaela Rozanski, Doug Downing, Administrative Assistant Ruth Allen, Secretary M. J. Fredette; Selectman Lee Henry was absent; list of attendees and proposed agenda attached.

9:25 a.m.-Called to order by Mrs. Rozanski. First item on agenda was "business of municipal government".

Raphaela Rozanski - is administrator needed?; need services to do it, i.e. people, place to function, and something to work with; town hall building committee needs $46,000 additional funds to complete work; need to still look at rest of building; should hire technical services to possibly review; Town Accountant has been asked to review town hall as informational systems.

Jim Brodeur - feels town administrator would be a good thing.

Ron Wilson - feels town administrator should be sensitive and able to communicate with people.

Jim Brodeur - compared administrator with a school supt.; he controls but doesn't get different fields in trouble.

Ron Wilson - a good "business" administrator may not be a good "town" administrator.

Dick Gildea - did not feel someone from out of town telling the town what to do was a good thing.

Doug Downing - felt the Selectmen were like the captains of a ship - they don't charter the course - the different boards and committees do; was learning that the Selectmen's first year is for learning, the second to find out where they were at, and the third to run for re-election.

Carla Cataldo - felt we needed to look at overall charter and responsibilities given to that person in authority; also concerned about burden placed on Selectmen.

Harry Johnson - felt in order to solve problem, needed to identify problem; felt that was why town administrator was defeated last time - people did not know if and why we needed one; what is objective of town government?- to interface as little as possible with people but provide services to them.

Raphaela - believes we do have a problem and things are not being done.

Ron - felt the lack of cooperation and communication between

boards is a problem; have known for years there was problem with sewer infiltration system; FinCom thought of how to finance it, Selectmen came up with a different idea, didn't discuss it with Water/Sewer and FinCom, and then found out it was illegal.

Raphaela - problem with computer system at town hall; asked Marge Sanford to elaborate.

Marge - significant on-going problems with system; needed to replace hard disc; original software discs couldn't be located; brand new system brought in.

Jim - asked about grants.

Raphaela - reason we haven't been getting them is we haven't been asking.

Barbara Gardner - under EOCD, there are small monies to look at management issues - municipal incentive grants; MMA is also a resource as models are available at no cost.

Charlie Meyers - is everyone willing to release power down to others?; need good facilitator; boards should talk to other boards prior to town meeting; should be noted what everyone would want administrator to do and what is required of that person, i.e. job descriptions, delegate authority, good facilitator.

Raphaela - looked to formation of committee to review this - Carla? Buzz?

Cathy Chenard - people don't like to see boards arguing at town meeting with one another; need to educate public.

Ron - there used to be someone who acted as executive secretary (Pat Kennedy); was given authority to do job and no problem until she was interfered with.

Gary Binder - putting cart before horse; need to document focus and plan for town; define services.

Doug - am here to listen; opposed to having a Selectman on this committee; need you to tell Selectmen what you want; previous committee that studied this has much information; need more objectivity.

Marge - didn't quite agree with Doug; so much fragmentation, lack of communication and inefficiency; was against administrator, is not now.

Don Springer - moving too fast; send proposal out to all

boards, departments, employees; come up with letter of what are main concerns with operation of town and what is not working properly; prioritize.

Harry - that could be first item of business of that committee (to draft proposal).

Charlie - need someone from town hall staff on committee.

Raphaela - Marge?

Harry - should not be elected official from town hall.

Raphaela - asked Carla to steer - no more than 3; Don? Buzz? get back to her in 1-2 weeks.

10:30- next on agenda - "limited natural resources".

Ron - need 11 acres for well site; cannot be sited near a wetland.

Wayne Vinton - questioned number of water bills - was told 3000.

Ruth Allen - it's how many residents are being serviced, not households.

Ron - need to be 400' away from wetlands; water is limiting development and part of growth management.

Cathy - need full time health agent; secretary works overtime; explained health agent reviews all Title V plans and Board of Health signs off after other boards.

Ron - people are coming to Water/Sewer Board asking to be connected, but costs alot, and they can't afford to fix system either.

Barbara - there are 3 Title V revisions; looking at regionalization of administration; Planning Boards are going to have to get familiar with Title V regs.

Jim - explained if a new development is not on sewer, then they do perc tests, after which they design roads and septic systems; Planning Board does not check the systems out, just the roads, and they cannot dictate where developments cannot go.

Harry - felt the High School should be hooked up to sewer.

Barbara - revolving loan fund is an ongoing program; 3% to 0%; first to benefit from it are those who don't have

sewer; money is in open space bond to help with Title V.

Ron - felt it would cost $5 or $6 million to sewer the whole town.

Harry - felt we should communicate with Holliston for any possibility of connecting up with their sewer system,

Jim - asked if anyone was keeping track of where failures are occurring?

Ron - officially they haven't, but they do know where the problems areas are at a cost of $200,000 per house; Holliston wanted to tie into our system, but we can't legally recoup those costs; only recourse to residents is to put an article on town meeting warrant.

11:05- next on agenda - "a vision of Medway".

Lisa - their goal with Open Space is to finish the open space plan indicating the Town received grant monies; they asked for input from Boards and did not receive much; water issues concern them; their committee does not have skills to determine water sources; she noted deadline of June that has to be met.

Raphaela - have contracts relating to $450,000 in hand with 10 acres for active (park and recreation) and balance for passive (conservation) so designated.

Lisa - they accomplished in one year what normally takes two years.

Raphaela - possibly a public hearing should be held.

Lisa - people should have input on what goes into the 10 acres of land.

Andy Mawn - any time you have grant monies, the town also has to spend money.

Harry and Jim - suggested the town add easement to plan now so we don't have to go to general court later on.

Ron - it will never be sewered at that end of town otherwise.

Harry - at least try, and if we get refused, then we know.

Jim - sewer line construction was not part of town meeting vote.

Lisa - suggested we get easement done before re-registering

deed.

Ron - this was not looked at as a water source; there are 3 possible areas they are looking at and they don't know if there is water on them.

Lisa - if we have eliminated the best water option, then we should not even have the grants - this should have been looked at before.

Harry - cost wise, property is worth $20,000 an acre unimproved, and $78,000 improved.

Lisa - suggested looking at Ellis Farms still under forestry.

Ron - that was one of the three properties.

Jim - the subdivision was approved, but has not been signed (endorsed) by Planning Board; once that's been done, 120 days begins; there is no time limit between when the subdivision is approved and when it is endorsed; once it is endorsed, they have 6 months to record; then they have to come back to Planning Board to be re-signed.

Lisa - they do not have any more time to devote to this, and her committee is not taking any further action.

Harry - Ellis Farms will not be as easy as Idylbrook as no one made offer to buy land; when no offer is made, it is up to town to get fullprice appraised value of property.

Ron - Water/Sewer Board has contract with engineers to check out Ellis Farms property.

Harry - land could be taken by eminent domain.

Jim - or share with a developer.

Raphaela - maybe a town forest.

Jim - Planning Board could notify Selectmen when they decide to endorse and give the town a little more time.

Harry - preliminary feasibility study recommended.

12:00- next on agenda - "Board of Library Trustees".

Gary - looking at library renovations, it was determined that they could not meet the town's needs for 20 years, so the proposal was made, but they did not get the grant; other options could be to reimburse the town up to $200,000 or if a debt exclusion is approved (need

special town meeting and a vote within 45 days); $1.7 million needs to be committed by town; town should decide if they want one of two options; have about $100,000 available to draw upon.

Ron - will not vote on anything that is not an emergency, such as a debt exclusion.

Philip McNulty - could get a percentage up to a cap on one option, and up to 43% on the other.

Gary - should ask town to fully fund project, whichever grant is applied for; could still apply for grant without election if passed at special town meeting.

Doug - at annual town meeting, he opposed project; does not know if town could afford it; doesn't feel this study committee did citizens any favor - not a cross section of people; the Co-op bank is vacating - is that an option; could libraries be combined - school can't even afford to maintain the one in the new proposed building; a lot of square footage in town is not being used.

Gary - committee that looked at this involved other people, and was advertised.

Doug - stands corrected.

Charlie - if things have changed, should be looked at again.

Raphaela - can the school libraries be turned over to town?

Art Bettencourt - that's up to School Committee, but they could look at it.

Philip - could discuss administrative issues with School Committee, but facility use is another issue - still need 12,000 sq. ft. of space.

Art - they could investigate and see if there are any limitations.

Harry - suggests they solicit this information; haven't heard of anything done like this before; see if there is another town that has set this example.

Doug - Franklin just proposed it.

Philip - Norfolk has something similar.

Raphaela - up to Selectmen to have special election.

Doug - fully supports expansion of library services, not necessarily a library; would never block process to let people decide for themselves.

Gary - April 3rd is last date for vote; he will submit an article for a special town meeting; has a second issue to address - what about the association for employees?; where is guideline?; what if we go to town meeting and there is no presentation by association?

Raphaela - level fund; proceed with what you know - services, present cost of those services and that is how you present budget.

Doug - FinCom is aware of process.

Raphaela - will talk to Counsel about the next step.

Doug - no one is coming forward for the highway supt. committee, the town manager committee, or town engineer; there are other concerns, i.e. Title V, inflow problem; stay with us - we are not getting the new blood of people.

Gary - need direction from Town Counsel.

Doug - good management, common sense, and fair labor standards act is the norm.

Raphaela - received $7,332 dividend from workers comp.

12:45- next on agenda = "fiscal responsibility".

Andy - we are a new committee; are now discussing overall fiscal management; discussing needs, i.e. library, town hall renovations, school technology, senior center; these issues have to be organized.

Raphaela - $10,983,805 is property tax levy (out of $17-1/2 million budget).

Andy - have to look at many things, instead of at one year, need to look at several years; to look at one year is wrong approach - need to maximize services and see what we can do for taxpayers and minimize cost.

Raphaela - need to make projections and budget for next year; how does that compare to last year?; you have not presented what I asked for; can only level fund right now; what are priorities and commitments?

Harry - town can raise the amount of dollars appropriated;

you operate on 2-1/2% over prior year's budget or 2-1/2% of the town's valuation.

Don - tax rate set in November was for FY'96 budget.

Raphaela - need overview from FinCom for projection ahead.

Dick - contingency fund?

Raphaela - stabilization fund; reserve fund.

1:00- All Boards adjourned.

Respectfully,

Mary Jean Fredette, Secretary
to the Board of Selectmen

mj

Approved 2/26/96

BOARD OF SELECTMEN

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

AGENDA

January 22, 1996

7:00 p.m.	Open meeting, sign warrants approve minutes of 1/8/96 meeting.
7:05	Budgets: 7:05 Zoning Board of Appeals 7:10 Board of Registrars 7:15 Civil Defense 7:25 Tree Warden/Moth Agent 7:30 Police/Fire Communications 7:40 Police Department 7:50 CIPC 8:00 Town Accountant 8:05 Computer Systems
8:30	Kathy Rehl - regarding PRINS options
8:45	Planning Board - joint appointment to fill vacancy on Board and presentation of Idlybrook plan
9:00	Rep. Barbara Gardner - update Board
	Action Items

ACTION ITEMS FOR SELECTMEN'S MEETING OF JANUARY 22, 1996

1. Decision regarding Chief Lambirth's recommendation on Mutual Aid and Lockup Agreement

2. ZBA memo dated 1/17/96 regarding petition for variance at 85 Main Street.

3. Permission for Highway Department to put the Town Seal on the new Highway trucks.

4. Joseph Gioavinazzsso of GCG Associates will be here on Tuesday, January 30th at 9:00 a.m. to update the Board regarding Cottage/Main Street drainage project.

5. George Cole is gathering information regarding an above ground deisel fuel storage tank.

actitems.doc

Present: Raphaela Rozanski, Lee Henry, Doug Downing, Administrative Assistant Ruth Allen.

7:05 p.m.-Mrs. Rozanski called the meeting to order in the Selectmen's Meeting Room 2 of Town Hall. Warrants were signed totalling $435,365.87.

- Mr. Downing moved, with Mr. Henry seconding, approval of the minutes of January 11th; all aye.

- **Budgets.**

7:10 - Zoning Board of Appeals - Arlene Doherty, Secretary.
Ms. Doherty explained that in Chairman Jan Morris' absence, she was presenting the budget. She stated an increase in her salary and her number of hours had been included, as well as a slight increase in expenses for postage. Mrs. Rozanski clarified that Ms. Doherty was not eligible for the Medway Employees Municipal Association, and that she would have to go to the JCRB. Ms. Doherty also noted that the ZBA was thinking of increasing the filing fees, which Mrs. Rozanski said they would prefer to discuss with Mr. Morris at a future meeting. **Mr. Henry moved, and Mr. Downing seconded, to approve the ZBA budget of $2,679 for salary and $2,120 for expenses, totalling $4,799 for FY'97, pending action before the JCRB for possible further review; all aye.**

7:25 - Board of Registrars - Town Clerk Maryjane White.
Mrs. White stated that she was asking for an increase to cover the cost of higher printing costs and postage. **Mr. Henry moved, and Mr. Downing seconded, to approve the Board of Registrars budget of $300 for salary and $4,550 for expenses, totalling $4,850; this was amended to corrected figures of $300 for salary and $4,850 for expenses, totalling $5,150; all aye.**

7:30 - Civil Defense - John Cicciu.
Mr. Cicciu was asking for a level-funded budget of $400 for expenses. He indicated he was still trying to get equipment, such as a hum-v, through surplus, but did not know how much the equipment would cost until it was offered. Mr. Downing felt some thought should be given to the housing of possible vehicle purchases, and would like to discuss this further with Mr. Cicciu. **Mr. Henry moved, and Mr. Downing seconded, to approve the Civil Defense budget of $400 for expenses for FY'97; all aye.**

7:40 - Police/Fire Communications - Sgt. Robert Saleski.
Sgt. Saleksi stated that a request is before the JCRB for a reclassification of the dispatchers, but he has not received official confirmation yet. He noted they

were non-contractual and at the mercy of the Selectmen and the FinCom. With reference to expenses, he stated he had just increased office expenses. Mr. Downing said he supported the budget as presented by Sgt. Saleski, but noted the increase in salaries was similar as for that with the ZBA secretary. Sgt. Saleski had no problem with the figures being changed as long as the option was there to return once JCRB action had been taken. Mrs. Rozanski stated, for the record, that the dispatchers were not eligible for the Medway Employees Municipal Association, and did indeed have to go to the JCRB. She also preferred the word "adjustments" instead of the reference to "across the board cost of living or percentage increase". **Mr. Downing moved, and Mr. Henry seconded, to approve the Police/Fire Communications budget of $124,846 for salaries and $6,130 for expenses, totalling $130,976 for FY'97, pending action before the JCRB for possible further review; all aye.**

7:55 - Police Department - Chief David Lambirth.
The Chief stated that negotiations between the Police Association and the Selectmen have not begun yet for the next three-year contract. He stated he was still trying to get a replacement for Officer Consigli. He noted with the new school, at least a half-time crossing guard was needed. Chief Lambirth asked for a salary increase for himself, as he is non-contractual and not under JCRB, but the Board had a problem with that. Mr. Downing felt they should support management decisions, but Mr. Henry said if non-contractual, then the Chief falls under the personnel policies - there can't be a third option - noting the crossing guards fall in this category as well and the same JCRB action. He felt before the Board approved anything for the Police, they should get clarification, bud did include the half-time crossing guard in the increase. A few expenses were up in certain areas. **Mr. Henry moved, and Mr. Downing seconded, to initially approve the Police Department budget of $799,807 for salaries and $68,501 for expenses, totalling $868,308 for FY'97, subject to review for non-contractual and contractual employees; all aye.**

8:35 - C.I.P.C. - Jane Armstrong.
Ms. Armstrong asked for a level-funded budget. **Mr. Henry moved, and Mr. Downing seconded, to approve the CIPC budget of $643 for salary and $145 for expenses, totalling $788 for FY'97; all aye.**

8:37 - Town Accountant - Arti Mehta.
Mrs. Mehta came before the Board indicating no increase in salary was included in her salary budget, however,

she had put in 40 hours for her assistant instead of 35. Mrs. Mehta stated she did not know where she stood - was she a part of the association or is she to have a contract. Mrs. Rozanski said she would have to confer with Town Counsel but thought she was not part of the Association, and would probably have to negotiate a contract separately from the JCRB if she wished. Mrs. Mehta said she would like a contract, and Mrs. Rozanski asked her to put that request in writing. Mrs. Rozanski confirmed that her assistant is part of the Association. With regard to the expense part of her budget, Mrs. Mehta said she did not feel she needed new equipment, but that when the Town Hall is renovated, some equipment might be needed such as a fax machine. The Board thought equipment should be consolidated under the Town Hall budget. **Mr. Henry moved, and Mr. Downing seconded, to approve the Town Accountant's budget of $62,350 for salary and $3,100 for expenses, totalling $65,450 for FY'97; all aye.**

8:50 - Computer Systems (In-House Computer) - Arti Mehta. Mrs. Mehta asked for an increase in expenses to cover additional purchases to include a decolletor and burster. Because the Board felt the budget should be more for all of town hall and integrated equipment, such as PC's and a printer, the budget was retitled "Town Hall Information Systems", and suggested **Mrs. Mehta come back at a later time with a revised budget (set up for 2/5)**, to also include other departments not directly under the Selectmen's jurisdiction.

9:00 - Members of the Planning Board including Jim Brodeur, Chris Tzianabos, Sue Phinney and Paul Yorkis came to meet with the Board for a joint meeting to fill the vacancy created by the resignation of John DelVecchio. Three candidates were also present who wished to be appointed including Donald Springer, James Sia and Robert Ciavarra.

Mrs. Rozanski called the joint meeting to order, accepting nominations for chairman. Mr. Henry moved, and Mr. Tzianabos seconded, to nominate Mrs. Rozanski chairman; all aye. It was moved and seconded that nominations be closed. Mrs. Rozanski stated that there were seven voting members present and that four votes for one individual would be necessary for appointment. Mrs. Rozanski asked if each member would make an opening statement.

Mr. Sia stated he was a life-long resident of the Town and wanted to offer his services to the Town. He stated he had been an abutter to a nearby development, and

became interested in the planning process. Mr. Springer stated he had lived in Medway 19 years, been on the Water/Sewer Board and the FinCom, took some time off, and now wanted to get involved again. He felt it was the right of property owners to do what they wanted with their property as long as it was in compliance with the rules of the Town. With new developments, he felt all proposals should be looked at from all angles. Mr. Ciavarra stated he was presently on the CIPC, had been on the FinCom, was involved in real estate outside of Medway, has followed new developments and felt he could add commercial knowledge to the Board indicating he was in favor of commercial growth if properly planned bringing employment and tax revenues to the Town. The three candidates answered questions that both Boards posed to them, and also made final statements.

Mrs. Rozanski said there would be two rounds of written votes, with each member signing their ballot. She would abstain from the first round, but would vote in the second ballot to break a tie if needed. First round vote: Mr. Brodeur - for Mr. Springer; Mr. Downing - for Mr. Springer; Mr. Yorkis - for Mr. Sia; Ms. Phinney - for Mr. Sia; Mr. Henry - for Mr. Springer; Mr. Tzianabos - for Mr. Sia; Mr. Ciavarra was eliminated. Second round vote: Mrs. Rozanski - for Mr. Springer; Mr. Henry - for Mr. Springer; Mr. Brodeur - for Mr. Springer; Ms. Phinney - for Mr. Springer; Mr. Tzianabos - for Mr. Sia; Mr. Yorkis - for Mr. Sia; Mr. Downing - for Mr. Springer; vote of 5-2; Mr. Springer is appointed to the Planning Board until the May election. Mr. Brodeur told the other two candidates that there might be two positions on the ballot because his term was up as well.

- Mr. Brodeur presented a draft plan of the development of the Idylbrook property.

9:55 - Kathy Rehl, chairman of the Board of Health, met with the Board to note that solid waste had dropped during FY'96. She recommended floating with Prins with the market with a floor price of $15 for paper instead of a flat rate indicated she felt prices will go up. Mr. Henry moved, and Mr. Downing seconded, on the recommendation of the Chairman of the Board of Health, to approve option #2 on the Prins recycling contract received November 20, 1995; all aye.

9:57 - Barbara Gardner came in to meet with the Board and update them on the activities of the legislature. A few comments made included:

- 32% recycling in Massachusetts.
- 1995 was most productive of past years.
- welfare reform heading in right direction.
- rules reform - trying to be more efficient in the handling process.
- budget was passed before the start of the next fiscal year with 43% of new monies being sent back to cities and towns and an increase for state aid to students.
- single sales tax passed.
- minimum wage increased from $4.25 to $5.25/hr.
- will be discussing crime bills.
- opportunities there for open space bond.
- Governor's budget plan coming out soon - to have been downsized, with the possible elimination of school committees.
- they are trying to augment snow and ice removal monies. (Mr. Henry suggested it not be done by lottery - population - but by Chapter 90 formula.)
- as co-chair with Senator Magnani for Metrowest Caucus, has discussed with David Soule transportation projects; some confusion with articles in newspapers and letters sent.
- considerable enthusiasm with Metrowest Bike.
- discussed with Holliston Selectmen Hopkinton's interest to extend sewer to industrial areas; something for Medway to consider to maybe band together.
- some new laws: elder abuse statute; new requirements for police chief contracts; new police appointment rules.
- she will try and attend the public hearing on February 1st on the Route 109 reconstruction.
- hard for Highway Superintendents to be take care of snow removal and pothole situations, and still be familiar with the TIP program, etc.;
- she was disappointed in non-funding of COA/Camp Sunshine building feeling it was a very worthy project; recommended they try and get a small delegation to go to EOCD and ask them to review; she is encouraging them to go for it again.
- she will check further with the funding of $40,000 through Mass. Highway.
- in talking with Dr. Bettencourt, she has arranged for a full formal session of the legislature to recognize Medway High School Volleyball team's accomplishments.
- she will be at the All Boards meeting on Saturday.
- EOCD has a lot of information on regional management services, water/sewer and open space, and will send same to Board, recommending they look at the open space info to see what Medway could

apply for and what is available.

- she looked over a letter from David Hoag referencing the Walker Street Bridge and some recommendations he was making, however, Mrs. Allen stated that it would change the design and affect permits and licenses; she asked for a copy of the letter noting she would send it to several agencies, such as Div. of Wildlife & Fisheries, Riverways; and Public Access.
- in talking about reconfigurations for small towns, Mr. Henry said they need to be able to go somewhere to get information; she suggested they think about other projects in Town such as an intersection for the TIP list; Mrs. Rozanski suggested Rt. 109 and Rt. 126 and an access road off of 495 near the industrial park; Board was encouraged to sit down with Peter Donahue and discuss further.
- she inquired about Diarmuid Higgins' replacement, and Mrs. Rozanski said they were looking at qualifications - maybe engineering skills, or combined with administrative skills, or a Town Administrator with highway skills, maybe combining positions and responsibilities, with Mr. Henry adding they were looking at the Town's needs, maybe regionalizing.

Mr. Downing added some of his own comments: he said the new term is to be inter-governmentally active; felt small towns were not getting enough attention; that Cheryl ~~Sprague~~ Shicay was good for Massachusetts; suggested Holliston landfill for a joint water/sewer area for the three towns; it was good for funding for higher education, but tuitions should be cut; recommended consolidation of state colleges.

11:00 - **Action Items.**

- With reference to Chief Lambirth's recommendation on the mutual aid and lockup agreement, Mr. Henry moved, and Mr. Downing seconded, to accept the Chief's recommendation and authorize the Chairman to sign the agreement after consultation with Town Counsel and his approval; all aye.

- The Board took under advisement the ZBA memo on a petition for variance for 85 Main Street; along with a complaint from a Town employee; as well as the letter from the Police Association announcing their intent to begin negotiations with the Board. With reference to the ZBA memo, Mrs. Rozanski suggested everyone write their comments and maybe

they could consolidate them into one memo.

- Mrs. Allen noted Town Mechanic George Cole's request to put the Town Seal on the new Highway trucks. Mr. Henry moved, and Mr. Downing seconded, to authorize the Highway Department to put the Town Seal on the highway trucks; all aye.

- Mrs. Allen confirmed that Joe Giovinazzo of CGS Associates would be meeting with the Board on January 30th at 9:00 a.m. to discuss the Cottage/ Main Street drainage project.

- Mrs. Allen stated that Town Mechanic George Cole would be researching information on above ground diesel storage tanks, since twice we have run into the situation of no diesel fuel available when the Highway Department needed it.

- It was noted that the loader would be coming back from repairs this Wednesday.

- A dividend from MIIA was noted for workers comp for $7,332.

- Mr. Henry said he and Mr. Downing had met with the Chairman of the Planning Board, the Chairman of the Zoning Board, and the Inspector of Buildings in the continuation of their meetings on review of approvals not required.

- The Board noted Health Agent Mike Perrault's letter concerning the air quality in Town Hall, which Mrs. Rozanski said would be addressed in the morning with the Town Hall Building Committee.

11:10 - The meeting was adjourned.

Respectfully submitted,

Mary Jean Fredette
Secretary
mj

approved 1/29/96

BOARD OF SELECTMEN

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

rescheduled due to blizzard

AGENDA

January ~~8~~ 11, 1996

7:00 p.m.	Open meeting, sign warrants approve minutes of 12/11/95, 12/18/95 and 1/4/95 ~~5~~ 6 meetings.
7:01	Joint meeting with the Planning Board to fill vacancy on the Planning Board and presentation of Idylbrook Plan
7:10	Budgets: 7:10 Cemetery Commission 7:15 Memorial Committee 7:20 Council on Aging 7:30 Law 7:40 Veterans Services 7:45 Historial Commission 7:50 Conservation Commission 8:10 Sealer of Weights and Measures 8:15 Finance Committee
8:30	Public Hearing Traffic impact for new school
	Action Items
	HAPPY NEW YEAR !!!!

ACTION ITEMS FOR SELECTMEN'S MEETING OF JANUARY 8, 1996

1. Vote and sign Entertainment License for China Lotus.

2. Vote to overspend on Ice and Snow Removal budget for FY'96

3. Acknowledge letter from Town of Franklin regarding update on their sewer project on Walker and Populatic Streets in Medway

4. Acknowledge resignation of Stephen J. Reding from Building Code Board of Appeals

5. Discuss and vote on Alcohol and controlled substances use and testing policy for safety-sensitive drivers

6. Discuss letter from Chairman of Library Trustees dated December 18, 1995

7. Discuss letter from Chairman of Water/Sewer Commissioners regarding infiltration/inflow monitoring

8. Discuss and vote on repair to Town Hall chimney

9. Acknowledge letter from Wheelabrator Millbury regarding tipping fee as of January 1, 1996

10. Acknowledge letter from Chairman of the Water/Sewer Commissioners regarding petition from Longmeadow Lane residents

11. Acknowledge letter from residents at 123 Village Street regarding snow removal

12. Update on Peer to Peer Program

13. Update on Idlybrook Farm Grant application.

14. Acknowledge letter from Town Counsel regarding Draft procedures for Site Plan Approval

15. Discuss and vote on Emergency Transfer Request the Law Account (Special Counsel)

actitems.doc

ACTION ITEMS FOR SELECTMEN'S MEETING OF JANUARY 6, 1994

1. Vote and sign BP extension letter for Bruce Lucas.

2. Vote to accept and to use Bond Anne Bennett Woodard for Pct. 3

3. Acknowledge letter from Town of Hartwell re Hwy 51 Project
   Notice to their sewer project on Winter Ave. Open
   Agenda in Monday

4. Acknowledge resignation of Dispatcher D. Keeling Time
   Building Code Books of Wed. 12

5. Discuss and vote on Article Two Restricted Subdivision
   Use and Position Duties for Subdivision Regulations

6. Discuss Purpose from Committee of 1 Item Proposed Under
   December 18, 1993.

7. Discuss reading from Chairman of Insurance/Annex
   Committee regarding Utilization Monitoring

8. Discuss and vote on Report to Town Hall Chimney

9. Acknowledge letter from the Historical Millstone Marking
   Building Fee as of January 1, 1994

10. Acknowledge letter from Chairperson of the Water Resource
    Committee
    Committee's Preliminary Petition from Developing Land
    Regulations

11. Acknowledge letter from Secretary of U.S. Army Corps of
    Engineering Dam Removal

12. Update on Water to Head Project

13. Update on Subdivision Road Completion

14. Acknowledge letter from Town Council Regarding the Law
    Enforcement Officers Bonus

15. Vote to Appoint Notary Public

16. Discuss and Vote on Request for Use of Old Courthouse
    Annex (Senior Citizens)

Present: Raphaela Rozanski, Lee Henry, Doug Downing, Administrative Assistant Ruth Allen.

7:00 p.m.-Mrs. Rozanski called the meeting to order in the Selectmen's Meeting Room 2 of Town Hall. The meeting for Monday, January 8th had been postponed to this evening because of the snowstorm. Warrants had been signed earlier in the week totalling $449,578.10.

- Mr. Downing moved, and Mr. Henry seconded, to approve the minutes of December 11, 1995; all aye.

- Mr. Downing moved, and Mrs. Rozanski seconded, to approve the minutes of December 18, 1995; Mr. Henry abstained as he was not present at that meeting; all aye.

- Mr. Henry moved, and Mr. Downing seconded, to approve the minutes of January 4, 1996 with the correction of the year from 1995 to 1996; all aye.

- It was noted that the joint meeting between the Planning Board and the Selectmen has been rescheduled to January 22nd at 8:45 p.m. for the filling of the vacancy on the Planning Board.

- <u>Budgets.</u>

7:10 - <u>Cemetery Commission - Joseph O'Brien.</u>
Mr. O'Brien requested a level-funded budget of $1,087 for expenses. **Mr. Henry moved, and Mr. Downing seconded, to accept Mr. O'Brien's recommendation for the Cemetery Commission's budget of $1,087 for expenses for FY'97; all aye.**

7:15 - <u>Memorial Committee - Robert Goode.</u>
Mr. Goode requested an increase in their overall budget from $1,525 to $2,750 for the purchase of flags. All other expenses were level-funded and travel was decreased. **Mr. Henry moved, and Mr. Downing seconded, to accept Mr. Goode's recommendation for the Memorial Committee's budget of $2,750 for expenses for FY'97; all aye.**

7:20 - <u>Council on Aging - Richard Gildea.</u>
Mr. Gildea requested a level-funded budget of $12,618 for salaries and $25,612 for expenses. The tax relief program was not included in the overall budget as the Board feels this needs to be a special article on the town meeting warrant. **Mr. Henry moved, and Mr. Downing seconded, to accept Mr. Gildea's recommendation for the Council on Aging's budget of $12,618 for salaries and**

$25,612 for expenses totalling $38,230 for FY'97; all aye.

7:25 - Law - Richard Maciolek.
Mr. Maciolek requested a level-funded budget of $18,000 for salary; $1,000 for expenses; and $5,000 for professional/technical services totalling $24,000, indicating it is difficult to predict how many cases he would be involved in. **Mr. Henry moved, and Mr. Downing seconded, to accept Mr. Maciolek's recommendation for the Law Department budget of $18,000 for salary; $1,000 for expenses; and $5,000 for professional/technical services totalling $24,000 for FY'97; all aye.**

- Mrs. Rozanski provided the Board a statement for them to sign indicating that they do the administrative portion for the 5-year open space plan. Mr. Henry moved, and Mr. Downing seconded, to accept the statement as provided and forward it to the Open Space Committee as the 5-year plan; all aye.

- Mrs. Rozanski gave the other Board members a draft version of the proposed agenda for the All Boards meeting on January 27th from 9 a.m. to 1 p.m. With the Board's approval, she would redo the draft agenda and write a covering letter to accompany it.

7:35 - Veterans' Agent - Anthony Mastroianni.
Mr. Mastroianni recommended level-funding his budget again this year with salaries at $4,956 and expenses at $10,400 totalling $15,356, feeling comfortable that none of the vets living in Medway were being "non-serviced". **Mr. Henry moved, and Mr. Downing seconded, to accept the recommendation of Mr. Mastroianni for the Veterans' Agent budget of $4,956 for salary and $10,400 for expenses totalling $15,356 for FY'97; all aye.**

- Mrs. Rozanski acknowledged receipt of the Inspector of Buildings' monthly report for December indicating total fees collected of $25,218 during FY'96 so far.

- Mr. Downing asked Mrs. Allen to get a recommendation from the Conservation Commission on a matter concerning Bernie Lewis and Lot A Ryan Road.

- Mr. Downing stated he had attended a School Building & Site Selection Committee meeting on Tuesday which the architect also attended. He indicated that they requested a change in bid opening dates from January 22nd to January 29th for sub-bids, and from January 29th

to February 5th for general bids. Mr. Downing suggested they convene the meeting earlier and open the bids at 6:00 p.m. Mrs. Allen will post the meetings for those times and talk to Mr. Verdolino about the legal notices that have to be published indicating those dates and times.

7:45 - Finance Committee - Ed Hjerpe and Victor Terranova.
Mr. Hjerpe recommended increasing the expense budget by $700 from $4,000 to $4,700 but leaving the salary and the reserve fund the same. **Mr. Henry moved, and Mr. Downing seconded, to accept the recommendation of Mr. Hjerpe for the Finance Committee's budget of $1,997.50 for salary, $4,696.78 for expenses and $100,000.00 for the reserve fund totalling $106,694.28 for FY'97. This was amended by the Chairman and rounded off to $2,000 for salary, $4,700 for expenses and $100,000 for the reserve fund totalling $106,700 for FY'97; all aye.**

Mr. Hjerpe stated he could not make the January 27th All Boards meeting, but asked that the Board review his letter with the Committee's recommendations during the budget process. He also indicated they would be working closely with CIPC. Mr. Henry suggested the FinCom look at a more realistic figure for snow removal, with Mrs. Rozanski noting that once a figure is increased, the State would not allow it to be decreased. Mr. Hjerpe felt the issue was who controls the budget and its use. Mr. Downing added a reminder that the snow removal budget is not just Highway, but that it includes Fire, Police and EMS.

8:10 - Historical Commission - Gwen Hendry.
Ms. Hendry explained to the Board that during FY'97, they planned to complete phase 2 of the town survey and their proposed budget included this. **Mr. Downing moved, and Mr. Henry seconded, to accept the recommendation of Ms. Hendry for the Historical Commission's budget of $5,980 for expenses for FY'97; all aye.**

8:20 - Conservation Commission - David Travalini.
Mr. Travalini presented a level-funded budget with some line-item changes. He suggested a by-law be considered in connection with the Wetlands Protection Act. Mrs. Rozanski suggested a home rule petition might be better, and recommended they discuss this together at a later date. **Mr. Henry moved, and Mr. Downing seconded, to accept the recommendation of Mr. Travalini for the Conservation Commission's budget of $3,105 for salary; $3,000 for professional/technical services; $3,400 for expenses totalling $9,505 for FY'97; all aye.**

- Mr. Henry noted that the Sealer of Weights/Measures budget will be discussed when the Inspector of Buildings comes in with his budget.

8:30 - Mr. Henry read the ad that appeared in the local paper for the public hearing to discuss the traffic impact during the construction of the new school. Dave Verdolino, School Director of Operations, was asked to present the traffic plan as outlined in the specifications. Mr. Verdolino stated that he and Superintendent Bettencourt had detailed the pattern to Police Chief Lambirth and Safety Officer Watson and received their approval. Basically, he stated that construction vehicles would be entering Legion Avenue, then to Cole Avenue to the site. As there were no comments from the public, Mr. Henry moved, and Mr. Downing seconded that the public hearing be closed; all aye. Mrs. Rozanski asked for a copy of the specs and advertisement for the Office. Mr. Downing asked Mrs. Allen to contact Mr. Verdolino with regard to the change in dates for opening of sub-bids and general bids in the advertisement.

8:45 - Police Chief Lambirth stopped in to ask the Board to review documentation on a pilot program with reference to mutual aid and lockup as part of a consortium. The Chief's recommendation is favorable, but he is amenable to questions from the Board and requested an answer from the Board by January 22nd.

- Committee Reports.

- Mr. Henry stated that a first exploratory meeting had been held between himself, the Planning Board chairman and the Inspector of Buildings concerning approvals not required plans with respect to condition of streets and street drainage. The Zoning Board chairman and Mr. Downing could not make it as originally planned. Another meeting has been scheduled for January 17th to continue the discussion of avoiding potential problems with ANR's.

- Action Items.

- The Board was asked to sign a Sunday Entertainment license for the China Lotus for one video game. It was noted that they had the license originally, discontinued it, and are now reactivating it again. Mr. Henry moved, and Mr. Downing seconded, that the Sunday entertainment license be approved for the China Lotus for one video game; all aye.

- The Board discussed the snow and ice removal budget for FY'96, with Mrs. Allen noting that we are in the red for $4,828.41 for salaries and expenses as of 1/4/96. Mrs. Rozanski asked for weekly updates from Mrs. Allen on this budget, with a carbon copy to the FinCom. Mr. Henry took this opportunity to ask viewers to shovel out in front of their fire hydrants and to help keep catch basins near their homes open. Mrs. Rozanski told residents to feel free to contact the Selectmen's Office if they had any concerns, but to have patience. Mr. Henry moved, and Mr. Downing seconded, to approve the overspending of the snow and ice removal budget for FY'96; all aye.

- The Board acknowledged a letter from the Town of Franklin's Town Engineer Bruce Babcock giving an anticipated schedule for the completing of the sewer main construction and permanent paving within Populatic and Walker Streets. Work should begin on April 1st and end 60 to 90 days after construction.

- The Board acknowledged the resignation of Stephen Reding from the Building Code Board of Appeals since he was recently appointed Local Building Inspector. It was noted that his position on this board as builder is now vacant, as well as that of a structural/civil professional engineer.

- The Board reviewed a draft policy for alcohol and controlled substances use and testing for safety-sensitive drivers. Mrs. Allen stated that a policy such as this is the law and Medway has to have one. Mr. Henry moved, and Mr. Downing seconded, to adopt the "alcohol and controlled substances use and testing policy for safety-sensitive drivers" as submitted by Mrs. Allen; all aye.

- The Board discussed a letter dated December 18th sent by Wendy Rowe, Chairman of the Library Building Committee, requesting that they schedule a special town meeting to address the library construction issue. Mrs Rozanski stated she had talked to the Trustees and it was agreed to put this subject on the all boards agenda for January 27th. It was felt that there was still time for discussion, with Mr. Henry adding that article 28 approved at town meeting allowed the project to proceed. Mr. Downing said he was still opposed to the project because a separate study group to consider the issue had not been formed as was done with other town projects.

- The Board brought up a letter by Gardner Rice, Chairman of the Water/Sewer Commissioners, with reference to

infiltration/inflow monitoring. Mrs. Rozanski suggested this be brought up and discussed at the all boards meeting on January 27th as well.

- Mrs. Allen brought up the three quotes received for the repair of the Town Hall chimney. Mr. Henry stated that the cost for the repair would be coming out of the proceeds from the sale of the fire station. Looking at the three quotes, Mr. Henry moved, and Mr. Downing seconded for discussion, to award the project to E. A. Simpson & Sons out of Medfield for $3,850. Mrs. Allen said that specs had been sent to six masons, and only these three had responded. Motion approved; all aye. Mr. Henry noted that funds totalling $26,505 has been committed so far out of $35,592. The only item left is the rug, which is to be coordinated with the purchase of the rug for the renovated area downstairs.

- The Board acknowledged a letter sent by Wheelabrator stating what Medway's tipping fee would be. As of January 1, 1996, it was calculated at $63.54 per ton.

- The Board was in receipt of a letter from the Water/ Sewer Commissioners concerning a petition they had received from the Longmeadow Lane residents requesting that sewer be made available to them. Mrs. Rozanski suggested this be discussed at the all boards meeting on January 27th.

- A letter from Gary and Judith Mitchell of 123 Village Street was acknowledged. Mr. and Mrs. Mitchell did not want snow from the sidewalk and street put on their property, and enclosed pictures showing that it had been done. Mr. Henry stated that the Holder tractor will now make sidewalk plowing less of a problem for residents and we are trying to use it to the best of our ability. Mrs. Allen will acknowledge their letter. It was noted that only George Cole and Fred Sibley have been trained in the use of that tractor.

- With regard to the peer-to-peer program, Mrs. Allen said she had spoken to Don Martin of EOCD, and he recommended Board members discuss this further at the upcoming trade show.

- Information was being gathered further on the Idylbrook Farm Grant application by Paul Yorkis to be provided to the Board.

- Mr. Henry's drafted procedures for site plan approval were brought up. Town Counsel had sent in his comments to the Board, and with that, Mr. Downing suggested he

meet with Counsel, review the draft further, come back to the Board and then maybe a workshop can be held. Mr. Henry said he would just now like to review everything before proceeding further, while Mrs. Rozanski added she had not asked Mr. Maciolek for his opinion, but had sent him a copy of the draft.

- An emergency transfer request for Special Counsel was put before the Board in the amount of $12,500, which included an anticipated figure of $7,500. Ed Hjerpe commented the FinCom would rather approve bills in hand, rather than an anticipated amount. Mr. Henry moved, and Mr. Downing seconded, to approve the emergency transfer request to the FinCom for $12,500.00; all aye.

- Mrs. Allen brought up the need to have the front end loader repaired that had caught on fire. She stated that the loader was at Schmidt where it had been analyzed indicating labor and parts would cost over $6,000. Town Counsel had said if it was an emergency, we did not have to go out to bid; however, he did not feel this was an emergency since we could go out and rent another loader. Mrs. Allen explained that the cost to rent another loader and man at $75 per hour during the interim or go out to bid and the advertising fee would cost us as much as having the equipment repaired in the first place, and then we would still have to pay to have the equipment repaired. She also stated that Schmidt was the only John Deere dealership in the area anyway and was working on six other pieces of equipment. To take our front end loader out of their shop and go through the bidding process may take it out of order for repair. Mr. Henry moved, and Mr. Downing seconded, to approve the emergency repair for $6,237.05 and have it done asap; all aye.

- The Board noted receipt of the reimbursement request for Officer Watson's employer-assisted education. Mr. Henry moved, and Mr. Downing seconded, to approve the reimbursement for Officer Watson for two courses for a total of $1,106; all aye.

- The Board discussed Prins paper prices. Prior to the Board making a decision on an option, Mrs. Rozanski asked that the Recycling Committee make a recommendation in writing to the Board, indicating when a vote had been taken, and requested further information as to how much money the Town received back in recyclables and does Prins owe the Town any money.

- The Board acknowledged receipt of a letter from Gino Carlucci of PGC Associates requesting an extension of

his contract with the Town through the EOCD grant to June 30, 1996 for the Town Hall project under the Town Hall Building Committee's line item. Mr. Henry moved, and Mr. Downing seconded, to authorize extension of PGC Associates' contract with the Town through June 30, 1996 as outlined in his letter dated January 2nd; all aye. Mr. Downing requested an update from the Town Hall Building Committee as to where they stand.

- Mrs. Rozanski noted that she had received an invitation from the United Chamber of Commerce indicating that there would be five sessions at UMASS Amherst for a community visioning project among nine communities. Mrs. Rozanski said she would attend.

10:00- The meeting was adjourned.

Respectfully submitted,

Mary Jean Fredette, Secretary
mj

Present: Board of Selectmen: Raphaela Rozanski, Lee Henry, Doug Downing; School Building & Site Selection Committee Members: John Boczanowski, Paul Yorkis, David Verdolino, Linda Reynolds; Town Counsel: Richard Maciolek.

7:12 p.m.-Mrs. Rozanski called the meeting to order and asked for nominations to chair the joint meeting. Mr. Henry nominated Mrs. Rozanski. She questioned if all members of the SB&SS committee had been sworn in, and stated she believed Mr. Yorkis had not, and possibly Dawn Boyan.

Mr. Maciolek brought up different concerns as noted in Attorney Ciechanowski's letter of December 12th to Attorney Maciolek. The issue of the location of the proposed parking lot with reference to an Order of Conditions issued by the Conservation Commission was discussed. The Order was appealed to DEP and Mr. Maciolek asked Mr. Verdolino for a copy of that appeal which was filed November 6th. Mention of a DEP site meeting for December 12th was noted, and the results of that meeting were unknown. A report that was to be have been filed with the Town has not been received as confirmed tonight with the ConCom secretary.

With reference to an environmental impact report, Mr. Maciolek felt the Town was not required to file one as the construction costs were under $10 million. The SB&SS committee confirmed the design costs were part of the total, but not the furnishings, from what the School Building Assistance Bureau of the Department of Education has stated, and they also do not require the impact study. Mr. Yorkis questioned if this was subject to review or could it be waived. Mr. Maciolek said it was not part of the Order of Conditions by ConCom, but it could be appealed to the Secretary of Environmental Affairs.

Mr. Maciolek brought up the width of Center Street and the traffic issue, which the SB&SS committee has already addressed. He also noted reference has been made in the past to using the railroad bed, however, since this is still under litigation, he did not feel it could be discussed. Mr. Maciolek did mention that 11 abutters had begun the suit back in May of '91 and asked for a summary of judgment in February of '92 which was denied.

Mr. Boczanowski noted that they had redesigned the drainage towards the tracks to the retention area to eliminate that problem, as well as redesigning the parking lot entrance. The taking for Center Street was questioned, and both Mrs. Allen and Mr. Maciolek thought it was 40 feet, which was confirmed on the plan Mr.

Verdolino had in his possession.

Mrs. Rozanski stated that construction traffic and how it is to be handled will be discussed Monday, with Mr. Henry adding that this was what the public hearing was for. Mrs. Rozanski said it was to give the residents in that area an opportunity to have the impact of construction traffic plans presented to them for viewing. Mr. Boczanowski said they hoped to do a majority of the construction during the summer.

Mr. Maciolek stated that only DEP can prevent the construction from proceeding, however, the residents still have the right to a hearing before DEP, and we should not be constructing when, and if, a hearing is being held. He did reiterate that the whole school can be built since the residents are only appealing the parking lot. Mr. Boczanowski said that the school must be under construction by June or we lose the grant. (We must begin construction during the fiscal year the grant is received or we lose the funding and reimbursement.) Mr. Boczanowski confirmed that no environmental impact study was ever requested.

Mr. Maciolek said he would draft a response to Attorney Ciechanowski's letter of December 12th after the hearing on Monday. Mr. Maciolek reminded the SB&SS committee that they need to hire a clerk of the works, who is not a town employee, and whose contract must be signed by the Board, along with any contracts for those that go out to bid, as well as any change orders. His committee agreed to meet and finalize contract documents on Tuesday, January 9th. Mr. Maciolek again stated he will not look at any contract until it is signed by the contractor. Mr. Boczanowski said the architect will draw up a job description for the clerk of the works. Mr. Maciolek said the Board can take the SB&SS committee's recommendation for a clerk which has to be advertised.

Mr. Verdolino confirmed that bids would be received for the school on January 22nd and 29th.

8:20 - The meeting was adjourned.

Respectfully submitted,

Mary Jean Fredette, Secretary
mj

approved 1/11/96