

**Board of Selectmen's Meeting
December 16, 2019 – 7:00 PM
Sanford Hall
155 Village Street**

Present: John Foresto, Chair; Glenn Trindade, Vice Chair; Dennis Crowley, Clerk; Maryjane White, Member.

Absent: Richard D'Innocenzo, Member.

Staff Present: Michael Boynton, Town Administrator; Allison Potter, Assistant Town Administrator; Rich Boucher, Director, Information Services; Peter Pelletier, Deputy Director, Department of Public Services (DPW); Police Chief Allen Tingley; Sandy Johnston, Communications Director.

Others Present: Carla Cataldo, Chair, Cultural Council.

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

Town Administrator Boynton announced that the Medway Cheerleaders age 10 and under and age 12 and under teams won first place in the nation noting over 220 teams completed. The 10 and under team was escorted back from the Bellingham town line earlier this evening. The 12 and under team is scheduled to return early in the morning weather permitting.

Public Comments: None

Approval of Minutes

The Board reviewed the draft minutes of December 2, 2019.

Selectman Trindade moved that the Board approve the minutes of December 2, 2019. Selectman White seconded. No Discussion. VOTE: 4-0-0.

Report from the Cultural Council

The Board reviewed the (1) 2018 Annual Report, (2) Cultural Council meeting minutes of November 12, 2019, and (3) December 12, 2019 memo to Board of Selectmen supporting change to gender neutral name

Ms. Cataldo briefly reviewed the content of the Cultural Council's 2018 annual report as it was not included in the overall 2018 Town of Medway Annual Report. She noted the letter from the Cultural Council endorsing a change in the name of the Board of Selectmen to a gender neutral name. She then reviewed the results of the \$6,500 in grant funding from the State noting there were \$18,000 in grant requests, 21 grant applications, and 15 awards for the next two fiscal years. She reviewed the specific grant projects accepted noting activities cover all age groups. She stated they would not have been able to fund all of these events without the Town's support. She reported that Michael Cannistraro is the artist selected to paint the utility boxes. Selectman Foresto noted the Selectmen has decided at a prior meeting to not paint the utility boxes. Ms. Cataldo stated she was not aware of this decision.

Ms. Cataldo then reviewed the plans for Art Week 2020 going on from May 1st – 10th. She stated this year they are able to be included in the state-wide effort, which includes access to the state website for publicizing Medway's Art Week events. She noted that state wide there are 600 events and 130 towns participated last year. Ninety percent of these events are free and, for those that are not, most cost under \$25. She reported that the committee plans to send letters to the local businesses to be included this year. She reported issues with e-mails and minutes on the Town of Medway website and Rich Boucher will assist to resolve these issues. Selectman Trindade commended Ms. Cataldo on her work with this group. Selectman Foresto asked how the name change for the Board of Selectmen came up for discussion in their group. Ms. Cataldo stated it was on a prior Selectmen's meeting agenda where she had been scheduled to present to the Board.

Discussion: Massachusetts Executive Office of Technology Services and Security Cybersecurity Awareness Grant

The Board reviewed the e-mail dated December 11, 2019 from Rich Boucher.

Mr. Boucher explained that his department applied for this awarded grant last year. They plan to go live with the Proofpoint software in January. He noted that 90 communities with over 40,000 end users will participate with the goal to educate municipalities on cyber security, phishing, malware, etc. The purpose of this grant for the State is for analytics and to provide training to towns that would otherwise not have the funds to access the training. He reported that for the municipal side, we have been using KnowBe4 which runs campaigns on specific issues, sends the training out to staff on a randomized basis, and notifies them of the results. He reported seeing an uptick in staff not identifying things properly so they have been ramping up the staff training. They had wanted to extend KnowBe4 to the School Department, however, the price point was not advantageous. This grant project is only for one year so they are not sure on the longevity of the project but plan to assess which product to use moving forward once this grant is up. Selectman Foresto asked if the School is covered today. Mr. Boucher stated no. Selectman Foresto asked if the new product is randomized and asked if the School will be utilizing it. Mr. Boucher confirmed. Selectman Foresto asked when the full analytics will be available. Mr. Boucher stated set up is occurring in December and the initial survey will be done in January with analytics anticipated in June. He reported that the state is 45-60 days behind schedule, but once the set-up is complete and it is up and running, it will not take a lot of time to get the analytics. Selectman Crowley asked if it was a monetary grant or just the software. Mr. Boucher stated software only. Selectman Crowley asked for the manpower necessary to complete the necessary work items. Mr. Boucher stated 3 hours to install and an additional 10-15 hours for set-up and promotion. Selectman Crowley asked if it is an undue burden on his staff. Mr. Boucher stated no. He stated these products are multi-tiered to help identify issues and then allow us to determine how to address the issues. Selectman Foresto stated that based on the capabilities of the staff, more time may be involved than realized. Mr. Boynton reminded the group that one of the IT budgeted items last year not funded was cybersecurity noting we will need to address this moving forward based on the current environment. Selectman Trindade asked what would happen if we got hit. Mr. Boucher stated the biggest tool to prevent this is promotion. They are constantly talking about cybersecurity and sharing results. For mitigation, Mr. Boucher stated we have firewalls and security along with a new storage device that has a time-warp component so we can go back to a prior moment in time and retrieve that data. Selectman Trindade asked for confirmation that we have a recovery plan. Mr. Boucher confirmed. He also reported they will be launching Office 365 this year which includes spyware and ransomware built in and is cloud based. Selectman Trindade asked the anticipated live date. Mr. Boucher stated they will be finalizing a vendor, and so within 60-90 days. He reported that the initial survey for Proofpoint is 15 minutes with the training comprising 45 minutes but in 6-7 incremental videos. They attempt to keep the training at 15 minutes or less and are currently doing less than five minute training videos weekly. Staff on the

municipal side are very aware. Selectman Foresto asked when the data will be available to present to the Board. Mr. Boucher stated May or June for the new software package. Selectman Foresto requested this be added to the action items for data presentation to the Board.

Authorization to Expend Grant Funds:

- **Med-Project LLC Grant Program for Disposal of Unwanted Medications Collection Kiosk - \$650**
- **Fiscal Year 2020 Traffic Enforcement Grant for Traffic Safety Campaigns - \$12,000**

The Board reviewed the (1) Notice of Grant Awards, (2) Fiscal Year 2020 Traffic Enforcement Grant Award letter dated December 6, 2019, and (3) Fiscal Year 2020 Traffic Enforcement Grant award e-mail Dated December 9, 2019.

Chief Tingley stated that the Med-Project will be a yearly grant moving forward. He stated that since we are halfway through of the year, we are only eligible for half of the amount. He explained the two existing kiosks at the police station: one for prescription meds and one for syringes and the specification locations of each. He reported a decrease in calls for syringe pick-ups since the installation of the kiosk. He stated there is not a need for any additional kiosks at this time.

Selectman Trindade moved that the Board authorize the expenditure of the Med-Project LLC Grant program funds for the disposal of unwanted medications collection kiosk in the amount of \$650 as presented. Selectman White seconded. No Discussion. VOTE: 4-0-0.

Chief Tingley explained this has been a yearly grant noting \$9,000 is financed now and the balance is financed once the programs are completed, which include winter, spring, and summer impaired driving, two speed enforcement programs, and the "Click It or Ticket" program. They are required to complete eight hours for each program in order to obtain grant funds.

Selectman Trindade moved that the Board authorize the expenditure of the Fiscal Year 2020 Traffic Enforcement Grant for traffic safety campaigns in the amount of \$12,000 as presented. Selectman White seconded. No Discussion. VOTE: 4-0-0.

Discussion: Specific Traffic Safety Problem Areas

The Board reviewed the (1) dangerous traffic locations memo dated from Chief Tingley.

Selectman Foresto noted that this data was requested at a prior Selectmen's meeting during discussion of the potential reconfiguration for the Village and Holliston Street Intersection.

Chief Tingley stated there are no intersections considered top crash locations based on the State criteria. He analyzed the last three years of data for total and type of accidents. He noted that most of these can be attributed to driver distraction. He stated he believes reeducation is the best way to address these issues. Selectman Crowley asked if the new traffic enforcement has had an impact. Chief Tingley confirmed noting the speed signs that flash when the speed limit is exceeded have also been a contributing factor. Town Administrator Boynton noted that this is not just a Town of Medway issue. He added that the new hands free law will require state reporting on the number of stops, as well as the ethnicity of the driver. There was discussion on how to address the determination of driver ethnicity. Selectman Crowley reiterated that one of the main reasons the Board asked the Chief to look at the data was due to the potential costs to address the Village and Holliston Streets intersection noting it is not a high impact area for traffic or accidents. There was further discussion on the need to address the Village and Holliston Streets intersection. Selectman White noted the statistics show there are issues where there are actual lights and lighted signs. Selectman Crowley asked for a status on the Board's additional

request for a back of the napkin estimate to reconfigure the Village and Holliston Streets intersection. Mr. Boynton stated the Village Street to Cottage Street milling and the sidewalks from Legion Street to the Town line will cost \$1.3 million. To address the Village and Holliston Streets intersection as a standalone project is \$2million, however, to do it as part of existing project is \$500,000. Selectman Trindade requested to get the accident statistics published for the residents. Mr. Boynton stated that the State must approve the installation of a traffic light based on traffic and accident data criterion.

Approval: Contract with Gorman Richardson Lewis Architects (GRLA) for the Town-Wide Facilities Study - \$240,000

The Board reviewed the contract.

Town Administrator Boynton stated Town Meeting appropriated \$250,000 to complete a town-wide facilities study. This group that reviewed the RFQ was made up of staff and volunteer committee members including: Allison Potter, Jeff Segarra, Mike Schrader, Jim Kane, Jack Mee, Dennis Crowley, and Lenny Mitchell. He stated that GRLA was the selected vendor and thanked the committee members for their efforts.

Selectman Trindade moved that the Board approve and authorize the Chair to execute the contract with Gorman Richardson Lewis Architects for the Town-Wide Facilities Study in the amount of \$240,000 as presented. Selectman White seconded. Discussion: Selectman Foresto noted he was impressed with the information they provided. Selectman Crowley stated they were highly rated out of the five respondents noting they are local, small, and the group felt they would be more responsive. Selectman Trindade noted the intent of this project is to evaluate the state of our buildings and give us a roadmap moving forward. Mr. Boynton stated this is not a roadmap to build new buildings, but to provide a direction of what is needed for a 10 to 20 year plan. **VOTE: 4-0-0.**

Mr. Boynton commended Ms. Potter's efforts to date on this project.

Route 109 Design Advisory Committee: Determination of Need

There were no materials for the Board to review.

Town Administrator Boynton stated he does not believe that this committee will be needed moving forward but would like the Board's recommendation. Selectman Crowley asked if there are any funds left. Mr. Boynton stated \$40,000 noting that DPW will use that for final landscaping, etc. Selectman Crowley, as chair of the committee, stated the committee can be disbanded.

Selectman Trindade moved that the Board vote to dissolve the Route 109 Design Advisory Committee with thanks. Selectman White seconded. No Discussion. VOTE: 4-0-0.

Consideration of Public Event Application: Harvest Ride for Respite, September 26, 2020.

The Board reviewed the (1) public event application and (2) Chief Tingley's recommendation.

Selectman Trindade moved that the Board approve the public event application as presented subject to the Police Chief's recommendation and proof of appropriate insurance coverage. Selectman White seconded. No Discussion. VOTE: 4-0-0.

One-day Liquor License Applications

The Board reviewed the Police Chief's recommendations for the Marie VanSaun, Donna Fiori, Esme Demello, Jennifer Robie, Pam Pavlik, Patty Allen and Donna McHugo.

Selectman Trindade moved that the Board approve the one-day liquor licenses as presented subject to the Police Chief's recommendation and proof of appropriate insurance coverage. Selectman White seconded. No Discussion. VOTE: 4-0-0.

Action Items from Previous Meeting

The Board reviewed the Action Items dated December 2, 2019.

Medway Plaza Redevelopment: Town Administrator Boynton stated they had a meeting with the Planning Board who requested that they address some issues. They will be discussing these issues again at the next Planning Board meeting.

Update on Trash Contract: Town Administrator Boynton reported the evaluation taskforce met last week and reviewed the three bids. They have a vendor they want to move forward with but Selectman Crowley still has questions to be addressed. Deputy Director Pelletier is obtaining the answers to these for Selectman Crowley. Mr. Boynton noted that if we were to make a change, the vendor will need to order equipment soon. He anticipated the contract will be before the Board in January.

Name of Board of Selectmen: Town Administrator Boynton stated John Foresto has been unsuccessful in his attempts to connect with Jeff Segarra. Selectman Trindade suggested he contact Mr. Segarra on his cell phone early in the morning during his commute to work.

Status on Grant Funding for Solar at New DPW Facility: Town Administrator Boynton stated nothing has changed on this topic noting that we are still in the second grouping and the architect was directed to complete the net zero application fee at a cost of \$1,200.

Town Administrator's Report

There were no items for the Board to review.

Snow Budget Update - \$140K to date: Town Administrator Boynton stated the next storm does not look like much snow but ice will be an issue noting the costs for salt and contractors are the biggest hits to this budget line.

Adams Street – Closed December 19th, 9 to 2 – Tree Work: Town Administrator Boynton stated DPW will be completing hazardous tree work on Adams Street. He will have DPW provide the Board with a list of streets where tree work has been completed to date. Selectman Crowley asked if the extra \$10,000 provided for this effort is funding the Adams Street work. Mr. Boynton confirmed.

Housing Choice Grant Award - \$40K for West Street Sidewalk Engineering: Town Administrator Boynton stated these funds will be used relative to the future Glen Brook Way project for West Street sidewalks noting Ms. Saint André and Mr. Havens will be working on this project with DPW.

Fire Academy Graduations & Police and Fire Well Done: Town Administrator Boynton congratulated the following graduates from the Fire Academy: Tim Benoit, Jack Lennon, and Shawn Foster. He then commended the work of the emergency response personnel related to a medical emergency on Village Street involving a snow mobile two weeks ago, specifically naming Jim Smith who immediately began to administer CPR. He noted they were on scene in less than four minutes with a very professional response and believes there will be a success story here.

Lovering Street Closing – January 8th: Town Administrator Boynton stated this is the date of the closing on the Wilson property.

Town Offices Holidays Schedule:

Tuesday, December 24th, - 11:30AM closing

Tuesday, December 31st, - 2:30PM closing

Town Administrator Out of the Office:

- Wednesday, December 18th – Norfolk County Managers Meeting – Foxborough
- Thursday, December 19th – TA Office Closed 12-1:30pm – Holiday Lunch
- Friday, December 19 – Personal Day

On behalf of the staff, Mr. Boynton wished happy holidays to all.

NEXT Regular Selectmen's Meeting – Monday, January 6, 2020

Selectmen's Reports

There were no items for the Board to review.

Selectman Crowley asked for a status on Applegate Road, as the last discussion was a plan to inform the residents that the Board would support any legal action they took against the developer. Mr. Boynton stated he had an off the record discussion with a resident who stated they already attempted to deal with the developer with no success. He has also spoken with the Planning Coordinator and there is no meeting scheduled at this point in time. He stated that the bond amount is \$243,000, but \$542,000 in work is needed to be able to accept the street, noting the developer is not coming back to address this work. He stated that Needham Bank is not interested in continuing to have a role in this matter. There has been discussion about obtaining the bond funds, but the question of the appropriate way to move forward remains. Selectman Crowley asked if the developer's corporation is defunct and the Town takes the bond funds whether the Town would then be obligated to finish the work. Mr. Boynton stated the Town can take the funds but a Town Meeting vote would be needed to expend them. Selectman Crowley requested that we determine the status of the developer's corporation and the impact if we take the bond funds. Then they can make a decision about whether a meeting with the residents is warranted.

Selectman Crowley asked Mr. Boynton to explain the current status of the marijuana agreements. Mr. Boynton stated that CommCan, located at 2 Mark Road, was originally a medical marijuana facility but their Host Community Agreement (HCA) has been amended to include recreational marijuana after the passing of the recreational use bill. The financial impact to the Town is they pay the Town \$150,000 per year as of April 2020. The funds provided to the Town since the beginning of the agreement include: (1) \$10,000 to the library, (2), \$10,000 to the school, (3) \$10,000 for drug testing, (4) \$25,000 to the general fund, and (5) \$263,000 one-time funds to purchase air packs for the fire-fighters. He noted that even though they are expanding, the only additional revenue will be related to any additional personal property taxes. They are up and running and have been very responsive to any identified issues. Selectman Crowley ask what specific budget line these funds hit. Mr. Boynton explained that initially the funds were allocated to a specific purpose, but the State said there cannot be specific budget lines for these funds and they must go directly to the general fund.

PhytoTherapy is located at 6 Industrial Park Road. PhytoTherapy provides \$270,000 per year with an additional \$20,000 for sidewalks. When funds will come into the Town from this company is still to be determined as they have yet to make an application to the Planning Board for their special permit. It could be a couple of more years.

Neo Alternatives is located at 4 Mark Road. They will provide \$290,000 per year with an additional \$25,000 for sidewalks. The PhytoTherapy and Neo Alternatives HCAs state that they will provide 3% of their net revenue, but not to be less than those figures previously stated. Once they are operational, the funding may be more. There is nothing due in Fiscal Year 20 or 21.

Selectman Foresto asked if those departments were notified about the funds that were originally designated to them but are not allowed per the State and are now falling to free cash. Ms. Potter confirmed they were notified. Selectman Foresto stated the next potential company, due to the level playing field clause, will also have to provide 3% of net revenue not to be less than \$290,000. Mr. Boynton stated the potential company interested in coming to Medway is interested in manufacturing versus cultivation noting that Town Counsel stated the same rules apply for both. Selectman Crowley asked about the continuation of the HCA requirements after the five year contract term ends. Mr. Boynton stated there is no requirement in the statute to renegotiate after 5 years. He suggested to the Planning Board that the special permit require the HCA be valid for the duration of the function of the facility. He reiterated that the Town has had nothing but a fantastic relationship with the Rosenfelds/CommCan noting the units that were causing noise issues will be coming off the roof in the next 4-5 weeks.

Selectman Foresto then addressed issues that were discussed in the most recent Town and School Leadership meeting. He asked for an explanation of Senator Spilka's social emotional event. Selectman Trindade stated there are speakers who discuss what the school districts are doing to provide more services to students. For example, increasing school psychologist positions and the implementation of programs that increase knowledge and awareness of the issue. He stated that full-day kindergarten has had a big impact on this issue. Town Administrator Boynton stated there is a grant program available from the state for \$100,000 for each year for five years for a drug free community program. The Schools have limited ability to provide services due to the impact of students leaving the system and current family dynamics. They would like the Town to look at providing a clinician from a health and wellness perspective. The School would like to try to apply for the grant, but, before they do that, the School Committee and Selectmen would need to determine the scope of services for this position. They would like to schedule a workshop after the holidays to jointly discuss next steps. After the five years, the Town would need to provide funds for this position and he noted they would work under the Town versus the School.

Selectman Foresto reported the School also talked about Chapter 70 money and asked if the State provides more funding, does the School or Town get that funding. It was noted that they did not bring this up at the Finance Committee meeting. Selectman Foresto stated Superintendent Pires wanted to know if any members of the Board were willing to shadow him at the schools. Both Selectmen Foresto and Trindade stated their interest. Selectman Foresto requested that the Tri County Vocational High School Committee representative present to the Board at one of their January meetings.

At 8:24 PM, Selectman Trindade moved that the Board enter Executive Session to vote to approve and release Executive Session Minutes as referenced on the agenda under Exemption 3: To discuss strategy with respect to collective bargaining or litigation if an open meeting may have a detrimental effect on the bargaining or litigation position of the public body and Exemption 6: To consider the purchase, exchange, taking, lease, or value of real property if such discussion may have a detrimental effect on the negotiating position of the governmental body and the chair so declares, with no intention of returning to open session. The Chair so declared. (Crowley - aye; Foresto aye; Trindade - aye; White - aye).

Respectfully submitted,
Liz Langley
Administrative Assistant
Town Administrator's Office