

**Board of Selectmen's Meeting  
February 4, 2019 – 7:00 PM  
Sanford Hall  
155 Village Street**

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

**Absent:** Richard D'Innocenzo, Clerk.

**Staff Present:** Michael Boynton, Town Administrator; Allison Potter, Assistant Town Administrator; Barbara Saint Andre, Director, Community and Economic Development; Dave D'Amico, Director, Department of Public Services (DPS); Bridget Graziano, Conservation Agent; Stephanie Carlisle, Compliance Coordinator; Sandy Johnston, Communications Director.

**Others Present:** Brian Jarvis, Lead Project Manager, Compass Project Management, Gregg Yanchenko, Architect, Helene Karl Architects (HKA).

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

Selectman Crowley noted the lack of attendance of a *Milford Daily News* reporter at the Board of Selectmen's meetings and requested that anyone who comes in contact with one to please remind them to attend a Selectmen's meeting. He then reported that Kelly O'Rourke, Chair of the Capital Improvements Planning Committee, will be moving out of Town in the near future, and would like thank her for her service to the Town.

**Public Comments:**

Rori Stumpf requested that the Board investigate the implementation of a streamlined on-boarding process for new, small businesses specifically suggesting a one-stop shop, as the current process is very complicated, especially for those who are not familiar with Town governmental processes. Selectman Crowley was in agreement and requested that he meet with Town Administrator Boynton, who could then work with appropriate staff to develop recommendations. Selectman Trindade noted that there is also an unrealistic expectation of the timeframe required to complete what is necessary to open a business in addition to the lack of knowledge of the required process.

**Authorization to Expend Grant Funds: Accelerating Climate Resiliency Mini-Grant Program for Three (3) Rain Gardens at Burke-Memorial School - \$50,000**

*The Board reviewed the (1) Notice of Grant Award, (2) January 18, 2019 memo from Stephanie Carlisle, and (3) January 16, 2019 award letter from the Metropolitan Area Planning Council (MAPC).*

Ms. Carlisle stated the maximum allowable funding for this grant program is \$50,000 noting that Ms. Graziano, Ms. Potter and she worked on the scope of the project and the grant application. She further noted the rain gardens would assist with the current issue of field flooding. Selectman Crowley congratulated those involved in securing this funding. Selectman Trindade asked if any asphalt will be removed. Ms. Carlisle stated no. Ms. Graziano stated the excess of water is due to all of the impervious surfaces added to the area over the years and they are hoping the rain gardens will alleviate some of

this issue. Selectman Trindade asked if this will also help with the water run-off in the area between the Burke School parking lot and baseball field below. Ms. Carlisle stated they believe this will help that area as well. There was discussion on the specific location of the three rain gardens. Selectman Crowley asked if the funding estimates provided were hard estimates. Ms. Carlisle stated they were educated guesses. Ms. Graziano reported they will be sending out a Request for Quotes (RFQ) for an engineer to look at the feasibility of the plan and develop the design. Selectman Crowley asked if they will be putting a solid budget together first and if the work will be done when school is not in session. Ms. Graziano and Carlisle confirmed yes to both questions. Selectman Crowley requested that Assistant Town Administrator Potter write a thank you letter to the MAPC to be signed by all Selectmen.

**Selectman Foresto moved that the Board authorize the expenditure of the Accelerating Climate Resiliency Program mini-grant in the amount of \$50,000 as discussed and to authorize the Town Administrator to execute the grant agreement. Selectman Trindade seconded. No Discussion. 4-0-0.**

**Discussion: 33-39 Main Street Local Initiative Program (LIP) Application Comments for Department of Housing and Community Development (DHCD)**

*The Board reviewed the draft letter with comments.*

Ms. Saint Andre reminded the Board of its approval of the LIP last month noting the developer applied to DHCD who is now reviewing the application and part of that application review is to request comments from the Town. The draft she prepared includes all of the comments received to date. DHCD will then review the comments, perform a site visit and provide a project eligibility letter to the developer. Selectman White recused herself from the discussion. Selectman Crowley requested that Ms. Saint Andre modify the letter with stronger language regarding the resident's concerns related to traffic and head lights from vehicles exiting the development.

**Selectman Foresto moved that the Board authorize the Chair to sign the letter to DHCD with the comments on the LIP as discussed. Selectman Trindade seconded. No Discussion. Vote: 3-0-0.**

**Approval of Minutes: January 22, and 25, 2019**

*The Board reviewed the draft minutes of January 22, and 25, 2019.*

**Selectman Trindade moved that the Board approve the minutes of January 22, 2019. Selectman White seconded. No Discussion. VOTE: 4-0-0.**

**Selectman Trindade moved that the Board approve the minutes of January 25, 2019. Selectman White seconded. No Discussion. VOTE: 4-0-0.**

**Presentation: Final Design of the New DPS Facility**

*The Board reviewed the Project Overview and Update presentation dated February 4, 2019.*

Town Administrator Boynton introduced those present. He stated this is a "Yankee frugal" functional Public Works garage with minimal office space, appropriate staff facilities, and the space necessary to protect the DPS equipment and Town assets noting it will be much safer than the existing facility. The design of the new facility will improve the natural resources in the area and also addresses the concerns of the neighbors. The total cost is just over \$13 million and the pre-qualification process was completed today. The Planning Board will continue its review of the proposed design tomorrow night with the hope to complete their review at their meeting next Tuesday. The Conservation Commission (ConCom) is on schedule to complete their review on February 14<sup>th</sup>. The bid solicitation is planned for February

20<sup>th</sup> with receipt of sub-contractor bids targeted for March 14<sup>th</sup> and general contractor bids March 28<sup>th</sup>. The total cost numbers are the same but adjustments have been made in the alternates to provide for bid flexibility. He then introduced the presentation and stated the goal is to make sure the Board as Chief Executive Officer is OK with the design, as any major issues or changes will need to be addressed before we go out to bid. He also recognized and thanked those on the committee for the efforts. Selectman Crowley asked if there are any anticipated hurdles with the Planning Board or ConCom. Mr. Boynton stated there were none.

Mr. Yanchenko reviewed the existing conditions noting that following Planning Board and ConCom public hearings and resident feedback, the existing salt shed will be demolished and rebuilt at the current location. The plan includes partially demolishing the existing vehicle and storage area and refurbishing some of the existing building noting where the new garage and storage area will be located. He noted the addition of 2,800 square feet to the building noting the cost-benefit analysis was favorable for this additional square footage. Selectman Crowley asked what will be located on the second floor. Mr. Yanchenko stated this will be a mezzanine with a concrete slab floor and used for storage of tools and records. Selectman White asked if the second floor could be built out at a future date. Mr. Yanchenko stated it would depend on what the requirements would be noting it is being built primarily for storage of records and tools. Selectman Foresto asked if the proposed utility corridor is new. Mr. Yanchenko stated no and, based on the grade, costs, and width of only 25 feet, there will be no access through that area but it will accommodate the new water and sewer utilities. He further stated there is no intention for new access to the facility; the existing access via Broad Street will remain. There was further discussion on the efficacy of moving the utilities from the planned location. Mr. Yanchenko noted this new facility is designed as a net zero building supported by renewable energy via solar panels on the roof of the new garage and on a vehicle storage canopy. He noted the proposed alternative of solar energy is at a cost of \$1.4 million. He reviewed the final building rendering noting that Design Review Committee feedback was incorporated into the final design and the goal to design a fifty year building.

Mr. Jarvis then reviewed the estimated construction costs line items noting they have been updated with the 95% construction documents estimate with the assumptions that the award will be in May of 2019, with a twelve month construction period, and all excess soils would remain on site. He then reviewed the estimated total project costs including furniture, etc. noting there is a placeholder for the fire bi-directional amplifier (BDA) as until the building is built and they do an actual test, only then will the requirements be known. The Bid alternates were reviewed including the plan to add both the Vehicle Storage Canopy and the demo and abatement of the salt shed. Selectman Crowley requested updated estimated construction and total project costs. He asked how many sub bids are anticipated. Mr. Jarvis stated there are nine categories and noted that they will have all the relevant information available once the bids are open. Selectman Crowley requested the information on the sub bids as well. He asked what costs are fixed. Mr. Jarvis stated the OPM, and A&E are fixed and the Administration and Furniture Fixtures & Equipment/Technology/Security are budgets at this time. Town Administrator Boynton noted an additional change would be to the Proposed Project Funding and include the \$100,000 of State funding. There was further discussion about other potential changes to the project funding based on the potential capacity in the debt service budget.

Selectman Trindade stated the only outstanding design decision is the solar. There was discussion on how to build in the \$1.4 million funding for this design element including via the debt budget line item. The DPS Facility Building Committee members would like to move forward with the solar design. There was discussion about the return on investment timeframes and availability of incentives from the utility companies based on specific solar designs of 9-10 years if the Town successfully secured incentives and

20 years without any incentives. Mr. Yanchenko explained that more credits are available if the solar is put on the canopy versus the roof or the ground and battery storage allows for grant funding from the Department of Energy Resources (DOER). The Board asked if the structural design would support battery storage. Mr. Yanchenko confirmed it would and noted that Medway is in a situation that can benefit from that program. He explained that an Interconnect agreement with Eversource needs to be implemented first and he is working on completing that with the current DPS building. Selectman Crowley asked for the timeframe for implementing the Interconnect agreement. Mr. Yanchenko stated 4-6 months. Mr. Boynton stated the biggest question is what funding is available to us up front. Mr. Yanchenko stated that the DOER is providing up front funding for battery storage. He also explained the option of a power purchase agreement where the site is provided and a third party installs and sells the energy. Selectman Crowley asked if we would be using all of the energy and if there would be any left to sell. Mr. Yanchenko explained how solar power is stored noting that you can't feed solar energy directly back to the grid for your own use to be used real time. It would be sold to a vendor at a low price and they would charge the current rate for usage. He further explained the energy consumption of a building which is defined as Energy Use Intensity (EUI), how that translates into kilowatt hours, and the presumed usage level of the new facility. Selectman Crowley requested this analysis be forwarded to the Board. Mr. Yanchenko noted the Town is right to be cautious reiterating the worst case scenario of a 20 year return on investment if no grant funding was included. Selectman Crowley asked for the costs to install battery storage. Mr. Yanchenko stated \$400,000-\$600,000. Selectman Crowley asked if there was any analysis on the amount of energy the facility would generate that would be available to sell back using battery storage. Mr. Yanchenko stated a full analysis has not been done on this. Selectman Crowley asked if any independent estimates were obtained. Mr. Jarvis stated there were two, one obtained by Compass Project Management and one by HKA which were reconciled within a few percentages. Selectman Crowley commended both firms on a job well done.

**Approval: Contract with Laracy Electrical Contractors, Inc. for the Fire Station 1 Emergency Generator - \$87,300**

*The Board reviewed the (1) February 4, 2019 memo from David D'Amico, (2) Bid Results, and (3) Contract.*

**Selectman Trindade moved that the Board authorize the Chair to execute the contract with Laracy Electrical Contractors, Inc. for the Fire Station 1 Emergency Generator in the amount of \$87,300 as presented. Selectman White seconded.** Discussion: Mr. D'Amico reported they completed two bid rounds as the first resulted in all bids greater than \$100,000. With the second bid, the site work will be completed by the DPS. He stated this is the third generator replacement project and the numbers have been increasing with each of these projects. Selectman Crowley asked where the cost numbers originated from. Town Administrator Boynton stated the Capital Improvement Program Committee. Selectman Crowley asked if the Eversource and Columbia Gas costs were hard numbers. Both Mr. Boynton and Mr. D'Amico confirmed yes. Selectman Crowley asked if there is a change order where the additional funds would come from. Mr. Boynton stated the DPS operating budget but is not anticipating going over the \$100,000. **VOTE: 4-0-0.**

**Vote to Close and Vote Recommendation for the March 11, 2019 Special Town Meeting (STM) Warrant**

*The Board reviewed the March 11, 2019 Special Town Meeting Warrant.*

**Selectman Trindade moved that the Board vote to close the March 11, 2019 Special Town Meeting Warrant. Selectman White seconded.** Discussion. Town Administrator Boynton noted that the Board would like to have a dollar figure associated with this article and as the appraisals were in the \$400,000s

and there is a signed Purchase and Sale for \$560,000. He would like the dollar figure to be \$600,000 to allow for funding related to eminent domain and legal work by Town Counsel to assist the Medway Redevelopment Authority (MRA). He noted the need to move on the acquisition of the property to protect the MRA's site control for the implementation of the Urban Renewal Plan. There was discussion if the \$600,000 was sufficient and Mr. Boynton stated that following discussions with Town Counsel regarding eminent domain and other related legal costs the \$600,000 amount seems appropriate. Selectman Crowley asked if some of this funding would be used for further appraisals of and to purchase the smaller "bottle-cap" lots. Ms. Saint Andre stated of the \$74, 500 prior appropriation to the MRA, \$55,000 is left for those purposes. Mr. Boynton confirmed the funds in this article are for this specific parcel noting any additional funds required by the MRA would be addressed at Annual Town Meeting (ATM). Selectman Crowley asked if there would be the need for any more STM articles. Mr. Boynton stated no and any additional items would be addressed at the STM prior to ATM. **VOTE: 4-0-0.**

**Selectman Trindade moved that the Board vote to approve Article 1 for the Special Town Meeting at the amount of \$600,000 to be included in the article. Selectman Foresto seconded.** Discussion: Mr. Boynton noted that the Town of Medway is not acquiring the parcel but providing the funding to support the MRA's legally authorized power to acquire the parcel. Selectman Crowley requested that the information and intent of the STM be publicized by Ms. Johnston. **VOTE: 4-0-0.**

#### **One-day liquor License Applications**

*The Board reviewed the Police Chief's recommendations for Lya Doucette, Laina Kaplan, Stacie Converse, Linda Watson Sansone, Nicole Sandell, and Walter Wasnewsky.*

**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 Foresto seconded. No Discussion. VOTE: 4-0-0.**

#### **Action Items from Previous Meeting**

*The Board reviewed the Action Items dated January 7, 2019.*

**Medway Plaza redevelopment:** Mr. Boynton stated a meeting has been scheduled with one of attorneys on February 14<sup>th</sup> regarding the stormwater issue. Nothing to date has been received regarding the renovation of the Plaza. Selectman Crowley asked if we need to send an additional letter. Mr. Boynton stated no.

**Report to BOS Strategic Plan for making fields more viable for youth sports:** Selectman Crowley requested the deadline be moved to April 2019 and for Selectman D'Innocenzo and EPFRAC to be notified.

**Conservation Restrictions for Town Owned Land:** Mr. Boynton stated he met with the Upper Charles Trust, specifically, Mr. Wieler and Mr. Atwood who will look at where we are in the process noting he is not sure an update will be available by March. He will follow up with both gentlemen. Selectman Trindade stated the issues are that if by some chance they need to go to court that process could consume all the Town provided funding to manage these areas therefore we need to ensure that: (1) our documentation is clear, and (2) we structure an agreement to allow adjustments for the Town to provide any additional necessary legal fees. Mr. Boynton concurred that the biggest concern is liability and the exposure to the Trust. Mr. Boynton noted the need to discuss this topic with the Town's Legislative Delegation at the Legislative Breakfast scheduled for February 23<sup>rd</sup>.

### **Town Administrator's Report**

*There were no items for the Board to review.*

Capital Improvement Planning Committee (CIPC) – Feb. 19 Agenda: Town Administrator Boynton stated the CIPC will provide their initial recommendations at the next Selectmen's meeting on February 19<sup>th</sup>.

IWRMP Report – Draft Report to BOS by Next Week – March 18<sup>th</sup> Agenda: Town Administrator Boynton stated the report is in its final form and is reflective of discussions to date. The next steps relative to improvements to the water system quality and capacity include targeting funding for the full design and permitting which is a 1 to 1.5 year project for Annual Town Meeting (ATM). Haley & Ward will come in to talk to the Board prior to ATM. The Brentwood infrastructure project of which Weston and Sampson is still involved in designing, will not go before Town Meeting without a bid in hand and will probably be addressed at Fall Town Meeting.

President's Day Holiday – February 18 – Town Offices Closed: Town Administrator Boynton reminded all that Town Offices will be closed on Monday, February 18<sup>th</sup> in celebration of President's Day.

### **Town Administrator Out of Office:**

February 6 - 13, Vacation – Assistant Town Administrator Potter is Acting Town Administrator

February 15 – Norfolk County Retirement Board Meeting - Walpole

NEXT Regular Selectmen's Meeting – Tuesday, February 19, 2019, Holiday Week

### **Selectmen's Reports**

*There were no items for the Board to review.*

Selectman Crowley asked if the matching \$25,000 Cultural Council grant funds request has been addressed. Mr. Boynton stated this will be an article at ATM. Selectman Crowley asked what will be placed on the banners on Main Street. Mr. Boynton stated Ms. Saint Andre is heading the taskforce to determine the content. Ms. Johnston stated she has been researching what has been implemented in other towns. Selectman Crowley noted that the flags will be up for Memorial Day. He noted that the Board had questions on the 2<sup>nd</sup> quarter revenue numbers and requested that Finance Director Pratt address these at their next meeting on February 19<sup>th</sup>.

**At 8:20 PM Selectman Trindade moved that the Board enter Executive Session 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 the chair so declares [topic: Workplace Injury Incident – Medway Public Schools] with no intention of returning to open session and it was so voted by roll call. Selectman Foresto seconded. (Crowley - aye; Foresto - aye; Trindade - aye; White - aye).**

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