

**Board of Selectmen's Meeting
June 15, 2020 – 7:00 PM
Sanford Hall
155 Village Street**

Present: John Foresto, Chair; Glenn Trindade, Vice Chair (left meeting at 8PM); Dennis Crowley, Clerk; Richard D'Innocenzo, Member; Maryjane White, Member.

Participated Remotely; Dave D'Amico, Director, Department of Public Works (DPW); Pete Pelletier, Deputy Director.

Staff Present: Michael Boynton, Town Manager; Allison Potter, Assistant Town Manager; Carol Pratt, Finance Director, Barbara Saint Andre, Director, Community and Economic Development; Rich Boucher, Director, Information Systems; Sandy Johnston, Communications Director.

Others Participated Remotely: Armand Pires, Superintendent; Don Aicardi, Director, Finance and Operations; School Committee Members: Susan Dietrich, Chair, Tim Fagerson, Lauren Nassiff, and Cindy Sullivan.

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

Public Comments: There were none.

Discussion: Fiscal Year (FY) 2020 and 2021 School Budgets – Joint Meeting with School Committee
The Board were no materials for the Board to review.

Town Manager Boynton noted the extensive time both he and Dr. Pires have spent to close FY20 and plan for FY21. He reviewed the specific reductions on the Town side to absorb the potential 10% reduction in State aid in FY21 noting the State shortfall is anticipated to be between \$6-8 billion. There was further discussion on the impact of this shortfall on local aid. He noted that we don't know what will happen with the HEROES Act funding, of which \$7 billion is proposed to assist cities and towns in Massachusetts. He stated there does not seem to be any urgency for the US Senate to take up this bill noting that we are preparing for the potential of an additional 10% reduction, as it is much easier to prepare for reductions on July 1st versus later in the year. He reported that we are trying to be proactive and spoke to our legislators about the impact of a further reduction. He explained that the requested \$700,000 decrease in the school budget reflects level funding not level service.

Ms. Dietrich discussed the June 10th School Committee meeting noting their request from Dr. Pires on what a 10% cut to the school budget would entail. She reiterated that it is easier to plan for July 1st than further out in the year. The School Committee looked at opportunities for savings acknowledging none come without sacrifice with their goal of minimizing as much as possible the impact on students and staff. The results were a recommended total of \$860,000 in cuts noting the Town had asked for \$700,000. She stated there is a detailed list available for anyone interested. Dr. Pires stated that Mr. Boynton explained the situation very well already reiterating the \$700,000 gets us back to level service. He then reviewed other impacts on the school budget including: (1) an anticipated \$300,000 reduction in circuit breaker reimbursement estimated by looking at the last recession, (2) impact from the student opportunity act, (3) costs associated with reopening in the fall of \$100,000 for the Personal Protective

Equipment (PPE) requirements alone as well as additional transportation and cleaning costs, and (4) costs related to students being out of school for six months. Their strategy was to look at opportunities to make budget cuts now and to address additional costs later. He reported that since they did not incur transportation and cleaning costs in FY20 they will have a surplus that can be tapped to address unanticipated expenses and the need to supplement the revolving accounts such as food service and community education. He noted that the \$860,000 cut results in \$1.25 million of available funds voicing his concern that this will not be enough and further noting this does not address FY22 potential impacts.

Selectman Foresto asked if the \$100,000 in PPE expense is recoverable. Dr. Pires anticipated yes as the CARES Act provides funding to the school through Title 1, so he is hopeful some of those costs for PPE will be recoverable. Selectman White asked what the surplus is from this year. Dr. Pires stated they estimate \$900,000, however, \$450,000 will be needed to make right the revolving accounts. Selectman Crowley stated he was listening to the School Committee meeting and the savings were stated at \$400,000 due to closing of schools. Now the estimate is at \$900,000. He asked about this difference. Dr. Pires stated the \$400,000 refers to net savings after making the revolving accounts whole. Selectman Crowley asked for an explanation of the FTE cuts and where other cuts were made. Dr. Pires reviewed each of the specific budget cuts related to and not related to FTEs noting most are the result of not filling existing vacancies and new positions, use of paraprofessionals, LPNs versus RNs, and reduced enrollment. Selectman Crowley asked what specific teacher positions will be eliminated. Dr. Pires answered the three specific eliminated positions. Selectman Crowley asked for confirmation that none of these cuts are impacting class size. Dr. Pires confirmed noting from the student experience perspective, they feel this is the most judicious. Selectman Crowley asked the percentage of reductions that are due to enrollment reduction versus the need to cut the budget. Dr. Pires stated the improvement in scheduling and reduced enrollment resulted in the reduction. He stated he will send the community links to the June 1st School Committee meeting that details the cuts and impacts. Selectman Crowley stated that four or five years ago, the school introduced teacher coaches and asked how many we have and how effective they are. Dr. Pires stated there are seven total positions, three in K-6 and four serving 7-12. Selectman Crowley stated that the School Committee must think that is an effective use of budget. Ms. Dietrich explained that there is a high rate of new curriculum from the State and with the high volume of information coming to the teachers, these positions help translate these changes to teachers and implement consistency of the changes across the classrooms, especially for the elementary teachers who teach many subjects. Selectman Crowley stated there was controversy over hiring a curriculum director and asked if that position still exists and who oversees the curriculum. Dr. Pires reported that position no longer exists and was transitioned to the assistant superintendent noting these positions have been in Medway for eleven years in different iterations and are all teaching positions, which is important from the coaching perspective. He stated they continue to look at this and other models to see if they are fiscally and practically prudent. Selectman Crowley asked Mr. Boynton about the expectation for the school budget if there is a lower state aid cut, specifically if we are still committed that the school is going to cut \$700,000 noting the school was budgeted \$710,000 more in FY21. Mr. Boynton stated that we would proportionally go back and rework the number noting that himself and Dr. Pires have had positive discussions on how to address any additional cuts and will collectively work to address what comes down moving forward. He stated the FY22 budget planning starts in five months noting that we do not want to max out our capacity with the FY21 budget as we will need capacity to deal with FY22 impacts. Selectman Crowley stated the point he was making was will the school use any extra funds if the cut is not as large or will these be used to address FY22. Dr. Pires stated they are planning as best as possible to plan for FY22, noting they have no idea about additional unknown costs due to students being out of school for this extended period and wants to ensure we have enough latitude to continue to make good decisions for the students.

Mr. Fagerson asked about the status of the guidance positions since the last School Committee meeting. Dr. Pires stated enrollment reductions and the role change for who handles the 504 plans allowed for this reduction noting that we follow the guidance of the ratios of 225-1 from the National Guidance Counselor Association. He stated that a retirement in that position resulted in no impact on any current job. Mr. Boynton stated he can't emphasize enough the cooperation and level of dialog he has experienced with Dr. Pires and the School Committee and thanked them. Selectman Foresto stated that we need to be vigilant due to the changing circumstances requesting the Selectmen be kept informed. Selectman Crowley commended the working relationship with the Superintendent and Town Manager noting that Bellingham, Wrentham, and Franklin schools are not in that same situation because of their relationships and thanked Dr. Pires and the School Committee. Ms. Dietrich stated this has been a challenging budget season and is grateful for the collaboration.

COVID-19 Update – Town Manager

There were no materials for the Board to review.

Town Manager Boynton stated there is not much new to report. He reported there are currently four active Medway cases not counting the Medway County Manner noting the numbers are encouraging state-wide. The Town's actual out of pocket costs are at \$80,000 and noted this can be covered within existing budgets. He reported the fields are open and there is still a permit process to go through with the Parks & Recreation Director. He reported that a group from a university thought Hanlon field would be a good location for football practice without seeking a permit and noted this has been addressed. He stated we are still working on several other elements of the reopening process. He noted that we should expect a spike in cases as fifty new testing sites opened today and anyone who participated in any rally was encouraged to get tested. He stated there are many ancillary things we are dealing with as well, for example the Choate Park Splash pad and the extensive disinfecting requirements. The school will be doing summer programs. However, there will not be a full-blown summer recreation program due to need for safety. The Council on Aging is looking into reinstituting the lunch program via reservation and curbside take-away. Town Hall is now open by appointment and we are hoping to open doors by July 1st. He reported the challenges with some of directives that have come down from the State noting that we all would like to get back to a level of normalcy. Dr. Pires is waiting on what the school reopening requirements will look like in the Fall. The good news is the numbers are changing in right direction.

Approval of Minutes

The Board reviewed the draft minutes of June 1, June 5, June 8, and June 10, 2020.

Selectman Trindade moved that the Board approve the minutes of June 1, 2020. Selectman White seconded. Discussion: Selectman Crowley requested a change on page 3, line 121. He reported that he asked a representative of the Massachusetts Municipal Association (MMA) about extending Safe Harbor and they said that was already passed. Ms. Saint Andre explained the changes did not extend Safe Harbor overall but certain other portions of the application deadlines. She will reach out to the MMA representative. Selectman Foresto asked for an explanation about permit tolling. Mr. Boynton explained that the permit dates have been extended and "toll" means to hold in abeyance. **VOTE: 5-0-0.**

Selectman White moved that the Board approve the minutes of June 5, 2020. Selectman D'Innocenzo seconded. No Discussion. VOTE: 4-0-0.

Selectman White moved that the Board approve the minutes of June 8, 2020. Selectman D’Innocenzo seconded. No Discussion. VOTE: 4-0-0.

Selectman White moved that the Board approve the minutes of June 10, 2020. Selectman D’Innocenzo seconded. No Discussion. VOTE: 4-0-0.

Authorization to Expend Grant Funds: COVID-19 CARES Act - \$13,116.78

The Board reviewed the notice of grant award.

Ms. Pratt explained these funds were received from Health and Human Services and go through the Fire Department for expenses related to COVID-19.

Selectman D’Innocenzo moved that the Board authorize the expenditure of the COVID-19 CARES Act grant funds for reimbursement of COVID-19 related unbillable out of network insurance costs, PPE costs, and personnel costs in the amount of \$13,116.78 as presented. Selectman White seconded. No Discussion. VOTE: 4-0-0.

Vote: Acceptance of Deed to Forest Road

The Board reviewed the (1) memo from Susy Affleck-Childs and (2) deed to Forest Road.

Selectman Foresto referenced the many discussions the Board has had relative to Forest Road.

Selectman D’Innocenzo moved that the Board accept the deed to Forest Road as presented. Selectman White seconded. No Discussion. VOTE: 4-0-0.

Discussion/Vote: Letter to the Department of Housing and Community Development (DHCD) Requesting an Extension of the Town’s Safe Harbor Status

The Board reviewed the proposed letter to DHCD.

Selectman Crowley asked for the explanation of toll on line four of the letter. Ms. Saint Andre explained that this means being held in abeyance.

Selectman D’Innocenzo moved that the Board approve the letter as discussed and authorize the chair to execute it. Selectman White seconded. No Discussion. VOTE: 4-0-0.

Discussion: Cybersecurity State Grant Data Results

The Board reviewed the memo from Rich Boucher.

Mr. Boucher explained the initial assessment included ten categories referring the Selectmen to the first table on his memo noting there was an overall pass rate of 81%. He noted that he did not get the information separated for the Town and School and requested this be provided. Mr. Boynton explained the multiple-choice selections were not easy as many were all or nothing, so it depended on your personal tendencies. Mr. Boucher confirmed that the initial assessment test is robust. He explained following the initial assessment, there are four modules and explained the timeframe for each referring the Selectmen to the details on page two of his memo. He noted that the training for Module 2 was impacted with COVID-19 and the difficulty in getting staff to complete the training. He stated that he has just begun receiving the Phishing results noting the reports are received for each step: (1) looking at the e-mail, (2) opening e-mail, and (3) opening links. Selectman Crowley suggested he work with Mr. Boynton to improve staff participation.

Approval: Advance of Funds in Lieu of Borrowing - Brentwood Area Water Main Replacement Project - \$3,600,000.00

The Board reviewed the (1) memo from Joanne Russo and (2) Advance of Funds in Lieu of Borrowing Report.

Selectman Foresto noted that this is not a new project and has been discussed by the Selectmen many times.

Selectman D’Innocenzo moved that the Board approve an Advance of Funds In Lieu of Borrowing in the amount of \$3,600,000 for the Brentwood area water main replacement project as presented.

Selectman White seconded. Discussion: Selectman Crowley stated Town Meeting gave us authorization to spend the \$5.5 million and asked why we are waiting until September and if we could go out any quicker. Ms. Pratt stated the September timeframe is accurate as there are a series of accounting and finance steps that require completion. **VOTE: 4-0-0.**

Approval: Contract with Gravity Construction, Inc. for the Holliston and Brentwood Water Main Improvement Project Contract 1 - \$1,816,114.51

The Board reviewed the (1) memo from Dave D’Amico, (2) bid results, and (3) contract.

Mr. Boynton stated there are three pieces of this project. First is extending the Weston and Sampson engineering services contract to continue working on this project. Selectman Crowley asked why there are two separate contracts. Mr. Boynton stated there was concern about timely project completion if only one contractor was used and noted we could obtain better pricing with two separate vendors. Selectman Crowley asked if they will have to interface. Mr. D’Amico stated they are in two separate locations and will not be interconnecting.

Selectman D’Innocenzo moved that the Board authorize the chair to execute the contract with Gravity Construction for the Holliston and Brentwood water main improvement project - Contract 1 in the amount of \$1,816,114.51, subject to receipt of performance and payment bonds. Selectman White seconded. No Discussion: VOTE: 4-0-0.

Approval: Contract with KJS, LLC for the Holliston and Brentwood Water Main Improvement Project Contract 2 - \$1,494,745.32

The Board reviewed the (1) memo from Dave D’Amico, (2) bid results, and (3) contract.

Selectman D’Innocenzo moved that the Board authorize the chair to execute the contract with KJS for the Holliston and Brentwood water main improvement project - Contract 2 in the amount of \$1,494,745.32, subject to receipt of performance and payment bonds. Selectman White seconded. No Discussion: VOTE: 4-0-0.

Approval: Contract with Weston & Sampson Engineers, Inc. for Engineering Services for the Brentwood Area Water Main Replacement Project – Not to Exceed \$271,660

The Board reviewed the (1) memo from Dave D’Amico, (2) memo from Weston & Sampson, and (3) contract.

Selectman D’Innocenzo moved that the Board authorize the chair to execute the contract with Weston & Sampson for engineering services for the Brentwood area water main replacement project in an amount not to exceed \$271,660. Selectman White seconded. No Discussion: VOTE: 4-0-0.

Selectman Foresto stated that this is a lot of money therefore, the Selectmen will expect updates and asked when the project will begin. Mr. Pelletier stated they are targeting the project to begin mid-July. Selectman Foresto requested that DPW ensure the residents are notified. Selectman Crowley asked if the residents have already been notified. Mr. Pelletier stated a letter will be dropped off to each home. Selectman Crowley asked for a status on the bonds. Mr. Pelletier stated he expects to receive Gravity's tomorrow but is not sure about KJS. Selectman Crowley asked about the purpose of the blue flags on Pond Street. Mr. Pelletier stated curb locations are being mapped.

Reappointment Consideration: KP Law – Town Counsel

The Board reviewed the reappointment request letter from KP Law.

Mr. Boynton recommended that KP Law be reappointed noting that the slight increase in cost is not out of the ordinary. They are used strictly for general counsel.

Selectman D’Innocenzo moved that the Board reappoint KP Law as Town Counsel for a three-year term. Selectman White seconded. Discussion: Selectman Crowley asked if we are under budget. Ms. Pratt confirmed. **VOTE: 4-0-0.**

Annual Appointments

The Board reviewed the (1) List of incumbents who have requested reappointment, and (2) Fiscal Year 2020 attendance records for the Affordable Housing Committee, Affordable Housing Trust, Agricultural Committee, Board of Assessors, Capital Improvement Planning Committee, Cemetery Commission, Conservation Commission, Council on Aging, Department of Public Services Building Committee, Historical Commission, Medway Pride Day Committee, Medway Cultural Council, Memorial Committee, Thayer Governance Committee, and Zoning Board of Appeals.

Selectman D’Innocenzo moved that the Board appoint the incumbent board and committee members as listed on the meeting agenda. Selectman White seconded. Discussion: Selectman Crowley noted that a member on the Agricultural Committee has not attended any meetings and asked for the Selectmen’s position. Mr. Boynton stated he will send a letter to this individual noting the need for attendance in order to remain on the committee. Selectman Crowley asked about Scott Guyette and his lack of participation in the Christmas Parade Committee. Selectman White stated that he no longer lives in Town. **VOTE: 4-0-0.**

One-day Liquor License Applications

The Board reviewed the Police Chief’s recommendations for Jennifer McNeil and Linda Atkinson.

Selectman Foresto noted the need to discuss the reopening process for the Thayer Homestead. Mr. Boynton noted that this is scheduled for stage four and it is the Governor’s call as to the specific requirements. There was further discussion on how to allow for increased capacity.

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

Discussion/Vote: Temporary Outdoor Seating Application(s) – Liquor License Alteration of Premises

The Board reviewed the application(s) with departmental approvals.

This agenda item was not discussed.

Discussion/Vote: Passage of HEROES Act Request Letter to Federal Legislators

The Board reviewed the proposed letter to the Federal Legislators requesting passage of the HEROES Act.

Selectman Foresto asked if this content was from Senate President Spilka and if it has been modified. Mr. Boynton confirmed and commended Ms. Potter on her efforts. Selectman Foresto explained the purpose of the letter was to request municipal aid from the Federal legislators.

Selectman D’Innocenzo moved that the Board approve the letter to the Federal Legislators requesting passage of the HEROES Act as discussed. Selectman White seconded. No Discussion. VOTE: 4-0-0.

Action Items from Previous Meeting

The Board reviewed the Action Items dated May 4, 2020.

Route 109 Project: Town Manager Boynton stated the landscaping has been finished and he spoke with the state contact who reported they are working on the completion of minor punch list items.

Conservation Restrictions for Town Owned Land: Town Manager Boynton stated this is ongoing.

Follow up on Dog Policy/By-law update re: Allowing on Trails if on leash: The Selectmen agreed that this should be removed.

Assess Efficacy of Signage throughout Medway: Town Manager Boynton stated this is ongoing.

Review data results from Cybersecurity State Grant: The Selectmen agreed that this should be removed.

Lawrence Waste Trash & Recycling Rollout Plan: Selectman Crowley asked if there have there been a lot of questions. Ms. Johnston stated there have not. Selectman Crowley asked if the questions and answers can be seen by all. Ms. Johnston stated no as they are via a private chat. The Selectmen agreed that this should be removed.

Town Manager’s Report

There were no items for the Board to review.

Senior Work-Off Program: Town Manager Boynton stated that is very popular with both seniors and staff noting that due to COVID-19, we have not been able to use the program. His plan is to investigate how to jump start the program and get it going again as we have \$85,000 set aside for 85 seniors. Completion of under 75 hours per person is needed to reach the \$1,000 per senior. He stated that we do not want to penalize anyone for the current fiscal year and would like to hold everyone harmless and potentially match for at least same amount as last year if have not met the total requirement. He requested the Board of Assessors to provide guidance on how to address this.

Stormwater Issue – Medway Plaza: Town Manager Boynton stated that we completed a sampling in the Route 109 catch basins in front of the Medway Plaza and, of the four catch basins, the last one had an E. coli component. The property manager along with the Massachusetts Department of Environmental Protection were notified. Tomorrow morning, both Community Development and DPW will be in discussions with Town Counsel about next steps. Selectman Crowley asked if the state contacted us. Mr. Boynton stated no, we notified the state who said we need to notify the appropriate parties with a cease and desist notice. The owner told the Town to prove/verify that the E. coli was from them. There

was further discussion on how to test catch basins and how to prove where the contamination is originating from.

Summer Help & Main Street: Town Manager Boynton stated initially we were not going to bring in summer help, but we are planning to bring in some staff to complete field work and maintenance of the grass and plantings, etc. on Route 109. Selectman Crowley reported that he received a call from the Cassidy family regarding the completion of the plantings along their property and would like verification that this has been completed.

Fiscal Year 2020 Closeout: Town Manager Boynton stated we will be closing the current fiscal year in two weeks and we appear to be in good shape. There is one account that will go over budget, unemployment, that will be addressed by a departmental budget transfer. He reported that the current vendor is no longer supporting the dispatch system for Policy and Fire and we be hiring a new vendor to address this issue.

Glen Brook Groundbreaking – 10AM Thursday: Town Manager Boynton stated the Glen Brook Groundbreaking is on Thursday at 10AM.

Selectman Foresto reported that the plantings by Matt Buckley's house on Route 109 look great and asked if the sidewalk work will continue. Mr. Boynton stated it will continue to the Bellingham line and will be asphalt, some with curbing and some without. Selectman Foresto asked about the sidewalks on the Milford Street side. Mr. Boynton reminded the Selectmen that those were removed from the plan to deal with the FY21 budget cut as previously discussed.

Town Manager Out of the Office:

- June 23-July 3 - VACATION

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

Selectmen's Reports

There were no items for the Board to review.

Selectman White stated tomorrow is the election with voting open from 12-7pm. She reported that the Health Agent and emergency management team validated the set up as meeting COVID-19 guidelines and that masks are available. On a different subject, she stated that she found out that the Community Church is taking out all its pews and will be replacing them with chairs. She spoke with the assistant pastor requesting that this not occur, but he was unwilling to change the plan. She asked if we could investigate implementing a by-law related to historical structures to limit this from happening in the future. Selectman Crowley asked what they are doing with them and if there is anywhere the Town could store them. Ms. White stated they are being given to another historical church and being offering to parishioners. She noted that the original pews were installed in the in 1700s and replaced in 1860s.

Selectman Crowley reported that Franklin has pink slipped 103 employees and have level funded the budget. He read in the newspaper that they have been using free cash to supplement their budget. Mr. Boynton shared his experience as the Walpole Town Manager noting that the funds received from the prison were \$500,000 - \$750,000 yearly and the school department was requesting them, but they were was used for capital purchases. If they disappeared that would have left a \$750,000 budget gap. He would like State to not address just FY21, but beyond that as well.

Selectman Foresto asked how many absentee ballots were received and the number of registered voters. Selectman White stated she has received 677 absentee ballots and we have 9,000 registered voters.

Mr. Boynton thanked the Selectmen for their leadership and support and for setting the course for all of us during this difficult period.

At 8:48 PM, Selectman D’Innocenzo moved to adjourn. Selectman White seconded. VOTE: 4-0-0.

Respectfully submitted,
Liz Langley
Executive Assistant
Town Manager’s Office