

**Board of Selectmen's Meeting
October 19, 2020 – 7:00 PM
Sanford Hall
155 Village Street**

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

Absent: Richard D'Innocenzo, Clerk.

Staff Present: Michael Boynton, Town Manager; Allison Potter, Assistant Town Manager; Barbara Sainte Andre, Director, Community and Development; Carol Pratt, Finance Director.

Participated Remotely: Dave D'Amico, Director, Department of Public Works (DPW); Peter Pelletier, Deputy Director, DPW; Stephanie Carlisle, Compliance Coordinator, DPW.

Others Participated Remotely: Tina Chemini, TC Scoops.

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

Public Comments: There were none.

Selectman Crowley read a statement (attached to the end of the minutes) to address an e-mail he received from Medway Marches regarding a comment he made at the September 8th Selectmen's meeting during the discussion about the Senate and House bill related to Police reform. Selectman White stated her appreciation of Mr. Crowley's efforts on behalf of the residents and the Selectmen agreed.

Public Hearing: TC Scoops LLC Change in Category of On-Premises All Alcohol License to Wine and Malt with Cordials/Liqueurs

The Board reviewed the alcohol license application.

Selectman Foresto moved to open the public hearing for TC Scoops change in category of the on-premises all alcohol License to wine and malt with cordials/liqueurs. Selectman White seconded. Discussion: There was an explanation of the types of alcohol licenses currently available in Medway.
VOTE: 4-0-0.

Ms. Chemini stated this is a license she wanted to apply for years ago which was not available from the Town at that time.

Selectman Foresto moved to close the public hearing for TC Scoops change in category of the on-premises all alcohol License to wine and malt with cordials/liqueurs. Selectman White seconded. No Discussion. VOTE: 4-0-0.

Selectman Foresto moved that the Board approve the change in category of the on-premises all alcohol License to wine and malt with cordials/liqueurs for TC Scoops. Selectman White seconded. No Discussion. VOTE: 4-0-0.

Selectman Crowley asked Ms. Chemini what her most popular cordial drink is. Ms. Chemini stated the B52 which is like a frozen mudslide.

Approval of Minutes

The Board reviewed the draft minutes of October 5 and October 13, 2020.

Selectman Foresto moved that the Board approve the minutes of October 5, 2020. Selectman White seconded. No Discussion. VOTE: 4-0-0.

Selectman Foresto moved that the Board approve the minutes of October 13, 2020. Selectman White seconded. No Discussion. VOTE: 4-0-0.

Vote: Intention to Layout Applegate Road as a Public Way

The Board reviewed the road layout plan.

Ms. Saint Andre stated this is a preliminary vote only for the intention to lay out the road and refer this to the Planning Board. In two weeks, there will be a public hearing at the next Selectmen's meeting. Selectman Crowley asked for the date of the Planning Board hearing. Ms. Saint Andre reported next Tuesday night. Selectman Crowley asked why this had to be brought back to Selectmen. Ms. Saint Andre stated a public hearing and a vote to lay out the road is required following review by the Planning Board and then this goes before Town Meeting for vote as part of the street acceptance process.

Selectman Foresto moved that the Board of Selectmen express its intent to lay out as a public way Applegate Road, for its entire length from its intersection with Ellis Street to its intersection with Coffee Street, as shown on the plan "Amended Definitive Subdivision Applegate Farm Medway, Massachusetts", dated February 20, 2013, latest revision April 28, 2014, prepared by GLM Engineering Consultants, Inc., and to refer this matter to the Planning and Economic Development Board for a report and recommendation. Selectman White seconded. Discussion: Selectman Foresto asked if Selectman Crowley got his questions from the last Selectmen's meeting answered. Selectman Crowley confirmed. VOTE: 4-0-0.

Approval: Contract with Prism Energy Services for Multiple High School and Middle School Electrical Projects - \$194,250

The Board reviewed the (1) memo from Stephanie Carlisle, and (2) contract.

Ms. Carlisle noted each of the six conservation projects will be completed by Prism Energy Services and explained the financing of the projects. Selectman Crowley asked for clarification and confirmation as it stated in the memo that Prism is a state contract vendor and each contract is under \$100,000 so there was no need to go out to bid even though the total project is over \$100,00. Ms. Pratt explained since this is a state contract vendor there is no need to go out to bid. Ms. Carlisle then explained each of the six specific conservation projects.

Selectman Foresto moved that the Board authorize the Chair to execute contract with Prism Energy Services for multiple high school and middle school electrical projects in the amount of \$194,250 as presented. Selectman White seconded. No Discussion. VOTE: 4-0-0.

Approval: Letters of Understanding with Haley and Ward for:

- **Oakland Water Transmission Main Project - \$216,500**
- **Oakland Street Water Supply Well Replacement Project - \$63,300**

The Board reviewed the (1) memo from Dave D'Amico, and (2) letters of understanding from Haley and Ward.

Mr. Boynton stated these are projects not required to go out for bid noting our experience with Haley and Ward who knows the Town water system very well. He then explained the projects reminding the Selectmen that Mr. D'Amico explained these projects in detail at their last meeting.

Selectman Foresto moved that the Board authorize the Chair to execute the letter of understanding with Haley and Ward for the Oakland Water Transmission Main Project in the amount of \$216,500 as presented. Selectman White seconded. No Discussion. VOTE: 4-0-0.

Selectman Foresto moved that the Board authorize the Chair to execute the letter of understanding with Haley and Ward for the Oakland Street Water Supply Well Replacement Project in the amount of \$63,300 as presented. Selectman White seconded. No Discussion. VOTE: 4-0-0.

Vote Recommendations: Fall Town Meeting Warrant

The Board reviewed the November 16, 2020 Fall Town Meeting Warrant.

Selectman Trindade explained the process for approval of the warrant.

ARTICLE 1: (Raise and Appropriate Funds: FY21 Operating Budget)

Mr. Boynton stated this should be a To Be Determined (TBD) at this time.

Selectman Crowley moved that the Board vote Article 1 as to be determined. Selectman White seconded. No Discussion. VOTE: 4-0-0.

ARTICLE 2: (Prior Year Bills)

Mr. Boynton stated these are prior year bills that were received late due to COVID. Selectman Crowley asked what the \$19,144 bill was for. Ms. Potter stated it was equipment for the water supply.

Selectman White moved that the Board approve Article 2. Selectman Foresto seconded. No Discussion. VOTE: 4-0-0.

ARTICLE 3: (Accept Gift of Land: 70 Summer St)

Selectman White moved that the Board approve Article 3. Selectman Crowley seconded. No Discussion. VOTE: 4-0-0.

Selectman Crowley stated there is some usable land in this parcel; it is not just the dead trees by the entrance to the High School. The usable portion of the land may be able to connect to the trails.

ARTICLE 4: (Fund Affordable Housing Production Plan)

Mr. Boynton stated we have to have one to be certified by the state for Safe Harbor status and as well as being able to apply for available Housing Choice grant funding.

Selectman White moved that the Board approve Article 4. Selectman Foresto seconded. No Discussion. VOTE: 4-0-0.

ARTICLE 5: (Fund Fence at Gurnsey Dog Park)

Mr. Boynton stated this was requested by the Historical Commission.

Selectman White moved that the Board approve Article 5. Selectman Crowley seconded. No Discussion. VOTE: 4-0-0.

ARTICLE 6: (Street Acceptance – Applegate Rd)

Selectman White moved that the Board vote Article 6 as to be determined. Selectman Crowley seconded. No Discussion. VOTE: 4-0-0.

ARTICLE 7: (Amend Zoning Bylaw – Outdoor Lighting)

Selectman White moved that the Board approve Article 7. Selectman Crowley seconded. No Discussion. VOTE: 4-0-0.

Ms. Saint Andre explained comments the PEDB received at the public hearing, which has been continued, have been incorporated. There was discussion on the changes that came from the residents. Selectman Crowley asked if any comments changed the Planning Board's intent. Ms. Saint Andre answered they did not.

ARTICLE 8 (Amend Zoning Bylaw: Electric Power Generation, Alternative Energy and Renewal Energy)

Selectman Foresto moved that the Board approve Article 8. Selectman White seconded. No Discussion. VOTE: 4-0-0.

ARTICLE 9: (Amend Zoning Bylaw: Schedule of Uses)

Selectman White moved that the Board approve Article 9. Selectman Foresto seconded. No Discussion. VOTE: 4-0-0.

ARTICLE 10: (Amend Zoning Bylaw: Multi-Family Housing)

Selectman White moved that the Board approve Article 10. Selectman Foresto seconded. No Discussion. VOTE: 4-0-0.

ARTICLE 11: (Amend Zoning Bylaw: Setbacks)

Selectman White moved that the Board approve Article 11. Selectman Crowley seconded. No Discussion. VOTE: 4-0-0.

Selectman Crowley asked for confirmation that existing structures are grandfathered. Ms. Saint Andre confirmed.

ARTICLE 12: (Amend Zoning Bylaws: Environmental Standards)

Selectman White moved that the Board approve Article 12. Selectman Crowley seconded. No Discussion. VOTE: 4-0-0.

ARTICLE 13: (Amend Zoning Bylaw: Miscellaneous Housekeeping)

Selectman White moved that the Board approve Article 13. Selectman Crowley seconded. No Discussion. VOTE: 4-0-0.

ARTICLE 14: (Amend Zoning Bylaw: Adaptive Use Overlay District)

Selectman White moved that the Board approve Article 14. Selectman Foresto seconded. No Discussion. VOTE: 4-0-0.

ARTICLE 15: (Amend Zoning Bylaws: Definitions – Incidental Accessory Object)

Ms. Saint Andre explained the reason that many items were crossed off was they are already being addressed by existing zoning bylaws.

Selectman White moved that the Board approve Article 15. Selectman Foresto seconded. No Discussion. VOTE: 4-0-0.

ARTICLE 16: (Amend Zoning Bylaw: Building Size)

Selectman White moved that the Board approve Article 16. Selectman Foresto seconded. No Discussion. VOTE: 4-0-0.

ARTICLE 17: (Amend Zoning Bylaw: Central Business District Special Permits)

Selectman Crowley noted his intent to not vote to approve this article due to the language under section E.2., specifically the 50% gross floor area that must be commercial. Mr. Boynton requested a change be made to include “or municipal” in line 2. Selectman Foresto asked if the 50% amount could be changed by a Planning Board special permit. Ms. Saint Andre stated no. Selectman Trindade explained the historical experience with developers in this area and the inability to develop strictly for commercial uses hence the change to mixed residential/commercial.

Selectman D’Innocenzo moved that the Board vote Article 17 as to be determined. Selectman D’Innocenzo seconded. No Discussion. VOTE: 4-0-0.

ARTICLE 18: (Citizens’ Petition: Board of Selectmen Change to Select Board)

Selectman Foresto recommended waiting to vote on this article until all Selectmen are present. Mr. Boynton will invite the lead petitioner to the next Selectmen’s meeting. Selectman Trindade explained how articles are included on the Town Meeting warrant.

Selectman White moved that the Board vote Article 18 as to be determined. Selectman Foresto seconded. No Discussion. VOTE: 4-0-0.

Presentation: Five-Year Budget Forecast

The Board reviewed the five-year budget forecast.

Ms. Pratt stated this is a requirement in the by-law and is a good planning process. She noted that projections are more difficult to forecast farther out and directed the Selectmen to the assumptions made. Selectman Forest asked if debt services is actual. Ms. Pratt confirmed noting that it also includes potential borrowing for a Town Hall building and a Parks project. Mr. Boynton stated different scenarios were explored for a Town Hall building noting the Facility Study report will be presented to the Selectmen in December. He noted that debt falling off in 2025 and 2026 would allow us to look at funding a future project. Selectman Crowley asked if anything else has been bonded. Ms. Pratt stated in 2022 the only addition is field work and pickle ball court construction in the amount of \$250,000. Selectman Foresto asked about the addition of a municipal building. Mr. Boynton stated \$9 million was added starting in 2023 for a municipal building. Selectman Crowley asked for an explanation on how

bonding is going down yearly but more debt was added. Mr. Boynton explained the specifics of how the bonding was decreased yearly. Selectman Foresto noted that Health Insurance was at 6% asking what the increase was last year. Mr. Boynton stated 7.5% reporting that he had asked about the trending costs and that was why 6% was used. He noted this will need to be revisited in the next two months. Selectman Foresto asked if holding Other Post-Employment Benefits (OPEB, health insurance for retirees) consistent all five years is the right strategy. Mr. Boynton confirmed explaining that once Norfolk County Retirement is fully funded, which is anticipated in 2029, that will allow the Town the ability to address OPEB. Selectman Crowley asked for confirmation that the state aid projection for next year is lower than the number we carried at Town Meeting. Ms. Pratt confirmed. Selectman Crowley stated that the state aid projection from the governor will jump \$1million asking for confirmation that it is not included in this forecast. Ms. Pratt confirmed. Selectman Crowley asked why in 2021-2022 there is only 1% increase in salaries. Ms. Pratt stated that the collective bargaining agreements have not been completed as of this time. Selectman Foresto asked if we receive the additional \$1million in state aid will it fall to free cash. Mr. Boynton confirmed. Mr. Boynton noted that the \$567,000 deficit includes items that we cut out of the budget, i.e. Medway Day, etc. noting that this forecast also includes the continued \$700,000 to schools and the Exelon tax relief plan. Selectman Crowley stated this is the best 5 year forecast he has seen.

Discussion/Vote: Fiscal Year 2022 Budget Policy

The Board reviewed the proposed Fiscal Year 2022 budget policy.

Selectman Foresto moved that the Board approve the Fiscal Year 2022 budget policy as presented.

Selectman White seconded. Discussion: Selectman Trindade explained the purpose of the budget policy and direction this provides to the departments. Mr. Boynton thanked Ms. Pratt and Ms. Potter on their efforts. **VOTE: 4-0-0.**

Action Items from Previous Meeting

The Board reviewed the Action Items dated October 5, 2020.

Develop Policy for Waiving of a Performance Bond: Selectman Crowley stated this can be removed from the action item list. The Selectmen agreed.

Charging Fees for Fire Systems Testing for New Construction: Selectman Crowley requested a due date on this action item. Town Manager Boynton will obtain this from the Fire Chief.

Town Manager's Report

There were no items for the Board to review.

Early Voting Update: Town Manager Boynton commended Ms. White, the poll workers, and senior workers on their early voting efforts noting it is a difficult process. Selectman Trindade commended the group as well. Ms. White reported that they have processed 5,000 early voting ballots, over 300 in the last three days. She thanked and commended the election workers. Mr. Boynton thanked the Fire Department for relocating the trucks daily allowing the for the use of the building.

New DPW Facility Update: Town Manager Boynton stated we are hoping to have the occupancy permit at the end of this week or next week at the latest. He reported that some of furniture has been moved in noting it is an extremely functional and frugal facility. They are working on completing the punch list. He and the Conservation Agent reviewed the landscaping needs and retention basins resulting in additional punch list items. Mr. Boynton offered the Selectmen a tour of the facility. Selectman Crowley asked if the solar panels are up and running. Mr. Boynton confirmed. Selectman Crowley asked if we anticipate an electric bill. Mr. Boynton stated that initially we will be anticipating an electric bill.

Selectman Foresto asked about the status of battery storage. Mr. Pelletier stated he has contacted vendors for pricing and Ms. Carlisle is investigating the financial efficacy of battery storage. Mr. Boynton reported that we have requested an extension of our leases on Broad Street to the end of November or December to allow for the time to move all the equipment.

Johnson Park Dedication – Saturday Morning: Town Manager Boynton reminded all of the dedication on Saturday at 11am on School Street.

COVID Update: Mr. Boynton reported that we continue to monitor expenses and will be submitting for CARES Act funding. He reported we currently have seven active cases. He stated we are not cancelling Halloween and will provide all the information to parents and residents directing them to the State recommendations and request that they make appropriate decisions.

Town Manager Out of the Office: Town Manager Boynton stated he will be out of the office on Thursday, October 22.

NEXT Regular Selectmen's Meeting – Monday, November 2, 2020

Selectmen's Reports

There were no items for the Board to review.

Selectman Crowley thanked DPW for addressing the water issue across from the Robinson home. He asked about the intent of leaving the patch on Holliston Street where the new water mains are located as he has received a number of resident complaints and requested that this be smoothed out, if possible. Mr. Pelletier will have this addressed. He then asked if fans are allowed at high school sports games. Ms. Johnston stated only two parents are allowed at the home games. Selectman Crowley asked how they could be informed of the scores/outcomes of these events. Ms. Johnston stated there is a bi-weekly newsletter that the High School Athletic Director sends out and will reach out to him to have the Selectmen added to that distribution.

Selectman White reported that early voting will continue in the Fire Station behind Town Hall for the rest of this week, this weekend, and next week.

Selectman Trindade explained the ceremony that will take place this Saturday for renaming the North Street Park after Lieutenant Colonel Harry "Buz" Johnson, Jr. and the North Street Playground be rededicated to Lillian Hodgson. He then read the proclamation that will be read at the ceremony and invited all who would like to attend. He then requested that DWP address a fallen tree that is blocking the Idylbrook walking trail past the baseball diamond on the south side. Mr. Pelletier stated he will address this issue.

At 8:22PM, Selectman Foresto moved that the Board adjourn. Selectmen White seconded. VOTE: 4-0-0.

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

Selectman Crowley's Statement Follows:

I want to address an e-mail I recently received from the group Medway Marches.

On September 8th, our Board had a discussion on the proposed police reform bills that are in conference committee on Beacon Hill. One was the Senate Bill and the other the House Bill. At that time, I spoke about my concerns with the language of the bills, but not the underlying need for change. In fact, I specifically stated that I support Police Reform but did not agree with the current bills as written. In particular, one area that I discussed was my concerns about the proposed makeup of the so-called police officer standards & accreditation committee. As I said at that meeting, and again the following week, my concern was and is the potential imbalance or inequitable make-up of the committee by specifically not providing proper representation for the nearly 14,000 municipal police officers here in Massachusetts. There are 14,000 hard working men and women law enforcement professionals who may only have one voice representing them on a committee that would have the power to "certify, renew, revoke or otherwise modify" the Police Officers ability to continue in their careers. I am troubled by that, and in my efforts to convey that frustration, my apparent lack of eloquence or precision of the spoken word has caused some frustrations for some residents here in Medway, and it bothers me that my words were misconstrued. To those who were offended, please know and be assured that I would never engage or be part of the type of behavior or conduct for which some have accused me of. That is simply not me or who I am. And while I will certainly take responsibility for and ownership of the words that I used that night, I believe that those who truly know me or who have worked alongside of me here for the past two decades will agree that my practice and persona have never been anything other than the support of and assistance to the people of Medway.....all the people of Medway. I love this Town and have great respect for our residents, our businesses, and our organization.

We in Medway are deeply blessed with a fine Police Department with outstanding officers who do an amazing job. As much as I have a responsibility to support our residents, so too do I have a responsibility to support those officers, particularly when a flawed piece of Legislation, in my opinion, could do them as individuals and our Department harm. I believe I have that responsibility and will continue to fight passionately for our Police Department and the residents of Medway.

As for the September 8th Board of Selectmen's meeting, I am sorry for the difficulty that my comments generated following that meeting. As a nation, as a state, and as a Town I recognize the heightened sensitivity and awareness that is occurring around us. My comments and my feelings were not presented to cause discomfort or anger, but rather to highlight that the proposed method of fixing one problem may ultimately cause many other problems. It is therefore better to get it right now. And make no mistake, I wholeheartedly support Police Reform.

I respect and appreciate each and every resident of Medway and wish to thank all those who volunteer their time and those who work to keep us safe.

Thank you for allowing me to serve the residents of Medway.