

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

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

Staff Present: Michael Boynton, Town Manager; Allison Potter, Assistant Town Manager; Barbara Saint Andre, Community and Economic Development Director; Sandy Johnston, Communications Director; Allen Tingley, Police Chief.

Participated Remotely: Stephanie Carlisle, Compliance Coordinator, Department of Public Works (DPW); Peter Pelletier, Deputy Director, DPW; Dave D’Amico, Director, (DPW); Stefany Ohannesian, Administrative Assistant, Community and Economic Development; Carol Pratt, Finance Director; Joanne Russo, Treasurer/Collector.

Others Participated Remotely: Jack Wolfe, Affordable Housing Committee Candidate; Lenny Mitchell, Chair, Capital Improvement Planning Committee (CIPC), Karen Nowicki, CIPC Candidate; Valerie Shinas, Cultural Council Candidate; Investment Advisory Committee (IAC): Chris Lagan, Frank Rossi; Odyssey Advisors: Kurtis Thompson, Actuarial Consultant; Parker Elmore, President and CEO; Gorman Richardson Lewis Architects (GRLA): George O’Neill, Associate, Senior Project Manager; Scott Richardson, President; Anita Sandberg, Director, Interior Design.

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

Public Comments: Mr. Martin Dietrich noted that tonight the Selectmen will vote on the Inclusion, Diversity, & Equity Committee. He stated his appreciation of the committee charge and noted he had a couple of suggested changes which are shown in red text in the updated document provided to the Selectmen. He specifically noted the need to strive to include someone who is an under-represented minority. Town Manager Boynton confirmed the first suggested modification was included noting the potential challenge of finding five under-represented minority residents to participate in this committee, hence the inclusion of “at least one” in the document for the second requested modification. Mr. Dietrich reiterated his suggestion that all five citizens-at-large should be under-represented minorities and the importance of including the word “should” to allow for the potential lack of feasibility. Mr. Boynton noted his concern regarding the legal impact of the word should, which most likely would be interpreted as must. Selectman Trindade recommended anyone interested in participating should have a resume and e-mail of interest ready for submission.

Ms. Rorke noted that the Town website does not reflect the name change voted at the November Town Meeting of Select Board and asked what is actually being voted on at this evening’s meeting. Selectman Trindade stated it will take time to implement the name change noting that the by-law does not impact the legal name until we have actually updated the Town Charter, which will be discussed tonight. Selectman White stated the by-law change at Town Meeting must still be approved by the State Attorney General, which has not occurred. There was further discussion about the process of by-law change noting the timeframe of thirty days to submit the requested changes to the State and ninety

days for a decision from the State. Ms. White in her role of Town Clerk has already submitted this to the State and we are awaiting State approval.

Approval of Minutes: November 2, November 16, and November 25, 2020

The Board reviewed the draft minutes of November 2, November 16, and November 25, 2020.

Selectman Foresto moved that the Board approve the minutes of November 2, 2020. Selectman D’Innocenzo seconded. Discussion: Selectman White noted the inclusion of the chat discussion was appreciated. It was noted that Selectman Trindade requested these to be included. **VOTE: 5-0-0.**

Selectman White moved that the Board approve the minutes of November 16, 2020. Selectman Foresto seconded. No Discussion. VOTE: 5-0-0.

Selectman Foresto moved that the Board approve the minutes of November 25, 2020. Selectman White seconded. No Discussion. VOTE: 5-0-0.

Appointment Consideration:

- **Affordable Housing Committee (AHC) Jack Wolfe**
- **Capital Improvement Planning Committee (CIPC) – Karen Nowicki**
- **Cultural Council – Valerie Shinas**

The Board reviewed the (1) AHC candidate’s letter of interest and biography, (2) CIPC candidate’s resume and Chair’s recommendation, and (3) Cultural Council candidate’s e-mail of interest and Chair’s appointment recommendation.

Selectman Trindade stated his support of the appointment of Jack Wolfe noting he is currently on the Affordable Housing Trust. Mr. Wolfe reviewed his background and committee interest including a deep interest in affordable housing. He served on the Affordable Housing Trust, Warrant Committee, and Senior Housing Committee as a Medfield resident. He noted the AHC is short on membership and is pleased to volunteer to support the membership.

Selectman Foresto moved that the Board appoint Jack Wolfe to the Affordable Housing Committee for a two-year term. Selectman White seconded. No Discussion. VOTE: 5-0-0.

Selectman Trindade explained the purpose of the CIPC noting that Ms. Nowicki has already met with the CIPC members. Ms. Nowicki reviewed her background and committee interest noting she has attended a couple of their meetings, is a twenty-three year resident of Medway, and while raising her son has been active with Medway Youth Baseball, Pop Warner, Medway Football, and is currently the treasurer of her homeowners association for Claybrook II.

Selectman Foresto moved that the Board appoint Karen Nowicki to the Capital Improvement Planning Committee for a two-year term. Selectman D’Innocenzo seconded. No Discussion. VOTE: 5-0-0.

Ms. Shinas reviewed her background and committee interest including being a one year resident of Winthrop Street, her enjoyment of the beauty of the area, her role as professor of language and literacy facilitates working with a lot of those in the arts, as well as her introduction to and discussions with Gail Hachenberg about this Council, and noted she has been attending their meetings.

Selectman D’Innocenzo moved that the Board appoint Valerie Shinas to the Cultural Council for a two-year term. Selectman White seconded. No Discussion. VOTE: 5-0-0.

Vote: Acceptance of Deed – 70 Summer Street

The Board reviewed the deed.

Ms. Saint Andre reminded all that there was a warrant article for the Selectmen to accept the deed to 70 Summer Street at the November Town Meeting. She reported that we are waiting for the Richardson family to deliver the deed tomorrow. She stated that the Town is grateful to them for this donation. Selectman Crowley reminded the residents that this is the family of John Richardson and the land is the area of dead trees near the High School entrance and a substantial amount of usable land next to Hanlon Field. He thanked the family for the donation.

Selectman Foresto moved that the Board accept the deed to 70 Summer Street as presented. Selectman D’Innocenzo seconded. No Discussion. VOTE: 5-0-0.

Authorization to Expend Grant Funds:

- **Massachusetts Department of Environmental Protection (MassDEP) Recycling Dividends Program - \$9,600**
- **Massachusetts Emergency Management Association (MEMA) 2020 EMPG Grant - \$3,500**

The Board reviewed the (1) Mass DEP Notice of Grant Award Form, (2) MassDEP grant award letter from Governor Baker, (3) MassDEP grant award letter from MassDEP Commissioner Suuberg, (4) MassDEP contract, (5) EMPG Notice of Grant Award Form, (6) e-mail notification of EMPG grant from MEMA, (7) contract.

Ms. Carlisle stated this is an annual grant and is based on points derived from the recycling programs noting we have received the most points to date with this grant and we plan to further expand our recycling using these funds. Selectman Trindade commended Ms. Carlisle on her efforts.

Selectman Foresto moved that the Board authorize the expenditure of the MassDEP Recycling Dividends Program grant for continued program and policy implementation maximizing reuse, recycling, and waste reduction in the amount of \$9,600 as presented. Selectman White seconded. No Discussion. VOTE: 5-0-0.

Chief Tingley stated this is an annual grant that allows for purchase of emergency management equipment for Fire, Police, and DPW. He listed the specific equipment to be purchased with these funds.

Selectman D’Innocenzo moved that the Board authorize the expenditure of the MEMA 2020 EMPG grant for emergency preparedness supplies in the amount of \$3,500 as presented. Selectman White seconded. No Discussion. VOTE: 5-0-0.

Selectman Crowley asked if the Police have stepped up traffic enforcement. Chief Tingley confirmed noting that this has been an ongoing process. Selectman Trindade noted there is a public document detailing traffic issues which is available upon request. Chief Tingley explained how traffic enforcement is staffed and funded.

Presentation: Fiscal Year 2020 Other Post Employee Benefits (OPEB) Actuarial Valuation Report by Odyssey Advisors

The Board reviewed the (1) Fiscal Year 2020 Other Post Employee Benefits (OPEB) Actuarial Valuation Report, and (2) PowerPoint presentation.

Mr. Boynton stated this is an obligation to be completed every two years. Ms. Pratt stated this is an important report which has a major impact on both our financial liability and borrowing and then introduced Mr. Thompson. Ms. Pratt explained that OPEB are the benefits paid to our retirees now and into the future.

Mr. Thompson stated there is also an interim valuation completed each year along with the valuation every two years and then reviewed his PowerPoint presentation. He reviewed the Odyssey company history and experience as well as his specific background. He then explained the definition of Government Accounting Standards Board (GASB) 74/75, implemented in Fiscal Year (FY) 2018, the impact on investment and funding policies, the process of valuation, measurement, and reporting, and the financial impacts to the Town. He then reviewed the actual results of total and net liability from FY2019 and FY2020 noting the positive impact. He then reviewed the expenses from FY2019 to FY2020 noting the decrease in expenses explaining that these savings are amortized over a period of time so they will continue to have a positive financial impact on the Town. He explained that the service cost is the benefits active employees accrued in the current year and the employer share of cost is what has been paid out to retirees. He noted the discount rate increased from 4.75% to 6.5% resulting from both funding and investment policies along with the change in the Medicare Supplement plan, specifically, a decrease in expenditures. He then reviewed what impacts the discount rate. He reviewed the key actuarial assumptions including discount rates, termination rates, retirement rates, election percentage, and healthcare cost inflation noting that these are assumptions hence the need for repeated valuations. He noted the well managed cost for the Medicare Preferred plan as these plans impact the OPEB liability more than the non-Medicare health plans. He reviewed the OPEB funding ratios across the state noting 34% of Towns are less than 1% funded, Medway is at 5.5% and in the 50th -75th percentile noting Medway has done a good job funding OPEB. He then reviewed the comparison of Medway to surrounding towns and the state average noting that Medway has the lowest per participant cost, a low per covered retiree cost, and equalized valuations percentage. He then reviewed the service cost per active employee noting that Fire and Police are higher as they tend to retire sooner than other employees. He lastly reviewed a future projected cost of the plan noting the longer out the projections, the less accurate. He noted the last two columns on the final slide reflect that this plan is a mature and stable plan. Selectman Trindade noted how far we have come over the past five years of managing this fund and explained how this is funded. Mr. Boynton thanked the presenters and noted that the following positively impacts OPEB: (1) we continue to fund OPEB \$300,000 on an annual basis, (2) our Finance, Human Resources, Accounting departments were aggressive in negotiating our healthcare costs, (3) we have been actively funding our pension liability, and (4) the impact of a fully funded Norfolk County Retirement plan will increase our ability to further fund OPEB. Selectman Crowley asked for an explanation of the cost of the family PPO medical plan. Mr. Boynton explained that we are required to have a PPO plan and this plan has a much higher premium cost and allows for faster movement through the healthcare system. Selectman Crowley asked for the percentage the retiree has to spend of the \$60,000 per year cost. Mr. Boynton stated they pay 50% or \$30,000. Mr. Thompson reported that there is only one retiree on that plan. Selectman Crowley had further questions about the formulas used to determine the numbers discussed and requested they be shared with the Selectmen. Mr. Elmore noted that last year's assets were anticipated at 4.75% but were 4.07%.

Report from the Investment Advisory Committee (IAC)

The Board reviewed the (1) memo from Joanne Russo and (2) Proposed revision to OPEB Trust Investment Policy Statement.

Selectman Trindade explained that the IAC directs how we invest OPEB funds. Ms. Russo stated that committee members Frank Rossi and Chris Lagan will be addressing this agenda item. Mr. Rossi

explained they met with Rockland Trust to review this fund. He reviewed the history of the committee, how Rockland Trust was chosen to manage these funds, and the contribution history to date. He noted that the fund is annualizing at a 16.25% return. It was noted that prior to the IAC investing these funds, we were earning 2% in Certificates of Deposit. Mr. Rossi reported that 80% is allocated to the growth side and is very diverse and 20% is allocated to the fixed income side noting there are periods of volatility, but it is long term investing. Selectman Crowley asked about the need to reduce the number of citizens at large members. Ms. Russo explained that this would allow for an odd number for voting purposes.

Selectman Foresto moved that the Board amend the composition of the Investment Advisory Committee to decrease the total number of the citizens at large from three to two members. Selectmen D’Innocenzo seconded. No Discussion. VOTE: 5-0-0.

Presentation: Town Wide Facility Study Report by Gorman Richardson Lewis Architects (GRLA)
The Board reviewed the executive summary.

Mr. Boynton stated we were hoping for a report months ago but the study was delayed due to COVID-19. He stated the effort was very thorough noting we are not expecting the Selectmen to lay out a plan as there is a lot of information to review and digest. This is a high-level review of the condition and needs of the buildings along with any immediate needs.

Mr. O'Neill noted Scott Richardson and Anita Samberg were also participating and explained their roles in the project. He explained the specific objectives requested for review of each of the buildings including site elements, architectural elements, building envelope elements, structural components, mechanical, plumbing, electrical, and fire protection systems, code issues and HAZMAT issues. He noted the summaries for each building are reported by objective including a prioritization of the recommended repair or replacement of any element or system and the estimated costs for each are broken out over the next 1, 5, 10, and 20-year periods. He then discussed who completed each of the reviews, each of the twelve buildings evaluated, the evaluation process of both physical and functional issues, and how the results of their study were presented in the executive summary. Mr. Boynton requested that the discussion focus on a high-level review of each building and next steps. Due to technical audio issues for Mr. O'Neill and the volume of information provided, a separate workshop meeting with the Selectmen to review these results more in depth was requested. Selectman Trindade pointed out that this is the first time we have analyzed these building noting that we want to ensure we are maximizing our facility usage.

Name Change to Select Board – Process, Discussion, and Vote
The Board reviewed the e-mail from Mark Reich, Town Counsel.

Mr. Boynton explained that what was voted at November Town Meeting was a general by-law change which has been submitted to the Attorney General for approval. Upon a decision from the Attorney General, the Selectmen can then move forward with this change. He noted that changes to all references to the Selectmen must be done through a Town Charter change. Town Counsel provided a document regarding the options for this process and will present these at the next Selectmen’s meeting to discuss these options in further detail.

Selectman Crowley moved that all references to this Board are changed to Medway Select Board immediately upon Attorney General approval of the by-law change voted at the November 16, 2020 Town Meeting. Selectman D’Innocenzo seconded. No Discussion. VOTE: 5-0-0.

Selectman Crowley moved that the Board begin the process of amending the Medway Charter to insert the term “Select Board” in all applicable areas, and that to begin this process Town Counsel is asked to appear before this Board at our December 21st meeting to discuss options available to effect said change. Selectman D’Innocenzo seconded. No Discussion. VOTE: 5-0-0.

Inclusion, Diversity, & Equity Committee – Creation, Discussion, and Vote

The Board reviewed the (1) proposed Mission Statement, Committee Charge, and Committee Composition from Town Manager, (2) proposed Committee Charter from Martin Dietrich, (3) PowerPoint Presentation from Martin Dietrich.

Mr. Boynton thanked all those who participated relative to this subject referring to the discussion at the beginning of this meeting. Selectman Foresto stated issues identified by the committee should be addressed as soon as possible and rather than waiting the suggested eighteen-months until the committee reports to the Selectmen. All present agreed. Selectman Crowley asked how suggestions would be implemented. Mr. Boynton stated it would depend on the issue noting that concerns could potentially be addressed immediately once he is made aware of them. Selectman Crowley asked if the major task is to have a document of recommended changes. Mr. Boynton confirmed. Selectman Trindade reviewed what we are requesting the committee to do and read the specific mission statement and charge noting the committee would be a resource to all. He stated that Selectman Foresto and the School Committee Chair have both expressed interested in participating.

Selectman Foresto moved that the Board create the Inclusion, Diversity and Equity Advisory (IDEA) Committee per the terms of the Committee Mission Statement, Committee Charge, and Committee Composition plan dated December 7, 2020. Selectman D’Innocenzo seconded. No Discussion. VOTE: 5-0-0.

Selectman Foresto moved that Town Manager’s office be directed to notify the community through social media outlets, including the Town website, of the request for residents to serve on the IDEA Committee, and further to include interviews for said Committee applicants on this Board’s agenda of January 19, 2021. Selectman D’Innocenzo seconded. Discussion: Selectman Crowley asked that it be made known that the Selectmen make appointments to this committee. No Discussion. VOTE: 5-0-0.

Approval – 2020 License Renewals

The Board reviewed the list of existing licensees with approval status.

Selectman Trindade explained the renewal process for licenses.

Selectman D’Innocenzo moved that the Board approve the license renewals for the businesses provided in the Board’s packet conditioned upon the receipt of all necessary documentation, payment and departmental approvals required for renewal of the specific licenses. Selectman White seconded. Discussion: Selectman Crowley noted his surprise that the Medway Restaurant was closed. VOTE: 5-0-0.

Action Items from Previous Meeting

The Board reviewed the (1) action items dated October 19, 2020, and (2) status of Water Treatment Facility Project.

DPS Facility Building Project: Town Manager Boynton stated this is nearing completion and we are already occupying the building. Selectman Crowley would like this left on the action item list until we have a final financial report. Mr. Boynton reviewed the final work items being completed. Selectman

Crowley asked if there will be a time extension request. Mr. Boynton stated this will not occur. Selectman Crowley asked for a status on the solar panels. Mr. Boynton stated we are awaiting final certification from the state for the solar panels and that we are on step five of seven of the process and noted we are looking for net zero certification.

Unaccounted for water loss status report: Town Manager Boynton stated the report was sent to the Selectmen and this was just over 5% noting the drastic reduction and commended all members of the Water and Sewer staff. Selectman Trindade noted this report would be available upon request. Selectman Crowley asked if the Superintendent should present this work and concept to the Board in a January meeting. The Selectmen agreed.

Selectman Crowley asked when we are going out for Request for Qualifications (RFQ) for the Water Treatment Facility. The RFQ is going out this week. Selectman Foresto stated there is a walkthrough scheduled on December 16th. Selectman Crowley noted the timeline is three years and he restated his issue about use of the house on the property. Mr. Boynton provided a status on the purchase of the property.

Town Manager's Report

There were no items for the Board to review.

COVID Update:

- 77 Active Cases - Town Manager Boynton stated there are 77 active cases in Medway noting the impact due to the Thanksgiving holiday and reiterated the importance that we continue to implement preventive measures.
- Watching & Monitoring – State Guidelines & Town Hall Operations - Town Manager Boynton stated we are monitoring all state guidelines. Town Hall operations are status quo and we remain open to the public.
- CARES Act Funding – Town Manager Boynton explained the issue with CARES Act funding noting that the State is directing us to the Federal Government who is directing us back to the State. He noted we joined with Bellingham and others requesting our legislators to address this issue. Selectman Foresto asked if there is a state budget. Mr. Boynton stated the budget is on Governor's desk noting the local aid numbers are higher than what we anticipated. However, we are not counting on those funds. There was discussion on the impact of the budget relative to Federal funds not coming into the State as anticipated as well as the impact of the increase in COVID cases. Selectman Crowley asked about the impact to those towns that submitted for CARES Act funding early and asked if rules were changed mid-process. Mr. Boynton confirmed the rules changed during the process. Selectman Foresto asked if we know anything about the breakdown of the 77 cases. Mr. Boynton stated we do not.
- Employee Impacts & Return to Work Guidelines - Town Manager Boynton stated we do have employee impacts and will look into our need to scale back our operations noting that the return to work guidelines have been reduced to ten days based on negative COVID testing.
- Reviewing Vaccine Delivery Possibilities – Town Manager Boynton stated we do not have a specific plan at this point. The State submitted their plan to the Centers for Disease Control (CDC). We will look at the State plan regarding municipality responsibilities. Selectman Crowley asked if we are being proactive with gathering a listing of volunteers. Mr. Boynton stated we are working on that now. Selectman White asked about the annual flu shot clinic. It was noted this occurred at the high school back in October.

Regional Public Health Services Office Feasibility Study Request: Town Manager Boynton reported that we have joined with other towns in Norfolk County signing onto a letter to participate in a feasibility study regarding regional public health services.

FY22 Budget Process & FY21 Information: Town Manager Boynton stated department heads are currently entering their budget data noting both Finance Director Pratt and he will review and revise the budgets and the Selectmen should anticipate a budget workshop in March. Selectman Foresto requested that department heads look at the facility study reports when submitting for their specific capital items. Mr. Boynton confirmed that they reviewed these reports specifically for safety and maintenance issues that must be addressed. It was noted that an updated debt schedule will be needed in addition to looking at the facility study recommendations in order to plan a schedule.

Capital Planning Update: Town Manager Boynton stated he needs to give the CIPC recommendations for the next year and requested the Selectmen provide him with any needs they are aware of. The Selectmen requested a list of capital projects not funded from last year.

Town Manager Out of the Office: Town Manager Boynton stated he will be out of office as follows:

- Friday, December 11 – Out of Office
- December 6-19 – Vacation (Tentative).

NEXT Regular Selectmen's Meeting – Monday, December 21, 2020.

Selectmen's Reports

There were no items for the Board to review.

Selectman Foresto thanked Mr. Boynton for recruitment of the citizens on the Water Treatment Facility Committee as they are very experienced. He reported that the Owner's Project Manager (OPM) is coming up with comps so we can have an idea about the cost of the building. There was discussion about the actual adjustment to the building location.

Selectman Crowley congratulated Medway High School senior Lillian Woodward for winning the Massachusetts Association of School Superintendents Award of Academic Excellence. He also congratulated the Medway High School soccer team on winning the Division Three Massachusetts Spartans Soccer Competition noting that the MIAA cancelled their soccer tournament and this was not a MIAA sanctioned event. Medway dominated the competition allowing only one goal in five games and beat Groton for the win. Selectman Crowley also asked about the impact of the Cannabis Control Commission's approval of marijuana home delivery. Mr. Boynton stated it is being allowed in neighborhoods of need and since it is not allowed in Medway home delivery would not be allowed.

Selectman Trindade asked if we could draft congratulatory letters to both Lillian Woodward and Tim Fagerson, the coach of the Medway High School soccer team.

Mr. Boynton noted that November 28th was deemed Mary Crowley Day commending and commemorating fifty years of marriage to Selectman Crowley.

There was discussion about cancelling the December 21st Selectmen's meeting allowing for quarantining of those who want to travel to see family over the Christmas holidays. The decision was to keep the meeting as scheduled and those quarantining could participate via Zoom.

At 9:40PM, Selectman D’Innocenzo moved to adjourn, Selectman White seconded. VOTE: 5-0-0.

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