

**Board of Selectmen's Meeting
February 16, 2021 – 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; Sandy Johnston, Communications Director; Police Lieutenant Kingsbury.

Participated Remotely: Barbara Sainte Andre, Director, Community and Economic Development; Dave D'Amico, Director, Department of Public Works (DPW); Peter Pelletier, Deputy Director, DPW.

Others Participated Remotely: Residents: regarding Cutler Street: Crystal Buckley-48 Highland Street, Susan Dietrich-46 Fisher Street; regarding Idlybrook Pickleball Courts: Judy Sousa-19 Kimberly Drive, Tim Whelan-3 Wards Lane, Jim Mavrikos-11 Kimberly Drive, Jim Marsh-5 Wards Lane.

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

Public Comments: There were none.

Crystal Buckley of 48 Highland Street representing Medway Marches requested that the Select Board pause efforts to liquidate 6 Cutler Street to see about transforming it into a Community Youth Center. Selectman Trindade explained his discussion with Medway Marches about this topic informing them that the cost was prohibitive as well as the fact that the Affordable Housing Trust (AHT) owns the building. He also noted his discussion with Susan Dietrich regarding use as a food pantry. He explained the estimated cost to repair the building as well as the current AHT Request For Proposals (RFP) to sell the building. Lt. Kingsbury stated he would like to hear more about the need and future usage as there is currently no problem with the congregation of youth in the town. Selectman White stated it is under AHT jurisdiction and her concern with the finances due to all our current commitments for girls' softball fields, pickleball courts, and the facilities study with major costs for existing facilities. She does not feel the Town should get involved with this. Selectman Foresto reiterated the estimated \$35 million to support the existing buildings that we have, noting he does not have an issue with adding this to the list for addressing in the future but noted there are many other pressing issues to be addressed. Selectman Crowley the stated the AHT has been attempting to sell the property for three years and they have approximately five interested parties with this RFP. He would not stop the RFP but would see what the RFP results are and if the value is acceptable. He stated that if Medway Marches feels they are not satisfied with the results from the Selectmen, the group could consider a Citizens' Petition for the Town Meeting warrant, which would need to include an explanation of where the funding is coming from. The Selectmen agreed with letting the RFP process continue to completion. Selectman Trindade stated he will e-mail the information on the past investigation of the property to Ms. Buckley and is willing to meet with her in the future. Ms. Buckley agreed with this plan. Susan Dietrich of 46 Fisher Street wanted to echo what Selectman Trindade stated earlier and thanks the Selectmen for considering this site for the food pantry, as she is very limited in her current location.

Judy Sousa of 19 Kimberly Drive asked how the neighbors can get their concerns heard about the proposed pickleball courts. Selectman Trindade recommended that an e-mail be sent to the Town Manager and we set up a zoom meeting to discuss the results of the study. Selectman Crowley asked if there is a potential need for a Planning Board site plan review. Mr. Boynton confirmed. Selectman Crowley stated it would be appropriate for the residents to go to the Planning Board meeting at the time of the site plan review. Mr. Boynton provided an overview of the study that looked at the four potential locations noting Idlybrook was identified as the most appropriate location. He stated we are still in the planning stage, noting the discussions with designers has included how to minimize the impact on the abutters. He noted that approval must go before Town Meeting and would still require a site plan review by the Planning Board. There was further discussion about the locations that were reviewed, the potential use of tennis courts, the four locations reviewed and rated in the study, and the potential locations at Idlybrook. Selectman Crowley stated there are three issues identified by residents in order of importance including traffic and parking, location of the courts, and lights. Selectman Trindade noted there is no plan for lights as part of the initial implementation plan for the pickleball courts. There was further discussion on the potential for lights. Tim Whelan of 3 Wards Lane asked if this also must go before the Conservation Commission as this was purchased through a grant that included that no standing structures were to be allowed on the land. Selectman Crowley stated he had a discussion with the Conservation Agent, and they will be looking into if they need to be involved in this process. He reviewed his discussion with Ms. Sousa about her concerns and, in his investigation of it, it was stated that lights would never be placed there. Jim Mavrikos of 11 Kimberly Drive, a resident since 1979, stated he vividly remembers when Idlybrook was being built and the promises that were made about open space which was a large reason the grant money was obtained. Jim Marsh of 5 Wards Lane across from the entrance to Idlybrook explained that the grant received was dependent upon a certain percentage of the area being reserved for passive recreation and another for active recreation.

Approval of Minutes: February 1, 2021

The Board reviewed the draft minutes of February 1, 2021.

Selectman Foresto moved that the Board approve the minutes February 1, 2021. Selectman White seconded. Discussion: Selectman D’Innocenzo referenced on page 6 that he was absent so could not second the adjournment of the meeting. **VOTE: 5-0-0.**

Applegate Road Street Acceptance:

- **Applegate Road and Drainage Parcel (Deed)**
- **Permanent Utility and Access Easement at 13 Applegate Road (Order of Taking)**

The Board reviewed the (1) memo from Lee Smith, KP Law, (2) deed, and (3) order of taking.

Mr. Boynton stated this is the final step to complete the street acceptance process.

Selectman Foresto moved that the Board vote to accept a quitclaim deed from Ralph M. Costello, Trustee of the Cedar Trail Trust to the fee in Applegate Road containing 1.99 acres, more or less as shown on a plan entitled “Amended Definitive Subdivision ‘Applegate Farm’ Medway, Massachusetts”, dated February 20, 2013, prepared by GLM Engineering Consultants, Inc., recorded in Plan Book 635, Page 26 in the Norfolk Registry of Deeds and the fee in a parcel of land off of Applegate Road, shown as “Parcel A”, containing 1.11 acres, more or less, on said Plan. Selectman D’Innocenzo seconded. No discussion. VOTE: 5-0-0.

Selectman Foresto moved that the Board vote to adopt and execute the Order of Taking as presented for a permanent utility and access easement on land located at 13 Applegate Road in connection with

completing the layout and acceptance of Applegate Road as a public way and to acquire utility and access easements associated therewith; and further to determine that no persons will sustain damages in their property by reason of the taking; and further to authorize the Chair to execute all documents related to such taking, including notices to be sent to affected land owners and mortgagees. Selectman D’Innocenzo seconded. No discussion. VOTE: 5-0-0.

Discussion: Calendar Year 2021 Road Plan

The Board reviewed the calendar year 2021 road plan.

Town Manager Boynton stated this incorporates funding left over from the current year, the added work for the Brentwood water main project, and new funding for roads identified in the plan. Selectman White asked if we are in year four. This was confirmed. Selectman Crowley asked for confirmation regarding Lovering Heights that we have a grant for \$135,000 and we completed the work for \$135,000. Mr. D’Amico confirmed the grant funding and noted that there is \$10,000 left that can only be used for this specific street. Selectman Crowley asked for confirmation that Main Street from Village Street to the Bellingham line project will occur this year as Bellingham has not been ready in the past. Mr. D’Amico confirmed noting that this will be advertised the end of the month. Selectman Crowley asked if we have a fixed number for the West Street bridge repair project budgeted at \$500,000 or is this a time and materials project as the work is in progress. Mr. D’Amico stated there is a fixed contract cost for design and engineering noting we have not gone out to bid for the work yet. Selectman Crowley asked for confirmation that the \$500,000 will be enough to complete project. Mr. D’Amico confirmed. Selectman Crowley asked about the sidewalks on West Street related to the 40B project (Glen Brook Way) as it looks like we already spent \$40,000 in engineering. Mr. Boynton stated this was designed for the safest way to get to Main Street and explained the specific plan for the sidewalks. Selectman Crowley asked why we are doing this sidewalk as he does not believe it will be utilized. Mr. Boynton stated we are not budgeting Town funds to do these sidewalks. Selectman Trindade explained this is the sidewalk from Glen Brook Way to the Bellingham line. Selectman Crowley stated we should not do sidewalks towards Exelon to Route 126. Selectman Crowley asked what the completion of Brentwood/Holliston/Maple water main roads entails. Mr. D’Amico referred Selectman Crowley to the calendar 2021 details that show reclaim or milling for these locations. Selectman Crowley asked for confirmation that the road work for the water main projects were to come out of the water project funds. Mr. Boynton stated not all of the funds were to come from the water project funds. Selectman Crowley stated he would discuss this off-line. Selectman Crowley asked for confirmation if they have sidewalks on Woodlawn Road referring to year four of the plan. Mr. D’Amico confirmed there are sidewalks. Selectman Crowley asked if we are using funds to pay for the sidewalk from the 40B project (39 Main Street) in year five of the plan for Main Street from Richard Road to Coffee Street. Mr. Boynton confirmed that this is part of the 39 Main Street project. Selectman Crowley asked if we could then change the \$1,902,502 total for year five of the plan. Mr. D’Amico stated the total would not change but the funding sources will change. There was further discussion about this sidewalk and the actual use by residents. Mr. Boynton stated if the Selectmen accept this plan, then Ms. Johnston can publicize it. The Selectmen agreed.

Discussion: Water Treatment Facility Designer Recommendation

The Board reviewed designer selection summary.

Town Manager Boynton stated the design committee has made recommendations on the designer for the new facility; Wright-Pierce was recommended. We need the Selectmen to affirm and ratify that decision. Selectman Foresto stated there were five respondents, one was dropped and there were four that they reviewed. There were two series of ranking the proposals including the Requests for Proposal

(RFPs) and the interviews. Wright-Pierce came out on top. He noted that the review committee has a lot of experience in the field and he would like to thank the members of the committee for their time and effort. He stated the Water Treatment Facility is plain vanilla and the decision about it revolve around how we size it and how far in the future we plan, including dealing with perfluoroalkyl and polyfluoroalkyl substances (PFAS). He stated there was a report about PFAS in the turnout gear for firefighters recently in the media noting this could be carcinogenic. Wright-Pierce suggested we hold back on technology as technology changes and think about the building and the ease with which to add to it to address future issues.

Selectman D’Innocenzo moved that the Board approve the designer rankings of the Water Treatment Facility Committee and authorize the Town Manager to negotiate the contract. Selectman White seconded. Discussion: Selectman Crowley asked if it was a unanimous vote. Selectman Foresto confirmed. **No discussion. VOTE: 5-0-0.**

Discussion: Medway Charter Change – Selectmen to Select Board

The Board reviewed the e-mail from Representative Roy.

Town Manager Boynton stated we are still waiting for a response from the Attorney General. We have been following up on the proposed Governor’s bill without response and have requested assistance from our legislative delegation. Representative Roy asked why we are not going through the traditional Town Meeting and Home Rule process and he explained that we already did this. He stated that based on the direction of the legislators, we need this to go to Town Meeting noting there is no guarantee that this passes at Town Meeting. Selectman Trindade explained that we cannot refer to the Select Board on legal documents until we get the Charter changed. Selectman White stated she expects to hear from the Attorney General on March 1st. Mr. Boynton thanked Representative Roy on his responsiveness.

Vote to Close May 10, 2021 Annual and Special Town Meeting Warrants

The Board reviewed the May 10, 2021 Annual and Special Town Meeting Warrants.

Selectman Foresto moved that the Board vote to close the May 10, 2021 Annual and Special Town Meeting Warrants. Selectman D’Innocenzo seconded. Discussion: Mr. Boynton stated the Selectmen were provided with a draft of the warrants as well as three additional articles for the Annual Town Meeting warrant. The Selectmen’s March 1st meeting will include the review of each article and he noted that recommendations are needed by the end of March. **VOTE: 5-0-0.**

Action Items from Previous Meeting

The Board reviewed the action items dated January 4, 2021.

DPS Facility Building Project: Selectman Trindade requested that this remain on the action item list.

Town Manager’s Report

There were no items for the Board to review.

COVID Update:

- Active Cases – Town Manager Boynton stated the case numbers are dropping.
- Vaccine Update – Town Manager Boynton stated we have requested 500 doses of the vaccine with zero doses approved from the State. He commended Council on Aging Director Riley and her staff on their efforts to assist Medway Seniors to get appointments at vaccination sites.

39 Main Street – Construction This Spring – Sidewalks Update: Town Manager Boynton stated he is expecting them to break ground in the next couple of months.

FY2022 Budget Update: Town Manager Boynton provided the Selectmen with the draft budget and stated any budgetary questions can be directed to him.

Town Manager Out of the Office: Town Manager Boynton stated he has nothing scheduled.

NEXT Regular Selectmen's Meeting – Monday, March 1, 2021.

Selectmen's Reports

There were no items for the Board to review.

Selectman Crowley stated the Clark Street residents are concerned with truck traffic going down Clark Street related to the new large facility going up in Holliston at the Hopping Brook business park. Mr. Boynton stated he spoke with Holliston and the Massachusetts Department of Transportation to work on a truck exclusion on that street noting that Holliston is supporting this truck exclusion. Selectman Crowley asked about the status of the Diversity Committee. Selectman Foresto stated we have twelve well-meaning residents who have submitted their interest, but none are people of color. He reported that he spoke to three towns: Acton, Canton, and Sharon, at the South West Advisory Planning Committee (SWAP) meeting he attended about this topic, noting the one thing they all said was you need people who actually represent the underrepresented community. The Medway committee consists of a Board of Selectmen Representative: Selectman Foresto; a School Committee Representative: Susan Dietrich; a Police Department Representative: Lieutenant Kingsbury; a Council on Aging Representative: Judith Lane; and five Medway residents, one whom shall be a Medway student between the ages of 16 and 19 years of age at the time of appointment. Selectman Trindade stated he will take the responsibility for drafting communication to those twelve that have expressed interest about the need for members to be part of the underrepresented community. Selectman Crowley asked about the earliest date that signs can be posted for those candidates who have taken out papers for the Selectmen positions. Ms. White stated there are no requirements on pre-election and post-election signage. Selectman Crowley requested that the Town Clerk notify them when the Attorney General has approved the name change to Select Board so they can have the proper nomenclature on their signs.

Selectman Foresto further explained that during the discussion of the Diversity Committee at the SWAP meeting, these three towns created this committee due to specific incidents that occurred in the town. He stated they were able to get residents who work on diversity on their committees and that we may need a small budget for the committee, i.e. calendar, events, etc. The other three towns have \$10,000 budgeted.

Selectman Trindade announced that Maryjane White is retiring as Town Clerk after many years of dedicated service to the Town. He then read her proclamation.

At 8:26 PM, Selectman Trindade moved that the Board enter Executive Session Under Reasons Exemption 6: To consider the purchase, exchange, taking, lease, or value of real property if such discussion may have a detrimental effect on the negotiating position of the governmental body [Evergreen Cemetery] and Exemption 2: To conduct strategy sessions in preparation for negotiations with nonunion personnel or to conduct collective bargaining sessions or contract negotiations with nonunion personnel with no intention of returning to public session and the chair so declares

[Contractual Discussion – Town Manager]. Selectman White seconded. No discussion. It was so called by roll call: Crowley aye; D’Innocenzo aye; Foresto aye; Trindade aye; White aye. VOTE: 5-0-0.

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