

**Board of Selectmen's Meeting
March 1, 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; Barbara Saint Andre, Director, Community and Economic Development; Carol Pratt, Finance Director; Sandy Johnston, Communications Director.

Participated Remotely: Dave D'Amico, DPW Director; Peter Pelletier, DPW Deputy Director; Bobby McGee, DPW Project Manager; Barry Smith, Water Superintendent.

Others Participated Remotely: Jennifer Kendall, Chair, Cultural Council.

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

Public Comments: There were none.

Susan Rorke of 34 Ellis Street asked if the Attorney General approved the name change for the Board of Selectmen as it was stated that the Town should receive notice as of today and requested clarification of Representative Roy's response. Mr. Boynton stated he will follow up with the Town Clerk's office and reported that he had a discussion with the Governor's office about the charter change, and it seems they are not inclined to move this forward with a Governor's bill. The information was resent as requested and we are waiting on a final decision from the Governor's office. If this does not move forward, it will need to go back to Town Meeting.

Paula Lawless of 6 Vernon Road voiced concern on the increase in the rate of the residential sewer hook up from \$100 to \$4,000 for a single-family home. Mr. Boynton reported that he has spoken with her a couple of times noting that she could speak to the Selectmen. He then explained the history of this rate increase including a public hearing on the rate increase with the Water and Sewer Commission quite a while ago. The Selectmen requested what surrounding towns charge for this fee.

Residents' Comments: Pickleball Court Location

The Board reviewed the e-mail from the residents.

Selectman Trindade stated the Selectmen have been taking this topic to heart and looking at potential alternative locations. Selectman Crowley thanked the School Committee and Superintendent Pires noting they have allowed them to use one of the high school tennis courts for this purpose. He noted that four courts will be installed and, if the budget allows, lights will also be installed. He commended the residents that came before the Board with their concerns. Mr. Boynton noted that a safety policy of the school limited access to non-school personnel and commended Selectmen Crowley and Foresto on their efforts.

Approval of Minutes: February 16, 2021

The Board reviewed the draft minutes of February 16, 2021.

Selectman Foresto moved that the Board approve the minutes of February 16, 2021. Selectman White seconded. No discussion. VOTE: 5-0-0.

Authorization to Expend Grant Funds: Fiscal Year 2021 Local Cultural Council Grant - \$6,800

The Board reviewed the (1) grant expenditure authorization form, (2) grant award letter, and (3) scope of services/budget

Mr. Boynton stated this is an annual State grant.

Selectman Foresto moved that the Board authorize the expenditure of the Fiscal Year 2021 Local Cultural Council grant as presented. Selectman White seconded. No discussion. VOTE: 5-0-0.

Approval: Contract with Garrity Asphalt Reclaiming, Inc. for Milling and Reclamation - not to exceed \$288,000 annually

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

Mr. Boynton stated Garrity was the low bid noting the submitted bids were consistent. This project will be paid from State Chapter 90 funds, taxation, and free cash. Mr. D'Amico stated we have used this vendor in past with positive results. Selectman Crowley noted the three specific bid items and asked if these were bid at unit pricing. Mr. D'Amico confirmed.

Selectman Foresto moved that the Board approve the contract with Garrity Asphalt Reclaiming, Inc. for the milling and reclamation project in an amount not to exceed \$288,000 per contract year as presented. Selectman White seconded. No discussion. VOTE: 5-0-0.

Discussion/Vote: Immediate Facility Repair Needs Update – Department of Public Works (DPW)

The Board reviewed the immediate Town and School facility repair needs documents.

Mr. Boynton noted that Mr. D'Amico, Mr. Pelletier, and Mr. McGee were available to address this item and thanked the DPW team and Mr. Kane. He referred the Selectmen to the two changes made to the DPW document noting that these items all came from the facility study. He referred to the change for Fire Station 2, noting we do not want to put a lot of funding into that building as in the not too distant future we will be a one fire station community and it is currently mostly used for equipment storage. However, we still must fix the roof. He stated the second change is for the VFW regarding the structural issue of the main building floor and egress noting we still have two years on the lease with the VFW so if we are not doing proactive repairs during this time, we are in default. The one thing that we should do is to have a structural engineer look at the requirements and the actual costs in order to determine how to move forward. Selectman Foresto stated that when he reviewed this document, it was clear that Fire Station one is not appropriate for the current needs and use. Mr. Boynton described three options to deal with Fire Station one: (1) build a new facility at a cost of \$14-16 million at current rates, (2) complete rehab of that site at a cost of \$7-9 million at current rates and he reviewed the specifics that would be needed, and (3) build a four bay garage on the helipad for storage which would not be a long term solution. Selectman Crowley stated we will not be going to the residents in the next two to three years for this project, therefore we are trying to increase the capital reserve fund to address these issues. He stated his agreement on doing the engineering study for the VFW and asked what they are responsible to maintain versus the Town during the remainder of the two-year lease. Mr. Boynton stated they are responsible to maintain the building cosmetics, i.e. replace lightbulbs, etc. and the Town

is responsible for maintaining the structural integrity. Selectman Crowley asked if these items must be completed. Mr. Boynton confirmed since they are safety issues. Selectman Crowley stated he thinks the upgrade in the Police HVAC at a cost of \$60,000 may be COVID related and may be covered by COVID funding and requested that we investigate that potential funding source. Mr. Boynton then reviewed the school items. Selectman Crowley asked if these are Mr. Kane's immediate needs. Mr. Boynton confirmed noting that these are based on the results of the facility study. Selectman Crowley asked why the Memorial AC project is in the free cash listing but not here as an immediate project need. Mr. Boynton explained the free cash capital plan was identified from the five-year capital needs analysis. The immediate needs identified in this document was a result of the facility study. Mr. Boynton explained how this will impact the funds moving to the capital improvement stabilization fund and how these will be funded by adjustments to the free cash utilization. Selectman Crowley stated that the plan is to take \$300,000 out of the planned transfer to the capital improvement stabilization fund and reduce the transfer from \$1.3 million to \$1 million. Mr. Boynton confirmed.

Discussion/Vote: Water & Sewer Fees

The Board reviewed the proposed water and sewer fees.

Mr. Boynton stated one of the action items was to add the fire sprinkler fees, which is included here. Mr. Smith stated the fee is \$75 for the fire sprinkler fees and that is the only change to the fees at this point in time. Mr. Boynton explained that this is what the Water and Sewer Commission voted on but, due to the Charter change, this is now the responsibility of the Selectmen. Selectman Trindade felt the charges for water ban violations, as well as tampering with the water system, should be increased. The Selectmen asked who was fined last year. Mr. D'Amico state no resident was fined as it was felt that due to COVID it was not the appropriate time to fine residents. Selectman Crowley stated he felt the first offense should be a warning, the second offense should be at \$100, and subsequent offenses should be at \$200. There was further discussion about fines. All Selectmen agreed to the increase in these fines. There was discussion about the potential to increase the fines for water system tampering with the decision to have them remain as presented. These fee changes will be presented to the Water and Sewer Advisory Board at next week's meeting and the Selectmen will need to vote on these with the incorporated changes at their next meeting on March 15th. Mr. Smith noted we are in the mid-range for fees compared to surrounding Towns.

Discussion/Vote Recommendations: May 10, 2021 Special and Annual Town Meeting Warrants (Excluding Planning Board and Zoning Articles)

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

Special Town Meeting Warrant

ARTICLE 1: (Free Cash Transfer: Snow and Ice Deficit)

Mr. Boynton stated we already hit \$477,000 in costs with \$475,000 budgeted noting he will be asking for deficit spending using free cash.

ARTICLE 2: (Prior Year Bills)

Mr. Boynton stated we don't have any at this point in time.

ARTICLE 3: (Transfer from Overlay to Capital Stabilization)

Mr. Boynton reported that we settled the Appellate Tax Board Case with Eversource resulting in \$1.5 million in overlay savings that falls to the overlay surplus account and he is recommending this go into the capital improvement stabilization fund. Selectman Foresto asked if these funds sit in a bank account earning minimal interest. Ms. Pratt confirmed. Selectman Crowley requested that the amount of funds

left following moving the \$1.5 be available at the Saturday budget workshop meeting. He also requested that Town Moderator Cerel allow an explanation of this warrant article at Town Meeting.

ARTICLE 4: (Free Cash Transfer to Capital Stabilization)

Mr. Boynton stated this is for \$1.1 million in free cash to be transferred to the capital improvement stabilization fund.

ARTICLE 5: (Free Cash Transfer to General Stabilization)

Mr. Boynton stated this is for \$200,000 in free cash to transfer to the general stabilization fund. It was noted that this is very positive for bond agencies. Selectman Crowley suggested moving this to the capital improvement stabilization versus the general stabilization and asked if that will impact our bond rating. Ms. Pratt stated she will do an analysis of the impact on our bond rating.

ARTICLE 6: (Adjustment: Community Preservation Fund Statutory Set-Aside)

Mr. Boynton stated this is an annual statutory requirement for Community Preservation.

ARTICLE 7: (Repurpose Monetary Article – Fire Dept Items)

Mr. Boynton stated this is to repurpose the Federal Emergency Management Association (FEMA) grant authorized for a sprinkler system at Fire Station one that we thought would cost \$100,000 but would have actually cost \$400,000 noting FEMA is allowing us to repurpose these funds to purchase a gear washer and dryer, portable radios, and hearing protection for the fire trucks. Selectman Crowley asked if there were any other repurpose requests. Ms. Pratt stated there were no requests from Departments to repurpose. Selectman Crowley requested that the Town Manager verify there are no other funds that should be repurposed.

Annual Town Meeting Warrant:

ARTICLE 1: (Debt Stabilization Fund Transfer)

Mr. Boynton stated we continue to use Exelon funds to lower tax rates by paying off our debt exclusion. Ms. Pratt reported that we have three more years of usage of Exelon funds noting the specific decreasing amounts with the final year being FY25. Selectman Crowley requested that Town Moderator Cerel allow an explanation of this warrant article at Town Meeting.

ARTICLE 2: (Transfer from Ambulance Receipts to General Fund)

Mr. Boynton stated this \$600,000 transfer from ambulance receipts allows for the purchase of a new truck every four years along with other needs.

ARTICLE 3: (Appropriation: FY22 Operating Budget)

Mr. Boynton stated is the annual budget.

ARTICLE 4: (Appropriation: FY22 Water Enterprise Fund)

Mr. Boynton stated that he may need to adjust this based on the water treatment facility needs. He reminded all of the water, sewer, and solid waste enterprise fund adjustments made to ensure there are not huge rate increases. Selectman Crowley requested information on the expected revenue and expense to actual for the water/sewer/solid waste accounts be available for the Saturday budget meeting.

ARTICLE 5: (Appropriation: FY22 Sewer Enterprise Fund)

This was not addressed.

ARTICLE 6: (Appropriation: FY22 Solid Waste Enterprise Fund)
This was not addressed.

ARTICLE 7: (Free Cash Appropriation: Capital and Other Items)
Mr. Boynton stated \$2,020,000 of free cash will be appropriated towards capital purchases. Selectman Foresto noted that \$556,000 of that is for the schools and that 80-90% of the Information Technology expenditures are also for the schools.

ARTICLE 8: (Free Cash Transfer to Street Acceptance Account)
Mr. Boynton said there is a need to replenish this account to address street acceptances.

ARTICLE 9: (Borrowing: Parks Projects)
Mr. Boynton stated this will be a \$850,000 borrowing and then explained each project cost. Selectman D’Innocenzo asked if the \$250,000 is an actual cost to resurface the high school tennis courts for pickleball. Selectman Crowley reported he is meeting with a contractor this Thursday to look at this location. Selectman Trindade asked why this is a complete rebuild. Mr. Pelletier explained that due to the significant cracking you cannot just do a surface repair but must mill and resurface noting the cost will be closer to \$300,000. Selectman Trindade requested these figures as well as a second opinion. Mr. Pelletier reported that he also spoke to another vendor and they will not do asphalt due to deterioration. The type of concrete they use would cost \$500,000. Selectman Crowley asked if this will be a ten-year borrowing. Ms. Pratt confirmed.

ARTICLE 10: (Borrowing: Milford/Trotter Intersection Redesign)
Mr. Boynton stated this is the \$100,000 to start the engineering to redesign this intersection noting that Ms. Saint Andre is researching potential funding from the One Stop Fund and other potential State grant funding. Selectman Foresto asked why the Town should do this versus having a developer complete this once there is one, noting that with all the businesses that have left, this traffic is not currently much of an issue. Mr. Boynton agreed that it is not an issue currently but in order to get other State funds including the State TIP program we need to have the engineering done. There was further discussion about the efficacy of TIP funding for this project and whether this warrant article should be removed. The Selectmen decided to discuss this further at a later date.

ARTICLE 11: (Raise & Appropriate: Roads & Sidewalks)
Mr. Boynton stated this is for road and sidewalk repair. Selectman Crowley requested that Town Moderator Cerel allow an explanation of this warrant article at Town Meeting.

ARTICLE 12: (Fund Town and School Building Repair and Maintenance)
Mr. Boynton stated this was previously discussed.

ARTICLE 13: (Provide Funds for Urban Renewal Plan Implementation)
Mr. Boynton stated this is in order to move forward with the Oak Grove development to obtain the remaining parcels and pitch the project to a developer. Selectman Crowley requested that Town Moderator Cerel allow an explanation of this warrant article at Town Meeting.

ARTICLE 14: (Borrowing – Water Enterprise – OPM, Design and Engineering)
Mr. Boynton stated this number will change and explained the current contracted amount versus the anticipated original project cost through the design and bidding process.

ARTICLE 15: (Water Retained Earnings Transfer: Purchase Pickup Truck)

Mr. Boynton stated this number will come down.

ARTICLE 16: (Appropriation: General Stabilization)
Mr. Boynton stated this is for the general stabilization fund.

ARTICLE 17: (Appropriation: OPEB Trust)
Mr. Boynton stated this is for the OPEB Trust fund.

ARTICLE 18: (Appropriation: Medway Day)
Mr. Boynton stated this was not done last year due to COVID but anticipates our ability to move forward with Medway Day this July.

ARTICLE 19: (Appropriation: Community Preservation Committee)
Mr. Boynton stated this is an annual article.

ARTICLE 20: (Revolving Funds –Authorize FY22 Spending Limits)
Mr. Boynton stated this is an annual article.

ARTICLE 21: (Acquire Real Property – Evergreen Cemetery)
Mr. Boynton stated this is for the friendly taking of Evergreen Cemetery.

ARTICLE 22: (Amend General Bylaws – Stormwater)
Mr. Boynton stated now that we have the final guidance from the Environmental Protection Agency, this has been updated for land disturbance.

ARTICLE 35: (Accept Access Easement to Conservation Restriction Parcel – Timber Crest Estates)
Ms. Saint Andre stated this relates to the conservation restriction parcel provided to the Town by Timber Crest.

ARTICLE 36: (Charter Amendment – Selectmen to Select Board)
Mr. Boynton stated if we cannot get the Governor's bill then this must go back to Town Meeting via the Home Rule Petition for a Town Charter change.

Mr. Boynton reminded all that the Selectmen will approve the budget at their Saturday meeting and transfer the budget to the Finance Committee on Monday which has its meeting on Wednesday.

Action Items from Previous Meeting

The Board reviewed the (1) action items dated January 4, 2021

DPS Facility Building Project: The Selectmen agreed to remove this action item.

Unaccounted for water loss status report: Mr. Boynton stated this will be reviewed with the Selectmen at their April 20th meeting.

Report to BOS Strategic Plan for making fields more viable for youth sports: The Selectmen agreed to keep this action item.

Report to BOS usage of Electronic Vehicle Charging Station: Mr. Boynton stated this will be reviewed with the Selectmen at their April 20th meeting.

Assess Efficacy of Signage throughout Medway: The Selectmen agreed to remove this action item as this information was provided.

Updated Road and Sidewalk plan: Mr. Boynton stated the next report will be February 2022.

Charging Fees for Fire Systems Testing for New Construction: The Selectmen agreed to remove this action item.

Begin Planning Use of 123 Holliston Street: Mr. Boynton stated this will be addressed during his report relating to his request for a Facilities Planning Committee.

ID Data, manpower, cost, priority for scanning data into Treeno along with Website Access: Mr. Boynton stated this will be presented to the Selectmen at their April 5th meeting.

Town Manager's Report

There were no items for the Board to review.

COVID Update:

- Vaccine Update – No Change – Mr. Boynton stated he is not sure if that will change with the new Johnson & Johnson vaccine.
- CARES funding--- Ms. Pratt stated that \$220,000 for the first quarter of 2021 will be billed out and that will exhaust this funding.
- Next Stimulus - Mr. Boynton stated the House passed this with more State and Town funding but he has not seen the final results so cannot assume we will receive additional funding at this point in time.
- 59 Active Cases -Mr. Boynton stated that as of today, there are 59 active cases in Medway. He commended Health Agent Beth Hallal and Fire Chief Jeff Lynch for their continuous efforts to maintain this list with the public health nurse.

Snow & Ice Update – Over Budget – Deficit Spending Requested: Mr. Boynton stated we are just over \$477,000 of the \$475,000 budgeted and is anticipating the need to transfer some funds. He requested that the Selectmen provide authorization for deficit spending.

Selectmen Foresto moved that the Board authorize deficit spending for the Snow and Ice budget. Selectman White seconded. No discussion. VOTE 5-0-0.

New State Holiday For 2021 – Juneteenth – Medway Will Observe: Mr. Boynton stated only four states in the nation are not honoring this holiday that represents emancipation from slavery. It is a new State paid holiday on the 19th of June which falls on a Saturday this year and will be observed on Friday, June 18th. There will be a financial impact on the Police, Fire and DPW budgets. Selectman Crowley asked if there is any impact on existing and future Collective Bargaining Agreements. Mr. Boynton stated no, as they list out the existing holidays and state if any additional holidays are added, they would be included. Selectman Crowley asked for the financial impact. Mr. Boynton anticipates approximately \$14,000.

Fire Department FEMA Grant Repurposing: Mr. Boynton stated this was previously discussed.

Facilities Planning Committee Request: Mr. Boynton stated one of the action items is to develop a plan for the VFW. He requested that he provide the Selectmen with a draft of a committee charge to create a Facilities Planning Committee made up of a member of the Selectmen, School Committee, Finance

Committee, and five residents who would be responsible to review the facility study, digest it, and suggest a plan moving forward. The Selectmen agree and requested this be added to their next meeting agenda.

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

NEXT Regular Selectmen's Meeting – Monday, March 15, 2021.

Selectmen's Reports

There were no items for the Board to review.

Selectman Crowley stated Mr. Smith showed him the new camera system used in sewer drains for leak detection and requested that he be allowed to present this at the next meeting and explain the inflow and infiltration issues. The Selectmen agreed.

At 8:26 PM, Selectman White moved to adjourn. Selectman Foresto seconded. VOTE: 5-0-0.

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