

**Select Board Meeting – Annual Legislative Breakfast  
Joint with Finance Committee and School Committee  
April 2, 2022 – 8:30AM  
Sanford Hall  
155 Village Street**

**Present:** Dennis Crowley, Vice-Chair; Frank Rossi, Clerk; John Foresto, Member; Glenn Trindade Member.

**Absent:** Maryjane White, Chair.

**Staff Present:** Michael Boynton, Town Manager; Allison Potter, Assistant Town Manager

**Other Participants:** Senator Karen Spilka; Senator's Staff: Maryanne Padien, Dennis Giombetti, and Momina Haidri; Representative Jeffrey Roy; Representative Michael Soter; Finance Committee: Todd Alessandri, Chair, James Sullivan, Vice-Chair, Ellen Hillery, Clerk, Brian Cowan, Chris Lagan; Dr. Armand Pires, Superintendent; School Committee: Susan Dietrich, Chair; Cindy Sullivan Vice-Chair, Melissa Greenfield, and Tim Fagerson; Charlie Meyers, resident.

\*\*\*\*\*

At 8:42 AM, Mr. Crowley called the Select Board meeting to order and led the Pledge of Allegiance. At 8:43 AM, Ms. Dietrich called the School Committee meeting to order. At 8:43AM, Mr. Alessandri called the Finance Committee meeting to order.

The Senator Spilka and her staff introduced themselves as well as Representatives Roy and Soter and their roles to those present. Mr. Crowley turned the meeting over to Mr. Boynton since all three committees had a quorum present. All others present introduced themselves and their roles.

Mr. Boynton thanked the legislators for their efforts and support both generally and financially during the pandemic. He noted the most recent \$350,000 earmark received for the Water Treatment Facility and provided a status on that project. He further thanked the legislators for their efforts relative to the federal funding received for the Water Treatment Facility.

**Potential Increase for Chapter 70 and Chapter 90 Funds**

*There were no materials for the Board to review.*

Mr. Crowley stated his questions are from his fiscal conservative side. He noted that if we did not have the \$3.5 million in tax revenue from Exelon, we would not be in our current financial state. He noted based on the Governor's budget, there was a surplus in Chapter 70 funding this year, \$700 million of which is planned to be placed in the stabilization account, bringing the account up to \$5.5 billion. He stated his concern that this brings the reserves up to 12 percent noting that the Department of Revenue (DOR) says the Town reserves account should be between 5-10 percent. He stated he may have his numbers wrong. Senator Spilka stated she is not sure of the \$700 million being referenced as they appropriate Chapter 70 funding each year and is it fully expended in that year. She stated the month to month state benchmarks have been higher than anticipated noting that all were concerned during COVID of the need for potential cuts and was pleased to be able to contribute to the rainy day fund. She noted that since the economy did better than expected and with the American Rescue Plan Act (ARPA), Elementary and Secondary School Emergency Relief (ESSER) and other federal funding, we do have a

surplus. She noted that two years ago, as Chair of the Ways and Means Committee, she had to cut \$1 billion from the budget after the House and Senate completed the budget. She stated that we currently have a \$4.8 billion budget, and the crediting agencies are pleased with the amount in the state rainy day fund noting that we do need to be fiscally conservative in anticipation for what may occur in the future. Mr. Crowley stated he spoke wrong and was referring to the general fund noting on the Town side they are providing Medway with approximately \$50,000. In the Governor's general fund budget, there is \$700 million in surplus that will go into the stabilization account bringing it to \$5.5 billion. He stated his point is that there is \$32 million going into the general fund for the cities and towns and Medway is getting \$50,000. He asked why they cannot take some of the \$700 million that is being put into stabilization and instead put it towards support for cities and towns. He stated every city and town has the same problem with taxes being too high.

Mr. Crowley stated his second question was about Chapter 90 funding for roads, sidewalks, and bridges noting the last two years Medway received \$350,000 so this number has not increased. He stated that the Town spends \$2 million a year on these projects and only received \$350,000 noting that he is happy that we receive these funds but again, he cannot see why these funds cannot be increased when so much is planned for the stabilization account. He noted that he believes in funding stabilization accounts but if it will be at 12% of the budget, he thinks some of that should be directed back to cities and towns.

Senator Spilka then reviewed the state budget noting the Governors' budget is always the first step, the House does theirs in April and the Senate in May. She stated federal fund assistance for our state for COVID was over \$113 billion noting a lot went to cities and towns. ESSER funds were separate from the city and town funds noting most cities and towns have not spent their ESSER funds as the deadline is September 2024. Medway's discretionary ARPA funds disbursed directly to the Town are \$1.4 million noting the deadline to appropriate is 2024 and to spend is 2026. She explained what types of projects these funds could be spent on. She explained that the legislature received an ARPA package of \$4 billion and detailed where these funds were allocated some of which include: (1) equitable recovery enhancements in housing, healthcare, mental and behavioral health, (2) climate preparedness, (3) education, (4) workforce development, (5) premium pay for essential and low income workers who worked during COVID, (6) water/sewer infrastructure, and (7) indoor air quality in schools.

Relative to Chapter 90, she reported that the state is to receive \$9 billion of guaranteed funds over the next five years. She noted the state will also receive based on the federal formula: (1) \$4.2 billion for road improvements, (2) \$1.1 billion for bridge replacement and repair, and (3) \$2.5 billion for enhancing public transit systems. All this funding is transportation related and she noted the legislature recognizes the hardship in this area for cities and towns. Some of these funds will be distributed by the Massachusetts Department of Transportation (MASS DOT) via their grant programs. She encouraged the legislators be contacted to assist in receiving these funds. She noted the \$100 million additional funding was submitted to the Governor via the supplemental budget process for winter road repair just last evening. She stated the Governor's budget for unrestricted aid is a 2.7 percent increase over the prior year and noted this is still up for discussion with many cities and towns pushing for a higher increase.

Representative Roy stated the House just dealt with Chapter 90 reporting that Medway will see an increase and will be receiving \$393,169. The House put in an additional \$150 million which will be project related grant eligible via MASS DOT. He encouraged the Town to reach out to the legislature for support of specific projects. There was discussion about how the \$100 million of funding for winter road

repair will be disbursed. There was further discussion about how unrestricted aid benefited the Town in the past due to exponential growth and how this impacts positively on school funding. Senator Spilka stated that due to the school enrollment fluctuations, there is also \$40 million in funding available for schools in those situations of which Medway may receive an additional \$25,000.

Mr. Boynton thanked Representative Roy on his assistance with the reprecincting issue.

#### **Future Impact of Charter Schools on Town Budgets**

*There were no materials for the Board to review.*

Mr. Crowley stated when looking at the Cherry Sheet, he looks at the pluses and takeaways and has two areas of concern noting the takeaways from the Town side seem to be growing. The two areas are School Choice where the Town is charged \$350,000 and Charter School which is now up to \$400,000 charged to the Town for a total of almost \$800,000. He stated he understands School Choice but has issue with Charter School charges that increase year after year. He was wondering if there is an avenue for any relief. Senator Spilka stated when the Student Opportunity Act was passed, there was extra relief in recognition of the Charter Schools impact, but they are by law part of our regular school system. She noted that relief is kicking in over the next few years as well. Mr. Crowley asked where this impact shows in the budget. Senator Spilka stated there was recognition of helping our regular school districts with this noting they can take a better look at it. She stated they will be fully funding the reimbursement in the budget to assist the cities and towns in the SPED Circuit Breaker area as well as some aspects of transportation that were not previously included. Mr. Crowley reiterated his concern about the yearly increase in Charter School costs hoping some relief can be forthcoming. There was further discussion on the impact of the ESSER funding and Dr. Pires stated Mr. Aicardi can work with Ms. Pratt to provide information and understanding on the impact of these costs. Dr. Pires stated our Charter School enrollment has been pretty stable with 2021 being a bumper year as a lot of people were looking for alternative schooling due to COVID.

#### **Fiscal Support for Tri-County's New School Building**

- **Given the need for more skilled tradespeople, and the need for a new building, is there any discussion at the state level about support for regional technical schools**

*There were no materials for the Board to review.*

Mr. Boynton noted it is time to address this facility as it is a 1970 design currently not meeting ADA standards. The new superintendent and her team's estimates are north of \$100 million noting review of feasibility of new construction versus rehabilitation is occurring currently. He stated the impact on Medway is \$480,000 of debt service in the first year. He stated everyone recognizes the Massachusetts School Building Authority (MSBA) process is available but wanted to know if there were any other avenues to pursue. Locally, we need to work with the district as we cannot absorb that amount of debt service so it would need to be a debt exclusion. How the vote occurs relative to this funding was then reviewed as it is a majority ballot question in 2023 across all Towns in the district without a debt exclusion clause tied to it. Senator Spilka stated as a delegation, they can work closely with all to work through this. Mr. Trindade stated this is very important as there is a demand for these types of skilled workers currently not being met. Representative Roy noted that \$100 million was put in the ARPA funding for capital improvements of existing locations noting they are well aware of the need for these types of skilled workers and detailed an upcoming job fair being organized. He explained the funding in a bill where the Secretary of Labor and Workforce Development must submit a list of the top ten needs for employment and that will trigger a list of ten occupations. That will then fund related credentialing. For example, if a technical school credentials 20 students in one of these occupations, they would

receive \$20,000. Senator Spilka stated we recognize the importance of the technical schools and community colleges in providing these workers. One of the newer programs being implemented to address this is having the students at the tech schools take morning classes, students at the traditional schools taking afternoon classes, and evenings classes for community members. Mr. Crowley reiterated the concern that the Tri-County vote will be a popular vote and that it will not pass. He noted that North Attleboro will be hit with a cost of \$1.5-\$2 million per year and his concern that if there is not additional support via MSBA, where do we go. Mr. Boynton explained Medway's further challenge based on the results of the facility study and the identified need for multiple new facilities, upgrades to existing facilities, and a major school project. He noted we have a ten year window to deal with \$50 million of municipal building needs and would then need to move onto the next school project. Mr. Boynton shared the results of a conference call with Congressman Auchincloss regarding our facility project needs based on review of the planned infrastructure bills noting none of them fit within these federal funding bills. He noted we will be moving forward with looking for federal funding for our stormwater projects.

#### **Pandemic Impact on Students/ Fiscal Support of Medway Public Schools**

*There were no materials for the Board to review.*

Dr. Pires stated they would like to share the work that has gone on relative to the pandemic noting the positive work between the school and town to accomplish this. The greatest point of pride is that our pre-k to grade 5 students were in school five days per week: (1) pre-k through grade 2 in the beginning of 2020-2021 school year, and (2) grade 3 through 5 by January of 2021, which was possible as we were able to hire 12 additional teachers to support smaller class sizes to comply with the public health mandates. This had a real impact on those students who could come to school every day. Last summer, we engaged a summer of discovery program. He explained that Massachusetts Department of Elementary & Secondary Education (DESE) put out a grant for an intensive, accelerated program for students that was too restrictive for the Medway schools to get onboard with relative to incorporating the requirements into Medway's curriculum. We were able to move forward with this type of program on our own. There was left over money in the DESE grant that we were able to take advantage of and received \$75,000-\$80,000. Dr. Pires stated they have continued to provide before and after school activities around education and social-emotional learning, the latter of which has become more understood due to the pandemic. He noted they have hired a significant number of additional staff due to ESSER funds, as well as work done with the Town, specifically around adjustment counselors. He stated they have hired for the first time a wraparound service specialist who is plugged into social service agencies noting this is more common in an urban area and this staff member is one of the busiest. During the pandemic, they were able to use some of the substance abuse/mental health earmark to complete work that would allow application to the drug free communities grant and were awarded \$125,000 to be spent over five years. A drug free coalition coordinator was hired. He stated that none of this was possible without strong collaboration with the Select Board, Finance Committee, and the work done by the legislators noting the Town was able to share over \$800,000 of their CARES Act funding to allow these additional positions. The THRIVE earmark and other funding was used to seed other programs, one of the most exciting being a partnership with Family Continuity which is a mental health agency close to Medway. They provide us with counselors in our schools and depending on insurance can back bill. We have done a lot of great work. The only ask is for consideration in next year's budget with those two pools of resources, both of which are on the mental health side including the THRIVE earmark. Senator Spilka stated they have put into the budget for the first time \$5 million just for Social Emotional Learning (SEL) grants for schools to help address the COVID impact. Another \$1 million was implemented for mental health assessment as students returned to school. She would like to hear feedback outside of this meeting on how successfully DESE implemented this program. She also

referenced the \$350,000 earmark for DESE grants for SEL on top of the \$5 million, as well as the THRIVE program that Representative Roy was able to obtain. She noted that more information provided to the legislators will allow them to better advocate for the town and school needs. Dr. Pires stated that the formulas used by DESE are not compatible with towns like Medway and post pandemic, we are completely underwater with regard to our ability to provide the supports for students that existed before. The formula around the poverty status typically drives those resources to higher need communities which is totally understandable. However, it leaves us out in the cold and the time commitment to write for these grants for the amount of resources gained is not cost effective. Senator Spilka stated they are taking a look at increasing the mean poverty level standards. Representative Roy stated that no one has been more tenacious on these topics in the Senate than Senator Spilka. Dr. Pires stated that pre-pandemic, they had already ramped up the social-emotional services so were in a better position than those who had not. This allowed us to use the ESSER funds on other things like monitoring our COVID testing program and the added staff allowing for full time learning. Senator Spilka stated that when they revised the Student Opportunity Act, they were able to increase slightly the formula for social workers and guidance counselors to increase state funding to towns. She stated that they will be cognizant that more direct earmarks versus grants via DESE would be more beneficial for Medway. It was noted that working residents with young school age children benefited by being able to work with their children in school full-time, as well as the benefits to the children, and were therefore very thankful for the support to allow this to occur. Mr. Boynton thanked the legislators for their past and present support via earmarks to the Town including those submitted for this year including supporting and expanding activities of the Community Farm and expansion of our Jail Diversion Program run jointly with Franklin. Senator Spilka stated she would like to see that program across the commonwealth. Mr. Boynton stated we would like to get to a second and possibly third clinician available to respond to those calls. Mr. Boynton reviewed the other requested earmarks sent to the legislators including public access awareness, water treatment facility, a storm water compliance unit, recreation walking enhancements, senior citizen outdoor fitness program, and paramedic pedal program.

**Energy Facilities Siting Board (EFSB) and the Relationship to Battery Energy Storage System (BESS)**

*There were no materials for the Board to review.*

Mr. Boynton stated there has been a site identified for BESS and they have filed with the EFSB. There is another firm that has indicated interest in another parcel. He explained why they cannot be located in the existing energy corridor due to safety near existing powerlines, so they set up as satellite sites near the existing grid. The challenges include local zoning and EFSB's jurisdiction over this. Mr. Boynton noted that if done properly and safely, this brings a substantial amount of revenue to the Town. He noted we are doing a \$45,000 study looking at the project including the technology. He stated it was explained that you cannot have renewable energy without storage for those days when the sun does not shine for reintroduction into the grid. He further stated that we are in a unique spot in Medway due to the potential for interconnectivity with the grid in West Medway. Mr. Boynton thanked Representative Roy for his support on this topic. It was stated that storage is key to reach the state's renewable energy goals by 2050. There are two cases pending before the Department of Utilities (DPU), Medway is one and Carver is the second. The way the statute was drafted, they look at decisions based on generating facilities over 100 megawatts in size, transmission lines over a certain voltage, gas pipelines and gas storage, or manufacturing facilities. They did not contemplate BESS when this statute was written so there will have to be a legal determination as to whether or not this will fall under one of those categories under the statute. It is expected that Carver will come first as they were the first submission. The legislature is looking at this closely along with wind and solar as key components toward the goal of energy independence. It was noted impacts that heighten the need for energy independence include the hydropower that will not be coming from Quebec as the Maine voters said no

to 1,200 megawatts of power coming through, the TCI regional effort failed, and Russia threatening both natural gas and oil. Mr. Boynton gave a status on the negotiation with Medway Grid noting we will work on putting in protections for neighbors, abutters, etc. The biggest challenges with this project are that these parcels are outside of the energy zone whereas Exelon was within and went through the Planning Board process, and the question of EFSB jurisdiction over this project. Mr. Boynton stated the goal is not just revenue but that this is done safely and properly noting these two projects could bring \$4 to \$5 million of additional revenue into the Town. Mr. Trindade asked the question of what we can be doing at a grass roots level that makes the legislative process more streamlined and faster. There was further discussion on the types of energy storage mediums currently available. It was stated that since Medway has a project to study this, this will be helpful to other communities as well as the legislature and was commended on this effort. Mr. Crowley explained the frustration that we have a moving target here as we are not receiving any details from Medway Grid, we heard there may be venture capital involved, and they are not sitting down with us to discuss anything. We have not begun discussions on a Host Community Agreement or Payment in Lieu of Taxes Agreement. Additionally, until we know the decision about EFSB jurisdiction, we do not know if we have a position of strength or weakness to be able to strategize negotiation tactics. Mr. Crowley asked what we can do to facilitate a decision from EFSB regarding jurisdiction. He noted this is a hot topic in Town with lots of rumors and we would like to be able to move forward but are currently treading water until there is an EFSB jurisdiction decision. Senator Spilka stated they will follow up on this after this meeting to determine what they can do to assist with this. It was stated that DPU has a legal process, and they anticipate being contacted as part of this process. It was stated that there is an article noting that this process related to storage is not just a Massachusetts problem but is one that is nationwide and will be forwarded to Mr. Boynton. Mr. Alessandri stated the residents are more concerned with safety, but this information is not available. Mr. Boynton stated he spoke to the Massachusetts Department of Fire and Safety about statewide standards relative to these facilities so the burden would not be on local fire chiefs. It was stated that standards are being worked on in California and Nevada. It was noted that these projects are for lithium ion batteries and zero percent are manufactured in the United States. There is a company in Andover that can recycle these batteries back to full life again. There was discussion that safety standards should be looked at with like climates with four seasons as that would alleviate some of the residents' safety concerns.

#### **Police Department Accreditation Requirement**

*There were no materials for the Board to review.*

Mr. Boynton pointed out that this is currently not a requirement. Mr. Crowley stated that the Board had a presentation from the Police Department about discussions at the state level that all Police Departments be certified. Mr. Boynton gave the background on how this information came to the Board from the Peace Officer Standards and Training (POST) Commission. He reported that Chief Tingley will be retiring on July 5<sup>th</sup> and Lieutenant Kingsbury will be the new chief. He stated this information came from one of the subcommittees noting chatter is out there for accreditation to become a requirement at some point. Part of the accreditation issue relates back to the facility relative to items like evidence storage, cell block, prisoner watch, dispatch, noting a lot of those components get built into this requirement. If it does become a requirement through a state agency, we may have a challenge locally with the facility not allowing us to become accredited. He stated that the police facility is on the list of capital needs, and we would potentially need to escalate that project. Senator Spilka stated they will be looking into that as well.

Mr. Crowley noted we have a good working relationship with our committees and are grateful for that and asked if Medway is unique. Senator Spilka stated that if this working relationship exists in a town

then it benefits the entire town. She commended all present as when she first became Senator in 2005, Medway was on the way to be taken over by state receivership and because of the way everyone works so well together, Medway has pulled itself long out of that situation, thrived, and moved forward. The residents should be proud of this, and it is something to applaud. Representative Roy stated he looks forward to this meeting and the collaborative environment. Mr. Boynton thanked all. Mr. Crowley commended Ms. Padien and Mr. Giombetti on their responsiveness.

**At 10:05AM A motion was made to adjourn the Finance Committee meeting and seconded. VOTE: 5-0-0.**

**At 10:05AM A motion was made to adjourn the School Committee meeting and seconded. VOTE: 4-0-0.**

**At 10:05AM Mr. Trindade moved to adjourn the Select Board meeting. Mr. Rossi seconded. VOTE: 4-0-0.**

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