

**Select Board Meeting
April 19, 2022 – 7:00 PM
Sanford Hall
155 Village Street**

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

Staff Present: Michael Boynton, Town Manager; Allison Potter, Assistant Town Manager; Carol Pratt, Finance Director; Pete Pelletier, Department of Public Works (DPW) Director; Sandra Johnston, Communications Director.

Other Participants: Todd Alessandri, Finance Committee (FinCom) Chair; Rich Eustis, Historical Commission Member.

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

Public Comments: There were none.

Approval of Minutes: April 2 and 4, 2022

The Board reviewed the draft minutes of March 21, 2022.

Mr. Foresto moved that the Board approve the minutes of April 2, 2022. Mr. Trindade seconded. No discussion. VOTE: 5-0-0.

Mr. Foresto moved that the Board approve the minutes of April 4, 2022. Mr. Trindade seconded. No discussion. VOTE: 5-0-0.

Discussion/Vote: Class II Auto Dealers License: Ghassan Alarmani D/B/A Gus Auto Tech LLC

The Board reviewed the (1) license application, and (2) departmental approvals.

Mr. Alarmani stated he needs to be able to buy the cars and sell them at auction and is only using his house as an office at 16 Lovering Street. Mr. Crowley stated no cars can be parked out front. Mr. Alarmani confirmed. Mr. Crowley asked where he will be getting the cars. Mr. Alarmani stated he is a mobile technician and those who cannot afford to fix their cars will sell them to him for sale at auction.

Mr. Foresto moved that the Board approve the Class 2 auto dealers license for Ghassan Alarmani d/b/a Gus Auto Tech LLC as discussed. Mr. Trindade seconded. No discussion. VOTE: 5-0-0.

Discussion: Utility Boxes – Historical Commission

There were no materials for the Board to review.

Mr. Eustis stated about one to one and a half years ago the Historical Commission began looking at these utility boxes. Since there have been alternative ideas, he thought it would be good to provide the Select Board with a status. He expects at their next meeting that a final proposal will be ready from Paul Russell or Jeanne Johnson for presentation to the Select Board. Mr. Eustis shared the photo examples,

noting the forms and materials have not been finalized. A three-sided wrap is planned with the front having a historical photo and the back side would be historical information about the photo. They believe that they have enough in their budget to cover the total costs. The Historical Commission is charged with preserving and promoting the history of the Town and maintaining the character of our historical districts. These ideas follow that mission. Ms. White asked if there will be different pictures on each box. Mr. Eustis confirmed. Mr. Eustis said these are subtle and so the safety concerns should not be an issue, and they could also just put this on the sidewalk side of these boxes. Mr. Trindade asked about the costs. Mr. Eustis said it depends on the materials and that is in the process of being decided noting the funds they have available would suffice. Mr. Crowley asked for the total number of boxes. Mr. Boynton stated they would be where there is an overhead signal which would be seven. Mr. Crowley asked if it is one piece or three individual pieces. Mr. Eustis stated it is one piece wrapping three sides. Mr. Rossi asked if the Historical Commission thought about working with Design Review Committee (DRC) or Cultural Council. Mr. Eustis said there was discussion at their last meeting with the Cultural Council and the Commission would be open to engaging in discussion with these other groups. Ms. White asked if anyone from the Cultural Council attended any meetings. Mr. Eustis said he was not at the last meeting so he cannot confirm. Mr. Crowley said he believes the DRC should be the mediator in this process and this should be the next step. Mr. Crowley asked that Mr. Boynton contact the DRC to meet with both groups, the Historical Commission and Cultural Council. Mr. Crowley noted the Select Board has final decision making on this topic. Mr. Rossi asked when the Select Board will hear back from the Historical Commission. Mr. Eustis said they can present after their next meeting. The Select Board agreed that the DRC should be involved in this process.

Authorization to Expend Grant Funds: Office of Elder Affairs Fiscal Year (FY) 2022 Formula Grant - \$24,036

The Board reviewed the (1) notice of grant award, and (2) grant explanation document.

Mr. Boynton stated this is the annual grant based on our annual senior population.

Mr. Foresto moved that the Board authorize the expenditure of the Office of Elder Affairs FY22 Formula Grant as presented. Mr. Trindade seconded. No discussion. VOTE: 5-0-0.

Vote: Authorize Acceptance of Grant for Air Quality Sensors - \$0.00

The Board reviewed the (1) memo from Bridget Graziano, (2) Grant Approval Letter from Governor Baker, (3) Grant Approval Letter from the Department of Environmental Protection, (4) Grant Agreement, and (5) Map of Proposed Air Quality Sensors.

Mr. Boynton stated this will be withdrawn for tonight as we are waiting on answers to questions sent to the state.

Approval: Contract with N.B. Kenney Company, Inc. for HVAC Services – Not to Exceed \$100,000 per Year

The Board reviewed the (1) memo from Pete Pelletier, (2) bid results, and (3) contract.

Mr. Pelletier stated this is for an HVAC services maintenance contract noting we have never had a contract for this in the past. This is the first time utilizing this vendor and they had good references. He stated this should allow for timely addressing of any issues that arise with this equipment. Mr. Crowley asked if money is in the budget for this. Mr. Boynton confirmed.

Mr. Foresto moved that the Board authorize the Chair to execute the contract with N.B. Kenney Company, Inc. in an amount not to exceed \$100,000 per year as presented. Mr. Trindade seconded. No discussion. VOTE: 5-0-0.

Mr. Boynton provided an update on the DPW Administration budget noting that we are running short due to electricity and fuel costs so we will need to move around some funding. He noted that we are still trying to get a better handle on the solar program from the state. We are not getting the payback in the winter like we are in the Spring and Summer. Mr. Crowley asked for confirmation that since this is moving funds in the same department that the Select Board does not need to vote. Ms. Pratt stated that there may need to be an interdepartmental transfer and that would be done after June. Mr. Foresto asked if this is impacting the schools. Ms. Pratt stated the schools have enough funding. Mr. Crowley stated this has never happened before. Mr. Trindade thought transfers cannot take place until the final month of the fiscal year. Ms. Pratt stated transfers are allowed from June 30th to July 15th noting we have time to do any transfers if needed. Mr. Pelletier stated the gas for trucks has doubled and Eversource is two months behind in paying incentives for the solar program.

Mr. Crowley asked when will Maple Street will be paved. Mr. Pelletier stated June or July. Mr. Pelletier explained the steps in the Maple Street project as it is a full road replacement. He noted we have one contractor for the entire project so it should run smoother than in the past with multiple contractors. It was also noted this process could take a couple of weeks. Mr. Trindade requested that a letter go to the residents on Maple Street. Mr. Crowley stated we have never done this before. Mr. Pelletier stated this information will go out via social media and the Town website. Mr. Crowley asked if any further work will be done this fiscal year. Mr. Pelletier stated there will be no further street work this fiscal year.

Master Plan Update

The Board reviewed the Master Plan Update flyer.

Mr. Foresto explained the four-phase process noting they are in the third phase now. He explained the first phase was to look at Medway in the past, noting 120 residents attended a Zoom meeting and the second phase was four different focus groups looking at what Medway should be in the future. He reported seventy residents attended a community forum at the high school and that this project has touched 400-500 residents. The next phase is to look at the goals and categorized recommendations from the focus groups e.g., open space, Route 109 development. There is a survey on-line with a QR code available. Every Town board and committee is passing this information out to gather information. He noted that Mr. Boynton did an informative presentation explaining the Town budget process. Phase four is preparing a draft plan for the fall. Mr. Foresto stated a lot of the topics have been discussed by the Select Board in the past. He requested that residents access the QR code and complete the survey. Mr. Crowley stated a lot of seniors do not know how to utilize the QR code. Mr. Foresto stated physical copies will be available at various locations including Town Hall, Library, etc. Mr. Crowley asked for the cutoff date. Mr. Foresto stated the end of this month. Mr. Crowley asked if there is any way to know how many people have already completed the survey and to get this information out to residents. Ms. Johnston will work with Ms. Goldson on this. Linda Donnelly of 14 Sanford Street reported that she has gone on-line to do the survey noting that the submit button is not working on some of the questions. Mr. Alessandri asked about giving some sort of incentive to improve participation. Ms. Johnston will investigate the potential to implement an incentive program.

Fiscal Year 2023 Operating Budget Adjustment – Town Auditing Fees

The Board reviewed the (1) memo from Carol Pratt, (2) FY23 budget projections spreadsheet, and (3) amended Town Accountant budget.

Ms. Pratt stated we have worked with Melanson since she began working here noting their fee of \$38,500 for the last three years. Their amount for this coming year was \$10,000 more so she is investigating other vendors and is hopeful that we will be able to get a better price than \$49,000. She is therefore asking for a \$7,000 increase to the auditing line in the accounting budget which is coming from the Tri-County line item noting that we already took \$5,000 from that for the Community Events funding. Ms. White asked why the price increased. Ms. Pratt stated she did not know.

Vote Recommendations: May 9, 2022, Special Town Meeting Warrant Articles 1, 2, 6 and 8 and Annual Town Meeting Warrant Articles 4, 5, 7, 11, 16, 20 and 21

The Board reviewed the May 9, 2022, Special and Annual Town Meeting warrants.

Special Town Meeting Warrant

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

Mr. Boynton stated \$95,000 is needed for the snow and ice deficit.

Mr. Rossi moved that the Board approve Article 1. Mr. Trindade seconded. No discussion. VOTE: 5-0-0.

ARTICLE 2: (Prior Year Bills)

Mr. Boynton stated we have \$360 for snow and ice food expenses and \$493.23 for the Building Department for a WB Mason bill for a total of \$850.23.

Mr. Foresto moved that the Board approve Article 2. Mr. Trindade seconded. No discussion. VOTE: 5-0-0.

ARTICLE 6: (Free Cash Transfer to Capital Stabilization)

Mr. Boynton stated this final number is \$155,000.

Mr. Foresto moved that the Board approve Article 6. Mr. Trindade seconded. No discussion. VOTE: 5-0-0.

ARTICLE 8: (Authorize Home Rule Petition to Eliminate Sub-Precinct 1A)

Mr. Boynton stated he is asking Board to approve this article noting that the Governor has filed a bill on our behalf.

Mr. Foresto moved that the Board approve Article 8. Mr. Trindade seconded. No discussion. VOTE: 5-0-0.

Mr. Boynton thanked Representative Jeff Roy and his staff on their efforts relative to this Home Rule Petition.

Annual Town Meeting Warrant

ARTICLE 3: (Appropriation: FY23 Operating Budget)

Mr. Foresto moved that the Board approve Article 3. Mr. Trindade seconded. No discussion. VOTE: 5-0-0.

ARTICLE 4: (Appropriation: FY23 Water Enterprise Fund)

Mr. Boynton stated this needs to stay as to be determined until we get the information relative to the debt. Mr. Crowley asked that Mr. Boynton forward the bid information to him for the water treatment facility project.

ARTICLE 5: (Appropriation: FY23 Sewer Enterprise Fund)

Mr. Boynton recommended approval of this article.

Mr. Foresto moved that the Board approve Article 5. Mr. Trindade seconded. No discussion. VOTE: 5-0-0.

ARTICLE 7: (Free Cash Appropriation: Capital and Other Items)

Mr. Boynton stated this includes the additional amount for Burke-Memorial School basketball hoops.

Mr. Foresto moved that the Board approve Article 7. Mr. Trindade seconded. No discussion. VOTE: 5-0-0.

Ms. White stated Ms. Harrington has indicated where she could utilize a basketball court as well.

ARTICLE 11: (Borrowing – New Centralized Water Treatment Plant)

Mr. Boynton stated this needs to stay as to be determined as we are opening the bids tomorrow afternoon.

ARTICLE 16: (Appropriation: Community Preservation Committee-CPC)

Mr. Boynton stated CPC has voted to support \$10,000 for digitizing the historical book and \$5000 for the open space trail improvements.

Mr. Foresto moved that the Board approve Article 16. Mr. Trindade seconded. No discussion. VOTE: 5-0-0.

ARTICLE 20: (Amend Zoning Bylaws – Solar Electric Installations)

Mr. Boynton stated FinCom at its public hearing voted this as to be determined until they received further information. Mr. Alessandri stated the issue was the lack of information on the process for approval in general given the negative aesthetic impact. FinCom wanted to talk about what the process was in general with Ms. Affleck-Childs before approving the article. Mr. Crowley stated he would prefer to not override the FinCom decision. Mr. Boynton stated that they are allowed today but must be put on an impervious surface. Mr. Foresto stated Natick and Framingham have them in school parking lots. Mr. Boynton noted the specific changes proposed to this bylaw noting most are housekeeping items. The Board decided to leave this as a to be determined.

ARTICLE 21: (Amend Zoning Bylaws – Housekeeping)

Mr. Boynton stated this is just housekeeping items.

Mr. Foresto moved that the Board approve Article 21. Mr. Trindade seconded. No discussion. VOTE: 5-0-0.

Discussion/Vote: Community Events and Programs Policy

The Board reviewed the proposed Community Events and Programs Policy.

Mr. Boynton stated this is purely in draft format and arose from Medway Day, Native American and Indigenous Peoples Day, and the additional \$5,000 in this new budget line item so a policy was needed for the \$5,000. He explained that the Select Board makes the final decision, they cannot exceed what is already appropriated, and it is limited to Town boards and committees, or to a program sponsored by a Town board or committee. If the board or committee has funds already, they must use existing funds first. He noted this details the procedure and process including defined exclusions. It was noted that Town Counsel is still reviewing this policy. Mr. Crowley stated his concern is to have something prepared for Town Meeting, as it is important to get as close to a final product as possible for Town Meeting should there be resident questions. Mr. Crowley asked for an explanation on the state anti-aid amendment. Ms. Potter stated it would include any type of private organization, charity, etc. that the Select Board does not have jurisdiction over. Mr. Crowley stated that he thought the Select Board talked about the allowing the Town Manager to make decisions for small amounts of expenditures. The Board agreed to have further discussion about the Town Manager making decisions regarding usage of these funds.

Action Items from Previous Meeting

The Board reviewed the action items dated April 4, 2022.

This agenda item was not discussed.

Town Manager's Report

There were no items for the Board to review.

Transition to Information Technology (IT) New Dispatch System: Mr. Boynton stated there was a meeting today with Police, Fire, the Dispatch Supervisor, and Information Services regarding the transition to the new dispatch IT system as the existing system is going out of business in 2023. He noted what we attempted to move to will not work so we will be looking at other options over the next three months to determine a viable solution. We may need to appropriate funds for this effort in the fall. He noted that Lieutenant Reardon is lead on this project.

Water Facility Bids – Open Tomorrow 2pm – OPM (Owner's Project Manager) & Engineer Updates: Mr. Boynton stated these bids are opening tomorrow at 2pm noting that we met with the OPM and engineer and were able to save some money on the OPM and we have a not to exceed amount for the engineer, pointing out that what was to be a 13-month process is now looking to be 24-month process. Mr. Crowley asked if we are at or under budget. Mr. Boynton stated we did not exceed the original budget.

NAIPD National Heritage Committee – Need Select Board Rep (5 At Large Applicants): Mr. Boynton stated we have five at large applicants for four positions and need a Select Board representative. Mr. Trindade volunteered to be the Select Board representative.

Mr. Foresto moved to appoint Mr. Trindade to this committee. Mr. Rossi seconded. No discussion. VOTE: 5-0-0.

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

- Wednesday, April 20 afternoon - Norfolk County Managers Meeting
- Wednesday April 27 – Natick Fire Chief Assessment
- Thursday & Friday April 28-29 - Vacation

NEXT Select Board Meeting –Monday, May 2, 2022, regularly scheduled meeting.

Select Board's Reports

There were no items for the Board to review.

Mr. Rossi gave a shout out and congratulations to Julie Harrington on the egg hunt which was packed and very successful with hundreds of kids participating.

Mr. Crowley stated there is a burbs party at the VFW to raise money for Ukraine at a cost of ten dollars per ticket and will be held on April 30th. Mr. Crowley asked Ms. Johnston to put this out via the Town's social media. Mr. Crowley requested an update on the status of the water study specifically looking at the amount of water used, the revenue generated and the efficacy of loosening up on the water ban to bring in more revenue. Mr. Pelletier stated this information will be made available to the Select Board in one month. Mr. Foresto asked for a general consensus of the Select Board on this issue. Mr. Rossi asked if this is the idea to loosen the water ban. Mr. Crowley confirmed. Mr. Rossi asked how this would be implemented. Ms. White stated she would like to know what Mr. Smith would say. Mr. Pelletier stated that Mr. Smith's concern is that you cannot control this usage. Mr. Boynton stated we will provide the net revenue impact to the Select Board. Mr. Foresto stated we could sell water to pool companies.

Mr. Crowley asked for update on the Energy Facilities Siting Board (EFSB). Mr. Boynton stated applications were filed by Medway Grid, LLC to EFSB and the Department of Public Utilities (DPU) for three items: (1) to create a 250,000 megawatt battery storage facility, (2) to be exempt from Medway zoning, and (3) to allow access to the existing grid. Instead of separate hearings at DPU and EFSB, DPU moved the hearing to EFSB. They have not yet scheduled a hearing. EFSB's last hearings were on-line so this should allow for community participation. No decision has been made yet. Mr. Crowley voiced his concern about bypassing local zoning bylaws. Mr. Boynton stated that Exelon went before the Planning and Economic Development Board (PEDB) as their location was already allowed by zoning. Medway Grid, LLC is in the AR district and not in the energy district, so this type of facility is not allowed. They had three choices to address this zoning issue: (1) go to Town Meeting to allow this, (2) go to the Zoning Board of Appeals (ZBA) for an exemption, or (3) go to the state. Attorney Bernstein was asked about jurisdiction and stated that we could spend at least \$200,000 fighting that question, noting that chances are rare to upend an EFSB jurisdictional battle.

There was then discussion regarding the Sanford Street dam. Mr. Boynton stated this has been a twenty-five year long discussion, noting this is under the jurisdiction of the state Office of Dam Safety and the best way to be safe is to not have a dam. He stated there is ongoing discussion with what to do with those privately owned or with questionable ownership and their long term viability. He noted that the Town of Medway does not own the dam. Ms. Linda Donnelly of 14 Sanford Street stated the Sanford Mill dam is privately owned so not eligible for state grants. She stated there is the Claybrook dam, one behind the police department, which is privately owned, Sanford, and one at Choate. A conservation company that worked with the Town looked at the Sanford Mill dam and stated that if the dam were to fail, the impact would only be short term, would level out, cause little damage, and is of low concern to the Town. Ms. Donnelly stated she will e-mail this information to Mr. Boynton. She noted that there are threatened species that live there and there is no infrastructure at the Sanford Mill dam. Mr. Boynton stated the piece of infrastructure of most concern if a catastrophic event occurred is the Populatic Street bridge. He stated there are no immediate plans for this dam noting action is driven by the State Office of Dam Safety. Ms. White asked if the Town would have a voice if this became an

issue. Mr. Boynton confirmed noting that it is accounted for in our Hazard Mitigation and Emergency Management Plans.

At 8:31 PM, Mr. Foresto moved that the Board enter Executive Session for Reason 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 and the Chair so declares [Main Street, Business District], with no intent to return to open session. Mr. Trindade seconded. It was voted by roll call: Crowley aye; Foresto aye; Rossi aye; Trindade aye; White aye. VOTE: 5-0-0

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