

**Select Board Meeting
July 27, 2022 – 8:00 AM
Sanford Hall
155 Village Street**

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

Staff Present: Michael Boynton, Town Manager; Carol Pratt, Finance Director; Joanne Russo, Treasurer/Collector; Stefany Ohannesian, Town Clerk; Barbara Saint Andre, Community and Economic Development Director; Peter Pelletier, Department of Public Works (DPW) Director; Barry Smith, Water Superintendent.

At 8:00 AM, Mr. Crowley called the meeting to order and led the Pledge of Allegiance.

Public Comments: There were none.

Approval: Borrowing for Capital Projects, Including Water Treatment Plant - \$18,855,000
The Board reviewed the (1) memo from Joanne Russo, and (2) vote of the Select Board.

Ms. Pratt stated we went out to bid with very favorable results receiving a \$1.5 million premium that we were able to apply to the borrowing. We will receive \$18,855,000 but will only need to pay back \$17,570,000 resulting in a large impact on the debt for these projects. Mr. Crowley stated the anticipated interest rate was 4%, but we obtained a lower rate and asked how the premium is spread out. Ms. Pratt stated 84% of the premium total will be directed towards the treatment plant project. Mr. Crowley asked if that 84% is split out over the thirty years. Ms. Pratt confirmed. Mr. Crowley asked that she rerun the water rates based on this new information to see if we can decrease the impact and provide that information at the next Select Board meeting. Ms. Pratt confirmed. Mr. Rossi asked what the TIC stands for. Ms. Pratt confirmed it is the interest rate. Mr. Crowley stated that initially we requested \$18,855,000 which \$113,738 over what we initially discussed and asked why. Ms. Pratt stated that this borrowing includes several projects not just the water treatment plant. She noted we did not borrow the entire authorization for the water treatment plant. We held back \$2,750,000 million, as we are hoping to get a grant from the Environmental Protection Agency. She reviewed the specific projects and related borrowing amounts included in this borrowing. Mr. Alessandri asked when we will know about receiving the grant. Ms. Pratt stated it is an application process for the entire country and we thought it was an earmark. Mr. Boynton explained this is the Representative Auchincloss earmark but we must go through an application process and, based on timeline of information sessions, anticipates this to be a six to eight month process. Mr. Rossi stated that most of this is for the water treatment facility and water line, some of which is funded via the water enterprise account. Ms. Pratt stated there are seven separate schedules for each of the borrowings. There was further clarification on the scope of what each of these projects include. Mr. Pelletier reported that the Cassidy lights project is going out to bid today. Mr. Crowley asked what funds were left from the new softball field project. Mr. Pelletier stated \$48,000 was left noting there are still some other items to complete, including a fence. Mr. Trindade stated that softball likes the consistency of new field but has an issue with existing field and requested that DPW look at fixing that.

Mr. Rossi moved that the sale of the \$17,570,000 General Obligation Municipal Purpose Loan of 2022 Bonds of the Town dated August 4, 2022 (the "Bonds") to Janney Montgomery Scott LLC at the price of \$18,968,738.45 and accrued interest is hereby approved and confirmed and that the Board vote to approve the principal amounts, interest rates, years and redemption rates set forth on the "Vote of the Select Board" document provided by Bond Counsel, dated July 27, 2022, as well as all other votes set forth in this document facilitating and authorizing this bond sale. Mr. Trindade seconded. No discussion. VOTE: 5-0-0.

Mr. Boynton reported that we needed S&P to provide an update of our bond rating and we are still at AAA.

Authorization to Expend Grant Funds - American Rescue Plan Act (ARPA):

- **ARPA Coronavirus State & Local Fiscal Recovery Funds (CSLFRF) - \$2,539,594**
- **ARPA Coronavirus State & Local Fiscal Recovery Funds (CSLFRF) - \$1,410,827**

The Board reviewed the (1) Notice of Grant Award Forms, (2) May 24, 2021 Funding Notification Letters from the Department of Revenue.

Ms. Pratt stated we received our Norfolk County payment noting she would like to spend all of this grant money first before spending the borrowed funds for the water treatment facility. We have received one half of the second one that is directly from the Federal Government and she anticipates the second half should be received in August.

Mr. Alessandri moved that the Board authorize the expenditure of the ARPA Coronavirus State & Local Fiscal Recovery Funds as presented. Mr. Trindade seconded. No discussion. VOTE: 5-0-0.

Approval: Glen Brook Way Senior Apartments, LLC (Phase 2) Financing Documents

- **Amended and Restated Master Subordination Agreement**
- **Regulatory Agreement**

The Board reviewed the (1) amended and restated master subordination agreement, and (2) regulatory agreement.

Ms. Saint Andre stated this is phase two of Glen Brook Way, which is 44 senior housing apartments. The closing is scheduled for Monday and the master subordination agreement requires signature by the Select Board, as we are a lender, noting the perpetual restriction for this to be only affordable housing. She stated these are very similar to the documents signed by the Select Board for phase one. Mr. Crowley stated that 70% is initially set aside for Medway residents. Mr. Rossi asked how this works. Mr. Trindade said there is outreach during the construction phase and then a lottery for those who have submitted appropriate paperwork. The lottery is a public process where they pick names and Medway residents will be chosen first. He noted that not everyone who filled out the paperwork will complete the process for numerous reasons. Mr. Crowley stated there is a call via the Master Plan for senior housing in Town noting at Mahan Circle the rent is a percentage of their income. This is a fixed rate and not assisted by the State or Federal government. They are market rates at a reduced market rate. Ms. Saint Andre confirmed noting the discount is based on income and that some may also be eligible for other programs for rental assistance. Mr. Crowley noted that the Master Plan said we need housing lower than market rate. He stated in phase one there would forty-four units, thirty available for Medway residents. Only fourteen of the units were filled by Medway residents.

Mr. Trindade moved that the Board, pursuant to the CPA Funding Agreement dated August 12, 2019, as amended by the First Amendment dated June 6, 2022, approve and accept the Affordable Housing

Restriction to be granted to the Town by GBW Senior Apartments, LLC on properties located at 2 Glen Brook Way and 6 Glen Brook Way, and the Master Subordination Agreement to be entered into with project lenders, as the same may be amended to include non-substantive changes acceptable to the Town Manager and Town Counsel, and to authorize the Chair and/or Town Manager Boynton to execute, on behalf of the Select Board, the Affordable Housing Restriction, the Master Subordination Agreement, and any other related documents and agreements to effectuate the transactions contemplated under the Funding Agreement. Mr. Alessandri seconded. No discussion. VOTE: 5-0-0.

Mr. Crowley noted the Town funding for this project is \$2.2 million and that was why we were able to secure the seventy percent set aside for Medway residents. \$1.3 million has been paid to date from Community Preservation Act (CPA) funds and the rest from the Affordable Housing Trust (AHT). Of the amount left, \$800,000 will be paid from CPA and rest from AHT. He stated that CPA funds will then be down to \$1.4 million but we anticipate receiving another \$1 million this year.

Vote: Police Officer Assignments to September Primary and November General Elections

The Board reviewed the letter from Stefany Ohannesian, Town Clerk.

Ms. Ohannesian stated as part of many changes to election laws, the Select Board is now responsible for approving police details for elections. She is requesting one day and an additional half day for each election. Mr. Crowley asked why this occurred. Mr. Boynton stated that based on the new election laws the Chief Executive of the Town now determines the number of police officers needed noting we have never had an issue here in Medway.

Mr. Alessandri moved that the Board assign police details to the September and November elections as requested by the Town Clerk in her letter dated July 19, 2022, including delegating the scheduling of the officers to the Town Clerk and the Police Chief. Mr. Trindade seconded. No discussion. VOTE: 5-0-0.

Approval: Contract with A.D. Paolini, Inc. for Oakland Street Water Transmission Main - \$923,000

The Board reviewed the (1) memo from Peter Pelletier, and (2) contract.

Mr. Boynton stated this is the first phase of this authorization and reported estimates from Haley and Ward after Town Meeting were north of \$2.1 million from Oakland Street down to treatment facility. He reminded the Board that we previously authorized purchasing the materials due to supply chain issues as we want to begin this project immediately for scheduling purposes. He reported the need to go back to Fall Town Meeting for \$698,000 of additional funding. He stated we may back out \$200,000 of that and take the paving out and move it to the general fund road paving budget, which would bring the amount down to just under \$500,000. Mr. Crowley asked why we have additional costs and if we are over budget. Mr. Boynton stated we only authorized \$1.8 million, but the bids came in higher at \$2.3 million. We are doing this project in phases so we can begin prior to Fall Town Meeting. Mr. Boynton detailed the other pieces of the project that will need to come to Town Meeting some of which include the pump houses. Mr. Crowley asked about the project plan. Mr. Smith stated two 12" water mains will run from Oakland Street to the new water treatment facility and then from Walker Street to Oakland Street and up to the Oakland Street well. Mr. Crowley asked if there were any other bids and if we have performance bond. Mr. Smith confirmed there were four with Paolini being the lowest bidder and that we have a performance bond. Mr. Rossi asked if we have used them previously. Mr. Smith confirmed. Mr. Crowley asked when the first phase will begin. Mr. Smith stated in the next few weeks. Mr. Crowley asked if this is going through the streets. Mr. Smith confirmed. Mr. Trindade stated that since we will be ripping up Oakland Street, if we have considered adding sidewalks. Mr. Pelletier

confirmed noting the need to revisit this with an engineer. Ms. White said the residents in the past did not want sidewalks installed as they did not want the trees cut down as there were a lot of large old trees that would have needed to be removed. Mr. Pelletier will revisit that and meet with the residents. Mr. Alessandri asked about a prior discussion regarding the issue with the water lines over the Walker Street bridge. Mr. Smith explained the plan to address this issue is to go over the bridge.

Mr. Alessandri moved that the Board approve the contract with A.D. Paolini, Incorporated in the amount of \$923,000 for the first phase of the project and authorize the Chair to execute it. Mr. Trindade seconded. Discussion: Mr. Crowley noted this is all part of the water treatment facility project. **VOTE: 5-0-0.**

Approval: Contract with Kolodziej Construction Corp. for DPW Building Metal Siding - \$82,000
The Board reviewed the (1) memorandum from Peter Pelletier with bid results, (2) sketch, and (3) contract.

Mr. Boynton stated this is the old wash bay we anticipated replacing with the left over DPW building project money noting this should complete projects using that funding and there will be funding to be turned back. He explained the hiccups relative to the project noting he would not recommend the Town work with the architect again. This provides for long term stability of the wash bay. Mr. Pelletier stated the turnback funds would be slightly less than the \$175,000. Mr. Crowley asked if that would be repurposed, or would we need to address this at Town Meeting. Ms. Pratt stated if the amount is under \$100,000, it can go to general fund but if it is over \$100,000 it would need to be repurposed at Town Meeting. Mr. Crowley asked Ms. Pratt to address any other funds that would need to be repurposed at the upcoming Fall Town Meeting.

Mr. Alessandri moved that the Board approve the contract with Kolodziej Construction as presented and authorize the Chair to execute it. Mr. Trindade seconded. No discussion. VOTE: 5-0-0.

Mr. Crowley asked if anyone looked at the report from ambulance runs noting that we budgeted \$750,000 in revenue but closed out at \$852,000 so we are over by \$100,000. Mr. Boynton stated this revenue stays in the ambulance fund noting, to move the funds, it would need to be addressed at Town Meeting. Mr. Crowley asked Ms. Pratt to report to the Select Board how much is in the ambulance fund. Mr. Boynton noted that as Holliston fixes their staffing issues, our revenue will be impacted. Mr. Trindade asked if there were any issues with collections. Ms. Pratt stated there are no issues.

Approval: Contract with Ricciardi Bros., Inc. for Concrete Sidewalks on Main St - \$375,000
The Board reviewed the (1) memorandum from Peter Pelletier with bid results, and (2) contract.

Mr. Pelletier stated this is the Main Street sidewalks project by 39 Main Street noting the builder gave us money to do the project. Mr. Crowley asked who the other bidders were. Mr. Pelletier stated this was only the bidder. Mr. Crowley asked if residents are onboard. Mr. Pelletier confirmed. Mr. Crowley asked how many trees must come down. Mr. Pelletier stated ten, but they plan to plant more. Mr. Rossi asked about the specific location and the flashing crosswalk light. Mr. Pelletier stated they would run from Richard Road to Lee Lane, and the project includes putting the light in. Mr. Alessandri asked about the project timeline. Mr. Pelletier stated it may carry into spring of next year depending on access to the necessary supplies. Mr. Crowley asked when this will begin. Mr. Pelletier stated in one to two weeks.

Mr. Trindade moved that the Board approve the contract with Ricciardi Brothers as presented, conditioned upon all appropriate sign offs, and authorize the Chair to execute it. Mr. Alessandri seconded. No discussion. VOTE: 5-0-0.

Approval: Contract with TJ's Plumbing and Heating, Inc. for HVAC Services – Not to Exceed \$100,000

The Board reviewed the (1) memorandum from Peter Pelletier with bid results, and (2) contract.

Mr. Pelletier stated this is our second lowest bid on our contract this year as N.B. Kenney has not been responsive and TJs has been more responsive. Mr. Crowley asked if they have been used before. Mr. Pelletier confirmed noting their good references. Mr. Rossi noted that N.B. Kenney contract was just signed in April. Mr. Pelletier stated when he has asked for pricing they were not responsive. Mr. Crowley asked if we have documentation of the lack of responsiveness. Mr. Pelletier confirmed.

Mr. Trindade moved that the Board approve the contract with TJ's Plumbing and Heating, Inc. as presented, conditioned upon all appropriate sign offs, and authorize the Chair to execute it. Mr. Alessandri seconded. No discussion. VOTE: 5-0-0.

At 8:50AM, Mr. Crowley moved that the Board enter into 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 [topic: Main St, Central Business District], with no intention of returning to open session upon conclusion of the executive session. Mr. Trindade seconded. No discussion. It was voted by roll call: Alessandri aye; Crowley aye; Rossi aye; Trindade aye; White aye; VOTE: 5-0-0.

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