

**Select Board Meeting
May 15, 2023 – 6:45 PM
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; Allison Potter, Assistant Town Manager; Police Chief Kingsbury; Stefany Ohannesian, Town Clerk; Peter Pelletier, Department of Public Works (DPW) Director; Barry Smith, Water Superintendent; Sandra Johnston, Communications Director.

Others Present: Don Voner, Verizon Representative.

At 6:45PM, Mr. Crowley called the meeting to order.

Executive Session: Reason 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 [Pursuant to MGL 30A, Section 21, Preparation for Negotiation with Non-Union Personnel - Town Manager]

There were no materials for the Board to review.

At 6:45 PM, Mr. Alessandri moved that the Board enter into Executive Session under Reason 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 [Pursuant to MGL 30A, Section 21, Preparation for Negotiation with Non-Union Personnel - Town Manager] with the intent to return to open session and the Chair so declares. Ms. White seconded. No discussion. It was voted by roll call: Alessandri aye; Crowley aye; Rossi aye; White aye.

The Select Board returned to Open Session at 7:00 PM and Mr. Crowley led the Pledge of Allegiance and reminded all to remember the number 19 for those Medway residents that gave their lives in service to this country.

Public Comments: There were none.

Public Hearing 7:00PM: Verizon New England, Inc. and NSTAR Electric Company d/b/a Eversource Energy Petition for Joint Pole Installation on Oakland Street

The Board reviewed the (1) petition, and (2) plan.

Mr. Rossi moved that the Board open the public hearing. Mr. Alessandri seconded. No discussion. VOTE: 5-0-0.

Mr. Voner reported he went out to the site prior to this meeting and noted that the measurement is a bit longer than on the plan at thirty-six feet. He was not given a reason for why this must be put in place; however, his interpretation was that this would support the existing pole line so it would not fall into the woods. Mr. Crowley read the reason that was provided to the Select Board. Mr. Crowley asked

if Mr. Boynton found this acceptable based on the difference in length. Mr. Boynton confirmed as the document states approximate length. No one from the public attended the meeting.

Mr. Rossi moved that the Board close the public hearing. Mr. Trindade seconded. No discussion. VOTE: 5-0-0.

Mr. Rossi moved that the Board approve the petition for a joint pole installation on Oakland Street by Verizon New England, Inc. and NSTAR Electric Company d/b/a Eversource Energy as discussed. Mr. Trindade seconded. Discussion: Mr. Alessandri stated there is a very narrow pole around this same area and asked if this is supporting that as well. Mr. Voner stated no and explained the specific pole involved in this petition. **VOTE: 5-0-0.**

Approval of Minutes: May 1, 2023

The Board reviewed the draft minutes of May 1, 2023.

Mr. Alessandri moved that the Board approve the minutes of May 1, 2023. Mr. Trindade seconded. Discussion: Mr. Rossi requested on page 2, that line 99 be changed to remove the word “a” so would read “making this permanent”. **VOTE: 5-0-0.**

Discussion/Vote: Town Manager Contract

There were no materials for the Board to review.

Mr. Crowley stated the executive session discussion tonight was about extending the contract of the Town Manager. Mr. Alessandri stated he is in favor of extending it due to Mr. Boynton’s knowledge, personality, and effort. Mr. Rossi seconded Mr. Alessandri’s comments noting that Mr. Boynton does outstanding work, and we are fortunate to have him for a longer period. Mr. Trindade agreed with the previous comments. Ms. White stated she is also in favor of extending his contract noting that having worked at Town Hall for over thirty years, Mr. Boynton is the most knowledgeable and invaluable Town Manager she had worked with. Mr. Crowley stated that we are planning to extend the contract through Fiscal Year 2028 noting the current competitive market as part of the reason for this contract extension.

Mr. Rossi moved that that the Board approve the Town Manager contract as discussed. Mr. Trindade seconded. No discussion. VOTE: 5-0-0.

Mr. Crowley congratulated Mr. Boynton. Mr. Boynton thanked the Board for their humbling comments. He stated he appreciated all the comments, the current team he works with, as well as the Medway residents. He noted that we have done succession planning and hiring from within, specifically noting Chief Kingsbury, DPW Director Pelletier, and Ms. Ohannesian. He stated his hope was that the Board will support this process in the future by having Ms. Potter move into his role at the end of his contract.

Discussion/Vote: Traffic Rules and Regulations

The Board reviewed the proposed traffic rules and regulations.

Mr. Boynton stated this has been a long-term joint project between the Police Department and Town Clerk’s office due to the volume of work involved. He noted that each Community is required to have a set of these regulations. We have had them, but we have not updated them, and they were not in a format allowing them to be easily updated. The Select Board as the Road Commissioners of the Town have the authority to set these rules and regulations. He noted that Town Counsel has reviewed the document before the Board and commended both Departments on their efforts. Chief Kingsbury stated

this has not been done since 1944 so finding the records was a project in and of itself. He noted many amendments have been approved to date but have not been included in a comprehensive document. He explained all the signs included i.e., stop signs, no turn signs, etc. He explained the other areas they looked at including parking and bylaw issues noting Town Counsel has stated the need to adopt several statutes i.e., MGL c. 90, sec. 20A, which allows the Board to vote on parking fines. They looked at adopting a twenty-five mile per hour (mph) speed limit town-wide noting any road without a posted speed limit would then be twenty-five mph. He noted the need to adopt a handicapped parking bylaw per Town Counsel's recommendation, the need to adopt pedestrian regulations under State law 720 CMR 9.9, as well as others that require updated language as they were adopted in the early 1980s. He noted adopting these would provide the Select Board with greater flexibility.

Mr. Alessandri moved that the Board approve the traffic rules and regulations as discussed. Mr.

Trindade seconded. Discussion: Ms. White asked for clarification should a new stop sign be added that the Select Board would then need to approve that placement. Chief Kingsbury confirmed. Ms. White asked if other signs, such as speed limits, would need to come before the Board. Chief Kingsbury confirmed noting weight limit signs would require further approval by the Department of Transportation (DOT) after approval by the Select Board. There was further discussion about what signs would and would not be required to come before the Board. Mr. Rossi asked about the bylaw changes needed. Mr. Boynton explained the process for implementing bylaw changes once this document is accepted by the Board. He noted the need to address this at the Fall Town Meeting with both warrant articles for voting on the statutes and then the subsequent warrant articles for development of the bylaw. Mr. Rossi asked about parking on page 19 and if the road behind the High School is addressed, as there have been many issues with parking on that specific access road during tournaments. It was noted this is in the document named as rear access road four and that no parking is already posted. Mr. Rossi asked about the heavy commercial vehicles on Clark Street relative to the new development in Hopping Brook in Holliston and if it is currently enforceable. Chief Kingsbury confirmed. Mr. Boynton stated Granite Street had has many requests for this exclusion and explained the difficulty with streets that terminate at town lines. Both towns need to agree with that exclusion and the alternate route also needs to lie entirely within your community. He stated Lieutenant Watson has investigated this on multiple occasions with no success to date. Mr. Alessandri asked for confirmation that the six items on the cover page that are not included are not up for vote at this meeting. That was confirmed noting that, at the end of the document, the town wide speed limit remains thirty mph. Chief Kingsbury stated that any change to that speed limit must be a Town Meeting vote. Mr. Crowley asked about his discussion with Mr. Boynton about going through stop signs. Mr. Boynton stated that if the stop sign is not in the rules and regulations accepted by the Select Board, a Police Officer can stop an individual and issue a citation but that would be thrown out in court, if challenged. If it is not in these rules and regulations, it is not enforceable. Mr. Crowley noted that this is a fifty-page document and asked what initiated this review. Chief Kingsbury stated it was at Mr. Boynton's request in September of 2021. Mr. Crowley asked for the worst intersections in Town. Chief Kingsbury stated Village and Franklin Street is consistently the worst. It is a four way stop and the stop signs are not at the same distance from the intersection on all sides, so drivers do not always see them. He stated the Main and Holliston Street intersection has a lot but are mostly minor rear end crashes. Mr. Crowley stated he asked that question for two reasons, one being if we can take any action to decrease the number of accidents and, secondly, if we can decrease the number of accidents, which would decrease the insurance costs for residents. Chief Kingsbury noted this would allow the enforcement of following too closely, which would greatly reduce the number of accidents. Mr. Boynton noted another issue that will need to be addressed is not stopping for those in the crosswalk in front of Town Hall. Chief Kingsbury noted this document also requires yearly reporting to the Select Board on accidents. Mr. Crowley asked for the cost of the speed limit signs that show you your current speed. Chief Kingsbury stated they cost between \$3,500 to \$4,000. Mr. Crowley asked if

they are effective. Chief Kingsbury confirmed noting insurance companies like these and there is evidence that they work. It was noted that we just received grants to address traffic safety at two school zones. **VOTE: 5-0-0.**

Mr. Trindade suggested that Ms. Johnston make a video with Chief Kingsbury about the Lovering and Holliston Street intersection including encouraging people to not wave people on.

Approval: Walsh Construction Co. Change Order #2 for the Water Treatment Facility - \$58,925.53

The Board reviewed Change Order #2.

Mr. Pelletier stated these are items that came up during the construction resulting in these change orders noting that we still have credit owed and have not touched the contingency funds.

Mr. Alessandri moved that the Board approve and authorize the Chair to execute Change Order #2 for the Water Treatment Facility as discussed. Ms. White seconded. Discussion: Mr. Alessandri asked for an explanation for the largest cost related to venting. Mr. Pelletier explained that the plumbing inspector interpreted the State code differently than Wright-Pierce so additional installation of venting was required. Mr. Rossi asked for further information about the credits and contingency. Mr. Pelletier explained that we have credits of over \$78,000 so this will be funded from that. He noted there is also a tree that needed to be removed and is not included in this change order. The amount of contingency of just over \$1 million was noted and reiterated that this has not been touched to date. Mr. Crowley asked for the percentage of project completion. Mr. Smith stated forty-seven percent. Mr. Crowley noted it is very unusual to be at this point of completion and still have a credit. He attributed it to the following factors: (1) the hired architect's level of performance, and (2) the experience of the members and Chair, Tim Harris, of the Water Treatment Facility Committee. Mr. Boynton reported on the pending change orders including: (1) a change in the connection to the existing utility pole further up requiring added trenching at a cost of approximately \$39,000, (2) a pavement issue that we have pushed back on as we are not in favor of implementing that change, and (3) another change at the cost of approximately \$30,000. Mr. Crowley asked about the piping under concrete issue that we pushed back on and asked if that was resolved. Mr. Boynton confirmed. Mr. Trindade explained the project construction to date, most of which is underground. The delay on electrical supplies was noted. **VOTE: 5-0-0.**

Discussion: Unaccounted for Water Loss (UAW) and Charles River Pollution Control District (CRPCD) Volume Update

The Board reviewed the UAW and CRPCD volume data.

Mr. Smith reported the Water Department received an award at the State House for our unaccounted water, water conservation, and community outreach for the last several years. Mr. Smith reviewed the UAW data noting this is very preliminary, as it based on the calendar year, so includes only one billing cycle. We are currently at a little over nine percent. He noted that will change with the next bill run next month. The Select Board asked if he expects this to go up or down. Mr. Smith stated down noting there are many items that impact this number. Mr. Rossi asked for clarification of the period this covers. Mr. Smith stated the first three months of calendar year 2023. There was discussion about whether a more appropriate period for reporting, rather than quarterly, would be efficacious. It was decided to change the reporting to the end of June and January. Mr. Smith reported that in 2021 our daily average usage was 660,000 gallons per day (gpd). That increased by 100,000 gpd in 2022. We pumped 280 million gallons of water in 2022 and 240 million gallons in 2021. Mr. Crowley asked for anticipated gallons for 2023. Mr. Smith stated we are pumping more to date in 2023 at almost 103 million gallons. Mr. Rossi

asked for our daily cap. Mr. Smith stated it is an average of 365 days and ours is 996,000 gpd and noted we are still below that.

Mr. Smith noted the sewer data is from CRPCD and did not become available until April. He stated our flows have decreased noting a lot of that is rain dependent and we are still working on inflow and infiltration (I&I). He reported on one street alone all fifteen connections are leaking. There is one on Neelon Lane and we found homes at the end of Neelon Lane and Charles View Lane that hooked their sump pump directly to the sewer. He noted there is a list of eighteen manholes and fifteen laterals that need to be repaired. Mr. Crowley noted our capacity is 955,000 per day and asked Mr. Smith to identify where the 100,000 gallons on his chart for projected capacity is coming from. Mr. Smith stated Salmon Health, Timber Crest, William Wallace, 20 Broad Street, which is still offline, 39 Main Street, Glen Brook, Evergreen Street, which is online now, Harmony Village, which is online now, and the Settlement. He noted that these numbers come from the developers based on number of bedrooms, etc. Mr. Crowley noted that based on this data that our projected usage is 900,000 gallons per day, so we are very close to our 955,000 capacity. Mr. Boynton stated that CRPCD is stating that we are exceeding the eighty percent threshold, noting that our permit is through the district, and they still have capacity. The two things we are working on are I&I and the illicit connections. He shared his discussions with the Town Administrator of Franklin in an attempt to find a solution to our capacity issue that benefits both towns. This would allow an additional 150,000 in capacity for Medway. Mr. Boynton stated over the next few months, we need to work with the Board on a presentation to Franklin. Mr. Crowley noted that this will cost money. He pointed out that in bringing on the 39 Main Street project, the Select Board and Town Manager negotiated that they provide the Town \$1 million with \$400,000 set aside for sewer. Mr. Boynton confirmed. Mr. Crowley pointed out the decrease over the past years of flow through CRPCD noting that is why we are spending funds on addressing I&I, as each gallon has a cost to the Town. Mr. Smith noted that a lot of work has been done in-house to address I&I, as well, including the purchase of the camera that has more than paid for itself. There was further discussion about illicit connections.

Approval: Two-Year Contract Extension with Lawrence Waste Services, Company for Curbside Trash and Recycling and Municipal Facilities Pickup – Fiscal Year 24 - \$715,850, Fiscal Year 25 - \$737,325.50
The Board reviewed the contract.

Mr. Pelletier stated the increase from FY24 to FY25 is three percent noting that was baked into the contract we had with them in 2020. Mr. Crowley asked about the ability to negotiate that increase in the future. Mr. Boynton stated it depends on what the competition is for the business noting that Lawrence Waste has been great to work with and very responsive. Mr. Pelletier stated they bend over backwards to help us with any issue that comes up noting they are a Medway business and want to stay in business with the Town.

Mr. Trindade moved that the Board approve the contract with Lawrence Waste Services Company as presented. Ms. White seconded. Discussion: Mr. Crowley asked for the cost of this year's contract and how much of an increase there was from FY23 to FY24. Mr. Pelletier stated three percent. Mr. Crowley noted the increase in contract costs was also a reason for the increase in the trash fee. Mr. Pelletier confirmed. Mr. Crowley asked about the notice for the August water billing. Mr. Pelletier stated that is in process. **VOTE: 5-0-0.**

Approval: Fiscal Year 2023 Budget Transfer Request for Unemployment Expenses and Utility Box Historical Wraps - \$80,000
The Board reviewed the budget transfer request.

Mr. Boynton stated we are proposing moving the \$80,000 from Health Insurance with \$75,000 going to the unemployment budget line and \$5,000 to cover the historical wrap project. He noted that the Historical Commission will use the funds in their current budget plus this \$5,000 to complete that project.

Mr. Trindade moved that the Board approve the FY23 budget transfer request as discussed. Ms. White seconded. No discussion. VOTE: 5-0-0.

Discussion/Vote: Select Board Fiscal Year (FY) 2024 Meeting Schedule

The Board reviewed the proposed FY24 meeting schedule.

Mr. Alessandri moved that the Board approve the FY24 meeting schedule as discussed. Mr. Trindade seconded. Discussion: Mr. Alessandri asked if we could add a meeting in July and August should the need arise. This was confirmed. Mr. Crowley noted that since he, Mr. Trindade, and Ms. White have been on the Board, there has only been one meeting in those months and a special meeting can be called if needed. **No discussion. VOTE: 5-0-0.**

Discussion: Select Board Fiscal Year (FY) 2024 Liaison Positions

The Board reviewed the proposed FY24 liaison positions.

Mr. Crowley decided to move this to the next meeting on June 5th so that the next Chair could meet with the Board members to determine their preferences. The Board agreed.

Action Items from Previous Meeting

The Board reviewed the action items dated April 18, 2023.

Grant Submission for Medway Block Environmental Clean-up Update: Mr. Boynton stated it will take longer for this grant submission noting that we just filed our first report with the Department of Environmental Protection today. He noted we need to address the clean up as soon as possible as this testing and reporting process costs us \$30,000 per year. He requested this due date be moved to September of 2023. He commended Stephanie Carlisle who is coordinating this with us. She and Ms. Graziano are working on the Brownfield Program.

Town Manager's Report

There were no items for the Board to review.

Town Election – Tomorrow: Mr. Boynton reminded all about the Town election scheduled for tomorrow and encouraged residents to exercise their civic duty and vote.

Tri-County Legislation Update: Mr. Boynton reported he had a discussion with Senator Spilka last week hoping to incorporate the language in the state budget discussed last March. This would essentially put Tri-County's project on the same plateau as a municipal project which associates the funding mechanism with the vote of the project. He stated both the House and Senate Counsel had concerns whether you can compel communities across the eleven Towns to fund it a certain way. Mr. Boynton noted that was not what was proposed as it just provides the authority to associate the project funding with the vote. He noted the legislation is not going in as part of the state budget. He hoped that our state legislators would try to lobby their colleagues on this as this would be a financial crisis for all eleven member communities.

Mr. Alessandri stated the last weekly update from the last Municipal Managers Association noted a couple of additional sources of revenue funding mechanisms that could be available from the state including: (1) special education transportation, (2) McKinney Vento, and (3) Massachusetts School Building Authority (MSBA) funding. Mr. Boynton addressed MSBA stating the \$100,000 funding is minimal and any adjustments in the percentage would result in a minimal benefit to Medway. Relative to the other two items, Mr. Boynton and Mr. Crowley met with Dr. Pires and Ms. Dietrich as part of the Town and School Leadership Meeting noting the Town will work with them and if there is any additional Chapter 70 funding, we would revisit the budget at Fall Town Meeting. He explained the charter school assessment in the Governor's budget was way off and the need to still look at the House and Senate budgets. Mr. Crowley clarified that if there is an increase in special needs funding, it goes directly to the schools. Mr. Boynton stated it depends on the specific account. There was further discussion about the per student increase for special needs. Mr. Crowley reported on a discussion with Tracy Stewart and that she expects the next revised project total to be available in July.

Memorial Day – Town Offices Closed – Parade 10AM: Mr. Boynton reminded all that Town Offices will be closed on Monday, 29th in observance of the Memorial Day holiday. The parade will begin at 10am from the VFW followed by the annual ceremony at Matondi Square.

Town Manager Out of Office: Mr. Boynton stated he will be off as follows:

- May 19-26 – Vacation
- June 1st & 2nd – MMMA Spring Conference – Brewster
- June 20-30 - Vacation

NEXT Select Board Meeting – June 5, 2023 – Regular Meeting

Select Board's Reports

There were no items for the Board to review.

Mr. Alessandri reported he had the pleasure of attending the Innovation Showcase at the High School for Project Lead the Way. It was very entertaining and impressive seeing what these students could do including their ability to draft architectural plans. The Middle School Robotics team that traveled to Dallas, TX was also at the event.

Mr. Rossi reminded all that Saturday is Medway Pride Day noting the Select Board will be walking around during the event.

Ms. White reported the Garden Club is having a plant sale at the recycling center this Saturday at 9am.

Mr. Crowley reported that Lorraine Cottone was in charge of the bags for the hunger drive noting the food is shared between the Mahan Circle and Village Church food pantries. It was estimated that between 12,000-13,000 pounds of food was collected. Mr. Crowley asked if there was anything new with Medway Grid. Mr. Boynton stated no. Mr. Crowley asked if Mr. Boynton could share the results of the facilities study. Mr. Boynton stated there will be a contract put before the Board for a feasibility study for a Police, Fire, and Town Hall with options for renovation or relocation. Mr. Crowley noted \$85,000 was approved at Town Meeting and that Mr. Boynton had a kickoff meeting today with the consultant. Mr. Boynton stated today's meeting was to determine if we would move forward with the contract. The price proposal was a little over \$83,000 and the vendor has a good feel for the community as they did our facilities study noting. GRLA is the company that will be completing the study. Mr.

Trindade, Mr. Harris, and Mr. Boynton met with them this afternoon and hope to have a contract at a June Select Board meeting.

At 8:50PM, Mr. Trindade moved to adjourn. Ms. White seconded. No discussion. VOTE: 5-0-0.

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