

**Select Board Meeting
October 23, 2023 – 7:00 PM
Sanford Hall
155 Village Street**

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

Absent: Maryjane White, Member.

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

Others Present: Conservation Commission (ConCom): David Travalini, Chair, Dayna Gill, Vice-Chair.

At 7:00 PM, Mr. Trindade called the meeting to order, led the Pledge of Allegiance, and requested a moment of silence on behalf of the loss of Maryjane White's husband, William, and the loss of Andy Espinosa who served two terms as a Select Board member. He asked that we keep in our prayers the family that moved to Medway one and a half years ago who are stuck in Gaza, noting he has been in touch with their close family friend.

Public Comments:

Jim and Elizabeth McCurdy of 10 Jasmine Road stated they are here to support the Tri County Regional Vocational Technical High School (TCRVTHS). Their son Nate will graduate from there and plans to study emergency management at Mass Maritime. He explained the experience his son received at TCRVTHS noting he is in a co-op with Medway Fire and how much maturity he achieved at TCRVTHS. They hope Medway will continue to support this school. Amanda Fitzgerald of 3 Sun Valley Drive spoke in support of TCRVTHS and reviewed her experience leading up to and through high school; she struggled in most subjects, had an IEP, never felt confident, and was a square peg in a round hole. However, she was successful at TCRVTHS with their support, lettered in two sports, was a member of the National Honor Society, graduated 10th in her class, and received a scholarship to help pay for college. She worked there for two years as a faculty member. Her oldest son is currently at TCRVTHS, and her daughters hope to attend there as well. She also highlighted the need for skilled tradespeople and the need for a new school. Phil Fougere of 12 High Street noted one reason he and his wife came to Medway was the multiple tracks their children could pursue with regular high school, TCRVTHS, and Norfolk County Agricultural High School. His daughter attended TCRVTHS and is very successful. He noted the positive impact and importance of children experiencing students from many other towns. Dave Fitzgerald of 3 Sun Valley Drive stated he was a graduate of the TCRVTHS HVAC program, his wife was in the medical careers program, his sister and sister-in-law graduated from the cosmetology program, his sister has her own salon, and shared other family members' experiences and successes after attending TCRVTHS. He noted his success is due to his experience at TCRVTHS. Sean Green of 25 Howe Street stated his support of TCRVTHS noting one of his children attends there, is very successful, and attending TCRVTHS has given him confidence. While his other two children attend Medway High School, certain students need this type of opportunity. Brenna Stewart of 21 Lovering Street and a senior in engineering at TCRVTHS explained the four tracks they learn about in engineering noting the many certifications she earned, had the opportunity to work with NASA, as well as played two sports. She will be going to explain to the Medway eighth graders about the opportunities at TCRVTHS. Ilonkis Lum of 241 Main Street stated her

and her husband have been Medway residents for twenty years, are graduates of Keefe Tech, have three children, two of whom attend TCRVTHS. One is a senior in the electrical program and the other is a sophomore in the engineering program. The oldest works for a local electrical company and is OSHA and CPR certified. She explained both of her children's career paths noting her fifth grader also wants to attend TCRVTHS. She noted one of her children is on an IEP, is a hands-on learner, and succeeded at TCRVTHS. Dale Lawrence of 11 Colonial Road has a son Zachary graduating from TCRVTHS. He noted his son is also in engineering and working his co-op at the Charles River Pollution Control District (CRPCD). They go out of their way to assist each child with their learning style. His son is looking at three colleges and has a high GPA. He noted that when he goes to the other technical schools for sporting events that the facilities are up to date. He stated a TCRVTHS update is needed and well deserved. Bill Blenkhorn of 15 High Street stated he has been a lifelong resident and a 1990 TCRVTHS graduate along with both his brothers and son all of whom are engineers. He stated this school has a long history in Medway noting TCRVTHS students have worked at improvements at the Community Farm and on a playground for one of the elementary schools. The vote tomorrow is critical. We are looking at a cost of \$286 million with \$80 million coming from the Massachusetts School Building Authority (MSBA). The pre-COVID estimate for refurbishment was \$165 million, there is no contingency built into that cost estimate, and none of which is funded by the state, so the towns will carry that burden. He stated the difference of \$286 million minus the \$80 million funded by the MSBA, \$206 million versus the \$165 million refurbishment cost is a difference of \$41 million. He noted he would like people not to look at the cost but at the investment. He noted that Mr. Crowley had stated the funding from the Battery Energy Storage System (BESS) facility could fund this and noted it would be short sighted and fiscally irresponsible to not support the new building. He explained again that there is no contingency built into the \$165 million refurbishment project but there is in the \$286 million new building project. He would like to ask the community and the Select Board to support this new building project. Mr. Crowley noted the vote starts at noon and ends at 8PM and is at the Middle School.

Michael Auler of 4 Winterberry Lane stated he will speak to the citizens' petition brought before the Select Board and read the letter that he sent to the Select Board earlier today. He stated the petitioners painted an inaccurate picture of what occurs on his property. He stated much could have been avoided if the petitioners reached out to him directly noting he was shocked to hear that the petitioners stated they heard he was not approachable. He then addressed the amount of shooting that occurs on his property. He noted he has shot one pistol and one shotgun twice, once with his son and once with his wife. He is shooting at a small target, there is a berm, it is heavily wooded, and he does not shoot towards any populated area. He noted the lead in the ammunition is not a detriment to the environment from what he has read, and the shotgun uses steel bullets. He stated if the Select Board should wish to walk the property, to please reach out to him.

Jeremy Barstow of 4 Narraganset Street stated he teaches at TCRVTHS and gets to experience when the students realize they are smart and have a future noting his pride teaching there. He recognized and appreciated the support from the communities.

Approval of Minutes: October 10, 2023

The Board reviewed the draft minutes of October 10, 2023.

Mr. Rossi moved that the Board approve the minutes of October 10, 2023. Mr. Crowley seconded.

Discussion: Mr. Rossi requested on page 3, line 103 that "will" be changed to "may", and that on page 7, line 295 that "the" be removed before "with". Mr. Crowley requested that on page three, lines 125 to 126 be worded to make more sense, that on page 6, line 291, that Town Manager be added to the

working group, and on page 9, line 393 that “on Winterberry Lane” be added after Mallard Drive. **VOTE: 4-0-0.**

ARTICLE 21: (Amend General Bylaws: New Tree Bylaw)

Dayna Gill, Vice-Chair, and David Travalini, Chair of ConCom, stated this is the tree preservation bylaw addressing trees located in property setbacks, with the purposes of maintaining their environmental benefits, maintaining the rural character of the town, and maintaining privacy. It has come to their attention in ConCom meetings with larger developments that the neighboring properties are losing a lot of their privacy. Mr. Crowley stated he knows that Mr. Travalini will be going before FinCom on Wednesday and would like to wait and hear about its interpretation and feedback. Mr. Alessandri stated his agreement with the purpose, but his concern was with implementation, specifically, shifting a lot of costs to residents (e.g., certified arborist) as well as the bandwidth within ConCom to complete all these inspections. How much will this cost both the Town and the residents if implemented? Mr. Travalini stated that if a resident is hiring someone to cut down the trees, then they already have or have access to an arborist. Residents already must come before ConCom if they want to cut down trees in the setbacks to explain the reasoning, so ConCom does have the bandwidth to address this. He stated this is basically to address new construction as every complaint from abutters is the lack of privacy. He noted it also complies with the Master Plan to keep Medway as rural as possible. Ms. Gill noted the applicant is already coming before ConCom, so the cost is already there for the resident since they are already hiring an arborist. Mr. Rossi stated that this does add extra cost if one is not replacing a tree. Ms. Gill stated there is also a cost in loss of oxygenation, privacy, and wildlife habitat. Mr. Rossi stated his agreement with having the buffer for residents but noted that based on the replacement or non-replacement of a tree we are looking at potentially a large additional cost. Ms. Gill stated we need smart developers who are saving as many trees as possible. Mr. Rossi asked about the impact on the front of a house. Ms. Gill stated that if this impacts the frontage setback then this would apply to the front of a house. Mr. Crowley noted that this is just the setback and feels this just needs to be tweaked a bit. Mr. Alessandri asked if he was a developer, can he clear everything, and then replant in the setback. This was confirmed. Mr. Rossi asked if ConCom is the permitting authority. This was confirmed. Ms. Gill noted that this gives more authority to ConCom noting that 39 Main Street is much more open in the front than was planned. Mr. Boynton asked about the impact on installing solar that would require trees to be cut down. Mr. Travalini noted that he could see leeway where ConCom could approve this scenario. Mr. Boynton stated the Environmental Protection Agency (EPA) is hammering away on us to remove over 800 pounds of phosphorus per year stating tree leaves is the number one contributor to phosphorus noting one regulation does not necessarily correlate with others.

Mr. Crowley moved that the Board make this article to be determined. Mr. Rossi seconded. No discussion. 3-1-0. Mr. Alessandri voted nay.

Approval: Contract with Clean Harbors Environmental Services, Inc. for Household Hazardous Waste Day – October 28, 2023, and May 11, 2024 – Not to Exceed \$13,000 per Event

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

Mr. Rossi moved that the Board approve and authorize the Chair to execute the contract with Clean Harbors Environmental Services, Inc. as presented. Mr. Alessandri seconded. No discussion. VOTE: 4-0-0.

Discussion/Vote: Institute a Town-wide 25 MPH Speed Limit Unless Otherwise Posted

The Board reviewed the memo from Chief Kingsbury.

Chief Kingsbury stated this came from residents complaining about speeders in their neighborhoods. The state changed the law in 2018 to allow the Select Board to vote to change the speed limit to 25 MPH for non-posted roads as most felt that 30 MPH was too fast. Mr. Crowley stated his struggle with some of the posted speed limits, i.e., Hill, Granite, etc. posted at 20 MPH. Chief Kingsbury stated that those have already been posted and are not new speed limits. Mr. Trindade explained the issues with speeding on his road, Stanley Road. There was discussion about if there was enough public input to include this on the Fall Town Meeting warrant or should this wait until the Annual Town Meeting.

Mr. Alessandri moved that the Board vote to open the Fall Town Meeting warrant. Mr. Rossi seconded. No discussion. VOTE: 4-0-0. Mr. Alessandri moved to add a new article to institute a Town-wide speed limit of 25 MPH unless otherwise posted to the Fall Town Meeting warrant. Mr. Rossi seconded. No discussion. VOTE: 4-0-0.

Mr. Boynton requested that the Select Board move the citizens' petition to be the first warrant article. Mr. Rossi felt that most residents would leave after this vote if this were put first. Mr. Alessandri noted that the moderator could move this to be first. **Mr. Crowley moved that Article 33 be moved to Article 1.** Mr. Alessandri asked what if we then no longer have a quorum. There was further discussion on reordering the citizens' petition on the warrant. **Mr. Rossi seconded. VOTE: 3-1-0. Mr. Alessandri voted nay. Mr. Rossi moved to close the Fall Town Meeting warrant. Mr. Crowley seconded. No discussion. VOTE: 4-0-0.**

Discussion/Vote: Layout High School Way (or Road) as a Public Way

The Board reviewed the plan.

Mr. Rossi moved that the Board adopt the layout of High School Road as shown on the plan entitled "Street Acceptance Plan of Land High School Road Medway Massachusetts", dated October 17, 2023, prepared by Guerriere & Halnon, Inc., and to file the layout plan along with a record of this Board's vote with the Town Clerk, and that this Board recommend that the Town Meeting vote to accept High School Road as a public way. Mr. Alessandri seconded. No discussion. VOTE: 4-0-0.

Vote Recommendations: November 13, 2023, Fall Town Meeting Warrant Articles 4, 8, 13-20, 22, 23, and 31

The Board reviewed the (1) memo from Erin Mallette, (2) memo from Chief Kingsbury, and (3) November 13, 2023 Fall Town Meeting warrant.

ARTICLE 4: (CPA Funds: 158 Main Street Repair Design Work)

Mr. Boynton stated that this needs to remain a to be determined until we receive the final quote.

ARTICLE 8: (Borrowing: High School Culvert Replacement - Design)

Mr. Boynton stated this amount is for the High School Culvert design which can remain at \$260,000 noting that amount is sufficient:

Mr. Alessandri moved to approve Article 8. Mr. Rossi seconded. No discussion. VOTE: 4-0-0

ARTICLE 13: (Repurpose Monetary Articles – School)

Mr. Boynton stated this is the school monetary repurposing reducing the amount to \$49,000 for the Memorial School roof.

Mr. Alessandri moved to approve Article 13. Mr. Rossi seconded. No discussion. VOTE: 4-0-0

ARTICLE 14: (Accept MGL Ch. 90, Sec. 20A, Parking Regulations)

Chief Kingsbury stated this has not been voted on in forty years and the state now allows mailing of parking violations. He noted our current regulations are from 1980.

Mr. Rossi moved that the Board approve Article 14. Mr. Alessandri seconded. Discussion: Mr. Crowley asked since we have cameras on the stop lights if can we ticket if someone runs a red light. Chief Kingsbury stated if the Police can view the recording and identify the driver then they can deal with it. **VOTE: 4-0-0.**

ARTICLE 15: (Amend General Bylaws: Handicapped Parking)

Chief Kingsbury stated this would allow the Select Board to promulgate handclapped parking in residential areas not just public areas allowing for Police enforcement. The Board already has authority for public areas, and this would be added to new residential that has handicapped parking and other privately owned areas, i.e., Shaw's Plaza.

Mr. Rossi moved that the Board approve Article 15. Mr. Alessandri seconded. No discussion. VOTE: 4-0-0.

ARTICLE 16: (Addition to General Bylaws: Vehicle Removal Authorization)

Chief Kingsbury stated in 1976 the Town accepted the Massachusetts General Law (MGL) which would have allowed us to create a bylaw, but the Town never created the bylaw. Now, the Police can only remove vehicles per the Supreme Court if it is causing an extreme danger, we cannot tow for snow removal, etc. This would give the Select Board the authority to create a bylaw noting most towns are doing this now for snow removal.

Mr. Alessandri moved that the Board approve Article 16. Mr. Rossi seconded. No discussion. VOTE: 4-0-0.

ARTICLE 17: (Addition to the General Bylaws: Pedestrian Control Regulations)

Chief Kingsbury stated they receive complaints about people crossing the street when and where they are not supposed to noting Medway had accepted the MGL, but it was never adopted, so the Police Department cannot currently address this issue. This is a tool that will allow the Police to have a conversation with the person.

Mr. Alessandri moved that the Board approve Article 17. Mr. Rossi seconded. No discussion. VOTE: 4-0-0.

ARTICLE 18: (Amend General Bylaws: Town Officers and their Duties)

Mr. Boynton stated this is ensuring that one member who is appointed is already a Select Board member and one is already an Affordable Housing Committee member. This addition was suggested by Ms. Saint Andre so that the bylaw language aligns with the Affordable Housing Trust language.

Mr. Alessandri moved that the Board approve Article 18. Mr. Rossi seconded. No discussion. VOTE: 4-0-0.

ARTICLE 19: (Amend General Bylaws: Town Officers and their Duties)

Mr. Boynton stated this does not eliminate the Zoning Board of Appeals. There was an old building appeals board that no longer exists. He noted that if anyone does appeal, it goes directly to the state.

Mr. Rossi moved that the Board approve Article 19. Mr. Alessandri seconded. No discussion. VOTE: 4-0-0.

ARTICLE 20: (Amend General Bylaws: Dog Bylaw)

Ms. Potter stated when the bylaws were recently updated, once the Animal Control Officer looked at it, she identified the difficulty of enforcement relative to a dangerous dog, as she felt state law was too silent on this specific issue. Mr. Trindade stated his issue with number three, banning dogs at the school and public areas noting to access the trails, one must cross these banned areas. Chief Kingsbury stated that state law allows access to public areas to get to the allowable areas. Mr. Boynton noted the statement following number three clarified this. Mr. Alessandri suggested to add “found at large” to address any concerns. The Board asked about the issue in Millis that drove this additional language. Ms. Potter explained the specific situation. She also noted that Town Counsel did not support the proposed language and preferring to simply reference the MGL.

Mr. Crowley moved to open the Fall Town Meeting Warrant. Mr. Rossi seconded. No discussion. VOTE: 4-0-0. Mr. Crowley moved to eliminate Article 20 and proceed to a public hearing with residents to allow for their feedback. Mr. Alessandri seconded. No discussion. VOTE: 4-0-0. Mr. Crowley moved to close the Fall Town Meeting Warrant. Mr. Rossi seconded. No discussion. VOTE: 4-0-0.

ARTICLE 23: (Amend General Bylaws: New Noise Bylaw)

Chief Kingsbury explained the specific times for the restriction of noise and the specific activities which would be restricted. He noted a lot of construction complaints are received before and after allowable times and the Police currently have no power to enforce this as it goes directly to the Zoning Enforcement Officer in the Building Department. He noted there is an option for special circumstances. Mr. Alessandri stated his only concern was with landscapers in the summer as they are working after 7PM in the summer. The Chief reiterated there is an option for special circumstances. There was further discussion about the specific timing restrictions.

Mr. Crowley moved that the Board approve Article 23. Mr. Alessandri seconded. No discussion. VOTE: 4-0-0.

ARTICLE 31: (Street Acceptance – High School Road)

Mr. Alessandri moved that the Board approve Article 31. Mr. Rossi seconded. No discussion. VOTE: 4-0-0.

ARTICLE 33: (Town-wide Speed Limit of 25 MPH Unless Otherwise Posted)

Mr. Rossi moved that the Board make this article to be determined. Mr. Alessandri seconded. No discussion. VOTE: 4-0-0.

Discussion/Vote: Fiscal Year (FY) 2025 Budget Policy

The Board proposed FY25 budget policy document.

Ms. Pratt stated this is the annual notification that the Select Board issues and is a basic introduction to the budgeting process each year. Mr. Crowley asked if there were any changes to what they receive every year. Ms. Pratt stated the number of weeks to calculate salaries changes every year as well as the salary charts this year due to the union contracts not being negotiated yet. Mr. Boynton noted that we

still intend to keep the union and non-union salaries the same. As of January first, the rates go up 1.5 percent. We will come back to the Board once negotiations with the union are completed.

Mr. Rossi moved that the Board approve the FY25 budget policy as discussed. Mr. Alessandri seconded. No discussion. VOTE: 4-0-0.

Discussion: Five-Year Budget Projection

The Board reviewed the five-year budget projection spreadsheet.

Ms. Pratt stated this is required by our bylaw and the key things to look at are assumptions as these are the drivers. She stated these projections change with more information, e.g., health insurance costs, and the budget will be finer tuned noting this is a first pass. Mr. Crowley noted that under expenses the TCRVTHS \$200,000 per year increase is due to enrollment. The \$1.2 million baked in is based on the new TCRVTHS building getting passed at tomorrow's vote. The estimated new growth from BESS is in there at \$2.1 million. Mr. Trindade asked if we will get hit next year for the engineering for the new TCRVTHS. Mr. Boynton stated that we are assuming that they will roll that BAN in with the next BAN. There was discussion on how TCRVHS will get hit with the interest on the BAN. Mr. Boynton stated that TCRVTHS continues to say that we will not see any assessments relative to the new building project until 2027.

Mr. Crowley asked for confirmation that nothing was factored in for the Meehan development. Ms. Pratt confirmed. Mr. Crowley asked if the debt was plugged in for the Police and Fire Station in 2029. Ms. Pratt confirmed. Mr. Boynton stated the plan is to borrow for the Owner's Project Manager (OPM) and design in the spring of 2024, noting the first payment of the debt of \$330,000 would hit in FY26. If we fund this in the spring, the actual selection of the OPM and designer and beginning of the design will be in calendar year 2025, with the beginning of construction in calendar year 2027. The goal would be to open in calendar year 2028 which is FY29. Mr. Crowley noted that this is very preliminary. Mr. Boynton noted the feasibility study is being undertaken now so suggested that the OPM and design be in the spring of 2024. Mr. Crowley asked if we put anything in there for short term borrowing. Ms. Pratt stated we always put in \$25,000 in case of the need for a BAN. The Police and Fire project would likely be a large sum so we would not be likely to BAN that but go straight to a borrowing. Mr. Crowley noted the need to work on the funding mechanism over the next few years. Mr. Boynton stated that if there is the expectation that we will only build something without any kind of debt exclusion, then we should sell the property now. He explained the future anticipated revenue and debt costs and the ability to apply that revenue to those projects. Mr. Crowley stated that he does not believe a debt exclusion will be needed. Mr. Boynton stated he believes some additional funding source will be needed. Mr. Trindade reported that the schools are looking for more funding noting the Select Board and FinCom have always kept the schools whole. He stated that they will be asking for the Exelon funds to no longer be used for tax relief and to tax to the levy limit. Mr. Boynton explained the anticipated slower revenue growth assumptions, lack of state Chapter 70 funding impacts, and fluidity of the budgeting process. Mr. Alessandri asked if the turf replacements for Lampson and North field are the same as was last projected. Ms. Pratt confirmed. Mr. Boynton reported that there is no drainage at the high school field and the installation cost is at \$1 million.

Action Items from Previous Meeting

The Board reviewed the action items dated September 5, 2023.

Begin Planning Use of 123 Holliston Street: This due date was moved out six months.

Town Manager's Report

There were no items for the Board to review.

Facility Project Management & Construction Review: Mr. Boynton stated we are investigating what kind of bandwidth we have with existing staff and what kind of expertise we would need. We are questioning the value of the Owner's Project Manager role based on recent experience and will look at options.

Fire & Police Well Done – Waterside Run: Mr. Boynton gave a huge well done to both Police, Fire, and Dispatch noting this call went directly to the Fire Station and not via 911. We were down to three staff in the fire house due to an ambulance run to Milford Regional Medical Center. The Police were able to safely evacuate those in the building as well as those adjacent. The three firefighters were able to deal with the fire until back up arrived.

Finance Committee (FinCom) Public Hearing: Mr. Boynton stated the FinCom public hearing is Wednesday night.

Police Academy Graduation – Friday Night Norwood: Mr. Boynton stated Maggie Schindler graduates this Friday.

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

- Tuesday October 24 – Afternoon Out of Office
- Friday October 27 – AM out of Office (Tentative)

NEXT Select Board Meeting – November 6, 2023 – Regular Meeting

Select Board's Reports

There were no items for the Board to review.

Mr. Alessandri requested that residents please vote tomorrow between 12PM and 8PM on the new TCRVTHS building project.

Mr. Rossi reported that he and Mr. Crowley are scheduled to attend the School Budget Advisory meeting on December 7th noting the meeting includes members of both the School and Finance Committees.

Mr. Crowley reminded all that the TCRVTHS voting is noon to 8pm at the Middle School. Household Hazardous Waste Day is this Saturday from 9AM to 1PM at the Recycling Center.

Ms. Johnston reminded all that the Pumpkin Walk is this Friday night.

At 9:29 PM, Mr. Rossi 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 [8 Populatic Street] and the Chair so declares, with no intention of returning to open session. Mr. Rossi seconded. It was voted by roll call: Alessandri aye; Crowley aye; Rossi aye; Trindade aye. VOTE: 4-0-0.

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