

**Board of Selectmen's Meeting
July 8, 2019 – 7:00 PM
Sanford Hall
155 Village Street**

Present: John Foresto, Chair; Glenn Trindade, Vice Chair; Dennis Crowley, Clerk; Richard D’Innocenzo, Member (7:10PM).

Absent: Maryjane White, Member.

Staff Present: Michael Boynton, Town Administrator; Allison Potter, Assistant Town Administrator; Carol Pratt, Finance Director; Joanne Russo, Treasurer-Collector; Donna Greenwood, Principal Assessor; Dave D’Amico, Director, Department of Public Services (DPS).

Others Present: Andy Rodenhiser, Chair, Planning and Economic Development Board.

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

Selectman Foresto requested a moment of silence in honor of Becky White, daughter of Selectman Maryjane White, who passed away on June 28th.

Public Comments: None

Approval of Minutes

The Board reviewed the draft minutes of June 26, 2019.

Selectman Trindade moved that the Board approve the minutes of June 26, 2019. Selectman Crowley seconded. No Discussion. VOTE: 3-0-0.

Appointment Considerations: Board of Assessors – Faina Shapiro; Charles River Pollution Control District Representative – Michael Callahan; Constable – Gordon White; Medway Cultural Council – (2) Hazel Warnick, Jordan Warnick, PhD; Zoning Board of Appeals (ZBA) – (2) Brian Cowan, Tom Emero

The Board reviewed the (1) e-mail resignation from Cristina Sauer dated June 5, 2019 and recommendation from Assessors with letter of interest from Faina Shapiro dated July 8, 2019 (2) e-mail requesting reappointment from Gordon White dated June 13, 2019, and (3) e-mail of interest from Hazel Warnick and Jordan Warnick, PhD dated June 13, 2019 and e-mail recommendation from Cultural Council Chair Cataldo dated June 13, 2019.

Ms. Shapiro of 26 Howe Street reviewed her background of property management, staging, her love of real estate and her desire to help the community. She also noted that she fundraises a lot for the school.

Selectman Trindade moved that the Board appoint Faina Shapiro to the Board of Assessors for a three-year term expiring on June 30, 2022. Selectman Crowley seconded. No Discussion. VOTE: 3-0-0. Selectman Crowley stated the Boards appreciation to Ms. Sauer for her service on the Board and requested a letter of appreciation be sent.

Town Administrator Boynton stated that Mr. Callahan was unable to be present and noted the synergy between his role as a member of the Water and Sewer Commission and this one.

Selectman Trindade moved that the Board appoint Michael Callahan as the representative to the Charles River Pollution Control District for a three-year term expiring on June 30, 2022. Selectman Crowley seconded. No Discussion. VOTE: 3-0-0.

Selectman Foresto stated Mr. White has served as constable for many years.

Selectman Trindade moved that the Board appoint Gordon White as constable for a three-year term expiring on June 30, 2022. Selectman Crowley seconded. No Discussion. VOTE: 3-0-0.

Selectman Foresto thanked Mr. and Mrs. Warnick for stepping forward. Mr. Warnick stated that he wants to step back into Medway's affairs and determine how he can contribute to the Town. He was a member of the SAFE coalition in the past and is active on THRIVE. Mrs. Warnick explained her background and interest in this committee noting her many years of involvement in amateur theater including a production on how women got their rights. She stated she would like to be involved more in the Town. Mr. Warnick stated they are also trying to bring a play on suffrage to Medway.

Selectman Trindade moved that the Board appoint Hazel Warnick to the Cultural Council for a three-year term expiring on June 30, 2022. Selectman Crowley seconded. Discussion: Selectman Crowley stated the Town approved funds for \$25,000 at Town meeting noting the need to get a matching State grant. Mr. Warnick stated he has grant experience and plans to work with Chair Cataldo on this effort. **VOTE: 3-0-0.**

Selectman Trindade moved that the Board appoint Jordan Warnick to the Cultural Council for a three-year term expiring on June 30, 2022. Selectman Crowley seconded. No Discussion. VOTE: 3-0-0.

Mr. Cowan of 3 Blueberry Hill reviewed his background as a current member of the Open Space Committee and its representative on the Oak Grove Zoning Taskforce. He stated that along with his experience as an attorney resulted in his interest in being involved with the ZBA. Selectman Foresto stated the ZBA is the toughest board we have. Selectman Crowley asked if he has spoken with the chair of the ZBA. Mr. Cowan stated no. Selectman Trindade explained that the ZBA Chair, Rori Stumpf, has attended the Oak Grove Zoning Taskforce meetings and was impressed with Mr. Cowan and supports his appointment.

Selectman Trindade moved that the Board appoint Brian Cowan as an associate member to the Zoning Board of Appeals for a three-year term expiring on June 30, 2022. Selectman D'Innocenzo seconded. No Discussion: VOTE: 4-0-0.

Selectman Foresto said most of the Board knows Mr. Emero who could not be present at this meeting.

Selectman Trindade moved that the Board appoint Tom Emero as an associate member to the Zoning Board of Appeals for a three-year term expiring on June 30, 2022. Selectman D'Innocenzo seconded. No Discussion. VOTE: 4-0-0.

Selectman Foresto stated that he has attended meetings of and is impressed with the Oak Grove Zoning Taskforce.

Advance of Funds in Lieu of Borrowing:

- **For the purpose of Water Infrastructure Improvements - \$1,224,000**
- **For the purpose of New DPS Facility Construction - \$3,000,000**
- **For the purpose of Parks Improvements Project - \$50,000**
- **For the purpose of School Playgrounds Improvements - \$300,000**

The Board reviewed the (1) memo dated July 8, 2019 from Joanne Russo, and (2) the four advance in lieu of borrowing forms.

Ms. Pratt stated these borrowing are to get us through the summer as we need to spend these funds now noting the plan for a larger and longer term borrowing in the fall. She explained the specific constitution of the fall borrowing of \$15,315,000. Selectman Trindade asked if our borrowing remains under 10% stating that we put in place that we would never be borrow more than 10% of our overall budget. Ms. Pratt confirmed. Selectman Crowley noted the remaining limit of \$610,000 and asked what would happen if that number is exceeded. Ms. Pratt stated that number cannot be exceeded.

Selectman Trindade moved that the Board of Selectmen authorize the Treasurer to advance funds in lieu of borrowing in the amount of \$1,224,000 for water infrastructure improvements authorized by Town Meeting under Article 12 at the May 21, 2018 Annual Town Meeting. Selectman D’Innocenzo seconded. No Discussion. VOTE: 4-0-0.

Selectman Trindade moved that the Board of Selectmen authorize the Treasurer to advance funds in lieu of borrowing in the amount of \$3,000,000 for the DPS Facility authorized by Town Meeting under Article 10 at the May 13, 2019 Annual Town Meeting and in the amount of \$50,000 for the Parks Project and in the amount of \$300,000 for School Playgrounds authorized by Town Meeting under Article 30 at the May 13, 2019 Annual Town Meeting. Selectman D’Innocenzo seconded. No Discussion. VOTE: 4-0-0.

Approval: Contact with Weston & Sampson Engineers, Inc. for Brentwood Water Mains - \$196,300

The Board reviewed the (1) memo dated July 8, 2019 from Dave D’Amico and (2) contract.

Mr. D’Amico stated Weston & Sampson has been working on the design for the Holliston St and Brentwood area water mains. Selectman Foresto noted they have been doing all of our engineering work for all of our water projects. Selectman Trindade asked when this will start and finish. Mr. D’Amico stated construction will begin next spring. Selectman Trindade asked if we need to wait for compaction. Mr. D’Amico stated yes, but not too long. Mr. Boynton stated there were comments from residents stating they can’t believe the Town is only paving some of Lovering Street. He stated that is due to the planned waterline installation.

Selectman Trindade moved that the Board authorize the Chair to execute the contract with Weston & Sampson Engineers, Inc. for the Brentwood water mains project in the amount of \$196,300 as presented. Selectman D’Innocenzo seconded. Discussion: Selectman Crowley asked is this the first time we are being asked to fund this contract as we had a Town Meeting Article that passed for \$200,000 for the engineering. He would like to know much have we spent of the \$200,000. Mr. Boynton stated the amount authorized is \$200,000 and this contract is \$196,300. Mr. D’Amico does not know what has been spent to date. Selectman Foresto asked if they have done work to date and if they took some risk. Mr. D’Amico confirmed. Selectman Crowley asked if the \$5.5 million for the bonding on this project will change. Mr. Boynton confirmed. Selectman Crowley stated we will eventually have to go to Town Meeting and wants a contingency built in. Selectman Foresto stated we all know these are some of the worst roads in Town. Selectman Trindade asked if the paving is included in that number.

Mr. D'Amico stated the engineering for the paving is included but not the paving itself. Selectman Crowley asked when this will go out to bid. Mr. Boynton stated January-February of 2020 with shovel in the ground anticipated for April 2020. **VOTE: 4-0-0.**

Approval: Contact with Pavex, Inc. for Sidewalk Reconstruction - \$225,000

The Board reviewed the (1) memo dated July 8, 2019 from Dave D'Amico, (2) bid summary, and (3) contract.

Mr. Boynton reported that the vendor withdrew their bid today. Selectman Crowley asked about the second lowest bid. Mr. Boynton stated the project was estimated at \$350,000 noting the bids do not include police details. He noted the choices of: (1) going with the second lowest bidder which is close to the total project estimated costs allowing for no possibility for changes, or (2) go back out to bid this winter and schedule the construction schedule for spring. He would like to go back out to bid, as he anticipates better pricing, and the Board stated its agreement.

Approval: Contact with Goliathtech, N.E. for the Boardwalk 2 Project - \$75,850

The Board reviewed the (1) memo dated July 8, 2019 from Dave D'Amico, (2) bid summary, and (3) contract.

Selectman Trindade moved that the Board authorize the Chair execute the contract with Goliathtech, N.E. for the Boardwalk 2 Project in the amount of \$75,850 as presented. Selectman D'Innocenzo seconded. Discussion: Selectman Crowley asked where the funds for this project are from. Mr. D'Amico stated Community Preservation funds. Selectman Crowley asked how much was approved at Town Meeting. Mr. D'Amico stated this amount is under budget. Selectman Crowley noted that the liability insurance expires in August and may need updating. **VOTE: 4-0-0.**

Approval: Contract Amendments with Compass Project Management

- **Amendment Number 3 for Construction Administration Services – (\$31,414)**
- **Amendment Number 4 for Construction Testing and Inspection Services - \$22,708**

The Board reviewed contract amendments numbers 3 and 4.

Selectman Trindade moved that the Board authorize the Chair to execute the contract amendments with Compass Project Management as follows: number 3 reducing construction administration services by \$31,414 and number 4 for construction testing and inspection services in the amount of \$22,708 as presented. Selectman D'Innocenzo seconded. Discussion: Mr. Boynton stated the change in amendment 3 is due to the original estimate of 14 months but is closer to 13 months and amendment 4 is the need for a third party vendor. He noted that all the pricing is consistent with what has been provided to the Board in the past. Selectman Crowley noted the last spreadsheet provided to the Board showed a budgeted carry-over amount of \$618, 113 noting we will have spent, including amendment 4, \$578,907. He asked if the amount left will be \$38, 206. Mr. Boynton stated only if we hit the contingency. Selectman Crowley stated that moving forward, he would like to see how much was in original budget, what was spent to date, and what is left. **VOTE: 4-0-0.**

Mr. Boynton reported that we just received an amendment from HKA which is part of original project and we will ensure all appropriate content is included. Selectman Foresto requested a status on the solar. Mr. Boynton stated that everything has been filed noting that we are still in block two. He stated that if we hit the 45-day window, we will immediately file with the state. He stated Mr. Pelletier has a meeting with the cemetery group and the site work is moving forward. He recognized the work being done by Colantonio and the solar vendor.

Approval: Contract with Pro EMS Solutions for Ambulance Billing Services – 4% of Actual Receipts Delivered

The Board reviewed the contract.

Mr. Boynton state this is the same company we have been using with the same terms noting they have done a nice job to date for the Town. Selectman Crowley asked when they report the recap, if we still have to take the 4% off that amount. Mr. Boynton confirmed. Selectman Trindade asked what percentage the percentage of the bad debt is running at. Mr. Boynton stated less than ten percent.

Selectman Trindade moved that the Board authorize the Chair to execute the contract with Pro EMS Solutions for ambulance billing services as presented. Selectman D’Innocenzo seconded. Discussion: Mr. Boynton further explained that the Town pays the vendor once the revenue is received, which shows in the expense line. **VOTE: 4-0-0.**

Consideration of Public Event Application: Alex Handy 5K – September 8, 2019

The Board reviewed the (1) Public Event Application, and (2) Police Chief Recommendation.

Selectman Trindade moved that the Board vote to approve the public event permit for the Alex Handy 5k to be held on September 8, 2019, subject to the Police Chief’s recommendations and proof of appropriate insurance coverage. Selectman D’Innocenzo seconded. Discussion: Selectman Crowley asked to determine if we need to add owner and/or lessee to the form and if the insurer being different from the applicant is allowed. **VOTE: 4-0-0.**

One-day Liquor License Applications

The Board reviewed the Police Chief’s and Lieutenant’s recommendations for the Peter Morrissey, Lisa Pantaleo, Ryan O’Campo, Valerie Higgins, Kerry Harrington, Amanda Barr, Lindsey Logan, Medway Gridiron Club, Nichelle Carrier, and Mackline Bastien.

Selectman Trindade moved that the Board approve the one-day liquor licenses as presented subject to the Police Chief’s recommendations and proof of appropriate insurance coverage. Selectman D’Innocenzo seconded. No Discussion. VOTE: 4-0-0.

Action Items from Previous Meeting

The Board reviewed the Action Items dated June 17, 2019.

Route 109 Project: Selectman Crowley reported he spoke with Jimmy Smith about too much rock in the surface soil and the resulting difficulty in getting lawn signs in place for the July 5th Army Band event.

Selectman Foresto requested an action item be added regarding addressing the name of the Board of Selectmen with an October due date.

Town Administrator’s Report

There were no items for the Board to review.

Plaza Update: Town Administrator Boynton stated Chief Tingley has a report from the Safety officer and he will review it and provide a signed copy this week. The site plan was received last Wednesday and is still in draft form. There is a question from the plaza owner representative if this is a minor or major change as that will impact the final version of the site plan. He plans to meet with the preparer along

with Jack Mee and Barbara Saint Andre. He stated that we would like them to also include the stormwater proposal with this site plan as if not, they would need to prepare an additional one to address the stormwater. Selectman Crowley asked if we had some information on their stormwater plans. Mr. Boynton stated it is very preliminary noting that since they did not respond to our letter, Town Counsel sent them a letter regarding lack of progress on the stormwater issue. Selectman Crowley asked who determines whether this is a major or minor change. Mr. Boynton stated the Building Commissioner, Community and Economic Development Director, and Planning Coordinator make that determination based on the regulations. In this situation, it may be a major site plan review.

Exelon Update: Town Administrator Boynton stated the facility is commercially operational. A \$40,000 check for road work on Main Street between Village Street and the Bellingham line came in today. This included the payments from Exelon. There is an issue with a homeowner with a low level noise concern. Mr. Callahan is following up noting this is below the decibel threshold but still a concern. Mr. Boynton stated that both the state Department of Environmental Protection and our Board of Health are involved but it is a state issue. However, we will stay involved and monitor the progress made and will keep Board up to date.

Paving & Road Projects Update: Town Administrator Boynton stated we are trying to determine the cause of the delay between milling and paving which is usually three weeks but now has been four weeks. He reported they are on Lovering Street today and he has requested a schedule from Mr. D'Amico. He stated that there are different contractors for the milling and the paving which usually results in the gap in time noting we are trying to narrow that gap. He noted that, in addition, we are making huge roadway improvements and notes that there will be some inconvenience and we are aware of the need to provide timely information to the residents. The Village Street project that was approved at the June 26th Selectmen's meeting for the temporary water line started today. There have been comments made on why this was started while the 109 project is still going. This is part of a larger water infrastructure project that cannot be delayed. There have also been comments on why Village Street will be paved again noting the recent paving was known to be a temporary solution at the time.

Route 109 Project Update: Town Administrator Boynton spoke with the Mass Department of Transportation (DOT) Project Leader and the Mass Highway Developer. They have determined that the sidewalk problem was not a salt issue and the Mass DOT project leader will be meeting with both contractors and the state to address this issue. They will begin pulling up the impacted sidewalks tomorrow. The contractor pulling up the sidewalks is not the same as the one pouring the sidewalks so there will be a gap between the removal and the pouring of new sidewalks. There is a total of 2,500 feet that is being replaced. Mr. Boynton also discussed the concerns with the seed that was applied as there are more weeds than grass. They reported that the seed used was within the approved state guidelines. He also addressed the issue with the trees not being adequately watered as they are still owned by the state at this time. Mr. Boynton stated that the Town will try to keep them viable even though we do not own them at this time. Mr. Boynton reported it will cost an estimated \$141,000 to bring the Holliston Street intersection to full ADA compliance. He reported that all of the castings will be raised even though the initial plan was only to do Pond to Milford, Street. This decision was based on the amount of sidewalk work needed and the state's concern that they will lose the contractor who is raising the castings. They are looking at raising all castings and then to asphalt from Hang Tai to Pond Street. Selectman Crowley shared his discussion with Jimmy Smith that the milling will start next week and then one to two weeks later, they will start paving at night. Selectman Crowley requested that once we have a handle on the timeline, we provide this information to the residents. Mr. Boynton noted the final asphalt will not be completed for Medway Day. Selectman Trindade asked if the state is paying for addressing the accessibility issue at the Holliston & 109 intersection. Mr. Boynton stated the Town

completed the engineering not the state and that the Mass DOT field representatives understand the issue.

Celebrate Medway Day – July 20th: Town Administrator Boynton reminded all of the date. He gave a huge tip of the cap to Selectman Crowley and all those who put Army Band concert together on July 5th. Selectman Trindade asked if the legislature was invited. Mr. Boynton confirmed noting that Senator Spilka is the only one who has confirmed attendance to date.

List of EPFRAC projects: Parks and Recreation Director Harrington will be working on putting that list together.

Town Administrator Out of Office: Town Administrator Boynton reported he will be out of the office as follows:

- Friday, July 26 – Personal Day

NEXT Selectmen’s Meeting – Monday, August 12, 2019

Selectmen’s Reports

There were no items for the Board to review.

Selectman Crowley gave a shout out to the Medway High School baseball team that made it all way to state finals. He also noted that the Coach of the year was the head baseball coach and the pitcher was voted a *Boston Globe* all scholastic. He thanked Ms. Harrington, Parks and Recreation Director, and stated that she is doing an excellent job noting the concerts are working out well. He requested an update on 39 Main Street. Mr. Boynton stated they will make the August deadline as a draft decision is being circulated. He notified the Board that the other proposed project on Highland Street that is now only four homes instead of a large development has had activity this week noting negative feedback from a resident. Selectman Crowley reported to anticipate a group of residents looking for pickle ball courts at the next meeting.

Town Administrator informed the Board of what looks to be a significant drop off of state funding from what was provided on the Cherry Sheet, specifically a higher cost for school choice and special education. Finance Director Pratt is contacting the Department of Revenue. He also reported there is an additional change in that the final balloon payment for teachers’ salaries hit the Medicare budget noting this had an immediate impact on the current end of the fiscal year. Ms. Pratt will be contacting Mr. Aicardi at the school. The total impact on the Cherry Sheet was \$100,000 and \$20,000 on the school Medicare budget.

At 8:07 PM Selectman Trindade moved to adjourn. Selectman Crowley seconded. VOTE: 4-0-0.

Respectfully submitted,
Liz Langley
Administrative Assistant
Town Administrator’s Office