



Town of Medway

FINANCE COMMITTEE

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Wednesday, October 26, 2022 – 7:00 PM
Town Hall, Sanford Hall
155 Village Street

Present: Jim Sullivan, Chair; Brian Cowan, Vice Chair; Ellen Hillery, Clerk; Chris Lagan; Will Lane; Jeff O'Neill.

Absent: Bruce Carbone; Michael Schrader; Sue Segarra.

Staff Present: Michael Boynton, Town Manager; Carol Pratt, Finance Director; Barbara Saint Andre, Director, Community and Economic Development.

Others Present: Dennis Crowley, Chair, Select Board; Glenn Trindade, Vice Chair, Select Board; Todd Alessandri, Select Board liaison to Finance Committee; Laura Graham Mullen, Town Moderator; Cindy Sullivan, School Committee liaison to Finance Committee.

Public Hearing

At 7:00 PM Chairman Sullivan announced that six Finance Committee members were present, representing a quorum; he asked for a motion to convene a public hearing for the purpose of hearing comments from the public on articles contained in the 2022 Fall Town Meeting Warrant. **Mr. Cowan made a motion to open such a public hearing; Mr. Lagan seconded. No discussion. VOTE: 6-0-0.**

Chairman Sullivan asked those assembled in the meeting room if there were any members of the public wishing to address the committee. No one indicated a wish to do so.

Remote meeting access was provided via Zoom. At this time, Chairman Sullivan asked if there was anyone accessing the meeting this way who wished to speak. Only Medway Cable and Chairman Sullivan were logged into the Zoom meeting.

Chairman Sullivan reported that the committee had received an email indicating support for Article 25.

There being no further comments, at 7:02 PM Mr. Cowan made a motion to close the public hearing; Mr. O'Neill seconded. No discussion. VOTE: 6-0-0. Zoom access was terminated.

Call to Order – Regular meeting

At 7:03 PM Chairman Sullivan convened the regular meeting of the Finance Committee with six members present.

1.0 Public Comment:

There being no members of the public wishing to address the committee for items not on tonight's agenda, Chairman Sullivan closed the public comment period.

2.0 Discussion relative to Article 13: Amend General Bylaws: Permit/License Security:

The committee reviewed the 2022 Fall Town Meeting Warrant (Updated as of 10-18-2022).

Present: Barbara Saint Andre, Director, Community and Economic Development; Todd Alessandri, Select Board liaison to the Finance Committee.

Ms. Saint Andre explained that the purpose of this article was to allow the Town to spend monies secured by various types of bonds associated with permits granted by the Town. This is usually in conjunction with housing subdivisions, and completion of things like the roadway or other final tasks associated with construction. This article does not create any new requirements, but clarifies how that bond is used and the process to access those monies. It allows the Town to spend those funds without going to Town Meeting.

Discussion followed during which it was noted that, for roadway completion, a DPW official would make the initial call, but that the final decision would include other municipal officials. The bond is part of the conditions relative to the permit granted prior to construction while the DPW is the authority that grants a road opening permit issued in conjunction with a subdivision. Ms. Saint Andre added that it is always preferred that the developer complete the work as permitted, and pulling the bond is a last resort to getting the roadway finished so that the roadway can be accepted by the Town.

There being no further questions on Article 13, Ms. Saint Andre asked if there were any questions on any of the Planning and Zoning articles. Responding to a question from Mr. Lagan about the article on Contractor's Quarters, she explained that there is currently a provision for a contractor to have space to store vehicles and the like, but recently there have been requests from tradesmen to have space for offices as well as internal storage and display rooms. An example of this would be a cabinetmaker storing completed cabinets before delivery to the customer. Currently there is no provision for that. Mr. Alessandri reported that there had been concern from the Select Board regarding restricting this to specific areas of the community, i.e., not in Village Commercial, Central Business or Neighborhood Commercial Districts, and allow it in the more industrial areas.

3.0 Discussion relative to Article 25: Citizens' Petition: Voter ID:

The committee reviewed the 2022 Fall Town Meeting Warrant (Updated as of 10-18-2022).

Present: Leanne Harris, 14 Kings Lane, Proponent.

Ms. Harris explained that this was proposed to require voters to show proof of residency before being allowed to vote, adding that it adds a layer of protection to ensure that our elections are not compromised. She noted that there were questions on validity of votes in two recent presidential elections, voter ID is required by law in certain circumstances already and there is a section in Mass General Laws that allows for provisional ballots. She pointed out an instance of an unauthorized voter successfully entering a Town Meeting and voting against the restoration of a fire truck.

Directing his question to Mr. Boynton, Mr. O'Neill asked if there were any costs associated with this action. Mr. Lagan asked if this only applied to Town Meeting. Mr. Boynton responded it would apply to Town elections as well as Town Meeting.

Directing his question to Ms. Harris, Mr. Cowan asked if the definition of Voter ID is a document with a photo, or other means of proving residency such as a utility bill or other documentation. She stated that she could not speak to that specifically, pointing out that the article language allows for "any other act in relation thereto". Mr. Boynton clarified that any alterations to the language would have to be done on the floor of Town Meeting, and it would be up to the Attorney General to approve or reject the language that would ultimately be voted. Mr. Cowan pointed out that there is a range of what "photo ID" really means, such as RealID, work ID, gym ID, or military ID. He encouraged her to have the language reviewed to make sure there is no vagueness. Ms. Harris asked if the motion can be amended; what is in the scope of the article can be amended as long as the intent of the article remains intact. Mr. Cowan theorized that the article could be worked on and come back to Annual Town Meeting in the spring, cautioning that the end result now may not be what is actually being sought.

Discussion followed during which it was noted that the fraudulent voter simply walked in, gave another person's name, and was granted access to the Town Meeting. Ms. Hillery asked about the people who are checking voters in. Mr. Boynton responded that some are election workers, and others are paid an hourly wage. He added that the process of checking identification for every person trying to vote could potentially cause long lines and wait times.

Mr. Seth Sole-Robertson, 266 Main Street, stated that the language should say that it should be a government-issued ID. Mr. Cowan, identifying himself as a lawyer, stated that it should be defined further to be as clear as possible. He pointed out that a military ID has a photo but no street address. Mr. Sole-Robertson reported that he has volunteered to work elections, and he was not to question anyone's identify. Mr. Cowan disagreed, noting that an election worker has the authority to request proof of identification now; a provisional ballot would be allowed if there was any question.

4.0 Discussion relative to Article 2: Acquire 120 Main Street:

The committee reviewed the following information: (1) The Purchase of Medway Block – 120 Main Street – FAQs; (2) GIS Map, 120 Main Street, Medway; and (3) 2022 Fall Town Meeting Warrant (updated as of 10-18-2022).

Present: Michael Boynton, Town Manager; Carol Pratt, Finance Director; Dennis Crowley, Chair, Select Board; Glenn Trindade, Vice Chair, Select Board.

Town Manager Boynton spoke briefly about the project with its \$4.5 million price tag, and displayed the map of the project. More information will be posted on the Town Website prior to Town Meeting, and a PowerPoint presentation is being prepared for Town Meeting. He reviewed the process of how this property was evaluated, its potential for the community, how it could be used for municipal purposes, and other possibilities. The loss of revenue from taking this property off the tax rolls impacts a resident by about \$5. The taxes that have already been collected will eventually fall to free cash which the Town can use for other purposes. If the Town purchases the property, it will give the Town (as a property owner and abutter) a little more input over what kind of development can go in there or on abutting parcels. Possible municipal uses include a new fire station which the Town will need in a few years.

Selectman Crowley reported the Select Board spent a lot of time on this project, both in meetings and in discussions with the property owners. He noted that the owners were willing to give up some of the value if the Town would buy the property, possibly for municipal purposes. He emphasized that when the current fire station was built, all firefighters were volunteer. Now there is a full staff, and there are also female firefighters who have no facilities. Fire engines are also larger. Municipal offices have outgrown Town Hall, and there are offices in a number of other locations. He stated, from personal perspective, that he would never advocate for this purchase if doing so would require a debt exclusion. The Select Board is very aware of upcoming financial needs which includes replacement of roofs on four schools.

Ms. Hillery asked if consideration was given to also purchasing the parcel at 122 Main Street as it would "square off" the larger parcel. Selectman Crowley responded that much of that building is rental space that is currently secured under a number of leases, the length of which are unknown. Discussion followed during which it was pointed out that, after purchase, there will be a committee to review possible uses, hire engineer or architect, initiate a design process, and at the end of the process the final proposal would come to Town Meeting. It was noted that this purchase could provide leverage in discussions of other things in the area.

5.0 Vote Finance Committee Recommendations on warrant articles for 2022 Fall Town Meeting on November 14, 2022:

The committee reviewed the 2022 Fall Town Meeting Warrant (Updated as of 10-18-2022).

Present: Michael Boynton, Town Manager; Carol Pratt, Finance Director; Dennis Crowley, Select Board; Glenn Trindade, Select Board.

Chairman Sullivan asked Selectman Crowley and Selectman Trindade if they wished to discuss the articles on which they listed a TBD designation. Regarding Article 15, Mr. Crowley pointed out that it is a complicated article, and the Board has set up a meeting with the Planning and Economic Development Coordinator to make sure they understand it. Mr. Trindade added that this is relatively new technology; it is likely that, due to changes in that technology, the bylaw will need to be updated within a couple of years. It was noted that it currently does not provide for commercial installations. Discussion followed during which was noted that the TBD designation can be changed at an upcoming meeting though the Warrant must be posted tomorrow. Mr. Charlie Myers, 9 Curtis Lane, urged the committee to vote for this battery storage facility. Without the article in place, the Town is at risk for a lot of different things to come in and the Town is unprotected. He reported he spent the bulk of the day listening to hearings by the Energy Facilities Siting Board. There are ways to request exemptions to the bylaw if it does not meet someone's specific needs.

The committee began its consideration of warrant articles. There was occasional discussion, some of which is included here.

Article 1 – Raise and Appropriate: Fiscal Year 2023 Debt Budget – Mr. O'Neill made a motion that the Finance Committee recommend Article 1 as presented; Mr. Cowan seconded. No discussion. VOTE: 6-0-0.

Article 2 – Acquire 120 Main Street -- Mr. Cowan made a motion that the Finance Committee recommend Article 2 as presented; Mr. Lagan seconded. No discussion. VOTE: 6-0-0.

Article 3 – Acquire 72B Main Street -- **Mr. O'Neill made a motion that the Finance Committee recommend Article 3 as presented; Mr. Cowan seconded. No discussion. VOTE: 6-0-0.**

Article 4 – Accept Gift of Land: 72A Main Street – Selectman Crowley noted that, if Article 3 does not pass, there will likely be a motion to dismiss Article 4. **Mr. O'Neill made a motion that the Finance Committee recommend Article 4 as presented; Mr. Cowan seconded. No discussion. VOTE: 6-0-0.**

Article 5 – Raise and Appropriate: Fiscal Year 2023 DPW Budget – **Mr. Lagan made a motion that the Finance Committee recommend Article 5 as presented; Mr. Cowan seconded. No discussion. VOTE: 6-0-0.**

Article 6: Prior Year Bills – **Mr. O'Neill made a motion that the Finance Committee recommend Article 6 as presented; Mr. Lane seconded. No discussion. VOTE: 6-0-0.**

Article 7: Free Cash Transfer to Facility Stabilization Fund – There was discussion of the Hanlon Field Project which includes replacement of the track. Mr. O'Neill expressed concern that these monies could be transferred directly to the Athletic Field Stabilization Fund to beef up that balance. Mr. Boynton emphasized that there are numerous other projects that may need funding as well. Following discussion, **Mr. Cowan made a motion that the Finance Committee recommend Article 7 as presented; Ms. Hillery seconded. No discussion. VOTE: 5-1-0 (O'Neill oppose).**

Article 8: Free Cash Transfer: Capital Items – It was noted that the funding source may change when this article comes up at Town Meeting; there is still time for the Community Preservation Committee to discuss availability of funding for all lights at this location including the tennis courts. After discussion, **Mr. Lagan made a motion that the Finance Committee recommend Article 8 as presented; Chairman Sullivan seconded. No discussion. VOTE: 1-5-0 (Cowan, oppose; Hillery, oppose, Lane, oppose, O'Neill, oppose; Sullivan, oppose). Motion failed.**

At this time, Mr. Cowan made a motion that the Finance Committee assign a TBD designation (To Be Determined) to Article 8; Mr. Lane seconded. No discussion. VOTE: 6-0-0. Motion carried.

Article 9 – Free Cash Transfer: Athletic Field Stabilization Fund – Mr. O'Neill asked why the full amount of the Finance Committee Reserve Fund was not being considered for this transfer. Mr. Boynton clarified that \$75,000 is the current balance of the fund, which will fall to free cash, and then will be available for transfer as necessary. After discussion, **Mr. O'Neill made a motion that the Finance Committee recommend Article 9 as presented; Mr. Lane seconded. No further discussion. VOTE: 5-1-0 (O'Neill oppose).**

Article 10 – Fund Lead Water Line Study – **Ms. Hillery made a motion that the Finance Committee recommend Article 10 as presented; Mr. Cowan seconded. No discussion. VOTE: 6-0-0.**

Article 11 – Borrowing – Oakland Well Water Line to New Centralized Water Treatment Plant – Mr. Boynton reported that construction bids are coming in a higher dollar amounts than anticipated. Haley and Ward is working on the design. **Mr. O'Neill made a motion that the Finance Committee recommend Article 11 as presented; Mr. Lagan seconded. No discussion. VOTE: 6-0-0.**

Article 12: Endorse Master Plan – Mr. Lagan expressed concern that this is basically a wish list with no dollar amounts attached to any particular project or goal. Selectman Trindade explained that many things in the plan are already underway and the plan covers a period of ten years. No one knows what

the Town's financial situation will be in the future so prioritizing funding for things is unwise. It was also noted that the Master Plan Committee will make a presentation at the upcoming Select Board meeting which is why the Select Board designated TBD until they hear the presentation. After discussion, **Ms. Hillery made a motion that the Finance Committee recommend Article 12 as presented; Mr. Cowan seconded. No further discussion. VOTE: 4-1-1 (Lagan, oppose; O'Neill, abstain).**

Article 13 – Amend General Bylaws: Permit/License Security – **Mr. O'Neill made a motion that the Finance Committee recommend Article 13 as presented; Mr. Lane seconded. No discussion. VOTE: 5-1-0 (Lagan, oppose).**

Article 14 – Amend General Bylaws: Building Demolition – **Mr. Cowan made a motion that the Finance Committee recommend Article 14 as presented; Ms. Hillery seconded. No discussion. VOTE: 6-0-0.**

Article 15: Amend Zoning Bylaw: Battery Energy Storage – Responding to a question from Mr. O'Neill, Ms. Saint Andre reported that there were no objections raised during the recent public hearing, only comments regarding the project. Discussion followed during which the importance of having something in place was emphasized. **Ms. Hillery made a motion that the Finance Committee recommend Article 15 as presented; Mr. Lane seconded. No discussion. VOTE: 5-0-1 (Lagan, oppose).**

Article 16: Amend Zoning Bylaw: Schedule of Uses – BESS and Solar – It was noted that the Select Board was withholding its recommendation until the public comment period with the Planning and Economic Development Board had expired. Mr. Myers reported that he listened to the hearings by the Energy Facilities Siting Board (EFSB) where there was discussion on whether the Town of Carver had a bylaw or any other policies in place. Brief discussion followed. **Mr. Cowan made a motion that the Finance Committee recommend Article 16 as presented; Mr. O'Neill seconded. No discussion. VOTE: 6-0-0.**

Article 17: Amend Zoning Bylaw: Schedule of Uses – **Mr. O'Neill made a motion that the Finance Committee recommend Article 17 as presented; Mr. Lane seconded. No discussion. VOTE: 6-0-0.**

Article 18: Amend Zoning Bylaw: Solar Electric Installations -- **Mr. O'Neill made a motion that the Finance Committee recommend Article 18 as presented; Ms. Hillery seconded. No discussion. VOTE: 6-0-0.**

Article 19: Amend Zoning Bylaw: Multi-Family Housing -- **Mr. Lane made a motion that the Finance Committee recommend Article 19 as presented; Mr. Cowan seconded. No discussion. VOTE: 5-1-0 (Lagan, oppose).**

Article 20: Amend Zoning Bylaw: Add New Section – Development Mitigation – Responding to a question from the committee, Ms. Saint Andre stated that the current Solar Bylaw contains this provision. It provides for replication of wooded area or open space, or to replace trails or replicate the connectivity to existing trails. **Mr. Cowan made a motion that the Finance Committee recommend Article 20 as presented; Mr. Lane seconded. No discussion. VOTE: 5-1-0 (Lagan, oppose).**

Article 21: Amend Zoning Bylaw: Add New Use – Contractor's Quarters – It was noted that the Select Board was withholding its recommendation until it met with the Planning and Economic Development Coordinator. No changes are anticipated. Selectman Trindade theorized that, while the concept has value, this type of use should be limited to commercial districts. Brief discussion followed. **Mr. Cowan made a motion that the Finance Committee recommend Article 21 as presented; there was no second.**

Mr. O'Neill made a motion that the Finance Committee NOT RECOMMEND Article 21 as presented; Ms. Hillery seconded. No discussion. VOTE: 5-0-1 (Lagan, abstain).

Article 22: Amend Zoning Bylaw: Oak Grove and Central Business District – **Ms. Hillery made a motion that the Finance Committee recommend Article 22 as presented; Mr. Cowan seconded. No discussion. VOTE: 6-0-0.**

Article 23: Amend Zoning Bylaw: Housekeeping – **Mr. Lane made a motion that the Finance Committee recommend Article 23 as presented; Ms. Hillery seconded. No discussion. VOTE: 6-0-0.**

Article 24: Street Acceptance: Newton Lane – It was noted that the Select Board was withholding its recommendation until the final vote of the Planning and Economic Development Board next week. **Ms. Hillery made a motion that the Finance Committee recommend Article 24 as presented; Mr. Lane seconded. No discussion. VOTE: 6-0-0.**

Article 25 – Citizens' Petition: Voter ID -- **Mr. O'Neill made a motion that the Finance Committee recommend Article 25 as presented; Mr. Lagan seconded. No discussion. VOTE: 2-4-0 (Cowan, oppose; Hillery, oppose; Lane, oppose; Sullivan, oppose).**

Mr. Cowan made a motion that the Finance Committee NOT RECOMMEND Article 25 as presented; Mr. Lane seconded. No discussion. VOTE: 4-2-0 (Lagan, oppose; O'Neill, oppose).

At 9:32 PM Town Manager Boynton, Selectman Crowley, Ms. Pratt, and Selectman Trindade exited the meeting room.

6.0 Miscellaneous:

Due to the lateness of the hour, the Chairman's Report, Clerk's Report and Liaison Reports were postponed.

7.0 Other Business: Review /Approval of meeting minutes

Due to the lateness of the hour, review and approval of the draft minutes from October 12, 2022 were postponed until the next meeting.

8.0 Upcoming Meetings:

The next regular monthly meetings will be on November 9 and December 14. The committee will also meet prior to Town Meeting on November 14 for any remaining votes on warrant articles and to assign motions. The annual Tri-Board meeting with the Select Board and School Committee will be on Thursday, December 1.

9.0 Adjourn

At 9:33 PM Mr. O'Neill made a motion to adjourn; Mr. Cowan seconded. No discussion. VOTE: 6-0-0.

*Respectfully submitted,
Jeanette Galliardt
Night Board Secretary*