

**Select Board Meeting
January 18, 2022 – 7:00 PM
Sanford Hall
155 Village Street**

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

Staff Present: Michael Boynton, Town Manager; Allison Potter, Assistant Town Manager; Susy Affleck-Childs, Planning and Economic Development Coordinator; Barbara Saint Andre, Community and Economic Development Director; Police Chief Tingley; Police Lieutenant Kingsbury.

Other Participants: Planning and Economic Development Board (PEDB): Matthew Hayes, Chair; Richard Di Iulio, Clerk; Jessica Chabot, Member; Ann Sherry, Affordable Housing Trust (AHT) Chair; Via Zoom: Sarah Raposa, PEDB Candidate; Jenn Goldson, consultant.

At 7:00 PM, Ms. White called the meeting to order and led the Pledge of Allegiance.

Mr. Boynton announced that Lieutenant Kingsbury will be taking over as Police Chief upon the retirement of Chief Tingley effective July 5, 2022. He noted that Chief Tingley has worked here for over 45 years and commended his dedication, passion, and commitment to the Town. Chief Tingley stated his pride with his departmental staff and thanked the Town Manager and Select Board for their continued support. Mr. Boynton noted that Lieutenant Kingsbury has over 20 years of exemplary experience and has been key in leading the efforts around Police Reform. He stated that Sergeant Jeff Watson will fill Lieutenant Kingsbury's role and Officer Ryan Ober will fill Sergeant Watson's role. Lieutenant Kingsbury thanked the Select Board, Town Manager, and other Town Boards for their support.

Public Comments: There were none.

Approval of Minutes: January 3, 2022

The Board reviewed the draft minutes of January 3, 2022.

Mr. Trindade moved that the Board approve the minutes of January 3, 2022. Mr. Foresto seconded. Mr. Rossi pointed out two typos to Ms. Langley on pages one and two. **VOTE: 5-0-0**

At 7:08 PM, Mr. Hayes called the PEDB meeting to order.

Appointment Consideration: Planning and Economic Development Board – Sarah Raposa

The Board reviewed the candidate's request for appointment.

Ms. Affleck-Childs introduced Ms. Raposa who stated interest in serving on the PEDB. She has been on the Master Plan and Capital Improvement Planning Committees and is currently the Town Planner in Medfield and was on the original Oak Grove Committee. Ms. Raposa stated she was on the team for affordable housing design in Sudbury, remains involved in the 495 Partnership, and would like to assist the PEDB. She also indicated, if appointed, she would be running for election in May to complete the vacant term.

Mr. Foresto moved that the Board appoint Sarah Raposa to the Planning and Economic Development Board for a term expiring on May 17, 2022. Mr. Trindade seconded. It was voted by roll call: Crowley aye, Foresto aye, Rossi aye, Trindade aye, White aye. No Discussion. VOTE: 5-0-0

Mr. Hayes moved that the PEDB appoint Sarah Raposa to the Planning and Economic Development Board for a term expiring on May 17, 2022. Mr. Di Iulio seconded. It was voted by roll call: Chabot aye, Di Iulio aye, Hayes aye. No Discussion. Vote 3-0-0.

Authorization to Expend Grant Funds:

- **Urban Agenda - \$40,000**
- **MassWorks and Housing Choice - \$550,000**
- **MassWorks and Housing Choice - \$20,000**

The Board reviewed the (1) notice of grant award forms, and (2) grant award letters.

Ms. Saint Andre explained each of the grants and their funding sources.

Mr. Foresto moved that the Board authorize the expenditure of the Urban Agenda and MassWorks and Housing Choice grants as presented. Mr. Trindade seconded. Mr. Crowley noted that the \$550,000 grant comes up in a future agenda item. VOTE: 5-0-0

Presentation: Housing Production Plan (HPP)

The Board reviewed the (1) draft housing production plan, and (2) PowerPoint presentation.

Mr. Boynton reported that every five years we are obligated to have a housing production plan in place in order to remain eligible for Safe Harbor status. He commended the work of the Affordable Housing Committee, AHT, and PEDB on their efforts.

Ms. Goldson stated there are very standard formats for the HPP provided by the Department of Housing and Community Development (DHCD). The standard sections to be included are: (1) a comprehensive housing needs assessment, (2) a development constraints analysis, (3) implementation capacity, (4) 5-year goals and strategies, and (5) action plan. She then reviewed Medway's subsidized housing inventory noting that we are 11.5% based on the 2010 census, will unofficially be at 11.6% based on the 2020 census, have an official total of 529 affordable housing units but we are saying 573 units as Glen Brook Phase 2 was not included in the lower number. She then reviewed the draft goals and strategies including: (1) maintaining 10% affordable housing, (2) addressing local housing needs with a greater mix of housing types, including small apartments, accessible housing, and starter homes, (3) distribution of new housing options in strategic locations and through reuse opportunities to meet local housing needs and comply with state housing choice legislation, (4) support residents in need to help them afford to remain in Medway, and (5) increase Medway's capacity to implement housing initiatives thorough enhanced local and regional coordination. She next reviewed the three strategy categories as well as a few action items within each including: (1) planning, policies, zoning tools, (2) local initiatives and programmatic strategies, (3) capacity, education, and coordination. She stated this is not a blueprint, but a menu of choices. She noted that this is a tool and none of the goals/strategies are binding. The primary purpose is to maintain Safe Harbor status. She then referenced a GIS analysis map for parcels eligible for the Infill Bylaw to potentially create private affordable units. She noted this would need to be investigated further as only a few lots comply to allow for affordable units to be developed noting the AHT could look at purchasing these lots, put an RFP out, and have a developer like Habitat for Humanity build affordable units. Also discussed was supporting the modernization and rebuilding of the

housing authority properties. She stated that it is helpful to designate who has local oversight of this HPP, i.e., the Select Board.

Mr. Foresto stated the idea to use Community Preservation Act (CPA) funding for the pre-development work for the housing authority properties makes sense. Mr. Crowley asked if the Town does some of this pre-development work using CPA funds for Federal and State housing, is it more likely that Federal and State funds would be available to further these projects. Ms. Goldson stated the biggest challenge Director Fetrow noted was to obtain the pre-development work funding which would then help to leverage other public funding. Mr. Crowley asked about the affordable housing based on the 2010 census at 11.5%. Mr. Boynton clarified that percentage is using today's numbers and we were not at that percentage in 2010. Mr. Crowley requested actionable ideas be provided at a later date as to what the Town can do to help residents who can't afford to stay in the Town. He thanked Ms. Goldson for the data noting it looked like school enrollment was going down but he believes it is going up and asked that she relook at that data as well as adding more recent years data. He also asked that the data on the increase in population in the past 20 years be relooked at and all graphs be updated with more recent years data. Mr. Trindade noted there is more Federal and State funding for housing and stated if we don't address the housing authority areas now, we may be missing out on these funding opportunities. Mr. Boynton noted that Mr. Crowley's points are correct and commended the efforts of this team. He noted that the decades where we had population growth mentioned by Mr. Crowley were the result of mostly was single family housing growth. One of the biggest challenges is understanding the type of market being developed and the service and infrastructure impacts. He stated he agrees there is a need to address the housing authority locations as we have a moral responsibility to address this for these residents. Mr. Foresto stated that even if the Town puts funds into housing authority locations, there is no guarantee that Medway residents would end up in this housing. He further stated if we use zoning to increase housing production, we have to do this carefully based on past experience. Mr. Boynton agreed. Mr. Rossi asked if this is just a draft or do we need to vote this tonight. Ms. Goldson stated this was the first phase of presenting this to the Select Board and PEDB requesting both Boards submit any other comments. They will do their best to incorporate the feedback from tonight, update the plan and submit it back to the Select Board and PEDB for a vote, noting it will most likely be ready next month. Ann Sherry thanked the Board for the support. She reported the AHT and Affordable Housing Committee went over this in detail and support the contents of what was presented tonight.

Discussion: Housing Choice Multifamily Guidelines

The Board reviewed the (1) memo from Barbara Saint Andre, (2) map from Fran Hutton-Lee showing high-density multi-family developments either existing or under construction in Medway (3) General Laws chapter 40A, §3, (4) e-mail from the Department of Housing and Community Development (DHCD) regarding the draft guidelines, (5) DHCD draft Compliance Guidelines for Multi-family Districts Under Section 3A of the Zoning Act

Ms. Saint Andre stated this legislation resulted in the designation of a minimum amount of multifamily housing by right in MBTA and MBTA adjacent communities in order to be able to access three specific grant funds which include MassWorks, Housing Choice, and Local Capital Projects. DHCD was tasked with creating guidelines for communities and is accepting comments on these guidelines which are due by March 31st. She stated that many municipal organizations will also be submitting comments to DHCD. She stated to be eligible for this year's grant funding the two requirements include: (1) holding a briefing of the Select Board on these guidelines, which we are doing tonight, and (2) providing a residents information form by May 2nd. To remain in compliance after this year, the two requirements include: (1) passing zoning that applies to the new state guidelines, and (2) submitting an action plan to DHCD on how the Town would come to compliance, which is due by year end. She then explained the

density requirements of this legislation of 15 multifamily units per acre in a multifamily housing zone noting the biggest issues is this zoning district must be of reasonable size which DHCD has determined to be at least 50 acres of land of 15 units/acre with zoning to allow at least 750 units per Town. She stated that we are at the minimal amount as we are an MBTA adjacent Town. She explained the formula for determining the amount of housing required as 10% of housing units must be within the total number of units. Medway has a total of 4836 housing units, so 10% would be 483 units needed but since DHCD set a minimum of 50 acres of 15units/acre that translated to 750 units for Medway. She reviewed the map provided that shows where the existing housing is and where we could potentially incorporate the existing housing in this district noting this data was received from the Assessors. There was further discussion on, and explanation of density and housing type included noting this multifamily housing legislation does not state it must include affordable housing. Mr. Crowley explained an example of a potential designation location using from 39 Main to the brick apartments and back to the Cassidy fields noting that existing property owners would not need to adhere to this new zoning. Ms. Saint Andre stated we are not required to build 750 units but are required to have zoning that would allow this noting that the Town does not have to own the land. Mr. Di Iulio stated he has a problem with by right as we will end up being as dense as Framingham if we go with this. Mr. Crowley asked for confirmation this is legislation that has already passed, DHCD has put out the guidelines, and asked us to look at these and make comments. Ms. Saint Andre confirmed. Mr. Boynton noted DHCD took extensive liberties in what they included in the guidelines, specifically the minimum 50 acres including within that contiguous 25 acres, noting the issues relative to the ability to provide appropriate infrastructure, stormwater issues, as well as the question if they created an unfunded mandate. Ms. Chabot had three questions: (1) is this considered an overlay district; Ms. Saint Andre stated overlay could be included (2) if we do overlay in Oak Grove could part of this could be included; Ms. Saint Andre stated a density of 15units/acre must be included, and (3) must this be voted in Town Meeting. Ms. Saint Andre confirmed and that a majority vote would be required. Ms. White asked what the negative effect is if we do not comply. Ms. Saint Andre stated we would not be eligible for the aforementioned grants. However, DHCD put language in the guidelines that state they can take this in consideration for other grants, not just those specific grants noted by the legislature. Mr. Rossi asked if there is a group effort with other Towns submitting comments. Ms. Saint Andre confirmed noting the Massachusetts Municipal Association and Massachusetts Municipal Lawyers Association will be submitting comments. Mr. Boynton stated DHCD knows the politics related to this, as larger cities have already met this density requirement. We need to go back to DHCD and explain the flaws in the guidelines. He noted that Ms. Saint Andre authored a memo with specific points, and he would like to craft a letter from both the Select Board and PEDB to be sent to DHCD and our legislators. Mr. Crowley asked if we have received any comments from other towns. Ms. Saint Andre stated many smaller cities and towns are concerned about this. Some have decided not to comply, and some are working on compliance. There was further discussion on potential ways to comply with the density requirements. Ms. Affleck-Childs noted her issue with the 25 contiguous acres. She stated this topic has been discussed at a prior South West Advisory Planning Committee meetings and there will be a special meeting at the beginning of February on this topic. Secretary of Housing and Economic Development Mike Kennealy will be zooming into this meeting. The Select Board requested that this meeting information be provided to the Board. Mr. Di Iulio requested that the PEDB receive the letter to review ahead of time. Mr. Boynton confirmed noting the plan is for it to be ready for signature at the February 7th Select Board meeting and then provided to the PEDB for their signature. Mr. Crowley suggested that this letter be shared with surrounding Towns noting he shared Ms. Saint Andre's memo with the Millis Select Board for discussion at its meeting tonight.

At 8:23 PM, Ms. Chabot motioned to adjourn. Mr. Di Iulio seconded. It was voted by roll call: Chabot aye, Di Iulio aye, Hayes aye. VOTE: 3-0-0.

Discussion/Vote: Medway Reprecincting Home Rule Petition Request

There were no materials for the Board to review.

Mr. Boynton stated he spoke with Representative Jeff Roy who stated Medway made a compelling case about the sub-precinct problems. However, the Local Elections District Review Commission (LEDRC) said that if they voted this exception for Medway, they would need to vote for 100 other impacted communities. The recommendation is we contact our legislators about a Home Rule Petition. We are purchasing the extra voting machine because we cannot wait for action on the Home Rule Petition request. He stated that Ms. Ohannesian must come back before the Select Board for approval for usage of the new voting machines.

Mr. Trindade moved that the Select Board request Home Rule legislation from our legislative delegation to eliminate the need for a sub-precinct and further to confirm the precinct lines and map approved by this Board on December 6, 2021. Mr. Foresto seconded. No Discussion. VOTE: 5-0-0

Mr. Crowley stated the residents have no knowledge about this or the impact on the costs and increased staffing and efforts required.

Vote: MGL Chapter 32B, Sections 19, 21-23 - Engage in Process to Change Health Insurance Benefits

There were no materials for the Board to review.

Mr. Boynton stated Section 19 allows us to move to high deductible plans and establish a Health Savings Account (HSA), which the Town would contribute to. Sections 21-23 allow us to implement a Group Insurance Commission (GIC) like plan. He stated that Section 21-23 could be a fallback option and Section 19 seems like the better option for the present situation. MIIA said, if quoted, Medway would be facing a rate increase in the high teens. He noted that Section 19 involves a collective bargaining requirement. He recommended that the Board vote to adopt all sections noting we will only use the one that provides the best option for the Town. He stated that he has a 10% increase forecasted in the budget and MIIA's quote at 7-8% higher would be catastrophic to the budget. He would need to look at the impact on the budget of what Harvard Community Health Plan (HCHC) will come back with and that of a high deductible plan. He commended the Insurance Advisory Committee (IAC) members on their efforts. He noted the goal is to find a plan that does not require the Town to shop its health insurance every year. Mr. Crowley asked what West Suburban quoted. Mr. Boynton stated they were not interested. Mr. Crowley asked if we would go with what the IAC recommends. Mr. Boynton said ideally we would go with the IAC recommendation. There was discussion on the impact of Sections 21-23 and 19 via collective bargaining.

Mr. Rossi moved that the Board vote to adopt Massachusetts General Law Chapter 32B, Sections 19 and 21-23 as discussed. Mr. Trindade seconded. No Discussion. VOTE: 5-0-0

Approval: Public Event Permit Application – Medway Youth Baseball Parade – 4/24/2022

The Board reviewed the (1) public event permit application, and (2) Lieutenant Kingsbury's approval.

Mr. Trindade moved that the Board request approve the public event permit application as presented subject to the Police Lieutenant's recommendation and proof of appropriate insurance coverage. Mr. Rossi seconded. No Discussion. VOTE: 5-0-0

Action Items from Previous Meeting

The Board reviewed the action items dated December 6, 2021

This agenda item was not discussed.

Mr. Boynton reported that the Water Treatment Facility Committee went before the PEDB and neighbors voiced issues. He therefore requested that Mr. Pelletier meet with neighbors to discuss their issues before they go back before the PEDB. There is a committee meeting this week.

Town Manager's Report

There were no items for the Board to review.

FY23 Budget Process Update: Mr. Boynton stated the budget is balanced based on a 10% health insurance increase. He commended Ms. Pratt and the department heads on their efforts. He does not anticipate information on the health insurance until the end of this week or next week. He noted the only other outstanding number is state aid and is assuming we are getting minimal, as in the past. He reminded the Board of its meeting with the department heads on the first Saturday in March for their budget review. Mr. Crowley asked if the Town Manager could share the preliminary budget now. Mr. Boynton will request that Ms. Pratt provide this to the Board.

Eversource Vegetation Management – Extensive Brush Cutting: Mr. Boynton stated Eversource will be doing extensive vegetation management from the Millis Line to West Street.

Fallen Hero Flags – Holliston Street: Mr. Boynton stated he met with the Memorial Committee last week which has requested to use the banner poles that were put up on Holliston St as part of the Medway 300 celebration to recognize the nineteen Medway residents who gave their lives in service of our country. They are in the process of creating banners to put up for each fallen resident. He noted there is enough funding to support this effort. Mr. Crowley noted the need to upgrade/replace the weathered Rt 109 banners.

School Fields/Properties SLA Update: Mr. Boynton stated he had multiple conversations with the superintendent noting there are needed changes in the School Department athletic and grounds usage agreement. He is not uncomfortable with what is being proposed. He noted this will require a joint meeting of the School Committee, Select Board, and Parks Commission. Mr. Rossi stated it looks like there are two main amendments, one stating that whatever Parks does must comply with school policy and asked if we have these school policies. Mr. Boynton noted the need to ensure this is not too broad. Mr. Rossi noted that both Community Ed and Parks use school property and the agreement will be amended to reflect no charge for use for either. He asked if we have a breakdown of costs for both. This information will be obtained.

Ms. White asked for a status on the naming of Police Station. Chief Tingley stated they are meeting with the sign company this week which will be providing examples. A dedication is planned for May.

Regional Dispatch Presentation – January 25: Mr. Boynton stated a presentation is happening via ZOOM that we will participate in.

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

- January 19 – Norfolk County Managers – Walpole
- January 28 – Fire Academy Graduation – Stow
- February 4-11 – Vacation (Allison Acting TM)

NEXT Select Board Meeting – Monday, February 7, 2022.

Select Board's Reports

There were no items for the Board to review.

Mr. Rossi stated Mr. Crowley and he went to school budget advisory meeting. They are in process of finalizing the budget and plan to present to the Select Board in March.

Mr. Crowley stated the school budget advisory meeting was a good meeting and they are preliminarily balancing their budget and satisfied with the \$700,000 Town funding. He asked for current enrollment numbers, which he has not yet received. There was concern that due to the planned new development, the enrollment will be going up and they anticipate that the yearly \$700,000 of Town funding will no longer suffice. Mr. Rossi stated that they also stated the \$700,000 has not gone up over the years. Mr. Boynton stated that although the \$700,000 has not increased, they receive a majority of the portion of both the capital and Information Technology budgets. Mr. Foresto asked if these numbers included school choice. Mr. Crowley said no.

Mr. Foresto asked about the status of the battery storage consultant as we have not heard anything. Ms. Potter stated that they have met with staff and plan to have the project scope substantially finished in March. Mr. Boynton stated there may be another battery storage company looking at that area.

Mr. Crowley asked about the status of the D&D Mulch lawsuit. Mr. Boynton stated the court hearing was pushed out to March. Mr. Crowley noted that this allows them to continue to operation.

Mr. Trindade asked if we have the final 2020 census and, if so, we should be able to anticipate the impact on school enrollment. There was further discussion on the impact of new development on school enrollment, specifically Timber Crest. Mr. Di Iulio noted his neighborhood has experienced an uptick in families with children.

At 8:55PM, Mr. Trindade moved to adjourn. Mr. Rossi seconded. VOTE: 5-0-0

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