

**Select Board Meeting
March 18, 2024 – 7:00 PM
Sanford Hall
155 Village Street**

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

Staff Present: Michael Boynton, Town Manager; Allison Potter, Assistant Town Manager; Police Chief William Kingsbury; Peter Pelletier, Department of Public Works (DPW) Director; Barry Smith, Water Superintendent; Barbara Saint Andre, Community and Economic Development Director; Jeremy Thompson, Planning and Economic Development Coordinator Rich Boucher, Information Services Director.

Others Present: Jeff Bernstein, BCK Law; Medway Community Farm Board: Carol Collord, Director, Todd Sandstrum, Farmer Manager, Deb Rossi, Treasurer, Tina Wright, Clerk, Martin Dietrich, Event Coordinator, Carl Rice, Member; TJ’s Gas: Kozhaya Saade, owner, Isaac Saade, owner; Andy Rodenhiser, Planning and Economic Development Board (PEDB) Chair; Susan Dietrich, Food Pantry Director.

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

Public Comments: There were none.

Discussion/Vote: Payment in Lieu of Taxes (PILOT) with Medway Grid LLC
The Board reviewed the proposed PILOT, and third-party financial analysis.

Mr. Boynton noted the draft PILOT has been posted for the past two weeks. He reported that they worked with Medway Grid at the end of last week due to the need to specifically define when the first payment is due. It was noted it will be due for the entire year, not later than twenty-five days after the start of commercial operation. He explained how the payments were determined and the differences between this and the Exelon PILOT in that Exelon payments decrease over the years, but this one was flattened out. The total payment will be over \$47 million over twenty-years some of which will go to the Community Preservation Act (CPA) fund. He thanked Mr. Trindade and Mr. Crowley for their efforts during the negotiation of this agreement. Mr. Trindade asked Mr. Boynton to give an overview of this agreement. Mr. Boynton restated it is a \$47 million agreement to the Town for this facility at approximately \$9,000 per megawatt per year. He stated that this agreement was reviewed by a third party, Brian Fogg LLC, whose specialty is assessing the value of these types of facilities. Mr. Boynton reviewed the next steps including Select Board approval to bring the PILOT to Town Meeting. If approved at Town Meeting, the PILOT would be submitted to the Department of Revenue (DOR) which would undergo a required review period. The DOR would have to approve it in order for it to go into effect. He noted that this is the first PILOT in the state for battery energy storage and would be the benchmark moving forward. Attorney Bernstein reiterated that this is a new statute governing these types of facilities that we are following. Mr. Boynton stated that he will be requesting the Select Board to appoint BCK Law as Special Counsel for the other battery energy facility project at their next meeting. Mr. Alessandri stated most of the questions he received from residents were that if they were in violation of the safety measures stated in the Host Community Agreement (HCA) is there a mechanism

in place to address this. Mr. Boynton confirmed noting that most of these safety protocols were also included in the Department of Public Utilities special permit. Mr. Boynton explained the process to determine the taxes owed to the Town should a PILOT not be in place and the need to hold these funds, \$2.2 million, in reserve waiting for a decision by the Appellate Tax Board if contested by the project owner. Mr. Rossi asked when we can expect the first payment. Mr. Boynton stated that depends upon their construction schedule. It was noted that they have a deadline from the International Organization for Standardization (ISO) New England and need to be operational by calendar year 2026 or their interconnection agreement could be terminated. Assuming that they meet that commercially operational date (COD), we would anticipate booking that revenue in FY26 at the end of the year. That brings up whether or not and where we could book this revenue, so we would need to involve the DOR. Mr. Crowley stated that the tax implication is \$2,237,714 per year for the next twenty-years. The CPA fund is \$69,208 per year for the next twenty-years. He reiterated that the first payment will be the fourth quarter of FY26, and we need to discuss how those funds will be allocated as the schools have funding needs. Mr. Trindade pointed out that this has not been voted on as yet and both the Town and School Dept. have needs that will need to be prioritized, as well as the Town's commitment to the Tri-County Vocational Technical High School Building of over \$1 million per year. He noted that without this potential funding, we would be in a very difficult situation. Mr. Boynton noted that it is built into this PILOT that we receive a status update next March specifically due to this issue.

Mr. Alessandri moved that the Board approve the PILOT as presented and seek Town Meeting authorization to execute it. Ms. White seconded. No discussion. VOTE: 5-0-0.

Report from the Medway Community Farm

The Board reviewed the (1) report, and (2) financials.

Mr. Trindade noted that he is a member of the Board of the Community Farm but as no votes will be taken, he will not recuse himself from this discussion. Ms. Collord introduced those present from their Board. Ms. Collord stated their focus this year has been on community and thanked the Select Board and other Town employees and businesses for their support. She noted the relationships they have forged that will assist them in the future. She noted the grants received that help support their infrastructure. Ms. Wright reviewed their education initiatives noting that this is one of their core missions and explained their programs through Community Education, Parks and Recreation, and the reintroduction of 4th grade on the farm. She noted they are looking for a year-round, part-time Education Coordinator as they are looking to expand their programs. Ms. Rossi referenced the budget provided to the Select Board, noting their biggest expense is their operating expense, and that the grants do not cover that. She asked if the Board had any specific questions. Mr. Alessandri asked about the \$145,000 grant. Ms. Collord stated that was the grant for the solar. She noted that they received an irrigation grant that covered their entire fields. Mr. Sandstrum reviewed the operations of the farm noting last year's drought was difficult. He reported they only have three spring shares left. He noted that they continue to have an office delivery service and have a new institutional delivery service this year. They will deliver a Community Supported Agriculture (CSA) to any office in Medway with no minimum required. He noted that he is focusing on access for those who cannot leave during work hours. He reviewed the additional CSAs available with the goal of making the farm a one-stop shop. He explained their access efforts relative to the \$3,000 available for those who do not qualify for state food assistance but still cannot afford to purchase fresh food. Mr. Trindade asked for a synopsis of the upcoming events. He explained the status of the farm four years ago in that it was \$50,000 in debt and those present have completely turned it around. Mr. Dietrich reviewed Earth Day in April with a large focus on education, the barbecue and cornhole tournament in summer, hosting of Juneteenth for the

third year, the fall harvest event, which is a family event, and a fall night out at Thayer Homestead, which is like a date night. Ms. Collord noted the seedling sale will be in May with a members only event the Friday before on May 17. It was noted that the golf tournament is on Monday, May 20, at New England County Club. Mr. Crowley asked how many shares were sold last year and where we are to date. Ms. Collord stated 50-60 last year. Mr. Sandstrom noted that we have almost sold out in the spring and have sold 50 to date. Mr. Crowley asked how many shares were to actual residents versus donated shares and the maximum that could be available. Mr. Sandstrom stated all shares were sold to residents and that the farm can handle over 100 shares. Mr. Crowley commended the group on their efforts. Mr. Rossi asked about the CPA funds to be used on the upcoming Town Meeting warrant. Mr. Trindade explained that they have a foundation for an educational building space, grant funding fell through, so they have requested CPA funds for this project and will be at the April 1 Community Preservation Committee meeting. Mr. Alessandri asked if the wet weather has impacted the farm. Mr. Sandstrom stated Adams Street is a bit soggy, but he is learning the land as to where to plant what, so they are doing well. Ms. White thanked all for their efforts and suggested cooking lessons on how to use bok choy.

Approval of Minutes: March 2, 2024

The Board reviewed the draft minutes of March 2, 2024.

Mr. Alessandri moved that the Board approve the minutes of March 2, 2024. Ms. White seconded.

Discussion: Mr. Crowley stated that on page 3, line 98 regarding the fire truck that the minutes should reflect that they kept the bid at \$200,000 and they were bondable. He also referenced page 4, line 167 “Mr. Crowley stated that he did not want to charge staff to that budget.” He stated that what he said was that he was OK charging the salaries for the staff at the Recycling Center, but not the indirect costs.

VOTE: 5-0-0.

Approval: Class II Auto Dealer’s License for TJ’s Gas (d/b/a Medway Mobil), 107 Main St

The Board reviewed application.

Mr. Saade stated they are new owners and were not aware that they could not renew this under the old owner but had to submit a new application. Ms. Potter confirmed that the necessary paperwork was submitted. Ms. White asked how many cars they plan to have on the lot. Mr. Saade stated no more than three. Mr. Alessandri asked about the practicality of the fourteen parking spaces. Mr. Saade explained the usage of the parking lot noting some are utilized for family that work there, their plow truck, customer repairs, and he tries to leave the left side available for state inspections. Mr. Crowley asked who owns the station. Mr. Saade stated they rent it from Mobil. Mr. Rodenhiser reminded them of the sign requirements in Medway. Mr. Saade stated he is aware of these requirements. Mr. Saade asked about the sign for state inspections. He was referred to the Building Commissioner.

Mr. Alessandri moved that the Board approve a Class II dealer’s license for TJ’s Gas limited to three units. Ms. White seconded. No discussion. VOTE: 5-0-0.

Discussion/Vote: Indigenous Peoples’ Day Committee Charge

The Board reviewed the (1) charge proposed by IPD Committee, and (2) Committee changes authorized in March 2022.

Ms. Potter stated that they were not in attendance as they had to review this at their meeting prior to presenting it to the Select Board.

Authorization to Expend Grant Funds: Telecommunicator Emergency Response Task Force (TERT) Grant - \$12,166

The Board reviewed the (1) grant expenditure authorization form, and (2) grant award notice.

Chief Kingsbury stated this allows one of the Medway dispatchers to be on a regional taskforce and explained that if, due to an event, one dispatch location goes down, these people can take over dispatching for that location. This grant pays for the training for universal dispatch skills, any overtime and backfilling the position during that training, and dispatch to another location. Chief Kingsbury stated this employee has been on this taskforce in prior jobs and we needed to obtain this grant to allow him to continue on this taskforce.

Mr. Alessandri moved that the Board authorize the expenditure of the TERT grant as presented. Ms. White seconded. No discussion. VOTE: 5-0-0.

Discussion/Vote: Parking Restriction Proposal for North, Pine, Church, and Peach Streets

The Board reviewed the memo from Chief Kingsbury.

Mr. Trindade stated this is to address the parking issues relative to the Food Pantry at the Village Street Church. Chief Kingsbury stated that Ms. Dietrich has been attempting to mitigate the parking situation for over two months to no avail. Therefore, they have requested a parking ban be instituted from midnight to 6:30am on Saturdays, as parking starts at 3:00am and they are not allowed in the parking lot until 7:00am. Ms. Dietrich noted her appreciation of the Chiefs efforts and his partnership as he is out every Saturday morning on his own time to do this for them. She stated that they have spoken to the residents and those out waiting at 3:00-3:30am with or without children in the car as they do not open until 8:00am noting the issues for both the residents and those accessing the food pantry. They understand why they feel the need to get there so early but explain that it is a neighborhood and ask them to respect that. She stated they have written documentation for them in English, Spanish, and Portuguese as that makes up ninety percent of their users. They have allowed those who show up at the correct time access first and those who show up too early access in the second wave. They have a volunteer who speaks to each of those who come early but the issue is there is nothing that states they cannot park there at that time. She requested assistance in getting the word out about the 6:30am time noting they can begin to get them in and in line so that by 7:15am they should be off the streets. Chief Kingsbury stated this would allow his staff to move them out if they are there before 6:30am; they have no authority to do this now. He noted there would need to be signs installed in the three most common spoken languages as well. He noted that initially it would be a warning and that there is a turnover in clientele. Ms. White asked why they come so early. Ms. Dietrich stated some need to get to their jobs on time. Mr. Crowley asked about the process and amount of the fines. Chief Kingsbury stated they would only be fined if they refuse to move, and it would be a \$10 fine. Mr. Crowley asked for the number of cars that line-up too early. Chief Kingsbury stated around fifty. Mr. Crowley asked where he thinks they will go. Chief Kingsbury stated the hope is that they stay home and warm until 6:30am. Mr. Crowley asked if there are any contingency plans if this does not work. Chief Kingsbury stated we will not know if this will work until it is implemented. Ms. Dietrich stated that they are actively looking for their own space reporting that they now see 135 people come through and they are only open 8am to 10am on Saturday. She reported that she recently was approached by seniors at the Glen Brook apartments who need transportation and had to explain that she cannot accommodate that request. The use of the Peach Street parking lot was discussed which allows the volunteers to get everyone queued up to access the food pantry. Ms. Dietrich explained when they first opened, they served any Massachusetts resident and now it is restricted to a certain radius. She explained the increase in usage

of the food pantry noting February of 2022, 51 families were served on average, February of 2023, 90 families were served on average, this February, 135 families were served on average with 180 families served in the last week of the month, 32 were new and some were out of the radius. Those who were out of radius were provided with emergency food bags and notified this was a one-time deal. She noted that now they are only able to accept new families from Medway. There was further discussion about access to other food pantries as Medway was the only one accepting outside residents, so it was a difficult decision. Mr. Trindade asked the timeline for sign installation. Mr. Boynton guesstimated three weeks since they are custom.

This was then opened for public comment. Rita Larrabee of 15 North Street explained she is on the corner of Peach and North Street, her bedroom window is on the street side, and they get out to speak to each other. She noted that both Ms. Dietrich and Chief Kingsbury have been very responsive to her dilemma. She stated that she does feel bad for those who need to access the food pantry. She stated if the lot does not open as soon as the street is open, there will still be an issue. She noted that if there is an emergency, the emergency vehicles cannot get down the street. Mr. Rodenhiser suggested an electronic sign-up. Ms. Dietrich stated most of the clients would have difficulty accessing it and it would need to be translated. She also stated that she has no issue with a 7:00am extension and the residents have been very patient and thanked them for their partnership. Michael Mahan of 12 Pine Street reiterated Ms. Larrabee's statement and concern about issues with access for emergency vehicles. There was a suggestion to use Saint Joseph's Parish Center. Ms. Dietrich stated the Mahan Circle Food Pantry is the Saint Joseph's Pantry and they are actually located at Mahan Circle. There was further discussion about potential alternative parking locations. Steven Brody of 39 West Street suggested the use of the VFW. It was noted that it is still in use until December of 2024. There was further discussion about the specific parking restrictions and potentially expanding the restrictions. Chief Kingsbury explained the rationale for the specific proposed restrictions. Mr. Alessandri stated he preferred the parking restrictions to extend to 7:00am. Chief Kingsbury agreed.

Mr. Alessandri moved that the Board approve the parking restrictions as presented between the hours of 12:00am and 7:00am on Saturday as discussed. Ms. White seconded. No discussion. VOTE: 5-0-0.

Discussion: Charles River Pollution Control District (CRPCD) Volume Update

The Board reviewed the volume report.

Mr. Boynton stated this data shows which months had the heaviest rain with flooding events. He noted that DPW continues to work on the inflow and infiltration (I&I) issue, and we will be asking for \$200,000 at Town Meeting to continue to make headway on this issue. He noted we will continue to work on this by trying to buy capacity noting we have been working with Franklin on this for six years as well as to try and decrease what goes to the district. He gave the example of creating a leaching system noting that all suggestions come at a substantial cost. He noted that we are going to have to have legislative, Environmental Protection Agency (EPA), Department of Environmental Protection (DEP,) and other partnerships to think outside the box to address this issue. It was noted that the EPA and DEP will not increase our discharge capacity into the Charles River. He noted the challenges with state mandated increases in housing (40B, MBTA adjacent community, etc.) yet the EPA and DEP will not allow any increase in discharge which will result from this increase in housing. Mr. Alessandri asked for the trajectory of the average daily flow over time. Mr. Smith referenced 2022 as being a lot lower noting that we have had sixty-five inches of rain in 2023, which impacts this number. He reported that flying the drone showed flooding everywhere in December and sump pumps connected to the sewer line as

being a major issue with one flowing in one storm drain on High Street at 20 gallons per minute. He stated we have 45 miles of sewer main and have purchased ten more meters to install in the system adding to the seven that we have now. He noted that it is very time consuming, but they are out there daily. It was noted that we have 955,000 gallons permitted per day on average. The CRPCD is permitted at slightly more than 8 million gallons per day. Mr. Rossi asked about Franklin's capacity. Mr. Boynton noted that at last check, they had 850,000 gallons of extra capacity. We have been looking at purchasing 100,000 - 150,000 gallons of capacity. Mr. Boynton explained that each town does not have an individual permit. The entire facility is permitted by the EPA but what governs capacity is the District Agreement. It was noted that Franklin must also deal with the MBTA Communities legislation so that may impact their decision on this. Mr. Crowley stated that in discussions with Mr. Pelletier, there is a study that will occur to determine what the CRPCD can do regarding capacity noting that time is of the essence. Mr. Boynton stated that time is not of the essence. Mr. Crowley respectfully disagreed. Mr. Boynton stated that Franklin was not a participant in this study as they have capacity. Mr. Pelletier stated that Millis, Medway, and Bellingham are attempting to get this study done and it has not been presented to the CRPCD to date. There was further discussion about I&I, potential development, the ability to connect to the sewer line, the Town's capacity, and the bylaw relative to the moratorium on sewer line connectivity. There was clarification that the CRPCD has the capacity of 15 million gallons, but the state and federal governmental permit is 8 million gallons. Mr. Boynton stated that we need to address this capacity issue by continuing to mitigate I&I, negotiate with Franklin, and think about out of the box solutions.

Discussion/Vote Recommendations: May 13 Special and Annual Town Meeting Warrants

The Board reviewed the (1) draft Special Town Meeting warrant, (2) draft Annual Town Meeting warrant, (3) memo regarding the Zoning Articles, and (4) memo from Rich Boucher regarding Annual Town Meeting Warrant Article 7 (Capital Items).

Mr. Boynton stated he would like to have a discussion between now and next spring about the two Town Meeting warrants. His discussions with the Finance Director and Assistant Town Manager determined there is no need for a Special Town Meeting warrant. He noted it has been a tradition to do this prior to the Annual Town Meeting, but all of these articles could be handled in the Annual Town Meeting warrant. Mr. Trindade stated that his understanding was that funding articles in the Annual Town Meeting warrant are not available until July 1st. Mr. Boynton stated that is not correct, articles funded by free cash transfers, ambulance fund transfers, etc., can be accessed immediately. Those that are to raise and appropriate cannot be accessed until the next fiscal year.

Special Town Meeting Warrant

ARTICLE 1: (Prior Year Bills)

It was noted that there are no prior year bills at this time.

Mr. Alessandri moved that the Board designate Article 1 To Be Determined. Ms. White seconded. No discussion. VOTE: 5-0-0.

ARTICLE 2: (Free Cash Transfer: Cassidy Parking Lot Improvements)

Mr. Boynton explained the work and expenditures to date noting that the amount of the transfer to complete this project is \$200,000. Mr. Trindade asked if this was coordinated with Medway Youth Baseball. Mr. Pelletier confirmed. Mr. Trindade noted that the sidewalk will be improved as part of this

project. Mr. Pelletier stated that the work will begin in August so as not to interfere with the tournaments held at Cassidy. Mr. Crowley asked for the original project amount and the bid amount. Mr. Pelletier stated originally \$300,000 was anticipated but the bid came in at \$480,000.

Mr. Alessandri moved that the Board approve Article 2. Ms. White seconded. No discussion. VOTE: 5-0-0.

ARTICLE 3: (Free Cash Transfer: Snow and Ice Deficit)

It was noted that there is no deficit in this budget line item at this time.

Mr. Alessandri moved that the Board designate Article 3 To Be Determined. Ms. White seconded. No discussion. VOTE: 5-0-0.

ARTICLE 4: (Ambulance Receipts Reserves Transfer: Purchase New Ambulance)

Mr. Boynton stated the amount of the requested transfer is \$460,000 for the second ambulance noting the other one was funded in the fall. They could be here in the fourth quarter of fiscal year 2024 or the first quarter of fiscal year 2025. Mr. Crowley asked what was left in reserves. Mr. Boynton stated a little less than \$200,000.

Mr. Alessandri moved that the Board approve Article 4. Ms. White seconded. No discussion. VOTE: 5-0-0.

ARTICLE 5: (Reserve for Overlay Release; Transfer to Dispatch Equipment Replacement and Capital Stabilization)

Mr. Boynton stated, originally, we thought this would be a borrowing, however, the Assessors released \$656,785 from the Overlay Account. Two hundred thousand will go to the Capital Stabilization Fund and the balance will allow us to pay cash for the dispatch hardware. It was noted that there is enough room, but it will be tight. Mr. Boynton explained the specific equipment and its capabilities. Mr. Rossi asked the specifics of the Overlay Account release. Mr. Boynton stated it was a secondary Eversource release. Mr. Trindade explained the process of tax dispute and the need to hold those funds until resolution. Mr. Crowley stated that we put \$300,00 in this account every year and asked for the reasoning to be explained. Mr. Boynton stated there are many reasons including abatements, Appellate Tax Board issues, and the Senior Tax Workoff Program. He noted the Eversource case is not strictly a Medway case, but a statewide case, as they typically challenge valuation all over the state.

Mr. Alessandri moved that the Board approve Article 5. Ms. White seconded. No discussion. VOTE: 5-0-0.

ARTICLE 6: (CPA Transfer: Medway Community Farm Structure)

It was noted that the amount of the requested transfer of \$50,000 was for the purpose of constructing a multi-purpose educational structure at the Medway Community Farm at 50 Winthrop Street.

Mr. Alessandri moved that the Board approve Article 6. Ms. White seconded. No discussion. VOTE: 5-0-0.

ARTICLE 7: (Repurpose Water Project Funds)

Mr. Boynton stated we are currently out to bid for the pump house at the Oakland Street well and once the amount is known we will repurpose funds from the Populatic Water Treatment Facility, as we bonded the full amount and received the \$2.7 million federal earmark, which offsets the amount. We will use that for the Oakland pump house. This project cost was estimated at \$1.8 million. It was noted that the old infrastructure will be a backup to this new infrastructure. Mr. Boynton noted that any leftover Water Treatment Facility project funds will be used towards the per- and polyfluoroalkyl substances (PFAS) project. There was further discussion about the timing of the implementation of the PFAS project. Ms. Stewart reported that the recommended lifetime maximum consumption is .002 parts per trillion noting this is a bio accumulative chemical that has major health effects.

Mr. Alessandri moved that the Board designate Article 7 To Be Determined. Ms. White seconded. No discussion. VOTE: 5-0-0.

ARTICLE 8: (Repurpose Monetary Articles: School Projects)

The total requested amount of the transfer is \$30,465.90. This amount represents school projects approved at prior Town Meetings, funding for which are no longer needed. The funds will be repurposed for the design of the Memorial School roof project. It was noted that we will know the results of the bid and the project cost by mid-April.

Mr. Alessandri moved that the Board approve Article 8. Ms. White seconded. No discussion. VOTE: 5-0-0.

Annual Town Meeting (ATM) Warrant

ARTICLE 1: (Debt Stabilization Fund Transfer)

Mr. Boynton explained the need to transfer \$39,000 from the Debt Stabilization Fund to the Fiscal Year (FY)2025 operating budget to offset a portion of the debt service.

Mr. Alessandri moved that the Board approve Article 1. Ms. White seconded. No discussion. VOTE: 5-0-0.

ARTICLE 2: (Transfer from Ambulance Receipts to General Fund)

Mr. Boynton explained the transfer of \$767,000 from the Ambulance Receipts Reserve to the FY25 General Fund operating budget noting the Finance Director determined the ability to support this amount.

Mr. Alessandri moved that the Board approve Article 2. Ms. White seconded. No discussion. VOTE: 5-0-0.

ARTICLE 3: (Appropriation: FY25 Operating Budget)

Mr. Boynton stated this is the Town budget the Board has previously seen and approved.

Mr. Alessandri moved that the Board approve Article 3. Ms. White seconded. No discussion. VOTE: 5-0-0.

ARTICLE 4: (Appropriation: FY25 Water Enterprise Fund)

Mr. Boynton stated we do not anticipate any changes to this number.

Mr. Alessandri moved that the Board approve Article 4. Ms. White seconded. No discussion. VOTE: 5-0-0.

ARTICLE 5: (Appropriation: FY25 Sewer Enterprise Fund)

Mr. Boynton stated we do not anticipate any changes to this number.

Mr. Alessandri moved that the Board approve Article 5. Ms. White seconded. No discussion. VOTE: 5-0-0.

ARTICLE 6: (Appropriation: FY25 Solid Waste Enterprise Fund)

Mr. Boynton stated the salary line is strictly for the part-time staff at the Recycling Center noting the total cost of that operation is \$1.82 million.

Mr. Alessandri moved that the Board approve Article 6. Ms. White seconded. No discussion. VOTE: 5-0-0.

Mr. Crowley asked for an explanation of the reserves. Mr. Boynton stated that the costs of running the curbside trash program and Recycling Center have skyrocketed over the last few years relative to tonnage. We have a lot of tonnage, and you no longer have any revenue generated from recycling. He explained the past use of retained earnings, Exelon funds, and moving salaries into the General Fund to deal with the decreasing retained earnings. It was noted that the Lawrence Waste contract expires in 2026 and Wheelebrator contract in 2027. We currently pay \$70-\$80/ton to Wheelebrator in Millbury and those signing up now are seeing costs at \$120/ton. Mr. Trindade noted that if trash is not in a yellow Medway bag it will not be picked up.

ARTICLE 7: (Free Cash Appropriation: Capital and Other Items)

Mr. Boynton stated that due to grant funds received, some of the Information Technology items may not require these funds. Mr. Boucher explained the two-line items funded through grants. The largest grant received was ECF3 that provided \$144,000. That grant freed up funds to pay for the time management system, noting the request for \$73,000 is no longer needed. He is requesting that the Board repurpose that into other technology areas including infrastructure equipment, specifically, a wireless system upgrade for the school department, as half come to the end-of-life next fiscal year and half the following fiscal year, as well as including 120 Main Street in the wireless network. Mr. Boucher stated they are looking to cancel the transparency initiative as this will be funded this current fiscal year from the ECF3 \$144,000 grant funding. He would like to move these funds into the projection equipment line item. Mr. Crowley asked where that equipment is going. Mr. Boucher stated the schools. He noted that this would bring the infrastructure equipment up to \$140,000 and the projection equipment up to \$108,000. Mr. Crowley asked if these school capital items get calculated into our per

student cost and sent to the state. Mr. Boucher confirmed and noted as well as some of his operating budget.

Mr. Alessandri moved that the Board approve Article 7 as amended. Ms. White seconded. No discussion. VOTE: 5-0-0.

ARTICLE 8: (Raise & Appropriate: Roads & Sidewalks)

Mr. Boynton explained that \$800,000 would be appropriated to the roads and sidewalks budget for FY2025 from the Exelon funding.

Mr. Alessandri moved that the Board approve Article 8. Ms. White seconded. No discussion. VOTE: 5-0-0.

Mr. Rossi requested an overview of the road work over the past seven to eight years. Mr. Boynton stated that over sixty percent of the road surface was improved, and we have spent \$2 million per year except for the COVID year. The total spent would be \$12.5 million which is funded from this, free cash, and state Chapter 90 funds.

ARTICLE 9: (Water Retained Earnings Transfer: Replace Ford F550)

Mr. Boynton explained the need to replace this utility vehicle for the Water Department from retained earnings.

Mr. Alessandri moved that the Board approve Article 9. Ms. White seconded. No discussion. VOTE: 5-0-0.

ARTICLE 10: (Sewer Enterprise Retained Earnings Transfer: Inflow & Infiltration)

Mr. Boynton explained the transfer of \$200,000 and source of funding to support the sewer inflow and infiltration work.

Mr. Alessandri moved that the Board approve Article 10. Ms. White seconded. No discussion. VOTE: 5-0-0.

ARTICLE 11: (Hanlon Track & Field Construction, Incl. Transfer from CPA Funds and Athletic Stabilization)

Mr. Boynton explained the total replacement cost of this project and sources of funding that will also include borrowing. It was noted that the lights are included in this project. The track, turf, and fencing bid was at \$1,850,000 and then to provide additional conduit for scoreboards at \$50,000 and \$300,000 for the light fixture replacement with more energy efficient equipment. The amount proposed to be borrowed is \$1,450,000, \$500,000 would be from the CPA funds, and \$300,000 from the Athletic Stabilization Fund. Mr. Crowley stated that he is recommending \$1,500,000 to ensure there is enough money in contingency as there is only \$100,000 built into a \$1.8 million project. The total appropriation would be \$2.3 million noting the borrowing would be over fifteen years.

Mr. Alessandri moved that the Board approve Article 11 amended to \$2.3 million with \$1,500,000 million to be borrowed. Ms. White seconded. No discussion. VOTE: 5-0-0.

ARTICLE 12: (Capital Stabilization Transfer: Memorial School Roof Replacement)

It was noted that the cost of this project is yet to be determined.

Mr. Alessandri moved that the Board designate Article 12 To Be Determined. Ms. White seconded. No discussion. VOTE: 5-0-0.

ARTICLE 13: (Appropriation: OPEB Trust)

It was noted that this is the annual \$300,000 amount deposited to the Other Post-Employment Benefits (OPEB) Trust account.

Mr. Alessandri moved that the Board approve Article 13. Ms. White seconded. No discussion. VOTE: 5-0-0.

ARTICLE 14: (Appropriation: General Stabilization)

It was noted that this is the annual \$100,000 amount deposited to the General Stabilization Fund.

Mr. Alessandri moved that the Board approve Article 14. Ms. White seconded. No discussion. VOTE: 5-0-0.

ARTICLE 15: (Appropriation: Community Preservation Committee)

It was noted that this is the annual funding based on the report of the Community Preservation Committee for the Fiscal Year 2025 Community Preservation budget.

Mr. Alessandri moved that the Board approve Article 15. Ms. White seconded. No discussion. VOTE: 5-0-0.

ARTICLE 16: (Medway Grid PILOT Authorization)

It was noted that this is to authorize the Select Board to execute the negotiated Payment In Lieu of Taxes (PILOT) agreement with Medway Grid, LLC, for the new battery energy storage project proposed to be constructed and installed at 49, 53, and 55 Milford Street.

Mr. Alessandri moved that the Board approve Article 16. Ms. White seconded. No discussion. VOTE: 5-0-0.

ARTICLE 17: (Amend General Bylaws –Revolving Funds; Authorize FY25 Spending Limits)

Mr. Boynton stated that this is the revolving fund with one addition, which is to add the School Transportation Revolving Fund.

Mr. Alessandri moved that the Board approve Article 17. Ms. White seconded. No discussion. VOTE: 5-0-0.

ARTICLE 18: (Amend General Bylaws: Scenic Roads)

Mr. Rodenhiser stated that this is codifying their rules and regulations into a bylaw to assist with enforcement by the Building Commissioner.

Mr. Alessandri moved that the Board approve Article 18. Ms. White seconded. No discussion. VOTE: 5-0-0.

ARTICLE 19: (Amend Zoning Bylaws: Awning Signs)

Mr. Rodenhiser explained the difference between lit and unlit awning signs noting this makes the same allowances for both making it easier for businesses. They went with the verbiage of the illuminated signs for both.

Mr. Alessandri moved that the Board approve Article 19. Ms. White seconded. No discussion. VOTE: 5-0-0.

ARTICLE 20: (Amend Zoning Bylaws: Parking)

Mr. Rodenhiser stated this changes the minimally allowed parking spaces in the Adult Retirement Community Planned Unit Development (ARCPUD) from 2 to 1.5, which is similar to their other standards, reduces pavement, and places less of a burden on the developer. Mr. Crowley noted that the Select Board has looked at most of these warrant articles numerous times already, as well as attending PEDB and other meetings relative to them.

Mr. Alessandri moved that the Board approve Article 20. Ms. White seconded. No discussion. VOTE: 5-0-0.

ARTICLE 21: (Amend Zoning Bylaws: Outdoor Displays)

Mr. Rodenhiser stated that this allows merchants to have outdoor displays of merchandise by right if certain criteria are met in those zoning districts that allow outdoor display.

Mr. Alessandri moved that the Board approve Article 21. Ms. White seconded. No discussion. VOTE: 5-0-0.

ARTICLE 22: (Amend Zoning Bylaws: Housekeeping)

Mr. Rodenhiser explained the non-substantive changes are mostly housekeeping and reviewed the specific changes.

Mr. Alessandri moved that the Board approve Article 22. Ms. White seconded. No discussion. VOTE: 5-0-0.

ARTICLE 23: (Multifamily Overlay District)

Mr. Rodenhiser explained that these changes are due to the MBTA adjacent community zoning requirements from the state and the PEDB, with the assistance of a consultant, has identified the most appropriate locations based on these new state zoning acreage and density requirements. He noted that this includes 39 Main Street and the end of Summer Street on the Holliston line and feels this will meet the new state requirements. It was noted that these have been reviewed by Town Counsel and

her recommended changes have been included to hopefully allow for approval by the Attorney General (AG). It was noted that the deadline for these changes to be implemented is December 31st. There was further discussion about the timeline for the AG's approval as well as the process moving forward should this not pass at Town Meeting. It was noted that nobody in Town Hall thought this would be a good idea. There was further discussion about towns like Milton who had to get this issue addressed sooner than Medway who have a representative type of Town Meeting. Mr. Boynton explained the history of the 40B state zoning requirements, reaching Safe Harbor status, and the associated politics. He noted that if we do not support this, we would lose over \$1.8 million in state grants that we have received in the past and the state said that they would take a town to court if not approved. He stated that this is a state mandated zoning change, and we are obliged to implement this by December 31 of this year. He also stated that few communities are against this so we would not have a lot of support to challenge this. He stated that if we do not pass this in May, we would be out of compliance with the state. It was noted that the AG wants the state Supreme Judicial Court (SJC) to make a decision before May so that the Towns know they will need to move forward on this. It was noted that all members of the SJC are gubernatorial appointments. It was mentioned that the SJC cannot rule to eliminate this legislation, only whether or not the AG can enforce it. Mr. Trindade pointed out that he and Mr. Crowley, PEDB members, Ms. Saint Andre, and Mr. Thompson looked at where these zones could exist with the least impact on the Town and that is what they are presenting in the warrant article.

Mr. Rossi moved that the Board allow the meeting to extend past 10:00pm. Ms. White seconded. No discussion. VOTE: 5-0-0.

Janice Dunne of 17 Kimberly Drive stated she abuts one of the zoned areas noting their concerns about their aquifer. She stated that none of this makes sense and feels that we should fight this. She said residents do not know about this and more outreach is needed. There was further discussion about where this was located. Ms. Saint Andre stated that the Summer Street site is about 100 acres, and we are looking at rezoning 44 of those acres, which do not abut any of the streets in the back. Mr. Boynton noted that residents need to, in an organized manner, bring this to the Senate President who represents Medway. Kerry Davis of 6 Kimberly Drive stated that she implores the Town to fight back on this, join Milton, and start a grassroots effort noting the potential impact on the schools. Tracy Stewart of 21 Loving Street suggested a Special Town Meeting to be able to wait on the SJC decision. Ms. Stewart asked about the requirements associated with this legislation. Mr. Trindade stated that we are not required to build noting that any build would still need to follow the regular process. There was further discussion about the timing of a Special Town Meeting. Steven Brody of 39 West Street noted that we have to do this and be smart about the chosen locations. He disagreed with the proposed locations and suggested four alternatives. Mr. Rodenhiser explained the rationale for choosing 39 Main Street as well as Summer Street noting both are on the edge of town accessible to major roadways and allow the ability to limit the locations to two. Michael Fahey of 208 Village Street requested that we send a letter to our legislators requesting that they work to appeal this law noting this was passed via a Zoom meeting during COVID. Mr. Boynton stated a non-binding ballot question at the next Town election would get more residents involved and provide more resident feedback. Ms. White suggested to wait until November. Mr. Rodenhiser offered his assistance for a grassroots educational movement. There was further discussion about the best manner to obtain resident feedback. The Board agreed to leave this article as is, wait to vote on this closer to Town Meeting, and add a non-binding ballot question to the next Town Election noting that Town Meeting occurs prior to the Town Election.

Mr. Alessandri moved that the Board designate Article 23 To Be Determined. Ms. White seconded. No discussion. VOTE: 5-0-0.

ARTICLE 24: (Amend Zoning Bylaws: Open Space Residential Development)

Mr. Rodenhiser stated that the PEDB is meeting on this and may be pulling this article from the warrant.

Mr. Alessandri moved that the Board make Article 24 To Be Determined. Ms. White seconded. No discussion. VOTE: 5-0-0.

ARTICLE 25: (Amend Zoning Bylaws: Lighting)

Mr. Rodenhiser stated that the PEDB wants to continue to meet on this and may be pulling this article from the warrant.

Mr. Rossi moved that the Board make Article 25 To Be Determined. Mr. Alessandri seconded. No discussion. VOTE: 5-0-0.

ARTICLE 26: (Amend Zoning Bylaw Map: Energy Resource District)

Ms. Saint Andre stated that this was a late addition and the PEDB has not held its Public Hearing, which is scheduled for March 26. Mr. Boynton noted that we really want this to happen.

Mr. Rossi moved that the Board make Article 26 To Be Determined. Mr. Alessandri seconded. No discussion. VOTE: 5-0-0.

Action Items from Previous Meeting

The Board reviewed the action items dated March 4, 2024.

This agenda item was not discussed.

Town Manager's Report

There were no items for the Board to review.

Sanford Dam Concerns – Staff & Office of Dam Safety Discussions: Mr. Boynton said meetings continue relative to the Sanford Dam and we will look to possibly submit a grant application for a feasibility study of what needs to occur.

Doug Havens Retirement – Appreciation Event March 27th, Noon: Mr. Boynton reminded the Board of this event.

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

- - Wednesday, March 20th – Norfolk County Managers (Medway)
- - Friday, March 22nd – Out of Office

NEXT Select Board Meeting – April 1, 2024

Select Board's Reports

There were no items for the Board to review.

Mr. Alessandri encouraged residents to read the information relative to the Town Meeting warrants.

Mr. Crowley gave a shout out to the High School girls' basketball team who made the final four and the cheerleaders who won the states and are moving onto the regionals.

Mr. Trindade stated he would like to invite the cheerleaders to come to a Select Board meeting to be recognized for their achievement. Mr. Trindade noted that they practice in the Middle School cafeteria on the linoleum floors and the pads they use are very old. The cost of new pads is \$20,000 and he requested that we look at funding this at the Fall Town Meeting. He suggested that they relocate to Memorial School, but he has no authority over where they practice.

At 10:43PM, Mr. Alessandri moved to adjourn. Ms. White seconded. No discussion. VOTE: 5-0-0.

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