

**Board of Selectmen's Meeting
March 16, 2020 – 7:00 PM
Sanford Hall
155 Village Street**

Present: John Foresto, Chair; Glenn Trindade, Vice Chair; Dennis Crowley, Clerk; Richard D'Innocenzo, Member; Maryjane White, Member.

Staff Present: Michael Boynton, Town Administrator; Allison Potter, Assistant Town Administrator; Barbara Saint Andre, Director, Community and Economic Development; Dave D'Amico, Director, Department of Public Works (DPW); Sandy Johnston, Communications Director.

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

Public Comments: There were none as the meeting closed to the public due to Covid-19.

Town Administrator Boynton asked to entertain a moment of silence in memory of Retired Police Sergeant Fred Paulette.

Emergency Declaration

There Board reviewed the proposed emergency declaration.

Town Administrator Boynton requested with the Board's approval to address agenda item number 17 which is an emergency declaration. This would provide Medway with potential funds and allows for flexibility to address the Covid-19 situation.

Selectman Trindade moved that the Board declare a state of emergency in the Town of Medway and authorize the Chair to execute the declaration as presented. Selectman White seconded. Discussion: Selectman Foresto requested that this be posted on Town's website. **VOTE: 5-0-0.**

Town Administrator Boynton stated that we are in uncharted waters relative to Covid-19 and efforts are taking place to try to curb and contain the spread of this virus. Governor Baker has instituted limited access to public buildings with all public buildings closed to the public. Mr. Boynton had a department meeting regarding the rotation of staff to maintain the effectiveness of Town offices moving forward. He noted there are public hearings scheduled over the next weeks to address the Town Meeting warrant and Fiscal Year 2021 budget noting that we will be implementing ZOOM to allow us to have public hearings along with conference calls. Information Services Director Boucher created a synopsis on how to have meetings on-line and allow staff to work from home. Mr. Boynton noted there is no interruption in pay for Town staff and we will monitor potential overtime for both public works and public safety. He reported there are crews in place to maintain the water system. There are some projects which are continuing with the directive to maintaining social distancing. He reported that we will not be issuing any new building permits, will be trying to maintain a safe distance on inspections, and the Fire Department is trying to maintain a process for smoke and carbon monoxide detector inspections as long as no one in the home is at risk. He stated that we will continue to work on large projects, specifically the DPW garage and Salmon project. The Building Department is staffed on a skeleton crew and anyone who has any concerns can call that department. The Police Department is scaling back on new license to carry permits noting that renewals can be completed on-line. Certain

domestic violence issues still will need to allow people in the building. Any permitting should be done on-line via the Town of Medway website. We have asked for relief on our permits that have specific timelines from the legislature. Administration is working with the legislature for those towns that immediately have elections and upcoming town meetings. Mr. Boynton reported that the Senior Center is closed but have staffed mission critical areas. He reported that all transportation managed by the Senior Center is shut down noting any seniors in need should reach out to the Senior Center. Mr. Boynton directed residents to the Town website for updates. He stated he is thankful to those residents who want to reach out to assist others but stated that no one should put themselves or others at risk. The best action is to maintain social distancing to minimize the spread of the virus. He further stated that we do not want to instill panic and want to maintain calm reminding all to follow the lead from the medical and health professionals. Selectman Crowley thanked for Mr. Boynton for the informational videos to the residents. He asked for the process to access the Town's stabilization reserves. Mr. Boynton stated that this can only be done via Town Meeting noting that the administration is putting options together for potential deficit funding. He reported that one of the options is to access the \$100,000 in the local reserve fund proposing this be used for the School for immediate needs. He stated that \$100,000 may be available in the snow and ice budget noting these options would require a vote by the Finance Committee and Board of Selectmen. He noted the largest cost factor for overtime would occur in public works, public safety, and for sanitization efforts. Selectman Foresto asked about the status of the recycling center. Mr. Boynton stated it is scheduled to stay open at this time and any change would result from State or Federal government directives. He noted that due to the need to maintain social distancing, staff may not be able to assist residents as much as they have in the past. He stated there was a question regarding waiving yellow bags fees noting this will not occur. Selectman Foresto noted that many have nomination papers out which are due March 31st and asked if there are any changes anticipated for this. Mr. Boynton has not seen anything on this topic. Selectman White stated these can be placed in the lock box outside the front of Town Hall. Selectman Crowley asked if can we change the election date. Mr. Boynton stated no as this is set by the Town Charter noting that Town Meeting has to be held before June 30th. The Selectmen can change the date of Town Meeting to a date later than the date set by Town Charter, but the date cannot be moved beyond June 30th.

Approval of Minutes

The Board reviewed the draft minutes of March 2 and 7, 2020.

Selectman Trindade moved that the Board approve the minutes of March 2, 2020. Selectman White seconded. No Discussion. VOTE: 5-0-0.

Selectman Trindade moved that the Board approve the minutes of March 7, 2020. Selectman White seconded. No Discussion. VOTE: 4-0-1. (D'Innocenzo abstained as he was not present at the meeting.)

Approval: Resale Agreement for 7-5 Kingson Lane

The Board reviewed the (1) resale agreement, and (2) e-mail dated September 25, 2019 from Lee Smith, KP Law.

Ms. Saint Andre stated this is one of the affordable units subject to a deed rider requiring certain income limits and the owner cannot refinance without first receiving approval from the monitoring agency of that particular affordable unit. There was a second mortgage on this unit which was not approved by the Citizens' Housing & Planning Association (CHAPA), the monitoring agency for this unit. The owner was not able to make payments, the bank foreclosed, and the bank agreed it will resell this as an

affordable unit. This is the agreement from the bank stating it will resell this as an affordable unit with a deed rider. This has been approved by Town Counsel.

Selectman Trindade moved that the Board authorize the chair to execute the resale agreement for 7-5 Kingson Lane as presented. Selectman D’Innocenzo seconded. Discussion: Selectman Trindade asked if this is fraud. Selectman Crowley stated the Attorney General has been involved in this. Selectman Crowley stated that he was not willing to vote on the agreement as it was not in the hard copy of the packet. This will be moved to the next Selectmen’s meeting agenda.

Authorization to Spend Donation Funds: Donation from Ayco Charitable Foundation for Cultural Council Use - \$2,000

The Board reviewed the notice of donation form.

Selectman Trindade moved that the Board accept and authorize the expenditure of the donation from the Ayco Charitable Foundation in the amount of \$2,000 for use by the Medway Cultural Council as presented. Selectman White seconded. No Discussion. VOTE: 5-0-0.

Approval: 2020 Housing Choice Designation Application

The Board reviewed the 2020 Housing Choice Designation Application.

Selectman Trindade moved that the Board authorize the chair to execute the 2020 Housing Choice Designation Application as presented. Selectman White seconded. Discussion: Ms. Saint Andre stated the state Department of Housing and Community Development (DHCD) has a program called Housing Choice to encourage additional affordable housing and if a certain threshold is reached, you can apply for certain grants. This designation must be renewed every two years. This is the new application to renew the Town’s status. She reminded all that we received a \$40,000 grant through this program. She reviewed the specific data elements required to be reported including the number of building permits in past five years, noting that because we did not make it to the five percent, we needed to report other data elements. She stated we should receive approval if this is sent to DHCD. **VOTE: 4-1-0. (Crowley opposed.)**

Approval: Contract Amendment Number 5 – Compass Project Management - \$16,252

The Board reviewed the contract amendment number 5 from Compass Project Management.

Town Administrator Boynton stated the additional \$16,000 are for soils, compact testing, and roof inspection which was not part of original specification. He noted the document listing the change orders to date.

Selectman Trindade moved that the Board authorize the chair to execute contract amendment number 5 with Compass Project Management in the amount of \$16,252 as presented. Selectman White seconded. Selectman Crowley noted that the final page reflecting the changes in unit pricing do not add up to this change order. This agenda item will be moved to the April 6th Selectmen’s meeting. Selectman Crowley requested the status of contingency funds.

Approval: Contract with Cassidy Corporation for Asphalt Paving and Patching – Not to Exceed \$100,000 Annually

The Board reviewed the (1) memo dated March 16, 2019 from Dave D’Amico, (2) bid summary, and (3) contract.

Selectman Trindade moved that the Board authorize the chair to execute the contract with Cassidy Corporation for asphalt paving and patching in an amount not to exceed \$100,000 annually as presented. Selectman D’Innocenzo seconded. Discussion: Mr. D’Amico explained that he had been using a general contractor to do small drainage work and excavating but he was not happy with their paving. Therefore, he went out to bid separately for the spot paving and sidewalk repair noting this vendor had very good references. He further stated that there is an individual release so if he is not happy with the first job we can release them. Selectman Trindade asked if the asphalt is tested. Town Administrator Boynton confirmed. **VOTE: 5-0-0.**

Approval: Contract with Bannon Paving, LLC for Paving Lovering Heights Sidewalks - \$76,725

The Board reviewed the (1) memo dated March 16, 2019 from Dave D’Amico, (2) bid summary, and (3) contract.

Selectman Trindade moved that the Board authorize the chair to execute the contract with Bannon Paving, LLC for paving of the Lovering Heights sidewalks in the amount of \$76,725 as presented. Selectman White seconded. Discussion: Selectman Trindade asked if we are ripping out the concrete and putting down asphalt on both sides. This was confirmed. Selectman Crowley noted that all trees are coming down. Mr. Boynton stated we are replacing them with other trees that will not damage the sidewalks. This is being funded by a state earmark that Senator Spilka and Representatives Murray and Roy obtained for the Town in the amount of \$135,000. This is part one of the project. Selectman Crowley asked if the asphalt from the sidewalks up to their doors is also being done. Mr. D’Amico confirmed noting they will also be replacing the railing. Selectman Crowley asked when this project will occur. Mr. D’Amico stated as soon as possible as the funding must be spent by June 30th. **VOTE: 5-0-0.**

Approval: Contract with Clean Harbors for Household Hazardous Waste Day – Not to Exceed \$13,000

The Board reviewed the (1) memo dated March 16, 2020 from Dave D’Amico, and (2) contract.

Selectman Trindade moved that the Board authorize the chair to execute the contract with Clean Harbors for Household Hazardous Waste Day in an amount not to exceed \$13,000 as presented. Selectman D’Innocenzo seconded. Discussion: Selectman Trindade asked what happens if we are at the maximum amount but still have more people in line. Mr. D’Amico said that we continue to receive items and he would have to come before the Board with a change order. He stated since we are adding a second day, he is hoping the volume will be smaller. He stated that he is waiting to confirm that Clean Harbors is renewed as a State contractor before scheduling the second date. Selectman Crowley requested that we publicize this. Mr. D’Amico stated this is already on the Town website. Ms. Johnston stated she has already sent this information out via social media. **VOTE: 5-0-0.**

Discussion: May 11, 2020 Annual Town Meeting Warrant - Planning Board and Zoning Articles)

The Board reviewed May 11, 2020 Annual Town Meeting Warrant Planning and Zoning Articles.

Town Administrator Boynton stated that the Planning and Economic Development Board (PEDB) would like to postpone their warrant articles as we are not confident that all of the public hearings can be scheduled, that there will be quorums at committee meetings and Town meeting, and that the warrant would still be valid. The PEDB would like postpone their warrant articles until Fall Town Meeting as long as the Board agrees. Selectman Trindade voiced his concern regarding Article #26 with potentially adding additional car dealerships in the central district. He believes it is a small possibility. Mr. Boynton agreed that is a small risk noting that another option is to have a Special Town Meeting for the zoning articles. Selectman Crowley asked what Selectman Trindade’s specific concern is. Selectman Trindade stated he does not want a car dealership of any kind in that area. There was further discussion on the

allowable uses of this area, the potential for other dealerships to apply for a permit if this is pushed to the Fall Town Meeting, and whether to include just this article and move all of the rest. Selectman Crowley asked why we must decide tonight. Mr. Boynton stated that we must finalize the warrant and decide on the inclusion of these as there is a public hearing scheduled for next week.

Selectman Trindade moved to open the May 11, 2020 Annual Town Meeting warrant. Selectman White seconded. VOTE: 5-0-0.

Selectman White moved that the Board vote to remove the zoning articles from the May 11, 2020 Annual Town Meeting warrant. Selectman Crowley seconded. VOTE: 5-0-0.

Town Administrator Boynton noted that we are going to include the general by-law amendments. Ms. Sainte Andre clarified the two that will move forward include the land disturbance and storm-water articles.

Selectman Trindade moved to close the May 11, 2020 Annual Town Meeting warrant. Selectman D’Innocenzo seconded. VOTE: 5-0-0.

Approval: Change in Health Insurance Vendor to Harvard Pilgrim Health Care (HPHC)

The Board reviewed the rate contract.

Town Administrator Boynton stated it took a while to obtain a quote from Tufts which came in at a 14% renewal rate even with good recent claim experience. He noted that Medway had HPHC prior to Tufts. HPHC came in at 9% with the HMO higher but the senior plans lower so the overall increase is 9%. The Insurance Advisory Committee (IAC) supported this vendor change. The only plan change will be from a two rate to a three rate structure, based on a vote of teachers’ union. We need authorization from the Board to approve the vendor change and authorization for the Town Administrator to execute the related documents.

Selectman Trindade moved that the Board approve the change in the health insurance vendor to Harvard Pilgrim Health Care and to authorize the Town Administrator to execute the necessary documents. Selectman D’Innocenzo seconded. Discussion: Selectman Crowley asked if there is documentation that the this was approved by the IAC. Mr. Boynton confirmed. **VOTE: 5-0-0.**

Discussion/Vote: Junk, Old Metals or Second Hand Articles for Purchase, Sale or Barter License - License Fee

The Board reviewed the (1) spreadsheet of neighboring town’s license fees, (2) application, and (3) submittal requirements.

Town Administrator Boynton stated we have someone interested in reselling items he purchased from storage units. Selectman Foresto noted that the cost should reflect how long the effort was to put this in place.

Selectman Trindade moved that the Board approve a license fee for a Junk, Old Metals or Second Hand Articles for Purchase, Sale or Barter License in the amount of \$100. Selectman D’Innocenzo seconded. Discussion: Selectman Crowley asked about e-Bay and yard sales and why these do not fall under this license. It was noted that any business that sells second hand items falls under this but the Board has not regulated this to date. This specific person requires a license from the Town before Medway Plaza will agree to execute the lease. **VOTE: 5-0-0.**

Consideration of Public Event Permit: Medway Youth Baseball Parade – 4/26/2020

The Board reviewed the (1) public event application, and (2) Police Chief's recommendations.

Selectman Trindade moved that the Board approve the public event application as presented subject to the Police Chief's recommendations and proof of appropriate insurance coverage. Selectman D'Innocenzo seconded. No Discussion. VOTE: 5-0-0.

One-day Liquor License Applications

The Board reviewed the Police Chief's recommendations for Colleen Cantin and Shanleigh Reardon.

Selectman Trindade moved that the Board approve the one-day liquor licenses as presented subject to the Police Chief's recommendation and proof of appropriate insurance coverage. Selectman White seconded. No Discussion. VOTE: 5-0-0.

Action Items from Previous Meeting

The Board reviewed the Action Items dated March 2, 2020.

DPS Facility Building Project: Town Administrator Boynton stated he does not have a scheduled meeting with Mr. Willwerth and the meeting with all has been moved to Friday, April 22nd. He does plan to meet with him ahead of that date.

Updated Road and Sidewalk plan: Town Administrator Boynton noted to change this update to March 2021.

Selectmen's Reports

There were no items for the Board to review.

Selectman Crowley gave a shout out to the girls' basketball team who lost with seconds to go and to the Medway Cheerleaders who came in first. He reminded all that the water and sewer rates discussion is scheduled for the April 6th Selectmen's meeting and he is still waiting on the cost to the Town of a single trash bag.

Selectman Foresto recommended canceling Clean Sweep scheduled for April 4th as there is typically significant involvement with the schools. He stated the Lions are still committed to the shredding at the Middle School and he will leave it up to the Lions if they will still move forward.

At 8:26 PM, Selectman Trindade moved to adjourn. Selectman D'Innocenzo seconded. VOTE: 5-0-0.

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