

**Select Board Meeting  
January 3, 2023 – 7:00 PM  
Sanford Hall  
155 Village Street**

**Present** Dennis Crowley, Chair; Todd Alessandri, Member; Maryjane White, Member.

**Absent:** Glenn Trindade, Vice-Chair; Frank Rossi, Clerk.

**Staff Present:** Michael Boynton, Town Manager; Allison Potter, Assistant Town Manager; Courtney Riley, Council on Aging Director; Deputy Fire Chief Mike Fasolino; Peter Pelletier, Department of Public Works (DPW) Director; Sean Harrington, DPW Deputy Director; Barbara Saint Andre, Director Community and Economic Development; Sandra Johnston, Communications Director.

**Others Present:** Mary Lou Staples, Council on Aging Chair; Ted Kenney, Charles River Pollution Control District (CRPCD) Representative.

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At 7:00 PM, Mr. Crowley called the meeting to order, led the Pledge of Allegiance, and reminded all to remember the number 19.

**Public Comments:**

Andrea Kerr, 37 Waterview Drive, and Angela Carney, 163 Summer Street, addressed the Board. Ms. Kerr referred to an e-mail sent to the Board on behalf of the Medway Foundation of Performing Arts (MFPA), which included supporting materials. She read her e-mailed letter to the Select Board regarding a funding request for pianos at the high school and other items for the high school music education program. She specifically requested \$54,000 of free cash for the purchase of three pianos. Ms. Carney noted six years ago she asked to direct Exelon funds towards this purchase. She reported that she had a meeting with both the Superintendent and Assistant Superintendent of Schools and there has been no notification by the schools regarding this funding request. Ms. Kerr stated their core group is five residents and the funds it raises are from concessions at drama events. Mr. Crowley asked what happens to the funding from the musicals. Ms. Carney stated it goes back to the school. Ms. White asked if they went to the School Committee. Ms. Carney stated they plan to attend a School Committee meeting soon to present this request like they are at this meeting. Ms. White asked their approximate available funds. Ms. Aimee Brown, 3 Ridge Street, MFPA Treasurer stated \$4,500. Mr. Alessandri agreed there is a need and said they are following the process that he suggested. He stated that there needs to be a discussion with the school. Ms. Carney stated they would request at a bare minimum \$1,500-\$2,500 for one electric piano. There was further discussion on the costs of the other two pianos, baby grand and upright, both new and used. Ms. Carney noted the total funds for a used baby grand an upright and baby grand piano is \$27,000. Mr. Crowley stated this will be a topic of conversation at the next Town and School Leadership meeting. He recommended that they go to the Capital Improvement Planning Committee (CIPC) meeting downstairs in the first-floor conference room tonight to request the \$2,500. He stated that he hopes CIPC could find this amount to fund this. He thanked them for their time spent on this issue. Ms. Kerr stated the CIPC is aware of this need. Mr. Crowley asked for their feedback on their efforts with the CIPC.

**Approval of Minutes: December 5, 2022**

*The Board reviewed the draft minutes of December 5, 2022.*

**Ms. White moved that the Board approve the minutes of December 5, 2022. Mr. Alessandri seconded.** Discussion: Mr. Alessandri requested on page 2, that lines 59 through 61 be changed to reflect hundred thousands of gallons per day. **VOTE: 3-0-0.**

**Appointment Consideration: Water Facility Building Committee – Barry Zide**

*The Board reviewed the (1) candidate's e-mail of interest, and (2) Committee Chair's e-mail of recommendation.*

Mr. Boynton stated this is due to the vacancy created by Michael Callahan who was appointed to a judgeship in the Commonwealth. Mr. Boynton stated the Chair of this committee has also met with Mr. Zide. He noted that Mr. Zide has worked on the Water Sewer Commission in the past. Mr. Zide explained his history and background as follows: (1) he is a longtime resident of Medway, (2) his children are 4<sup>th</sup> generation residents, (3) he feels it is time again to give back, and (4) he has built two large manufacturing facilities on the wastewater side. He looks forward to working on this committee. The Select Board thanked him for stepping forward.

**Ms. White moved that the Board appoint Barry Zide to the Water Facility Building Committee for a term expiring upon project completion. Mr. Alessandri seconded. No discussion. VOTE: 3-0-0.**

**Authorization to Expend Grant Funds: Firefighter Safety Equipment Grant - \$18,968**

*The Board reviewed the (1) grant award letter, and (2) Notice of Grand Award Form.*

Deputy Chief Fasolino stated they have been awarded just under \$19,000 for the purchase of new equipment and listed those items planned for purchase. Mr. Crowley asked if this is a yearly grant. Deputy Chief Fasolino confirmed. Ms. White asked if the amount is the same. Deputy Chief Fasolino stated this is a \$3,500 increase from last year. Mr. Crowley asked about the ambulance revenues. Deputy Chief Fasolino stated they are very high. Mr. Crowley asked if this is due to a couple of new residential developments. Deputy Chief Fasolino confirmed.

**Mr. Alessandri moved that the Board authorize the expenditure of the Firefighter Safety Equipment and grant as presented. Ms. White seconded. No discussion. VOTE: 3-0-0.**

**Authorization to Expend Grant Funds: Workplace Safety Grant - \$8,900**

*The Board reviewed the (1) grant award letter, and (2) Notice of Grand Award Form.*

Mr. Pelletier stated that last year's grant allowed for a lot of Occupational Safety and Health Administration (OSHA) trainings, and they are looking to do another round this year. Ms. White asked if this is a yearly grant. Mr. Pelletier stated this is second year we have received this grant and explained the specific type of training planned. Mr. Crowley asked about the traffic control technician. Mr. Pelletier stated this training will assist them in managing traffic control lights without having to hiring a contractor.

**Mr. Alessandri moved that the Board authorize the expenditure of the Workplace Safety grant as presented. Ms. White seconded. No discussion. VOTE: 3-0-0.**

**Approval: Contract with Kleinfelder Northeast, Inc. for Lead Service Line Inventory and Replacement Planning - \$140,000**

*The Board reviewed the (1) memo from Pete Pelletier, (2) bid results, and (3) contract.*

Mr. Boynton reported that we went to Fall Town Meeting for this funding noting that we got a borrowing for a zero-interest loan with forgiveness, a contract from Kleinfelder, and approval from the Department of Environmental Protection (DEP). Mr. Alessandri asked if this is just inventory. Mr. Pelletier stated this will also include a replacement plan. Mr. Alessandri asked that once we have the plan when we will begin to implement it. Mr. Pelletier stated soon thereafter. Mr. Crowley asked how much the contract was, how much was approved at Town Meeting, and how long will this project take. Mr. Pelletier stated the contract is for \$140,000, \$140,000 was approved at Town Meeting, and it will be completed by the end of November.

**Mr. Alessandri moved that the Board approve the contract with Kleinfelder Northeast, Inc. as presented. Ms. White seconded. No discussion. VOTE: 3-0-0.**

#### **Council on Aging Activities Update**

*There were no materials for the Board to review.*

Ms. Staples stated the Council continues working closely with Ms. Riley and reported on the many activities at the Senior Center. She stated the café is open Tuesday and Thursday for lunch and Wednesday morning for breakfast at the cost of \$4. Mr. Crowley asked about attendance. Ms. Staples stated they have very good attendance and noted the wonderful group of volunteers. She reported their two Outreach Workers are very busy and reviewed the specific services they provide. She noted their Facebook page and the information available on it. She noted that SHINE volunteers assist with health insurance open enrollment and there is an AARP tax preparation person available to assist with simple tax returns. She reviewed the exercise programs and ad hoc programs available. She noted transportation is provided to local shopping, banks, post offices, etc. There is also assistance with electronic devices. There are many travel opportunities. She noted the many groups that use the Center for meetings. She noted that their newsletter comes out monthly with all their activities noted. Mr. Crowley asked about the Friends of Medway Elders application that is included and asked how many members there are. Ms. Riley stated that she sends out 400 monthly newsletters. Mr. Crowley noted that that translates to \$4,000/year. Ms. Riley stated that funding assists with the printing of the newsletter. Mr. Crowley encouraged residents to become a member. Ms. Staples noted the newsletter is on the Town website as well. Ms. White asked if more people are taking advantage of programs. Ms. Staples reported a big upswing noting attendance will slow in winter as many go to Florida. Ms. Riley reported an uptick in fuel assistance and food stamps managed by the Outreach Workers noting South Middlesex Opportunity Council (SMOC) reported an increase of new applications for fuel assistance in November of 3,500 compared to 2,000 from last year for their coverage area. She noted that this is not just for elders but for all residents in need, but it takes 3-4 months to get the fuel assistance funds to come in.

Mr. Crowley asked Ms. Riley to provide an overview of her budget. Ms. Riley stated her total budget is \$235,000 which includes full and part-time salaries, and 11 other items some of which include heating, water, sewer, trash, contracted services, supplies, etc. Mr. Crowley asked if any funds are left over at year's end. Ms. Riley stated no. Mr. Crowley asked about any CIPC requests. Ms. Riley reported they requested two more double doors and further ADA bathroom improvements in the form of automatic flushing toilets. Mr. Alessandri asked if there are other longer-term items 2-4 years down the line. Ms. Riley stated last year they requested a new Senior Center van but cannot get it as no chassis are available so they may need more funding for that in the future. She noted the Town has been very generous. Mr. Boynton stated we need to maintain the solid work of our Outreach Workers for social service needs for the residents noting this is not just for elders, but all Town residents, and that we will look at this service during the upcoming budget process. Ms. Riley noted a lot more mental health

issues have been coming to the Center and stated they work with both Police and Fire on this issue. Mr. Crowley stated this is one of the biggest bangs for the buck that we get for the \$235,000 per year of funding.

#### **Acceptance of Deeds and Easements for Newton Lane as a Public Way**

*The Board reviewed the (1) e-mail from Barbara Saint Andre, and (2) deeds (4).*

Ms. Saint Andre stated the most recent Town Meeting voted to accept Newton Lane as a public way and they have been busy getting deeds and easements to move forward. She explained the purpose of each of the deeds before the Select Board. She noted that Town Counsel has approved these as to form. Mr. Alessandri asked if this is the last step in the process. Ms. Saint Andre stated, if the Select Board approves these, they then go to the Planning and Economic Development Board (PEDB to) for acceptance.

**Mr. Alessandri moved that the Board accept the deeds to the Town from John F. Claffey, Trustee of Hartney Realty Trust, of Parcel A for general municipal purposes and Newton Lane and related easements; and the deeds from Kay Imgenberg and Loren Brooks, and Rohith K. Ashok and Trista S. Ashok for sidewalk easements, and approve and endorse the acceptance plans for Newton Lane as presented. Ms. White seconded. No discussion. VOTE: 3-0-0.**

#### **MBTA Communities Multi-family Housing Zoning Compliance Action Plan Update**

*The Board reviewed the (1) memo from Barbara Saint Andre, and (2) maps of potential Multi-family Housing Zoning Parcels.*

Ms. Sainte Andre stated we are required to file our action plan to stay in compliance with the new State law Chapter 40A, Section 3A, of the MBTA Communities Multi-family Housing Zoning Requirements. She noted this is an action plan and not a final decision and in order to submit the action plan we must identify some potential areas where we might want to put multi-family housing. We have identified more than the required 50 acres to cast a wide net. The Town will ultimately narrow that down to the State requirement and will be hiring a consultant to assist. The action plan must be filed by January 31, 2023, and the new zoning must be in place by December 2024. The intention is to vote this at the May 2024 Annual Town Meeting. The PEDB would like to make this zoning an overlay district, meaning that this would be an allowed use in addition to whatever is already allowed. We have identified some potential areas; no decisions have been made. If there are any potential areas that the Board does not want to include, we want to remove them. Mr. Crowley noted four parcels have been identified and all four have the 50-acre requirement. Ms. Saint Andre noted one must also have 25 contiguous acres. Mr. Crowley recommended excluding the one that has the Town Hall area, Sanford Mill area, and other condo. Ms. White asked why it was included. Ms. Saint Andre stated they tried to identify potential areas that already meet the density requirements and the Sanford Mill already has that density. She noted there would be no housing development at Town Hall if Town Hall continued to operate at this location. Mr. Crowley stated he wanted to keep Town Hall as a potential commercial area. There was further discussion on the reasoning for not including the Town Hall option. Mr. Alessandri stated that if we have two years before the decision is needed, he is inclined to leave it since we have the time to decide. Ms. White agreed, as did Mr. Crowley. Mr. Crowley asked when she will be back with more information. Ms. Saint Andre stated after we file the action plan and public outreach is done. Mr. Crowley asked what other areas are identified. Ms. Saint Andre reviewed the four areas: 39 Main Street including some of the Cassidy property, the Glen Brook Apartments on West Street including Mr. Brody's adjacent lot, and Summer Street where the Betania Company is located, and then the Milford Street area if the Battery Energy Storage Facility (BESS-Medway Grid) does not go forward. Mr.

Alessandri asked if there will be public forums for potential abutters. Ms. Saint Andre confirmed. Mr. Crowley stated this is a positive as it gives the owners another option to develop their properties. Steven Brody, 39 West Street, stated this is very technical. He said he ran some numbers noting the impact would be in the high 200s of additional housing units. Mr. Crowley stated this is an unfunded State mandate and not something the Town has been looking to do noting this is like the 40B State unfunded mandate.

Mr. Crowley wanted a better understanding of the zoning bylaw change relative to multi-family housing, as he is hearing pushback from residents. He requested that this be added to an upcoming Select Board agenda.

**Discussion/Vote: Environmental Services for 120 Main Street (Medway Block) – Tetra Tech**

*The Board reviewed the Tetra Tech Proposal dated December 15, 2022.*

Mr. Boynton stated we are the owners of this property as of just before Christmas. He reminded all that the property has been under the Massachusetts Contingency Plan (MCP) for many years and the Town has the responsibility to assume that testing component until we can close out the contamination process. We made the residents aware at Town Meeting that we would have to deal with the hydraulic leak that occurred in 1999. This requires quarterly monitoring and biannual reporting to DEP, and we have asked Tetra Tech to manage this. He said it is a \$29,000 contract on an annual basis. He does not anticipate needing \$29,000 from now to the end of July, but around \$10,000. He reported potentially good news. We got notice from the new Director of the Brownfields Program for DEP that they would like to work with us on the contamination cleanup of that site. The next round of grant funding is this fall, but there are steps that we need to do to be able to apply. We know that it is several hundred thousand dollars to complete the cleanup, and this would assist us to have those items in place to be able to apply for this funding. Mr. Boynton stated we will be looking at funding options in existing revenues to cover the \$10,000 between now and June 30<sup>th</sup>. He is proposing that we add this as a separate item under the municipal facilities budget in the Fiscal Year 2024 budget. Mr. Crowley asked about using the funds that we had identified at Town Meeting for contingencies relative to this site. Mr. Boynton stated we told residents it would cost between \$300,000 to \$400,000 but we did not actually appropriate any funds. It was noted that we have \$14,000 left and that was designated for legal fees. Mr. Alessandri asked for confirmation that this will be a \$29,000 annual expense until cleaned up and then that expense goes away. He also asked if there is anything that would be left to deal with. Mr. Boynton stated we were told it is an excavation type cleanup that cannot be done until the building is removed. It should be complete post cleanup. He does not expect anything following the cleanup. Mr. Alessandri asked about length of the Brownfields grant. Mr. Boynton stated that if we have a plan, then we have one to two years to be able to exercise it. He noted it would time nicely with Medway Block vacating the property. Mr. Boynton said he has been told that that could be as early as the 2<sup>nd</sup> quarter of 2023, June, or July, which is earlier than anticipated but they have the full year. Mr. Crowley asked about how funding works with the Brownfields grant and if it is State or Federal funding. Mr. Boynton stated it is both noting Tetra Tech would work with us to develop the program to clean it up. Mr. Crowley asked about the time frame for submitting for this grant funding. Mr. Boynton stated it is next August noting we should be ready.

**Ms. White moved that the Board approve the Tetra Tech proposal as discussed. Mr. Alessandri seconded. No discussion. VOTE: 3-0-0.**

**Vote: Declare Tara Kripowicz Conservation Commission Position Vacant per Charter Section 5-5-1**

*The Board reviewed the (1) e-mail from Bridget Graziano, and (2) Section 5-5-1 of the Medway Town Charter.*

Mr. Crowley asked if she has been notified and if there was any push back. Mr. Boynton stated she has been notified and she did not respond.

**Mr. Alessandri moved that the Board declare the position held by Tara Kripowicz on the Conservation Commission vacant per Section 5-5-1 of the Medway Town Charter. Ms. White seconded. No discussion. VOTE: 3-0-0.**

**Vote to Open May 8, 2023, Special and Annual Town Meeting Warrants**

*There were no materials for the Board to review.*

**Ms. White moved that that the Board open the May 8, 2023, Special and Annual Town Meeting Warrants. Mr. Alessandri seconded. No discussion. VOTE: 3-0-0.**

**Action Items from Previous Meeting**

*The Board reviewed the action items dated December 5, 2022.*

Mr. Crowley asked for two items to be added: (1) the status for submitting the grant for the funding for the 120 Main Street clean up with a date of June 2023, and (2) the status of the lead water line survey action plan with a date of June 2023.

Medway Plaza Redevelopment: Ms. White asked why this is on the action item list. Mr. Crowley stated so that we get a status update. Mr. Boynton stated the original goal was to work with owner on a full redevelopment and believes that once the Medway Block plan is developed, as well as the Meehan plan across the street, this redevelopment may then get addressed.

13 & 15R Populatic Street--Decision on Home on Property once Treatment Plant is completed: Mr. Boynton stated that we still want to maintain the status of the open space behind that home and asked Mr. Crowley if he wants us to do a Form A to carve up the property to put the house back on the market. Mr. Crowley confirmed. Mr. Boynton stated that he would like to get further input from DPW, but he guessed that once we are getting ready to occupy the facility, since the facility is built on the opposite side of the driveway, noting we originally anticipated needing the entire area, we may be in a position after eighteen months to look to put the house back on market.

**Town Manager's Report**

*There were no items for the Board to review.*

**Federal Stormwater Earmark Notification:** Mr. Boynton stated he received an e-mail from Senators Warren's and Markey's offices last Thursday congratulating the Town on its successful selection to receive \$1.3 million in funding from the Clean Rivers initiative. He met with Ms. Carlisle, Mr. Pelletier, and Mr. Harrington six months ago about what Federal programs we could utilize including the Build Back Better noting there were limited programs available that we could utilize. Ms. Carlisle worked hard putting the program application together. Our initial goal was to work on best practices for our MS4 stormwater system, retention basins, and distribution system that we would otherwise need to use tax dollars for. Mr. Boynton mentioned that we got \$2.7 million earmarked for the Water Treatment Facility a year ago that is still hung up in DEP and this \$1.3 million may also go back to the DEP process. If this comes through, we will come back before the Board once DWP works with the Environmental

Protection Agency (EPA) on the project scope. Ms. Pratt continues filling out documents and sending reports to the EPA working on receiving the \$2.7 million.

Medway Grid EFSB Process Update: Mr. Boynton stated prefile testimony will be filed with the Energy Facilities Siting Board (EFSB) tomorrow. Medway Grid filed several answers to the initial EFSB interrogatories, which were released within the last two weeks. One of the answers from EFSB has riled up some of Medway's residents. It is a statement relative to the zoning exemption application they submitted as part of their EFSB application. They are requesting comprehensive exemption from Medway's zoning bylaws. They said that the Town does not oppose this. The Town has neither supported nor not supported it so, although technically correct, we have taken no position relative to the zoning exemption. That will be clarified as part of Mr. Boynton's pre-trial testimony when that gets filed tomorrow and he stated that we will be pointing that out. He and Ms. Saint Andre are working together on the EFSB process. He noted that we are still waiting on items from Medway Grid for the Host Community Agreement (HCA). He anticipates the EFSB process will ramp up in next thirty days.

Tri-County Construction Proposal Update: Mr. Boynton stated Tri-County is recommending the new building option and recommends the Chairs of the Select Boards and Town Managers meet to discuss this noting this is a \$1.4 million assessment for Medway. He then explained the process of the two ballot questions that will be posed to the residents and the potential outcomes based on the potential responses. He noted that if the cost of building or enrollment increases, the \$1.4 million assessment would go up. Mr. Crowley stated he does not believe that the residents would approve a debt exclusion or override so we would need to come up with that amount in the Town budget each year which would mean large cuts. Mr. Boynton stated this is a legislative issue that we need to discuss in the legislative breakfast with Senator Spilka and our Representatives. There was further discussion that Proposition 2 and ½ does not work for these types of regional projects. Mr. Alessandri stated part of the reason the reimbursement is lower is that the Massachusetts School Building Authority (MSBA) funding reimbursement does not take into account vocational schools.

McGovern Roof Estimates - \$3.4 million: Mr. Boynton stated the estimate for the roof, which at one point was under \$1 million, is now at \$3.4 million and the Commonwealth shut down the accelerated repair program for the time being. We have a decision to make between now and Town Meeting as to how we want to approach this borrowing, as it does not look like we will be able to tie into the MSBA process.

FY2024 Budget Process Update: Mr. Boynton stated he shut down the 2024 budgets noting all departments are in. He will then review these with Ms. Pratt. He still does not have an insurance number. We know where Norfolk County is already, and we are simply guessing at Tri-County based on the enrollment change noting Tri-County is the big hit this year. He stated there are no new positions on municipal side. He is working with Mr. Pelletier, Mr. Smith, and Mr. Harrington to build a model for the operation of the water treatment facility, noting this involves new staff and shifting of existing personnel. There will be a field services unit and a treatment facility unit. The goal is to have someone in as soon as possible while the setup of the facility occurs. This will also require discussions with the unions. He noted that Ms. Pratt's contract is up for renewal, and we have identified certain leadership positions that we are behind on relative to other communities. We are looking at 911 staffing to ensure there are two staff on the day and evening shifts to handle the increased call volume.

Mr. Alessandri asked if it is possible to have the Facilities Study Committee present to the Select Board soon based on the items just discussed. Mr. Crowley has been in contact with Mr. Harris to inform him

that they will be asked to provide a status update soon. Mr. Boynton stated they are meeting next week to finalize their report to the Board.

Town Manager Out of Office: Mr. Boynton stated he has nothing scheduled.

NEXT Select Board Meeting – January 17, 2023

**Select Board's Reports**

*There were no items for the Board to review.*

Mr. Alessandri wanted to draw attention to Substance Use Prevention Medway, which is a community coalition that he was asked to be on. He assumed it was targeted at school age and high school age substance use prevention, but it has a broader scope than school age. For example, this includes community and parent education, i.e., which alcohol stores lead the way in selling to underage minors. He will look at having them come in to present to the Board.

Mr. Crowley asked that the Town Manager's office contact the Energy Committee since they are reporting to the Select Board at the next meeting to request an update at on the DPW facility solar panels relative to potential grant funding that was mentioned during the project, as well as any associated cost savings.

**At 8:42PM, Ms. White moved to adjourn. Mr. Alessandri seconded. No discussion. VOTE: 3-0-0.**

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