

**Select Board Meeting  
March 21, 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; Carol Pratt, Finance Director; Barbara Saint Andre, Community and Economic Development Director; Pete Pelletier, Department of Public Works (DPW) Director; Susy Affleck-Childs, Planning and Economic Development Coordinator; Sandra Johnston, Communications Director.

**Other Participants:** Sean Green, Conservation Commission candidate; Melanson: Scott McIntire, CPA – Principal; Odyssey Advisors: Parker Elmore, President and CEO; Jeanne Johnson, Historical Commission Chair; Cindy Sullivan, School Committee.

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

**Public Comments:** There were none.

**Approval of Minutes: March 5 and 7, 2022**

*The Board reviewed the draft minutes of March 5 and 7, 2022.*

**Mr. Trindade moved that the Board approve the minutes of March 5 and 7, 2022. Mr. Rossi seconded.** Mr. Crowley referenced the March 7<sup>th</sup> minutes on page 3, line 108, requesting to add “and would support the painting of the electrical box.” He then referenced page 4, line 161, requesting the following change, “they would not have funds if they are not provided funding in the spring Town Meeting warrant.” **VOTE: 5-0-0.**

**Appointment Consideration: Sean Green – Conservation Commission (ConCom)**

*The Board reviewed the (1) candidate’s e-mail request for appointment and resume, and (2) memo from Bridget Graziano.*

Mr. Green explained his relevant background and interest in serving on ConCom including living in Medway since 2000, his experience as a landscape architect, and his work with ConCom on many past occasions relative to wetlands and the native ecosystem. Mr. Crowley stated that ConCom voted unanimously in support of his appointment.

**Mr. Trindade moved that the Board appoint Sean Green to the Conservation Commission for a three-year term. Mr. Rossi seconded. No Discussion. VOTE: 5-0-0.**

**Approval: Contract with Pavement Maintenance System, Inc. for Asphalt Infrared Repair – Not to Exceed \$50,000 per year**

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

Mr. Pelletier stated this is for catch basin adjustments to improve drainage noting they have been using this vendor for a long time.

**Mr. Trindade moved that the Board authorize the Chair to execute the contract with the Pavement Maintenance System, Inc. in an amount not to exceed \$50,000 per year as presented. Mr. Crowley seconded. No discussion. VOTE: 5-0-0.**

**Approval: Contract with Sealcoating, Inc. for Crack Sealing Repair – Not to Exceed \$25,000 per year**  
*The Board reviewed the (1) memo from Pete Pelletier, (2) bid results, and (3) contract.*

Mr. Pelletier stated this will be to address five-year-old roads noting they have worked with this vendor in the past. Mr. Boynton stated he does not like to do the crack sealing but the asphalt is not holding up so they will be trying this to prevent the freeze thaw road damage impact.

**Mr. Trindade moved that the Board authorize the Chair to execute the contract with Sealcoating, Inc. in an amount not to exceed \$25,000 per year as presented. Mr. Crowley seconded. No discussion. VOTE: 5-0-0.**

**Approval: Contract with TJ's Plumbing & Heating, Inc. for Plumbing Services – Not to Exceed \$60,000 per year**  
*The Board reviewed the (1) memo from Pete Pelletier, (2) bid results, and (3) contract.*

Mr. Pelletier stated this is a new contractor noting their references checked out very well.

**Mr. Trindade moved that the Board authorize the Chair to execute the contract with TJ's Plumbing & Heating, Inc. in an amount not to exceed \$60,000 per year as presented. Mr. Crowley seconded. No discussion. VOTE: 5-0-0.**

**Approval: Contract with Markings, Inc. for Road Striping – Not to Exceed \$25,000 per year**  
*The Board reviewed the (1) memo from Pete Pelletier, (2) bid results, and (3) contract.*

Mr. Pelletier stated they have been used by the Town for a while and although they were not the lowest bidder, the Town's experience with the lowest bidder was not positive due to poor performance.

**Mr. Trindade moved that the Board authorize the Chair to execute the contract with Markings, Inc. in an amount not to exceed \$25,000 per year as presented. Mr. Crowley seconded. No discussion. VOTE: 5-0-0.**

**Approval: Contract with Pine Ridge Technologies, Inc. for Electrical Services – Not to Exceed \$60,000 per year**  
*The Board reviewed the (1) memo from Pete Pelletier, (2) bid results, and (3) contract.*

Mr. Pelletier stated this is new a new contractor, noted that their references checked out very well, and they are familiar with government work.

**Mr. Trindade moved that the Board authorize the Chair to execute the contract with Pine Ridge Technologies, Inc. in an amount not to exceed \$60,000 per year as presented. Mr. Crowley seconded. No discussion. VOTE: 5-0-0.**

**Approval: Contract with Bartlett Consolidated LLC for Guardrail Install – Not to Exceed \$25,000 per year**

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

Mr. Pelletier stated this vendor has been used in the past for accidents on Town property and although they were not the lowest bidder, the lowest bidder has worked with the Town in past with poor performance.

Mr. Crowley stated none of these contracts were required to have a performance bond but there is one and asked if we requested any from the other contractors. Mr. Pelletier stated no.

**Mr. Trindade moved that the Board authorize the Chair to execute the contract with Bartlett Consolidated LLC in an amount not to exceed \$25,000 per year as presented. Mr. Crowley seconded. No discussion. VOTE: 5-0-0.**

Ms. White asked about the status of the Middle School fields. Mr. Pelletier stated they will be ready in the spring as long as the weather cooperates. Mr. Trindade asked about the Center Street field. Mr. Pelletier stated the drainage work went great.

Mr. Crowley noted that the Select Board had requested that before the work is done on the Route 109 sidewalks, a meeting with residents be scheduled and requested a status. Mr. Pelletier stated they are finishing the design and he is waiting on completion of the design before scheduling this resident meeting.

**Presentation: Fiscal Year (FY) 2021 Financial Statements by Melanson**

*The Board reviewed the FY2021 financial statements.*

Mr. McIntire referenced page 1 of the financial statements, the opinion, stating he believes this is the most important portion of the audit. He noted the audit went very well, account reconciliation was timely, and there were no recommendations for modifications. There were no disagreements between the Town and his firm on accounting practices and estimates, i.e., OPEB liability noting there is a science behind these estimates. He stated their opinion is materially presented based on United States accounting standards. He explained that the management and analysis explains how key numbers have changed noting that the general fund saw significant improvements. He then referenced page 12 and 13, which is the long-term perspective balance sheet, which is not submitted to DOR and is on an accrual basis of accounting. He noted on page 13 the net pension liability of \$17.8 million and net OPEB liability of \$22 million as of June 30, 2021, with the net pension down from the prior year and OPEB unchanged. He then referenced page 15, which shows the governmental funds, specifically the unassigned fund balance of \$12,263,249, an increase of \$1.3 million over prior year, noting strong budgetary results on operations. He stated that conservative budgeting and receipt of past property taxes resulted in this increase. He then referenced the general and stabilization funds noting the state requires that these be tracked separately. He noted this does not include the enterprise accounts. Mr. Boynton reminded all that at Fall Town Meeting we took over \$3 million from free cash and moved to it to stabilization. Mr. McIntire then referenced page 61, the favorable budgetary results of \$6.4 million, as well as the unassigned fund balance increase of \$1.2 million due to these positive budgetary results. This was due to the NSTAR property tax settlement, conservative budgeting of state aid, and unspent appropriations. Mr. Crowley asked about OPEB and stated, if he remembers correctly, OPEB unfunded liability was around \$30 or \$32 million when the accounting practices changed 5-6 years ago. This was confirmed. He noted that we were able to move this from \$32 million to \$22 million which is a big plus to the Town.

Mr. Rossi stated this is a combination of funding the account and higher discount rate. Mr. Crowley stated he did not see a management letter. Mr. McIntire stated they did not see the need though he made some verbal suggestions to Ms. Pratt and Mr. Boynton. Mr. Crowley asked how Medway compares with other like cities and towns. Mr. McIntire stated that is the hardest question noting that the books are closed timely and in good order. He noted that the 20% higher than normal unassigned fund balance due to the NSTAR settlement will not be repeated. Mr. Rossi asked if the net pension liability is Norfolk County Retirement. This was confirmed. Mr. Rossi asked when this will be fully funded. Mr. Boynton stated in 2029 and he would like to take that amount and put it into OPEB and then the OPEB liability would go away in less than 10 years. Mr. Crowley asked if the financial economy downturned, the 2029 date would extend to 2030. Mr. Boynton stated no as Norfolk County in 2009 and 2010 did not do that so historically they have not extended this. Mr. McIntire noted that county retirement uses a 7.75 percent discount rate and to date they have been making that. Mr. Boynton reported that there is a new treasurer in Norfolk County so based on market trends, they may make adjustments, but they did not extend out the unfunded liability payment in the past. Mr. Rossi asked why OPEB did not change and if we are not funding that enough. That will be addressed in the next agenda item discussion. Mr. Boynton stated the biggest impact is the financial management under the purview of Ms. Pratt noting that we do not take risks and she looks closely at everything.

**Presentation: Fiscal Year (FY) 2021 Other Post Employee Benefits (OPEB) Actuarial Valuation Report by Odyssey Advisors**

*The Board reviewed the (1) Governmental Accounting Standards Board (GASB) 74/75 summary of results letter to Carol Pratt, (2) FY21 OPEB actuarial valuation report, (3) OPEB frequently asked questions (FAQs), and (4) PowerPoint presentation.*

Mr. Elmore explained why the liability goes up every year. If everything goes exactly as planned it would go up \$740,000 over the year. As time passes by, there is interest on that liability as well as everyone is one year closer to retirement and one year closer to receiving the benefit. Therefore, discounting back future payments to today, there is one year less to go. The reason that the liability was flat was because the Town earned 25% on assets last year and stated the Town should not anticipate this to occur year to year. He stated the net pension liability interest rate at 7.75 used by Norfolk County is too high, Public Employee Retirement Administration Commission (PERAC) recommends it should not be beyond 7 percent, but Odyssey will not use anything beyond 6.75 percent. This means your pension liability is actually higher than what they are stating. He reviewed the current status of his firm. He then reviewed the liability and assets information noting the total liability was at \$23.4 million and went to \$24.2 million which is the \$740,000 he referenced earlier. The assets went from \$1.3 million to \$2 million. \$300,000 was put in but the liability went up by \$700,000 meaning assets had a really good year. That is why the net liability went from \$22,123,237 million to \$22,156,904 million, effectively unchanged. That 25% rate of return is why Medway is now at 8.3% funded from 5.5% funded last year. He then reviewed the expenses slide including the service cost which is the value of the benefits active employees earn each year which increases yearly as employees are that much closer to retirement. Discounted back to today, that is about \$1,500 per employee of deferred compensation in addition to their yearly salary. He reviewed that the employer share of cost is for the retirees only, not the active employees which was again fairly flat from last year. The discount rate used for Medway is 6.5. The more you fund the higher your discount rate resulting in lower liability and the need to fund less. He said that Medway is at the maximum discount rate so if we increase from \$300,000 to \$400,000 of funding, it would not impact the discount rate. Mr. Crowley asked if we end up being a negative because the market is down and the returns are not there, it looks like it is a \$700,000 yearly increase on the service of OPEB. If we go from \$22 million to \$24 million next year, would that affect our AAA bond rating. Ms. Pratt stated if there is comparability amongst others, we would not be negatively impacted. The discount rate is not impacted

by current interest rates, it is impacted by how you fund. Mr. Elmore then reviewed the actuarial assumptions slide including the: (1) discount rate, (2) termination rates, (3) retirement rates, (4) election percentage, and (5) healthcare cost inflation. He reviewed the medical plan offerings, noting the Town's Medicare is lower than others at \$254; others are usually over \$300. He reported that Medway is at 8.3% funded along with 72% of towns in the state less than 10% funded noting Medway is in the top third. He stated that comparison to peers is difficult as this is based on the discount rate and referenced the state average noting we are doing a good job managing the plan. He explained that Police and Fire liability is higher as they don't work as long and receive benefits longer. He then reviewed the projected cash flows slide, specifically the last two columns noting this plan in terms of budgetary drag/impact will stay the same over the next four years and will not blow up the Town's budget. Mr. Boynton asked if he recommends that once Norfolk County Retirement is fully funded, the Town's plan to move this funding to OPEB is something they recommend. Mr. Elmore confirmed. Mr. Crowley asked why the service costs per active employee for the school is low and Fire is higher. Mr. Elmore reiterated that Police and Fire have a shorter career and receive benefits longer.

**Approval: Enterprise Funds Fiscal Year (FY) 2023 Indirect Cost Allocation**

*The Board reviewed the proposed FY23 enterprise funds indirect cost allocation.*

Ms. Pratt stated this is our annual approval needed by the Board. It is part of the FY23 budget, a long established model was used which has been blessed by the Department of Revenue (DOR), and the Board has seen this previously. Mr. Crowley stated he looked at the formula used, and he is relatively ok with the allocation of the administrative services but is struggling with the expenses. He stated his issue does not relate to money but to fairness. He stated that water and sewer enterprise is paying some percentage of the School, Library, etc. and he cannot see why they have to pay for any of the administrative expenses. Ms. Pratt stated they are not paying expenses but are paying a portion of the administrative expenses for those departments that support them which include the following four departments: Accounting, Treasurer/Collector, Town Manager, and Human Resources. Ms. Pratt stated the proportion that is allocated is what they represent of the grand total of all expenses. Mr. Crowley asked if we have reserves left over from the health insurance budget, do their percentages go back to their enterprise reserves. Ms. Pratt confirmed and stated that at year end, she goes back and looks at actuals and will make the appropriate adjustments. Mr. Trindade commended Ms. Pratt's efforts and ability to address Mr. Crowley's concerns.

**Mr. Rossi moved that the Board approve the Fiscal Year 2023 Enterprise Funds indirect cost allocations as discussed. Mr. Trindade seconded. No discussion. VOTE: 4-1-0.** Mr. Crowley opposed as he disagrees with the percent allocations of the debt to the enterprise accounts.

**Discussion/Vote Recommendations: May 9, 2022 Special and Annual Town Meeting Warrants**

*The Board reviewed the (1) May 9, 2022, Special and Annual Town Meeting warrants and (2) memo from Ms. Affleck-Childs.*

ARTICLE 21: (Amend General Bylaw: Historical Properties)

Ms. Johnson stated they are requesting changes to the demolition delay as follows: a 24 month delay for homes over 200 years old, an 18 month delay for homes from 100-200 years old, and a 12 month delay for homes less than 100 years old if they are deemed historically significant. The other additions include that the Commission may require an engineer licensed in MA to provide a report on the structural condition of the building. Prior to this change, the Commission relied on the homeowner's opinion and the Commission's observations. Other additional responsibilities of the owner would include an attempt to find someone interested in historical buildings who will purchase and fix the

property and broker that sells to buyers interested in preserving historic properties. Mr. Trindade asked how the 24 months compares to other communities. Ms. Johnson stated there are other towns with no delay at all. Ms. Saint Andre reported that most towns are in the 12-18 month range with some in the 24 month range noting most are increasing these timeframes. Mr. Crowley stated he does not have a problem with the timing and explained a hypothetical situation noting that if their property is deemed of historical significance, they have to continue to pay taxes, may have to hire an engineer, have to hire an appraiser, have to bring a Real Estate agent in, and if they receive a bona fide offer at slightly over the appraised value they could have lost money. He then asked what happens if the property does not sell. Ms. Saint Andre stated they would have to wait 24 months if the property is over 200 years old. Mr. Crowley asked for clarification of the language in the proposed by law regarding having a bona fide offer and if they must sell. Ms. Saint Andre will look at adjustments to that language noting there is no intention that they must sell the property.

ARTICLE 18: (Appropriation: Community Preservation Committee (CPC))

Ms. Johnson stated they presented to CPC a request to digitize the book *The History of Medway 1713-1885* by Reverend E.O. Jameson. She noted that if you try to copy and paste what exists on-line it does not copy properly. The Historical Commission received a proposal by Almont Green of Almont Green Corp who is a citizen of Medway and is donating a lot of his time to do this. By doing this project, Medway would own the book that Mr. Almont creates which could then be sold by the Historical Society. Ms. White asked if CPC approved this funding. Ms. Johnson stated they did not approve this as they wanted more information. Mr. Boynton noted this is part of the CPC article noting that CPC has not voted on these expenditures yet.

Ms. Affleck-Childs stated the Planning and Economic Development Board (PEDB) public hearing on the following articles is scheduled for tomorrow night.

ARTICLE 22: (Amend Zoning Bylaws – Solar Electric Installations)

Ms. Affleck-Childs stated this relates to solar parking canopies with an effort to crisp up the language by allowing installers the ability to install on Town properties, allow for exterior lighting for safety, and allow installation on paved surfaces. This was initiated by the Energy and Sustainability Committee and the PEDB is supportive of it. Mr. Rossi asked if this is just amending what exists. Ms. Affleck-Childs confirmed. Mr. Crowley asked if the existing lighting bylaw would still apply since this allows outside lights. Ms. Affleck-Childs confirmed.

ARTICLE 23: (Amend Zoning Bylaws – BESS Placeholder)

Ms. Affleck-Childs stated this is a placeholder for Battery Energy Storage System (BESS) noting that we are not ready with zoning bylaw language for this Town Meeting and this article is not part of the scheduled PEDB public hearing. She reported at the workshop last Thursday with ARUP, the consultants provided information on technical aspects of what should be included from a safety perspective. Mr. Boynton stated that we need to pull this article. Ms. Affleck-Childs confirmed this needs to be removed as there is not enough time at this point to vet this properly.

ARTICLE 24: (Amend Zoning Bylaws – Housekeeping)

Ms. Affleck-Childs stated the first change relates to the flood plain district encroachments noting this was requested by the MA Department of Conservation and Recreation Flood Hazard Management Program. They have oversight of all Town by-laws and said this additional language needed to be added which states you can only encroach if the technical analysis confirms this would not increase flood levels. The next change is adding a note in the zoning bylaw dimension and density table, specifically to refer to the Oak Grove Park Districts zoning table information. The last one is to add language in the

noise section of environmental standards to indicate that interior construction work can be conducted after 7pm and before 7am.

ARTICLE 25: (Street Acceptance – Hartney Acres)

Ms. Affleck-Childs stated the PEDB will look at this tomorrow and refer this back to the Select Board for a public hearing at its April 19<sup>th</sup> meeting as part of the street acceptance process. Mr. Boynton noted that Ms. Graziano, DPW, and Tetra Tech all put together a comprehensive list for the developer that must be completed. Ms. Affleck-Childs stated the PEDB gave the developer an April 13<sup>th</sup> deadline for completion of these items. She noted that others are looking at the storm water retention basin before the Town will accept the street.

Special Town Meeting Warrant

ARTICLE 1: (Free Cash Transfer: Snow and Ice Deficit)

Mr. Boynton stated we are lower than the estimate that he provided to the Board two weeks ago noting we are at \$70,000, but he is still anticipating this to be at around \$100,000. Mr. Crowley asked about the agreement that whatever was left over would be put in the capital stabilization account. Mr. Boynton stated we could add an article at the end of the warrant to transfer a sum of money to the capital stabilization account. The Board agreed to add this article to the warrant for vote at their next meeting.

ARTICLE 2: (Prior Year Bills)

Mr. Boynton stated there are no bills to date so this would be a to be determined.

At this point in the meeting, Mr. Trindade left the meeting due to illness.

ARTICLE 3: (Free Cash Transfer – Fund Hazard Mitigation Plan Update)

Mr. Boynton recommended favorable action on this article.

**Mr. Foresto moved that the Board approve Article 3. Mr. Rossi seconded. No discussion. VOTE: 4-0-0.**

ARTICLE 4: (Free Cash Transfer to General Stabilization)

Mr. Boynton recommended favorable action on this article.

**Mr. Foresto moved that the Board approve Article 4. Mr. Rossi seconded. No discussion. VOTE: 4-0-0.**

ARTICLE 5: (Authorize Home Rule Petition to Eliminate Sub-Precinct 1A)

Mr. Boynton stated this is a placeholder and we are waiting on Representative Roy to see if the Governor can approve this change and recommended this be a to be determined.

Annual Town Meeting Warrant

ARTICLE 1: (Debt Stabilization Fund Transfer)

Mr. Boynton recommended favorable action on this article.

**Mr. Foresto moved that the Board approve Article 1. Mr. Rossi seconded. No discussion. VOTE: 4-0-0.**

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

Mr. Boynton recommended favorable action on this article.

**Mr. Foresto moved that the Board approve Article 2. Mr. Rossi seconded. No discussion. VOTE: 4-0-0.**

ARTICLE 3: (Appropriation: FY23 Operating Budget)

Mr. Boynton stated the requested changes were made and recommended favorable action on this article.

**Mr. Foresto moved that the Board approve Article 3. Mr. Rossi seconded. No discussion. VOTE: 4-0-0.**

ARTICLE 4: (Appropriation: FY23 Water Enterprise Fund)

Mr. Boynton stated we are waiting on the bid results and recommended this be a to be determined.

ARTICLE 5: (Appropriation: FY23 Sewer Enterprise Fund)

Mr. Boynton stated we received the number from the district, which is up \$60,000, so we are still in discussion and recommended this be a to be determined.

ARTICLE 6: (Appropriation: FY23 Solid Waste Enterprise Fund)

Mr. Boynton stated there are no changes to this since last discussed and recommended a favorable action on this article.

**Mr. Foresto moved that the Board approve Article 6. Mr. Rossi seconded. No discussion. VOTE: 4-0-0.**

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

Mr. Boynton stated this is the free cash appropriation.

**Mr. Foresto moved that the Board approve Article 7. Mr. Rossi seconded.** Discussion: Mr. Foresto asked if the Finance Committee is making any changes to this. Ms. Pratt stated they wanted better descriptions but did not make any changes to what items were included. Mr. Crowley stated that we have \$98,000 left in free cash and the school was looking for something to be funded and asked if we could go back to consider that. Ms. Potter stated they wanted outdoor basketball hoops for Memorial after moving the grades to different schools. Mr. Boynton stated he will with check with the Superintendent. **Mr. Foresto withdrew the motion.**

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

Mr. Boynton stated this is the road and sidewalk appropriation.

**Mr. Foresto moved that the Board approve Article 8. Mr. Rossi seconded. No discussion. VOTE: 4-0-0.**

ARTICLE 9: (Free Cash and Sewer Retained Earnings Transfer: Stormwater Compliance)

Mr. Boynton stated this is to purchase the equipment for stormwater compliance.

**Mr. Foresto moved that the Board approve Article 9. Mr. Rossi seconded. No discussion. VOTE: 4-0-0.**



ARTICLE 10: (Water Retained Earnings Transfer: Purchase Generator)  
Mr. Boynton stated this is \$40,000 for the Village Street well generator.

**Mr. Foresto moved that the Board approve Article 10. Mr. Rossi seconded. No discussion. VOTE: 4-0-0.**

ARTICLE 11: (Borrowing – New Centralized Water Treatment Plant)  
Mr. Boynton stated we are waiting on the bid results for this amount and recommended a to be determined.

ARTICLE 12: (Borrowing – Oakland Well Water Line to New Centralized Water Treatment Plant)  
Mr. Boynton stated know we need the \$1.8 million for this water line.

**Mr. Foresto moved that the Board approve Article 12. Mr. Rossi seconded. No discussion. VOTE: 4-0-0.**

ARTICLE 13: (Borrowing – Redundant Wells at Oakland and Village Streets)  
Mr. Boynton stated we also know the amount needed for these redundant wells.

**Mr. Foresto moved that the Board approve Article 13. Mr. Rossi seconded. No discussion. VOTE: 4-0-0.**

ARTICLE 14: (Appropriation: General Stabilization)  
Mr. Boynton stated this is the yearly general stabilization appropriation.

**Mr. Foresto moved that the Board approve Article 14. Mr. Rossi seconded. No discussion. VOTE: 4-0-0.**

ARTICLE 15: (Appropriation: OPEB Trust)  
Mr. Boynton stated this is the yearly OPEB appropriation.

**Mr. Foresto moved that the Board approve Article 15. Mr. Rossi seconded. No discussion. VOTE: 4-0-0.**

ARTICLE 16: (Appropriation: Medway Day)  
Mr. Boynton stated this is the \$10,000 for Medway Day as previously discussed.

**Mr. Foresto moved that the Board approve Article 16. Mr. Rossi seconded. No discussion. VOTE: 4-0-0.**

ARTICLE 17: (Appropriation: Native American and Indigenous Peoples National Commemoration Day)  
Mr. Boynton stated this is the \$5,000 for this effort as previously discussed. Ms. White suggested that we form the committee first and then determine the funding needs. Mr. Boynton noted if this waits, there is no funding mechanism. Mr. Crowley directed all to be prepared for other committees to come to the Board for funding as well if this is approved.

**Mr. Foresto moved that the Board approve Article 17. Mr. Rossi seconded. No discussion. VOTE: 3-1-0. Mr. Crowley opposed due to precedent setting.**

ARTICLE 18: (Appropriation: Community Preservation Committee)

Mr. Boynton recommended this to be a to be determined based on prior discussions.

ARTICLE 19: (Revolving Funds –Authorize FY23 Spending Limits)

Mr. Boynton stated this is the revolving funds spending limits.

**Mr. Foresto moved that the Board approve Article 19. Mr. Rossi seconded. No discussion. VOTE: 4-0-0.**

ARTICLE 20: (Change in Personal Property Value Subject to Taxation)

Ms. Pratt explained the rationale for this increase with the hope that this would be applicable to existing versus fleeting businesses in town and decrease the efforts expended by the assessing staff.

**Mr. Foresto moved that the Board approve Article 20. Mr. Crowley seconded. No discussion. VOTE: 4-0-0.**

**Vote: Approval to File for Intervenor Status in the Medway Grid LLC Energy Facilities Siting Board (EFSB) Process**

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

Mr. Boynton stated this was recommended at the last meeting during public comments noting he has spoken to Special Counsel and although the EFSB has not asserted jurisdiction yet, they have indicated via general counsel that they plan to take jurisdiction. This is putting both the EFSB and Medway Grid LLC on notice that we will be filing for intervenor status when the time comes. Mr. Boynton stated in his discussions with Ms. Saint Andre and Ms. Affleck-Childs, that as part of their contract with the Town, ARUP will provide review of their filing and its recommendations. Tetra Tech will review the land use regulation at a cost of little less than \$6,000. He noted that we do not have a direct appropriation for that expense and Ms. Pratt will look to see if we have available Exelon funds and will ask for Board approval once confirmed. Mr. Crowley asked if the Board could get a copy of the letter before it is sent if this is approved the Board. This was confirmed. Mr. Meyers stated if the EFSB issues questions to the applicant if we will have a chance to review those with ARUP. Mr. Boynton stated he is not sure. He also stated he is not thrilled with the pace of working on a Host Community Agreement as it is at a standstill, noting we have tried to use similar stipulations as Exelon to not reinvent the wheel, but have not agreed on anything. Mr. Boynton stated the importance of having Tetra Tech's review. He explained that Exelon went through the PEDB as this was an allowed use via zoning and so Tetra Tech had an opportunity to have input. For this specific site, the use of BESS is not allowed by zoning, and that is why the EFSB was approached before the Town as they do not want to go to Town Meeting for a zoning approval. Mr. Foresto noted that the support of this is not part of the ARUP contract. Mr. Boynton noted that \$100,000 was appropriated at Fall Town Meeting to look at BESS. Mr. Foresto wants to ensure we have the appropriate amount of funds to support the efforts of ARUP, Sansoucy, and Tetra Tech. Mr. Meyers stated he has been tracking the Cranberry/Carver application daily, and the response that Cranberry provided to the EFSB regarding its proposed use of Tesla batteries was that they were not communicating with Tesla, so they did not have answers for the EFSB. He noted that they have still not responded to half of the questions. Cranberry won at the auction and has until 2025 to complete the build. Mr. Foresto stated he has questions about management and operations of the facility. Mr. Meyers stated if they go with the Chinese package, he would not know who is taking care of it. If they go with Tesla, Medway Grid LLC would contract with Tesla and Tesla would get the first call, not the Town or Medway Grid LLC if any issues arise.

**Mr. Rossi moved that the Select Board direct Special Counsel Attorney Bernstein and the Town Manager to file for intervenor status in the Medway Grid LLC Energy Facilities Siting Board process as soon as is allowed by the Siting Board. Mr. Foresto seconded. No discussion. VOTE: 4-0-0.**

**Consideration of Public Event Permit Application: Tri State Trek – 6/24/2022**

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

**Mr. Foresto moved that the Board 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: 4-0-0.**

**Discussion/Vote: Waiver of Permit Fees Request for Solar Project- Medway Community Farm**

*The Board reviewed the solar project permit fees.*

Mr. Boynton stated they are doing a solar project using grant funding.

**Mr. Rossi moved that the Board vote to waive the permit fees for the solar project at the Medway Community Farm. Mr. Foresto seconded.** Mr. Crowley asked how big these are and where they are going. Mr. Rossi stated there are 52 panels. Mr. Boynton stated, based on their planned location, he does not believe they will be seen by the public. **VOTE: 4-0-0.**

**Approval: Fiscal Year 2023 Renewal Amendment to MetroWest Veterans' District Agreement**

*The Board reviewed the (1) FY21 MetroWest Veterans' District Agreement, (2) Proposed FY23 Amended MetroWest Veterans' District Agreement, (3) Proposed FY23 MetroWest Veterans' District Budget, and (4) Medway's Appointed District Representative notification letter to Sarah Bateman.*

Mr. Boynton stated this is renewed every two years noting there are no changes.

**Mr. Foresto moved that the Board vote to approve and authorize the Chair to execute the amended FY23 MetroWest Veterans' District agreement. Mr. Rossi seconded. No discussion. VOTE: 4-0-0.**

**Mr. Foresto moved that the Board vote to reappoint Town Manager Boynton as the representative to the MetroWest Veterans' District. Mr. Rossi seconded. No discussion. VOTE: 4-0-0.**

**Action Items from Previous Meeting**

*The Board reviewed the action items dated February 22, 2022.*

Unaccounted for water loss status and Charles River Pollution Control District Volume report: Mr. Crowley asked if this is on an April agenda. Ms. Langley confirmed it is on the April 4<sup>th</sup> agenda.

Report to BOS usage of Electronic Vehicle Charging Station: Mr. Crowley asked if this is on an April agenda. Ms. Langley confirmed it is on the April 4<sup>th</sup> agenda.

Revisit EV Charging Stations post Install of 2 new to determine any need for rate adjustments: Mr. Crowley asked if this is on an April agenda. Ms. Langley confirmed it is on the April 4<sup>th</sup> agenda.

**Town Manager's Report**

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

Federal Earmark Update: Mr. Boynton stated we were working closely with Congressman Auchincloss for a federal contribution to the water treatment facility and were notified of the \$2.75 million allocation last Friday. This was approved by the Senate and was approved by the President of the United States last week. He had a meeting this morning with Senator Markey's office noting the money will be coming through the Department of the Interior and will be provided up front and will not be a reimbursement allocation. This is strictly for the water treatment facility and allows flexibility with the bid process, which is opening on April 6<sup>th</sup>. Ms. Johnston is putting together a press statement. Mr. Boynton noted that only a handful of contributions went through the 4<sup>th</sup> district, and we were one of the larger ones. Mr. Foresto asked if there were any questions on the bid specifications. Mr. Boynton explained that the flood insurance was part of the builder's risk, we investigated the potential risk, and we will pull that back from the contract and see how to deal with that after the bid including evaluating if it is necessary. Mr. Crowley asked why we are talking to Senator Markey's office. Mr. Boynton stated it is his office that handles the connection to how the funding comes to Medway. Mr. Boynton stated Congressman Auchincloss gets the credit for getting this for Medway noting the Congressman commended Senator Spilka and Representatives Roy and Murray on their representation of Medway and their role in this outcome. Mr. Boynton stated that Town management recommends that the American Rescue Plan Act (ARPA) funds be used for the one project. He stated the Select Board is the final arbiter of where these funds are directed. We have received \$1.4 million as a direct appropriation and have received half of that to date with an additional \$2.6 million coming from Norfolk County.

Legislative Breakfast – April 2<sup>nd</sup> 8:30AM – Sanford Hall: Mr. Boynton reminded the Board of this meeting.

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

- Friday, March 25 – Personal Day

NEXT Select Board Meeting –Monday, April 4, 2022 regularly scheduled meeting.

### **Select Board's Reports**

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

Mr. Foresto stated April 5<sup>th</sup> is the Master Plan Community Forum and Clean Sweep is April 9<sup>th</sup>.

Mr. Crowley stated the girls hockey team made the state tournament, the girls basketball team lost to Rockland in the semi-finals, and the boys hockey team lost to Hanover in the quarter finals

**At 9:17PM, Mr. Rossi moved that the Board enter Executive Session for Reason Exemption 6: To consider the purchase, exchange, taking, lease, or value of real property if such discussion may have a detrimental effect on the negotiating position of the governmental body and the Chair so declares [Oak Grove Urban Renewal Plan], with no intent to return to open session. Mr. Rossi seconded. It was voted by roll call: Crowley aye; Foresto aye; Rossi aye; White aye. VOTE: 4-0-0.**

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