

**Select Board Meeting
April 20, 2021 – 7:00 PM
Sanford Hall
155 Village Street**

Present: Glenn Trindade, Chair; Maryjane White, Vice-Chair; Richard D’Innocenzo, Clerk; John Foresto, Member.

Staff Present: Michael Boynton, Town Manager; Allison Potter, Assistant Town Manager; Deputy Fire Chief Mike Fasolino; Police Lieutenant Kingsbury.

Participated Remotely: Dennis Crowley, Select Board Member; Carol Pratt, Finance Director; Stephanie Carlisle, Compliance Coordinator, Department of Public Works (DPW), Dave D’Amico, DPW Director, Peter Pelletier, DPW Deputy Director, Barry Smith, Water Superintendent.

Others Participated Remotely: Martin Dietrich; Inclusion, Diversity, and Equity Advisory (IDEA) Committee Candidates: Khalid Abdi, Marques Crosby, Cyndy Ellis on behalf of Adam Ellis, Andrea Guenther, Sarah Hagan, Daniel Kerls, Liam McDermott, Andrea Crow, Moira Sharkey on behalf of Brian Sharkey; Memorial Committee: Richard Parrella, Secretary-Treasurer, Kevin Bellows, candidate; Lisa Adelman, attorney, Ocean State Job Lot (OSJL); Gregory Demakis, attorney Keystone Liquors; Barry Roth, owner Barry Roth/Medway Imports; Michele Potheau, owner, Sonnon, Inc.; Tina Wright, Chair, Open Space Committee.

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

Public Comments: Liam McDermott explained that the 100 Club of Massachusetts provides support to families that have lost someone who was a first responder. That support includes immediate benefits to the family, summer camp for kids, and events for kids and family noting this support is forever. He kayaked fifty-seven miles from Medway to Boston last year raising \$8,600. This year’s event will be held on June 11 and June 12 noting the date ties in with Firefighter Memorial Day. Martin Dietrich recognized those who were active in creating the IDEA Committee along with the support received from Mr. Boynton.

Approval of Minutes: April 5, 2021

The Board reviewed the draft minutes of April 5, 2021.

Mr. Foresto moved that the Board approve the minutes of April 5, 2021. Dr. D’Innocenzo seconded. No discussion. It was so voted by roll call: Crowley aye; D’Innocenzo aye; Foresto aye; Trindade aye; White aye. VOTE: 5-0-0.

Consideration of Appointments:

- **Inclusion, Diversity, and Equity Advisory (IDEA) Committee**
- **Memorial Committee – Kevin Bellows**
- **Conservation Commission – Michael Narducci**

The Board reviewed (1) the IDEA Committee charge and composition, and (2) the IDEA Committee candidates’ submissions of interest, (3) Memorial Committee candidate’s statement of interest and

committee recommendation, and (4) Conservation Commission candidate's resume and ConCom recommendation.

Each of the IDEA candidates stated their name and explained their background including what was relevant to this specific committee as well as the reason(s) they were interested in appointment to the committee.

Mr. Crosby stated he has been a Medway resident for four years, a coach, the founder of Medway Marches, and noted as a black man in a predominately white Town, he has the knowledge and passion to bring to this role.

Ms. Guenther stated she was a Medway Middle School teacher for twenty-three years, retired in 2019, has lived in Medway for thirty-three years, and was involved in supporting diversity in the school system.

Ms. Hagan stated she has lived in Medway for nine years, has a bachelor's degree in Psychology, has a lot of experience working in inner city Boston, and is currently working on the Justice, Diversity, and Equity Program with her current employer, a wellbeing company that assists companies to create wellbeing programs, as well as how to make positive change in the workplace.

Mr. Abdi stated he has been a Medway resident for over three years, is from Jamaica Plain, has volunteered for the Medway Lions and Board of Health, is a first generation Somali American so is personally able to identify challenges that diverse populations face. Mr. Boynton thanked him for his assistance with the screening process for the Town Clerk position.

Mr. Kerls stated that he has lived in Medway for eight years, noting his interest stems from his career as an Occupational Therapist working with disabled as well as low-income patients. He is the Chair of the Diversity Resource Group at CVS whose goal is to employ those with disabilities and diverse populations. His main focus is on disability inclusion.

Mr. McDermott commended those who have submitted interest in the committee. He moved from Dorchester in 2005 and has lived in Medway for sixteen years noting that although he is not from a diverse background, he would like to serve in any capacity including addressing ADA compliance issues. He is especially interested in compliance in crosswalks and pedestrian walkways as he lost a parent from an accident in this type of area.

Ms. Ellis spoke on behalf of Adam Ellis and echoed Mr. McDermott's statements. She stated her ex-husband is on vacation in Florida and on his behalf stated that he has been a Medway resident since 2000, is a quadriplegic, and a wheelchair athlete.

Ms. Crow explained her experience as LGBTQ from the age of sixteen when she joined a group out of Boston, the Boston Alliance of Gay and Lesbian Youth, supporting those her age, her experience in the military and as a military police officer. Her travel while in the military allowed her to exposure to women's challenges around the world, while her role as a military police officer provided understanding of family dynamics. She is a strong believer in psychological health noting she was the first openly gay married woman in Massachusetts in the VFW.

Ms. Sharkey, on behalf of her husband Brian, stated his interest in the Committee noting he was not aware this was on the agenda for this meeting.

Mr. Trindade asked how the Board would like to proceed noting his wish to have this committee appointed prior to the one-year anniversary of the Medway March and suggested a meeting this Friday morning at 8am. The Board agreed.

Mr. Parrella explained the Memorial Committee lost a member, Billy Pride, last September. They received an application from Kevin Bellows who served thirty-four years in the army, has a very extensive resume and credentials, and has participated yearly in the Memorial Day parade. The Memorial Committee reviewed his application and highly recommends his membership.

Mr. Bellows explained he has been a Medway resident for thirty-six years, has marched in every Memorial Day parade except two, as he was deployed at those times, has been involved with the VFW, was himself an Eagle Scout, has been involved in Cub and Boy Scouts, the AM Vets and many other veteran associations. He stated the importance of veterans' involvement in the community.

Mr. Foresto moved that the Board appoint Mr. Bellows to the Memorial Committee for a term expiring on June 30, 2022. Ms. White seconded. Discussion: Mr. Crowley stated he was very impressed with his resume and thanked him for his service to the country. **It was so voted by rollcall: Crowley aye; D'Innocenzo aye; Foresto aye; Trindade aye; White aye. VOTE: 5-0-0.**

Mr. Boynton noted that the Conservation Commission (ConCom) voted unanimously to support Mr. Narducci as a member of the ConCom.

Mr. Foresto moved that the Board appoint Mr. Narducci to the Conservation Commission for a term expiring on June 30, 2024. Dr. D'Innocenzo seconded. No discussion. It was so voted by roll call: Crowley aye; D'Innocenzo aye; Foresto aye; Trindade aye; White aye. VOTE: 5-0-0.

Discussion/Vote: New Application for Wine and Malt Package Store License – OSJL Spirits LLC, D/B/A Ocean State Job Lot, 114 Main Street

The Board reviewed the Ocean State Job Lot Lease at Medway Plaza Shopping Center.

Mr. Boynton stated this has been before the Board twice including the Public Hearing, which is closed, and that accepting further information is at the Board's discretion. He stated that we reached out to Town Counsel noting restrictions can be placed on the alcohol license. He also referred to the information presented from another alcohol licensee at the last meeting. He stated the Board could take three actions: (1) approve, (2) approve with conditions, or (3) deny. He noted that both approval with conditions and the denial can be appealed to the Alcoholic Beverages Control Commission (ABCC). Mr. Trindade explained the function of the ABCC and that of the Local Licensing Authority, as well as noting the feedback from others at prior Select Board meetings. Mr. Boynton stated public necessity was said to be an issue relative to this license. He noted the ABCC allows a certain number of licenses for package stores based on population and we have not met that total quota. Thus, this allows someone to apply for the license. He also noted that the potential locations for package stores in Medway are limited due to zoning. Ms. White asked about the total quota and what actions are available if there was an issue once this license was approved. It was reported that the ABCC package store quota for Medway is a total of five; three have been issued, two are currently available. Mr. Boynton stated the Board can suspend or revoke a license depending on the egregiousness of the offense. Ms. White stated she would agree with approval of this license. Mr. Foresto and Dr. D'Innocenzo agreed with Ms. White. Mr. Crowley asked if we had a floor plan showing exact locations of alcohol storage and where it will be located for sale. It was confirmed that this was provided to the Board at their last meeting. Mr. Crowley asked Mr. Boynton about the negotiations between Keystone

and Ocean State and if Keystone is the only one allowed to have an alcohol license in Medway Plaza. Mr. Demakis stated there is language in the 2002 Keystone lease that says as long as he is there, no other tenant will be selling liquor. He stated that OSJL is applying for beer and wine not liquor so that does not provide protection to Keystone. Ms. Adelman stated there is nothing in their lease that prevents OSJL from selling beer and wine. She stated the purpose of the letter from the OSJL president to the Board that was sent today was to outline again that the intent was not to be a package store and noted that the owner of OSJL had positive a conversation with the Keystone owner. Mr. Crowley asked if an agreement was reached. Mr. Demakis requested that this be put off for two weeks so an agreement could be made, noting it is not resolved at this point. Ms. Adelman stated there are elements relative to the landlord that OSJL has no control over. Mr. Crowley would like to allow them the two weeks for resolution. Ms. Adelman requested a two-week continuance. The Board requested that this be place on the agenda for their next meeting. Mr. Crowley asked about the redacted portions of the OSJL lease and for confirmation that none of the redacted areas have any reference to alcohol. Ms. Adelman confirmed.

Discussion/Vote: Class II Auto Dealers Licenses:

- **Barry Roth D/B/A Barry Roth – 2 Main Street**
- **Sonnon Inc. – 4 Main Street**

The Board reviewed the license applications for Barry Roth and Sonnon, Inc.

Mr. Roth explained he has been in business in Medway for over twenty years selling collectible and exotic cars and customers would prefer to purchase these from Barry Roth versus Medway Imports.

Mr. Foresto moved that the Board approve the Class 2 license for Barry Roth as presented. Dr. D’Innocenzo seconded. No discussion. It was so voted by roll call: Crowley aye; D’Innocenzo aye; Foresto aye; Trindade aye; White aye. VOTE: 5-0-0.

Mr. & Mrs. Potheau explained that he had a Class 2 license for forty-four years as G.A.W. at this location but relinquished that license due to health issues and his wife would like to continue running this business.

Mr. Foresto moved that the Board approve the Class 2 license for Sonnon, Inc. as presented. Dr. D’Innocenzo seconded. No discussion. It was so voted by roll call: Crowley aye; D’Innocenzo aye; Foresto aye; Trindade aye; White aye. VOTE: 5-0-0.

Approval: Removal of Saplings and Shrubbery Around Goat Pens – Medway Community Farm (MCF)

The Board reviewed the proposed work request from Tina Wright.

Ms. Wright stated the saplings are located behind and north of the farmhouse, which is where the goats and chickens are located, and they want to be able to extend the area. Mr. Trindade explained that the MCF is a 501(c)(3) and leases the land from the Town, hence the Town needs to approve this work.

Dr. D’Innocenzo moved that the Board approve the proposed work at the Medway Community Farm as discussed. Ms. White seconded. No discussion. It was so voted by roll call: Crowley aye; D’Innocenzo aye; Foresto aye; Trindade aye; White aye. VOTE: 5-0-0.

Ms. Wright stated there will be an event at MCF on Sunday to celebrate Earth Day.

Discussion: Electronic Vehicle Charging Station Usage Update

The Board reviewed the (1) memo from Stephanie Carlisle, and (2) PowerPoint presentation.

Ms. Carlisle said the charging stations have been in place since January 2019 and noted decrease in usage due to COVID-19. She stated that the stations are set at the B-2 fee rate which incorporates a demand fee for use over 10 kilowatt hours per month noting that the Town exceeded this threshold at Town Hall in July 2020 and February 2021 and that these instances are under investigation with Eversource. She stated that the cost recovery policy rates did not capture the full costs due to electric demand charges and decreased use due to COVID-19. The cost of electricity was \$717, the recovered costs were at \$357, so there was a loss of \$360. DPW is suggesting an increase in the cost recovery program. Mr. Crowley stated that we lost \$360 and asked if our costs increase yearly. Ms. Carlisle confirmed. Mr. Crowley stated since this is a minimal loss and noted we are trying to encourage green energy he would not favor an increase in the cost recovery program. He recommended no change at this time and, if we obtain the State grant and add two more stations, that we reevaluate the costs then. The Board agreed not to increase the charges at this time.

Discussion: Unaccounted for Water Loss Quarterly Update

The Board reviewed the (1) unaccounted for water loss data and (2) Charles River Pollution Control District (CRPCD) flow data from Barry Smith.

Mr. Trindade explained what is included in the unaccounted for water loss percentage. Mr. Boynton stated that five and a half years ago that number was approaching 20% noting the work done by Mr. Smith and his team has been phenomenal with tracking metering systems and detecting leaks. Mr. Smith stated we are at 4.23% at this time noting three water leaks were found. He stated that the planned water main projects will increase this number. He noted that the meter upgrades done for all our larger meters allow us to track usage more closely. Mr. Crowley stated his agreement with Mr. Boynton noting however that decreasing this percentage has come at a cost and that the planned infrastructure projects, as well as these costs, are reflected in the water rates. Mr. Smith agreed noting that all of the expenditures have had a positive impact. Mr. D'Amico stated that the Town needs to recognize that our water is a finite resource, our population is growing, and the savings is at a cost but has had a tremendous benefit to the Town as well. Mr. Foresto stated we needed to decrease unaccounted for water loss in order for State approval of our infrastructure projects. Mr. Trindade explained how water is greatly regulated by the State.

Authorization to Expend Grant Funds: Firefighter Safety Equipment Grant - \$14,994

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

Deputy Chief Fasolino stated this grant was applied for to purchase multi gas meters.

Dr. D'Innocenzo moved that the Board approve the expenditure of the Firefighter Safety Equipment grant as presented. Ms. White seconded. No discussion. It was so voted by roll call: Crowley aye; D'Innocenzo aye; Foresto aye; Trindade aye; White aye. VOTE: 5-0-0.

Approval: Fire Department Fees

The Board reviewed the proposed Fire Department fees.

Deputy Chief Fasolino stated we have not changed our rates for a long time, he completed a survey with contiguous neighbors, and found our fees are much lower, so they are proposing to increase these rates to be comparable to our neighbors. Mr. Crowley asked about the fee for false alarms. Deputy Chief Fasolino confirmed there is a fee noting that this is rarely enforced. Mr. Crowley asked if a resident has

one false alarm if there is a fee. Deputy Chief Fasolino stated no. It was noted that this is a by-law and we do not charge unless we have to go out many times. Deputy Chief Fasolino stated we have enforced this one time in his thirty years with the department. Mr. Crowley has an issue with the false alarms fee and asked if it is just a flat fee noting it does not designate residential and/or commercial or cost per number of times. Mr. Boynton read Section 3.7.5 of the Town by-law that states the Fire Chief may assess a fine for each false alarm from 1-3 times at no charge, the 3rd time requires notification to the owner in writing sent via certified mail to inform them of the policy; each false alarm after that is \$200. Therefore, 1-3 false alarms are by the Town by-law a warning. Mr. Crowley said we should start enforcing these fees. Ms. White asked if the residents are responsible for the vehicle accidents fee. Deputy Chief Fasolino stated this is paid through the insurance company.

Mr. Foresto moved that the Board approve the Fire Department fees as presented with the change to false alarms fees to \$200 per the Town by-law. Ms. White seconded. Discussion: Deputy Chief Fasolino said if a false alarm issue is not resolved, the department can require a fire watch, which is costly, so it is fixed quickly thereafter. **It was so voted by roll call: Crowley nay; D’Innocenzo aye; Foresto aye; Trindade aye; White aye. VOTE: 4-1-0.**

Approval: Support Letter for Truck Exclusion on Clark Street and Alternative Route for Holliston’s Application to the Department of Transportation (DOT)

The Board reviewed the (1) South Street, Holliston traffic data, (2) map of the proposed alternate route, (3) samples of proposed signage, and (4) proposed letter of support.

Mr. Trindade explained that the development in Holliston at Hopping Brook will impact Clark Street in Medway. Mr. Boynton stated Clark Street is not conducive to truck traffic and we have been working with the Town of Holliston, State Representatives and the DOT for a truck exclusion noting the study shows that, as of today, the traffic supports a truck exclusion. A truck exclusion is very difficult to get approved, especially for those that cross a town line. The alternative route must be solely within both communities where the streets of the truck exclusion are located. Mr. Boynton stated we can put signs up, however, he noted that the alternative route is 6.5 miles, and the GPS directions will most likely show the shorter 2.5-mile route. Mr. Boynton stated this is a safety issue. In order for Holliston to move forward, they need approval from this Board. The Board agreed. Mr. Foresto stated trucks do not obey these signs. Mr. Boynton explained the steps that will need to be undertaken for enforcement.

Mr. Foresto moved that the Board support the Clark Street truck exclusion and alternate route and authorize the Chair to execute the letter of support as presented. Dr. D’Innocenzo seconded. No discussion. It was so voted by roll call: Crowley aye; D’Innocenzo aye; Foresto aye; Trindade aye; White aye. VOTE: 5-0-0.

Discussion: Trash Bag Cost Comparison – Twist Tie versus Drawstring Closure

The Board reviewed the cost comparison spreadsheet from Dave D’Amico.

Mr. Trindade explained the reasoning for this change including using drawstring kitchen trash bags for convenience and putting those into a Medway bag, doubling the use of plastic. Mr. Boynton stated there is a cost to it, it would be a convenience for the residents, and as a person with a disability who cannot use a twist-tie that it is safer to use than the drawstring. Ms. White noted that this will not cost more for residents. Mr. Foresto noted this is a 20% increase in cost for the Town that will not be passed onto the residents. Mr. Crowley stated a number of residents have requested this change.

Dr. D’Innocenzo moved that we move from a twist tie to a drawstring closure trash bag. Ms. White seconded. It was so voted by roll call: Crowley aye; D’Innocenzo aye; Foresto nay; Trindade aye; White aye. VOTE: 4-1-0.

Mr. Crowley asked when this will be implemented. Mr. D’Amico stated in four to six months.

Discussion/Vote: May 10, 2021 Special Town Meeting Warrant – Article 1 and Annual Town Meeting Warrant Articles 9 and 17

The Board reviewed the May 10, 2021 Special Town Meeting Warrant Article 1 and Annual Town Meeting Warrant Articles 9 and 17.

Special Town Meeting Warrant

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

Mr. Boynton stated we are \$30,500 over budget so will need to transfer that amount from free cash into the snow and ice budget. Mr. Crowley requested again that the amount left in free cash after this budget adjustment along with the funds for the cemetery be put in the Capital Stabilization fund. Mr. Boynton noted that we cannot change this on the Town Meeting floor as this amount is above what is in the current warrant article but will look into how to implement this adjustment.

Ms. White moved that the Board approve Article 1 with the amount of \$30,500. Dr. D’Innocenzo seconded. No discussion. It was so voted by roll call: Crowley aye; D’Innocenzo aye; Foresto aye; Trindade aye; White aye. VOTE: 5-0-0.

Annual Town Meeting Warrant

ARTICLE 9: (Fund Parks Projects, Incl. Possible CPA Funds)

Mr. Boynton stated this article includes borrowing \$600,000 from the General Fund and transfer of \$500,000 in Community Preservation Act funds approved by the Community Preservation Committee (CPC).

Mr. Foresto moved that the Board approve Article 9. Dr. D’Innocenzo seconded. No discussion. It was so voted by roll call: Crowley aye; D’Innocenzo aye; Foresto aye; Trindade aye; White aye. VOTE: 5-0-0.

ARTICLE 17: (Appropriation: Community Preservation Committee)

Mr. Boynton stated this was on hold until the CPC met to discuss its budget.

Mr. Foresto moved that the Board approve Article 17. Dr. D’Innocenzo seconded. No discussion. It was so voted by roll call: Crowley aye; D’Innocenzo aye; Foresto aye; Trindade aye; White aye. VOTE: 5-0-0.

Consideration of Public Event Permits:

- **ALS Tri-State Trek – 6/26/2021**
- **Ride for Food Bike-A-Thon – 10/3/2021**

The Board reviewed the (1) public event applications, and (2) Lieutenant Kingsbury’s recommendations.

Mr. Foresto moved that the Board approve the public event applications as presented subject to the Police Lieutenant’s recommendations and proof of appropriate insurance coverage. Dr. D’Innocenzo seconded. No discussion. It was so voted by roll call: Crowley aye; D’Innocenzo aye; Foresto aye; Trindade aye; White aye. VOTE: 5-0-0.

One-Day Liquor License Applications:

- **Heidi Anderson – Thayer Homestead – 5/15/2021**
- **Suzanne Keast – Thayer Homestead – 5/16/2021**
- **Shanleigh Reardon – Thayer Homestead – 5/23/2021**
- **Amanda Curran – Thayer Homestead – 5/29/2021**

The Board reviewed the Police Lieutenant's recommendations for Heidi Anderson, Suzanne Keast, Shanleigh Reardon, and Amanda Curran.

Dr. D'Innocenzo moved that the Board approve the one-day liquor applications as presented subject to the Police Lieutenant's recommendations and proof of appropriate insurance coverage. Ms. White seconded. No discussion. It was so voted by roll call: Crowley aye; D'Innocenzo aye; Foresto aye; Trindade aye; White aye. VOTE: 5-0-0.

Action Items from Previous Meeting

The Board reviewed the (1) action items dated March 15, 2021, and (2) Water Treatment Facility Project March status report.

Report to BOS usage of Electronic Vehicle Charging Station: Mr. Boynton stated this due date would be changed to April of next year.

ID Data, manpower, cost, priority for scanning data into Treeno along with Website Access: Mr. Boynton stated this was per Mr. Trindade's request and was presented to the Board at the last meeting. Mr. Trindade stated this can be removed.

Town Manager's Report

There were no items for the Board to review.

COVID Update:

- Vaccine Update – Mr. Boynton stated the J&J vaccine is on hold noting over 30 were administered and we continue to monitor this for further distribution. We have three more homebound who have expressed interest in receiving the vaccine.
- 40 Active Cases - Mr. Boynton stated there are 40 active cases in Medway. He noted we have spiked, as has occurred state-wide, with the highest incidence of new cases those under age 30.

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

- Friday, April 23 – North Andover Fire Chief Assessment
- April 28-30 - Vacation

NEXT Regular Select Board Meeting – Monday, May 3, 2021.

Select Board's Reports

There were no items for the Board to review.

Mr. Crowley congratulated the Medway High School girls' volleyball team which won the small division and then went on to play Milford in the large division and won!

Mr. Foresto stated the water treatment facility team meets every two weeks and will be meeting with the design team next week. He noted they are looking at Medfield as their bids are due April 28 and

they will be building the same plant processing 2 million gallons per day and using the same filter. However, they are not incorporating a mechanism to deal with per- and polyfluoroalkyl substances (PFAS). He noted that they have only received two bids.

At 9:12 PM, Ms. White moved to adjourn. Dr. D’Innocenzo seconded. It was so voted by roll call: Crowley aye; D’Innocenzo aye; Foresto aye; Trindade aye; White aye. VOTE: 5-0-0.

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