

**Select Board Meeting
December 2, 2024 – 7:00 PM
Sanford Hall
155 Village Street**

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

Staff Present: Michael Boynton, Town Manager; Allison Potter, Assistant Town Manager; Joanne Russo, Treasurer/Collector; Peter Pelletier, Department of Public Works (DPW) Director.

Others Present: Cultural Council: Stuthi Balaji, Member; Jordan Warnick, Co-Chair; Board of Health Candidates: Leanne Harris, Stephanie Boyan; Amy Rotondi, Board of Health, Member; Will Adams Regional Director, Toll Brothers Apartment Living; Colonial Power Group: Denise Allard, Mark Cappadona.

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

Public Comments:

Mr. Crowley requested that the Medway High School football team captains present their trophy to the Select Board. The team captains, Ryan Applebaum, Senior, and Garrett O'Mara Senior presented the trophy they won at the Thanksgiving Day game against Millis. Mr. Trindade noted one specific play that was amazing stating this team went through four coaches in three years and from a 1 and 10 record to a winning season. Mr. Crowley gave a shout out to the entire team and asked for a brief recap of the game. Ryan thanked the Select Board for having them stating after they won the first game of the season, it gave them the drive to keep trying to win. Garrett stated this season was special, the turning point of the game was that they wanted the win more than the other team, and this team was more of a brotherhood and family. Ryan thanked the coaches for their support. Ms. White noted they really were a team and deserved to win at Thanksgiving. Mr. Trindade said there were 500 to 600 people on the Medway side and not many on the Millis side. Mr. Boynton stated student athletes are very special. He asked them what their preference for the field surface was and both stated turf.

Ami Rotondi commended both Board of Health candidates for coming forward stating the Board would be lucky to have either one of them noting her support of Leanne Harris. She stated she felt the other candidate may have conflicts in her role on the Board of Health as she is a school nurse. Ms. Rotondi noted all of the recommendations for Ms. Harris focused on Ms. Harris and her qualification and the other candidates' recommendations had negative comments about Ms. Harris which is not appropriate.

Approval of Minutes: November 18, 2024

The Board reviewed November 18, 2024, draft minutes.

Mr. Trindade moved that the Board approve the minutes for November 18, 2024. Mr. Alessandri seconded. No discussion. Discussion: Mr. Rossi asked that on page 2, line 71 that "relative to Medway Grid" be added at the end of the sentence. Mr. Crowley stated that was his correction also and asked about two other statements that were confirmed as correct. **VOTE: 5-0-0.**

Appointment Consideration: Board of Health (1) Leanne Harris, Stephanie Boyan

The Board reviewed the (1) candidates' e-mails of interest, and (2) Board of Health recommendation.

Mr. Boynton stated he had received a question about why this is a Select Board appointment and not a joint appointment. There were two appointed positions added when the charter was changed. Mr. Abi was an appointed

member therefore this is a Select Board appointment to fill that vacancy. Ms. Harris stated she has lived in Medway since 2001, has five children who went through Medway schools, has been involved in special education, was on the Board in the past, and did not run for reelection due to a renovation project which would result in missing meetings. She referenced her background in nursing and health. Ms. White, Mr. Alessandri, and Mr. Rossi stated they had no questions. Mr. Crowley asked if she was appointed or ran for her prior position on the Board. Ms. Harris stated she was elected. Ms. Boyan stated she has been a Registered Nurse since 2013 working in the Emergency Department, moved to post-operative care, and recently moved to school nursing. She has three children in the Medway schools, was born and raised in Medway, and has a background in health promotion and fitness and enjoys public health. She stated she has no knowledge of what was stated in her recommendations as she did not solicit any and agrees that it is not appropriate. She feels her role as the nurse leader of the other school nurses' results in her ability to provide cohesiveness between the school and Town. Mr. Alessandri asked about her work experience, and she explained where she worked in the past. Ms. White stated her background was impressive.

Mr. Trindade moved that the Board appoint Leanne Harris to the Board of Health for a term expiring on June 30, 2026. Ms. White seconded. Discussion: Mr. Crowley stated that he will vote for Ms. Harris because residents at one time elected her. Mr. Alessandri stated that he will be voted for Stephanie Boyan since she has recent active experience and was also recommended by the Board of Health Chair. **VOTE: 4-1-0.**

Approval:

- a. **Contract with the Massachusetts Clubhouse Coalition for an Opioid Dual Recovery Program - \$15,000**
- b. **Contract with the SAFE Coalition for an Opioid Prevention, Education, Recovery and Treatment Campaign - \$16,000**
- c. **Contract with Community Impact, Inc. for a Regional Substance Navigation Program - \$26,230**

The Board reviewed the (1) memo from Derek Kwok, and (2) contracts.

Mr. Boynton stated that Mr. Kwok had a family emergency so could not attend the meeting. He noted that the Town receives funds for opioid abatement on a yearly basis.

Mr. Trindade moved that the Board authorize the Chair to execute the contract with the Massachusetts Clubhouse Coalition as presented. Mr. Alessandri seconded. Discussion: Mr. Crowley asked why the school has not been considered for one of these grants. Mr. Boynton stated the taskforce was looking to have the biggest impact to those of the widest area of need. Mr. Crowley asked if this amount was just for Medway. Mr. Boynton confirmed. **VOTE: 5-0-0.**

Mr. Trindade moved that the Board authorize the Chair to execute the contract with the Safe Coalition as presented. Mr. Alessandri seconded. No discussion. VOTE: 5-0-0.

Mr. Trindade moved that the Board authorize the Chair to execute the contract with Community Impact, Inc. as presented. Mr. Alessandri seconded. No discussion. VOTE: 5-0-0.

Mr. Rossi recused himself and turned the meeting over to Vice Chair Alessandri.

Approval: Consent to the Sale of the Hathon Apartments, located at 33 - 39 Main Street, to Bel Medway, LLC, as set forth in the letter dated November 13, 2024, from Medway Residential, LP

The Board reviewed the (1) November 13, 2024, letter to the Executive Office of Housing and Livable Communities from Nicole Faux, Vice President and Counsel for Medway Residential LP, (2) November 7, 2024, letter to the Director of the Local Initiative Program in the Executive Office of Housing and Livable Communities from Barbara Saint Andre, and (3) Estoppel certificate.

Mr. Boynton stated Toll Brothers is selling this property to Easton Vance and at the last meeting there was a typographical error in the sale document, and this was updated to reflect the 12.32 acres. Ms. Saint Andre noted the Estoppel certificate came in this morning from Town Counsel. This is a legal document stating the Town is not aware of

any defaults or violations. Town Counsel added language “to the actual knowledge of the Town” in the document. Mr. Crowley asked Ms. Saint Andre if she would sign it. She confirmed noting that this was approved by Town Counsel. **Mr. Trindade moved that the Board consent to the sale of the Hathon apartments, located at 33 - 39 Main Street, to Bel Medway, LLC, as set forth in the letter dated November 13, 2024, from Medway Residential, LP and approve the Estoppel certificate as discussed. Mr. Alessandri seconded. No discussion. VOTE: 4-0-0.**

Mr. Alessandri turned the meeting back over to Mr. Rossi.

Discussion: Update on Medway Grid Sound Wall

The Board reviewed the letters from Medway Grid to the Department of Public Utilities (DPU).

Mr. Boynton stated there were two issues raised in a past meeting: (1) that the sound wall is reflecting not absorbing and (2) only one location was going to be tested. He referenced the letter received from Pierce Atwood which stated Medway Grid intends to live up to the Host Community Agreement (HCA) as well as the Department of Public Utilities requirements. Mr. Boynton stated they must go by the Department of Environmental Protection (DEP) standard per policy DAQC 90-001 which states there shall be more than one location measured. He stated the information sent back to the Department of Public Utilities (DPU) from Medway Grid states that the wall does have sound absorption and regardless the sound cannot go above the DEP standard of decibels which states new noise sources cannot increase the sound level at a property line by more than 10 decibels above the ambient noise level (A-weighted decibels). Mr. Trindade stated that all along we have worked hard to make sure that the resident’s concerns were met within the HCA. He noted Medway Grid has already ordered the materials for the wall, and it is a sound absorption wall. If they do not meet these requirements, they will not operate. The Town will also have its own engineers on-site during the testing to ensure that these requirements are met. Mr. Crowley stated the letter from Medway Grid states they have complied with the Design Review Committee’s requirements and asked for confirmation of this. Mr. Boynton confirmed. Mr. Crowley asked for the renderings to be put on the website in a location other than in the Select Board packet. Mr. Boynton stated we will add these to the Medway Grid page. Mr. Alessandri stated there were concerns if they followed the Conservation Commission’s requirements and these documents confirm that.

Authorization to Expend Grant Funds: Massachusetts (MA) Cultural Council Pixie Festival Grant - \$2,500

The Board reviewed the (1) notice of grant award form, and (2) grant application.

Ms. Balaji stated the grant is available from the MA Cultural Council and last year this funded the Diwali festival. This year they would like to fund the Pixie Festival. She noted if all the funds are not used then the remaining funds will be put toward the other festivals for either Porch Fest or the Diwali Festival. Mr. Trindade stated Porch Fest was an excellent event, the Diwali festival sold out, and the kids loved the Pixie Festival. Mr. Crowley stated his support of this. He asked if they need to have any funding from the Community Events budget if they would need to come to the Select Board. Mr. Boynton confirmed. Mr. Crowley asked about the \$4,100 in the grant application. Ms. Balaji stated that is an estimated amount and the actual amount for the Pixie Festival was \$1,000. The rest of the Board thanked the Council for their efforts.

Mr. Alessandri moved that the Board authorize the expenditure of the Massachusetts Cultural Council Pixie Festival Grant as discussed. Mr. Trindade seconded. No discussion. VOTE: 5-0-0.

Approval: Financial Agreement for an Interim Loan Note with the Massachusetts (MA) Clean Water Trust - \$104,735
The Board reviewed the (1) certificate, (2) interim loan and (3) Vote of the Select Board

Ms. Russo stated we had an agreement with the MA Clean Water Trust which amounted to \$200,000 initially and this was closed. However, due to the need for this funding relative to a resident needing a new septic system, we reached out to see if we could reopen this to allow to the funding of this and it was approved. The remaining amount is \$104,735.

Mr. Trindade read the Vote of the Select Board as follows:

VOTE OF THE SELECT BOARD

I, the Clerk of the Select Board of the Town of Medway, Massachusetts, certify that at a meeting of the board held December 2, 2024, of which meeting all members of the board were duly notified and at which a quorum was present, the following vote was passed, all of which appears upon the official record of the board in my custody:

- VOTED:
- (1) that the Town shall issue a bond or bonds in an aggregate principal amount not to exceed \$200,000 (the "Bonds") pursuant to Chapters 29C and 111 of the General Laws and a vote of the Town passed May 9, 2016 (Article 13), which authorized a total borrowing of \$200,000, for a community septic management loan program (the "Project");
 - (2) that the terms of the Financing Agreement between the Town and the Massachusetts Clean Water Trust (the "Trust") (the "Financing Agreement") and the Project Regulatory Agreement between the Town and the Department of Environmental Protection of The Commonwealth of Massachusetts ("DEP") (the "Project Regulatory Agreement"), each relating to the Notes and the Bonds are hereby approved;
 - (3) that in anticipation of the issuance of the Bonds the Treasurer is authorized to issue an interim loan note or notes (the "Notes") from time to time in an aggregate principal amount not to exceed \$104,735;
 - (4) that each Bond or Note shall be issued as a single registered security, and sold to the Trust at a price determined pursuant to the Financing Agreement;
 - (5) that the Treasurer is authorized to determine the date, the form, the maximum interest rate and the principal maturities of each Bond and Note, and to execute a Financing Agreement with the Trust with respect to the sale of the Bonds and Notes, such date, form and maturities and the specific interest rate or rates of the Bonds and Notes to be approved by a majority of the Select Board and the Treasurer and evidenced by their execution of the Bonds or Notes;
 - (6) that any certificates or documents relating to each Bond and Notes (collectively, the "Documents"), may be executed in several counterparts, each of which shall be regarded as an original and all of which shall constitute one and the same document; delivery of an executed counterpart of a signature page to a Document by electronic mail in a ".pdf" file or by other electronic transmission shall be as effective as delivery of a manually executed counterpart signature page to such Document; and electronic signatures on any of the Documents shall be deemed original signatures for the purposes of the Documents and all matters relating thereto, having the same legal effect as original signatures;

- (7) that all action taken to date by the Town and its officers and agents to carry out the Project and its financing, including the execution of any loan commitment or agreement by the Treasurer, are hereby ratified, approved and confirmed; and
- (8) that the Treasurer and the other appropriate Town officials are each hereby authorized to take any and all actions necessary or convenient to carry out the provisions of this vote, including execution and delivery of the Financing Agreement and the Project Regulatory Agreement relating to the Project.

I further certify that the vote was adopted at a meeting open to the public, that no vote was taken by secret ballot, that notice stating the place, date, time and agenda of the meeting (which agenda included the adoption of the above vote) was filed with the Town Clerk and a copy thereof posted in a manner conspicuously visible to the public at all hours in or on the municipal building that the office of the Town Clerk is located or, if applicable, in accordance with an alternative method of notice prescribed or approved by the Attorney General as set forth in 940 CMR 29.03(2)(b), at least 48 hours, not including Saturdays, Sundays and legal holidays prior to the time of the meeting and remained so posted at the time of the meeting, that no deliberations or decisions in connection with the sale of the Bonds or Notes were taken in executive session, and that the official record of the meeting was made available to the public promptly and remains available to the public, all in accordance with G.L. c.30A, §§18-25, as amended. I further certify that the vote has not been amended, supplemented or revoked and remains in effect on this date.

Dated: December 2, 2024

Clerk of the Select Board

Mr. Alessandri seconded. No discussion. VOTE: 5-0-0.

Discussion: Update on Municipal Aggregation

The Board reviewed the (1) Medway Retail Power Supply Pricing Matrix – Combined Rate Comparison, (2) Eversource Residential Basic Service Rate 7/1/2020 – 7/31/2028, and (3) Massachusetts Renewal Energy Requirement (1).

Mr. Boynton stated we participated in municipal aggregation here for a period of time to do bulk purchasing to provide a less expensive supply rate for electricity to residents. We stopped the project as there was an issue with the state wanting to review the entire program. The proposed aggregation period is set to begin. Mr. Cappadona stated the Town has its order and can move into the marketplace to obtain pricing noting the pricing is favorable. We are looking for the Select Board to give the Town Manager the opportunity to execute the contract. It was noted this is an opt-out program. Residents will receive a letter in the mail noting their ability to opt-out. Mr. Boynton stated the bids have an eight-hour window, so this does not allow for the contract to be put on a Select Board meeting for vote. Mr. Boynton stated we have two questions: (1) what level we want to bid this at explaining the different pricing relative to the inclusion of the percentage of green energy and (2) the period of time to lock in this rate explaining the length of time to lock in relative to the rate. Mr. Cappadona stated he does not see the change in the federal administration affecting the price. He stated he would look at a 12 to 24-month time period which provides stability and normally will provide savings. Mr. Rossi asked what the residents are currently paying. Ms. Allard stated \$15.772 for basic supply which will go down to \$13.241 on February first. Mr. Boynton stated two decisions are needed: (1) choose the length of time, and (2) the level of renewable energy to include. Mr. Cappadona stated that if you choose the standard level that still includes over sixty percent of renewable energy. Mr. Rossi asked why we would not go with the 36-month time period. Mr. Cappadona stated if the price goes down, you would be at the higher rate. Mr. Trindade noted the potential impact of the war in Ukraine. Mr. Cappadona explained further the potential impact on the war in Ukraine. Mr. Crowley asked how Colonial Power makes money. Mr. Cappadona explained how they generate revenue. There was discussion about

the capacity of our existing pipeline. Mr. Crowley asked how many remain in the program. Mr. Cappadona stated 93 to 95 percent remain in the program. Mr. Rossi asked how many communities are in the program. Mr. Cappadona stated ninety-nine. Mr. Alessandri stated this is a great idea and would like to allow optional levels allowing residents to pay more if they want a more renewable energy percentage. Ms. White asked what happens if the price drops significantly. Mr. Cappadona stated at any point the resident can opt-out. Mr. Crowley stated if the rate drops, the residents would not know. Ms. Allard stated they would inform the Town Manager, and the Town can send the information to the residents.

Mr. Alessandri moved that the Board vote to authorize the Town Manager to enter into a contract for electricity supply subject to the conditions as discussed. Mr. Trindade seconded. No discussion. VOTE: 5-0-0.

Discussion: Medway Municipal Building Complex Committee

The Board reviewed the draft committee charge.

Mr. Boynton stated the understanding would be the Municipal Facilities Study Committee would stay intact. He stated this new group was selected to meet many needs noting the rationale for each of the representatives selected. He stated Phase 1 is to determine the cost with a full design, and then if funding is allocated the committee will have full oversight. Ms. White asked if there was any interest expressed. Mr. Boynton stated we have one interested party noting this has not been published yet. He stated we need interest right away. Mr. Alessandri stated anecdotally he has heard of those interested and asked for the process. Mr. Boynton stated he would like the Citizens-at-Large to have experience in building, architectural, and design trades which would be most beneficial. He suggested increasing the Select Board members to two for a total of ten members. The Board agreed with that change.

Mr. Alessandri moved that the Board vote to create the Medway Municipal Building Complex Committee per the revised terms of the Committee Mission Statement, Committee Charge, and Committee Composition plan to include a second Select Board member dated November 18, 2024. Mr. Trindade seconded. No discussion. VOTE: 5-0-0.

Approval: 2024 License Renewals

The Board reviewed the list of licenses to be renewed for 2025.

Ms. Langley updated the Board on who has yet to respond and those with missing documents. She referred the Board to the second page of the agenda which specifies the payments, documents, and departmental reviews that are still pending.

Mr. Alessandri moved that the Board approve the license renewals for the businesses as listed on the agenda conditioned upon the receipt of all necessary documentation, payment, and departmental approvals required for renewal of the specific licenses. Mr. Trindade seconded. No discussion. VOTE: 5-0-0.

Action Items from Previous Meeting

The Board reviewed the action items dated October 7, 2024.

13 & 13R Populatic Street--Decision on Home on Property once Treatment Plant is completed: Mr. Boynton stated we are still awaiting a decision from the Land Court and he explained the specific steps needed following that decision.

Town Manager's Report

There were no items for the Board to review.

Volunteer Appreciation Event – December 9th – 6pm - Thayer: Mr. Boynton reminded all about the volunteer appreciation event to be held at Thayer Homestead on Monday, December 9th at 6pm. Mr. Trindade stated we should be sure to reach out to the Trail Club.

Young Heros Actions 11/24/24 – Carbon Monoxide (CO2) – Bellah Hewitt: Mr. Boynton stated he was notified of a young hero, a young 10-year-old heard the CO detector alarm in the basement, notified her parents who call 911. The Fire Department found elevated CO2 in the home noting this young girl probably saved her family's life.

Department of Environmental Protection (DEP) Landfill Review Update: Mr. Boynton stated DEP notified us that they will work with us and asked us for the 1982 approval letter from them for capping of the landfill as they cannot find their letter. He stated we also cannot find it. He may need to reach out to Town Counsel based on what required actions DEP comes back to the Town with. Ms. White asked if it was capped. Mr. Boynton confirmed noting we do not know if it met requirements at the time. Mr. Pelletier stated there was a closure report about how the Town was going to cap the landfill. Mr. Crowley asked why they are dealing with this now. Mr. Pelletier stated DEP stated they knew there was an issue but did not have the bandwidth to deal with it, but they do now. Mr. Crowley asked for the timeframe. Mr. Pelletier stated he has a thirty-day window to respond.

154 Summer Street Update – Fielding Conceptual Ideas – Community and Economic Development (CED) Reviewing: Mr. Boynton stated the owner is entertaining different design concepts noting we will be encouraging him to come to the Planning Board to discuss these options.

Parade Wrap-Up: Mr. Boynton thanked all who assisted with the set-up of the parade. He praised the Fire and Police departments who had a life flight incident occur right before the parade. Ms. White stated the committee members are Dick Parrella, Allen Tingley, Charlene Tingley, Joanne Russo, Julie Harrington, and Tim Rice.

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

- Friday, December 6 – Day Off
- Friday, December 13th – Connecticut Trip with Chief Lynch – Maxim Project
- December 19-27 – Vacation – Allison will be Acting Town Manager

NEXT Select Board Meeting – December 16, 2024

Select Board's Reports

There were no items for the Board to review.

Mr. Crowley stated asked Ms. Potter about the list foreclosures that was requested at the prior Select Board meeting. That information will be provided to the Board.

Mr. Rossi stated he rode in the Community Farm hay wagon and there were thousands lining the street for the parade.

Mr. Alessandri gave kudos to the Parade Committee.

Ms. White stated the Historical Society holiday house tour is this Sunday from 12:30-4:30pm with seven houses involved. Tickets are available on the Historical Society Website and over 100 tickets have been sold already.

At 8:59PM, Mr. Trindade moved to adjourn. Mr. Alessandri seconded. No discussion. VOTE: 5-0-0.

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