

Advisory Committee
October 28, 2015
Juliani Room, Wellesley Town Hall
6:30 PM

Tom Frisardi called the meeting of the Wellesley Advisory Committee to order at 6:00pm. Those present included Mary Crown, Tom Fitzgibbons, Chad Harris, John Hartnett, Mike Hluchyj, Mark Kaplan, Michael Mastrianni, Frank Pinto, Alena Poirier, Sara Raveret, Mason Smith, Ria Stolle, Scott Tarbox, and Kathleen Woodward.

Citizen's Speak

Tom Frisardi recognized Catherine Johnson. She raised an error in Warrant Article 6: the "Neighborhood Conservation Districts" should be "Neighborhood Conservation District Commissions." She also raised an inaccuracy in the *Advisory Report* on p. 29, the last bullet: the Planning Board and the Board of Public Works have not voted on the TGSC proposals.

Approval of Minutes

None were presented at this time.

Meet with School Committee to discuss FY2015 expenditures and FY2017 budget

The following addressed the Advisory Committee: David Lussier, Superintendent of Schools; Matt Kelley, Chair of the School Committee; Arlene Argir, Interim Director of Student Services; Judy Belliveau, Assistant Superintendent for Finance and Operations; Gail McCracken, Director of Human Resources; and Heidi Perkins, Director of Budget and Finance.

David Lussier presented the budget process and goals. A member asked for more information or documentation on the figures used for steps and lanes in the future. Another member asked how the FY17 4% increase was arrived at: the increase to keep level services is 3%; the extra 1% allows for new programs that support Year 4 of the School's Strategic Plan (i.e. world language, expanding computer science offerings, full-day kindergarten). A member asked if there is there equalization between the lanes. Another member asked if there is a breakdown for fixed costs vs. initiatives. Arlene Argir presented the Special Education budget process. Due to time constraints, questions on the Special Education portion of the presentation were held; questions will be emailed through Mary Crown.

Meet with Board of Library Trustees to discuss proposed amendments to Articles 3 through 6 at Special Town Meeting (STM)

Tom Frisardi recognized Beth Sullivan Woods, Chair of the Library Trustees.

Library Trustees—Amendment 1

The Library Trustees want the Library to be "carved out" of the TGSC recommendations with regards to the Town Manager. The proposed amendments to the Special Act and corresponding bylaws would result in the Library Trustees appointing, supervising, and terminating their own staff.

Library Trustees—Amendment 2

The Library Trustees proposed an amendment to Warrant Article 3A, Section 3(B)(4)(i). They would like to add “or town meeting” at the end of the sentence. This would allow the Town Manager to reorganize, consolidate, abolish or create town departments and transfer duties, powers and appropriations incidental to the reorganization of one town department to another as follows: For town departments under the supervision of the board of selectmen, with the approval of the board of selectmen **or town meeting**.

There were questions as to why the Library Trustees were bringing this amendment forward as it does not involve the operations of the library.

Library Trustees—Amendment 3

The Library Trustees proposed an amendment to Warrant Article 3C, Section 20.3.j. The Library Trustees would like the boards to have “approval” for the decisions made by the Town Manager with regards to the care, custody, management and control of their affected building, and to have “joint” supervision of construction, reconstruction, alterations and improvements for the affected buildings.

There was discussion on what “joint” supervision would mean and whether the Library Trustees had sought input from the Facilities Maintenance Department on this amendment.

Library Trustees—Amendment 4

The Library Trustees proposed the following amendment to Warrant Article 3B, Section 19.12.b of the General Bylaws: “In preparing the Strategic Plan, the Board of Selectmen shall consult with Town boards and department staff, as well as residents and other constituencies and stakeholders. All Town boards, ~~and officers, and staff are expected to cooperate~~ **and shall actively** participate in the preparation of the Strategic Plan.

One Advisory member questioned how “shall actively participate” would be enforced. One member asked why “shall actively participate” was needed when “the Board of Selectmen shall consult with Town boards and department staff” was already in the language. Beth Sullivan Woods explained that the Library Trustees see a difference in meaning for the words “consult” and “actively participate.” Katherine Babson, Chair of the TGSC, pointed out that the proposed amendment would remove “staff” from the participation of the preparation of the Strategic Plan.

Library Trustees—Amendment 5

The Library Trustees proposed an amendment to Warrant Article 3C, Section 20.3.k. The amendment would give the “affected boards” the opportunity to review and comment on proposed collective bargaining agreements prior to execution by the Board of Selectmen.

Meet with Natural Resources Commission (NRC) to discuss proposed amendments to Articles 3 through 6 at STM

Lise Olney, Vice Chair of the NRC, presented for the NRC. The NRC is proposing to be “carved out” of the TGSC recommendations with regards to the Town Manager. The proposed amendments to the Special Act and corresponding bylaws would result in the NRC appointing, supervising, and terminating its own director and staff.

Meet with Board of Health (BOH) to discuss proposed amendments to Articles 3 through 6 at STM

The Board of Health (BOH) is proposing to be “carved out” of the TGSC recommendations with regards to the Town Manager. The proposed amendments to the Special Act and corresponding bylaws would result in the Board of Health appointing, supervising, and terminating its own director and staff.

Advisory Committee Discussion of and Vote on New Changes in Town Government Study Committee (TGSC) Proposals for STM

Katherine Babson, Chair of the TGSC, reviewed the changes made to the TGSC’s proposals since the October 7 versions that were printed in the *Advisory Report*.

TGSC’s Amendments to Warrant Article 3A:

There is a change to Section 3(B)(2). The new language states that the “appointment of subordinates and all other employees shall be made by the town manager or the **department head or chief staff employee of the affected department, if so designated by the town manager.**” This clarifies that the Town Manager’s designee to appoint subordinates and all other employees is either the department head or the chief staff employee.

There is a corresponding change to Warrant Article 3C, Section 20.3b.

TGSC’s Amendments to Warrant Article 4A:

The section “Other Budget Amendments” was left out of the write-up in the *Advisory Report* for STM. There was discussion on whether the vote needed to be retaken.

Chad Harris made a motion to rescind the original vote, Mark Kaplan seconded the motion; the motion carried by a show of hands, 14-0.

Mark Kaplan made a motion to take a revote. Kathleen Woodward seconded the motion; the motion carried by a show of hands, 14-0.

The TGSC clarified Warrant Article 4A, Section 6A.3.a. The new language states that “any board or officer requesting an annual appropriation as part of the Town-wide annual operating budget shall furnish to the Town Manager a budget **request endorsed by vote of such board or by such officer**”

A sentence has been added to Warrant Article 4A, Section 6A.3b: “The Town-wide annual operating budget shall include the amounts proposed to be appropriated to each Town office or department, the amounts proposed to be appropriated for other purposes, and any proposed allocation of such amounts.”

Item number iii in Warrant Article 4A, Section 6A.4.a has been amended. It now reads that the Town Manager’s Budget Message shall “. . . (iii) provide an explanation for any proposed changes to budget requests submitted pursuant to Section 6A.7.a that have not been subsequently ~~approved~~ **agreed to** by the submitting board **or officer** and an explanation of proposed variations from the budget **requests** submitted pursuant to 6A.3.a;”

Warrant Article 4A, Section 6A.5.2.a has been amended to read: “Any board or officer seeking to have a Capital Project placed on the Town-Wide Capital Budget Program shall submit a request to the Town Manager **endorsed by vote of such board or by such officer** ~~voted by any such board, . . .~~”

The last sentence of Warrant Article 4A, Section 6A.5.2.b has been amended: “. . . and an explanation for any proposed changes to Capital Project requests submitted pursuant to Section 6A.7 that have not been subsequently ~~approved~~ **agreed to** by the submitting board **or officer.** ~~and an explanation of proposed variations from the budgets submitted pursuant to 6A.3.a.~~”

Warrant Article 4A, Section 6A.5.2.d has been amended: “The Town Manager shall annually make a written presentation of the Town-Wide Five-Year Capital Budget Program to the Advisory Committee . . . including an explanation for any proposed changes to Capital Project requests submitted pursuant to Section 6A.7 that have not been subsequently ~~approved~~ **agreed to** by the submitting board **or officer.**”

Warrant Article 4A, Section 6A.7.d has been amended: “If, in the Town Manager’s preliminary proposed Town-wide Annual Operating and Capital Projects budgets, the Town Manager proposes any revisions to a board’s **or officer’s** budget **request** that the affected board **or officer** has not ~~approved~~ **subsequently agreed to**, the Town Manager shall furnish to that board a written explanation of ~~any~~ such revision, with copies to the Board of Selectmen and the Advisory Committee.”

Warrant Article 4A, Section 6A.7.e has been amended: “If, in the Town Manager’s ~~preliminary~~ proposed Town-wide Annual Operating and Capital Projects budgets, the Town Manager proposes any revisions to a board’s **or officer’s** budget **request** that the affected board **or officer** has not ~~approved~~ **agreed to**, the Town Manager shall furnish to that board **or officer** a written explanation of ~~any~~ such revision, with copies to the Board of Selectmen and the Advisory Committee.”

TGSC’s Amendments to Warrant Article 4B:

Warrant Article 4B, Section 21.2 has been amended: “The Town Manager shall, in accordance with the provisions of Section 20.3.b, appoint a Chief of Police. **The Town Manager may appoint or promote such police officers and Police Department employees for whom funding has been provided; provided, however, that the Town Manager shall not appoint or promote any police officer or Police Department employee unless such officer or employee has been recommended for appointment or promotion by the Chief of Police.**”

Warrant Article 4B, Section 21.3 has been amended: “The Chief of Police shall provide to the Town appropriate police and related services as determined by the Board of Selectmen **and Town Manager . . .**”

Warrant Article 4B, Section 22.2 has been amended: “The Town Manager shall: in accordance with the provisions of Section 20.3.b, appoint the Fire Chief or Chief Fire Engineer and, based on the recommendation of said Fire Chief or Chief Fire Engineer, appoint or promote such other Fire Engineers, firefighters and other Fire Department employees for whom funding has been provided; **provided, however that the Town Manager shall not appoint or promote any Fire Engineer, firefighter or other Fire Department employee unless such Fire Engineer, firefighter or other Fire Department employee has been recommended for appointment or promotion by the Fire Chief or Chief Fire Engineer.**”

Warrant Article 4B, Sections 22.2.b and 22.2.c have been deleted.

Advisory Committee’s Votes on TGSC’s Amendments:

Sara Raveret made a motion to rescind the earlier vote on Warrant Article 3A. Mason Smith seconded the motion; the motion carried by a show of hands, 14-0.

Sara Raveret recommended favorable action on Article 3A with the change in Section 3(B)(2) of the Special Act. Mary Crown seconded the motion; the motion carried by a show of hands, 9-5.

Sara Raveret made a motion to rescind the earlier vote on Warrant Article 3C. Mason Smith seconded the motion; the motion carried by a show of hands, 14-0.

Sara Raveret recommended favorable action on Article 3C, as amended. John Hartnett seconded the motion; the motion carried by a show of hands, 9-5.

Sara Raveret made a motion to rescind the earlier vote on Warrant Article 4A. Frank Pinto seconded the motion; the motion carried by a show of hands, 14-0.

Sara Raveret recommended favorable action on Article 4A in its completion and as amended. Frank Pinto seconded the motion; the motion carried by a show of hands, 14-0.

Sara Raveret made a motion to rescind the earlier vote on Warrant Article 4B. Frank Pinto seconded the motion; the motion carried by a show of hands, 14-0.

Sara Raveret recommended favorable action on Article 4B, as amended in the TGSC memo dated October 26. Frank Pinto seconded the motion; the motion carried by a show of hands, 9-5.

Advisory Committee discussion of and vote on amendments as proposed by the Library Trustees, NRC, and BOH

Vote on Library “Carve Out” Amendment

Sara Raveret made a motion for favorable action on the amendments proposed by the Library Trustees to Sections 3(B)(2), 3(B)(3), 12, and 13 of the Special Act in Warrant Article 3A and to corresponding changes to Section 1.2.b of the General Bylaws under Warrant Article 4D; 20.3.b and 20.3.c of the General Bylaws under Warrant Article 3C; and 36.3, and 36.4 of the General Bylaws under Warrant Article 4B.

Mike Hluchy seconded the motion; the motion was defeated by a show of hands, 5-9. Advisory will recommend unfavorable action.

Vote on NRC “Carve Out” Amendment

Sara Raveret recommended favorable action on the amendments proposed by the NRC to Sections 3(B)(2), 3(B)(3), and 7 of the Special Act in Warrant Article 3A, and to corresponding changes to Section 1.2.b of the General Bylaws under Warrant Article 4D; 20.3.b and 20.3.c of the General Bylaws under Warrant Article 3C; and 43.6 of the General Bylaws under Warrant Article 4B.

Mike Hluchyj seconded the motion; the motion was defeated by a show of hands 6-8. Advisory will recommend unfavorable action.

Vote on NRC Amendment to Article 6

The NRC proposed an amendment that would exclude the Natural Resources Commission and the Wetlands Protection Committee from the proposed Planning and Land Management Division.

Sara Raveret recommended favorable action on the amendment proposed by the NRC to Warrant Article 6.

Mason Smith seconded the motion; the motion was defeated by a show of hands 6-8. Advisory will recommend unfavorable action.

Vote on Board of Health “Carve Out” Amendment

Sara Raveret recommended favorable action on the amendments proposed by the BOH to Sections 3(B)(2) and 3(B)(3) of the Special Act in Warrant Article 3A and to the corresponding changes to Section 1.2.b of the General Bylaws under Warrant Article 4D; Sections 20.3.b and 20.3.c of the General Bylaws under Warrant Article 3C; and Section 34.4 of the General Bylaws under Warrant Article 4B.

Kathleen Woodward seconded the motion; the motion was defeated by a show of hands, 2-12. Advisory will recommend unfavorable action.

Old business/new business, any liaison reports

Mary Crown explained that the School Committee’s appropriation request for Warrant Article 9 (School Security Improvements) has increased by \$626. The new request is for \$2,455,000.

Sara Raveret made a motion to rescind the previous vote; Mary Crown seconded the motion; the motion carried by a show of hands, 14-0.

Sara Raveret made a motion recommending favorable action on appropriating \$2,455,000 for construction of school security improvements. Mary Crown seconded the motion; the motion carried by a show of hands, 10-4.

The next Advisory Committee meeting will be on November 2nd in the Faculty Dining Room of the Wellesley Middle School.

Tom Frisardi adjourned the meeting at 10:40pm.