

**Board of Selectmen – February 14, 2011**

**Present: Babson, Tsagaris, Searle, Dugan, Gibbs**

**Also present: Larsen, Connolly, Robinson**

Warrants approved: 2011-034 in the amount of \$4,969,865.49

Minutes approved: None

Business:

**1. Executive Session**

**At 6:45 the Board was polled all aye to go into Executive Session to discuss a potential real estate transaction.**

Don McCauley and Meghan Jop, representing the Planning Board joined the Selectmen. Mr. Larsen summarized the results of his meeting with Ms. Jop and George Levine, at which they discussed Mr. Levine's proposal for a River Street Parking Facility. Sometime around 1999, Mr. Levine and Bill Roberts explored the possibility of leasing the existing River Street parking lot from the Town and constructing a 3-story parking garage on the site. The project was never approved and subsequent discussions of the proposal were deferred until the situation at 27 Washington Street was resolved. Mr. Levine has asked if the Town is resuming discussion of this potential project.

Following discussion, the Board concluded it would be appropriate to meet with Messrs. Levine and Roberts for an initial exploratory discussion. Mr. Larsen will coordinate this meeting, which will include a Selectmen and a Planning Board member.

**At 7:00, the Board adjourned the Executive Session and commenced its regular meeting.**

**2. 442 Washington Street (Whole Foods) Rezoning**

Don McCauley, Planning Board Chairman and Megan Jop, Planning Board Director joined the Board. Mr. Larsen explained the two Warrant Articles #33 and #37 that are relevant to this issue. The first is to rezone the aqueduct parcel within the Whole Foods property from Single Residence A to Business in order to facilitate the farmers market on the property and the outdoor display goods at Whole Foods. The second is to amend the language of Single Residence A to allow for such uses by special permit.

Mr. McCauley and the Planning Board feel that the Special Permit approach would be preferable as it would allow for continued monitoring of the site by the Town. The aqueduct parcel was deemed too narrow for this type of event. Ms. Babson and the Board agreed with the Special Permit plan and asked the Planning Board to continue to work with Advisory.

**3. Citizen Speak**

None

**4. Executive Director's Update**

**Revocation of Special Police Officer Appointment**

**The Board voted (5-0) to revoke the appointment of Richard Howard as a Special Police Officer pursuant to a request from the Police Chief dated February 8, 2011.**

**Gifts to Council on Aging**

**The Board voted (5-0) to accept the following gifts to the Wellesley Council on Aging:**

**From Jim Rennie in the amount of \$20.00;**

**From Victor Maccini in the amount of \$10.00;**

**From Frank Genovese in the amount of \$500.00;  
From Cecilie Godderidge in the amount of \$20.00; and,  
From the estate of Mary Ester Tolles in the amount of \$475.00.**

**5. Stretch Energy Code**

Christopher Ketchen gave a second presentation on the Stretch Energy Code. He was joined by Suzie Littlefield member of the Sustainable Energy Commission and Molly Fairchild, SEC Coordinator. Barbara Searle provided background on the Sustainable Energy Code and encouraged the Board to support it.

Mr. Ketchen described the efforts made to review this proposal with the public, Town Meeting Members, developers and architects. He presented a slide show which provided a description of the Stretch Energy Code, the Base Energy Code.

Mr. Ketchen asked the Board to endorse the Stretch Energy Code Warrant Article and to introduce same to Town Meeting.

**The Board voted (5-0 to support adoption of the Stretch Energy Code under Article 38 at the 2011 Annual Town Meeting.**

**6. Open Meeting Law**

Ms. Tsagaris explained the purpose of Article 39 and the relevant statutory changes. The Open Meeting Law works to provide more transparency to the public. She presented a slide show which highlighted the topics and a timeline. This will also be presented to Advisory on Wednesday.

The section in the Bylaw which required agendas to be advertised in a local newspaper will be deleted. This format has been deemed obsolete as agendas are now available on the Town website. Persons can indicate to boards or committees their wish to have the agenda forwarded to them by e-mail.

**The Board voted (5-0) to seek approval at the 2011 Annual Town Meeting to amend the Town Bylaws in a manner consistent with changes to the Open Meeting Law enacted by the General Court under Chapter 28 of the Acts of 2009; and further, to do so by making a motion under Article 39 of the Town Meeting Warrant.**

**7. Gift of Land – 27 Kenilworth Road**

The Chairman recused herself from this Agenda Item. Ms. Tsagaris acted as Chair.

The parcel at the rear of 27 Kenilworth Road is a landlocked parcel. Ms. Tsagaris noted that if the Board were to accept this gift any subsequent disposition of the parcel would be a transparent process.

Town Counsel noted that the land is completely landlocked and it would be difficult for the public to buy this property. There is an abutter who may have an interest. Mr. Larsen will discuss the issue with the abutter and get back to the board with feedback. Town Counsel suggested this issue be held for another week or two, rather than action the matter this evening. The family who made this gift asked that if the Town decides to sell the land that it consider donating the proceeds to the Community Preservation Commission (CPC) or the library. The Board agreed to defer action until a subsequent meeting.

**Project and Updates**

Wellesley High School - None

Senior Center- Ms. Tsagaris related that Ms. Searle, Mr. Larsen and herself met with the COA representatives last week to begin discussion on the potential needs for a new Senior Center at the Community Center site.

Advisory Committee Update – None

Fuller Brook Path - Ms. Babson reported that the coordinating committee will meet tomorrow regarding a request for funds from the CPC.

St. James - The Chair suggested removing this item from the list.

Public Transportation Study - Ms. Gibbs said the working group report will be ready next week.

Regional Matters - None

Sustainability- None

### **Old/ New Business**

The Fund for Wellesley has given a \$10,000 grant to the COA for their Volunteer Pilot Driving Program which assists seniors in getting to and from appointments.

Boston Marathon waivers are still available in exchange for fund raising support for the Fund for Wellesley. There are several numbers still available please contact the Selectmen's Office if you are interested. We have given out 8 numbers for the Fund for Wellesley as well as 4 numbers for the Miles for Miracles program to benefit Children's Hospital.

27 Washington Street – Mr. Larsen updated the Board on progress at the site. The Town right-of-way adjacent to the site has been fenced-off for construction and the pedestrian bridge over the Charles River has been completed. The path along the right-of-way to be constructed by the bridge contractor will not be completed until June, and pedestrian access will not be allowed until October or November when the construction fencing is scheduled to be removed. Vehicles will not be allowed to access the new parking spaces on the right-of-way until egress from the site is possible through 27 Washington Street (currently scheduled for March 2012).

## **8. Town-Wide Financial Plan**

Mr. Larsen provided an update on the Town-Wide Financial Plan. He reviewed the latest changes in assumptions impacting the FY12 budget and FY13-16 projections, and summarized certain tradeoffs that could be made to balance the remaining FY12 deficit (\$2,578,661). He noted that, absent significant cost reduction and reviewed latest recent changes in assumptions The Executive Director gave a slide show presentation and reviewed where we are and what the next steps (two approaches) in the process of establishing a Town Wide Financial Plan will be. He made it clear that we will need significant revenue enhancement for FY13 and there could be potential FY12 tradeoffs.

The Board advanced discussion and comments and questions for Mr. Larsen.

The Chair opened the floor for discussion and comments from the audience. The following residents provided comments and questions for the Board:

Susan Ryan, 50 Madison Rd., thanked Mr. Larsen for the presentation and asked how the \$5,000,000 was determined. Mr. Larsen indicated it was a starting point for discussion. Ms. Ryan suggested that the magnitude of the potential override reflects the need to “catch-up” for the lack of overrides in recent

Julianne Ivey, 65 Glen Rd., suggested that Town officials need to determine what we wish the Town to look like in five years. She also asked what the projections would look like if we had back-to-back overrides in future years. She also expressed a support for increased investment in education.

Julia DePeyster, 67 Donizetti St., expressed support for a strategy of “life-long learning” and suggested the Selectmen look at Great Neck, New York as a model of such. She read a quote from Horace Mann.

Rusty Kellogg, 35 Sawyer Rd., believes the Selectmen should go to the upcoming Annual Town Meeting with a specific recommendation in terms of the level of spending in future years. He also advocated for all union wage settlements to be subject to Town Meeting action.

Carlos Gimeno, 65 Beverly Rd., reminded the Board of their responsibilities regarding the Town-Wide Financial Plan.

Ron Pizzella, 15 Arnold Rd., believes there should be a split tax and requested more details regarding the proposed Department of Public Works building.

Dario Fauza, 19 Boulder Rd., objects to the role of the Advisory Committee in the budget process and requested more transparency in terms of how individual Selectmen vote on each budget-related action. He also suggested any candidate for election to the Board should disclose any commercial real estate property holdings, and there should be more discussion of a split tax rate.

Wendy Garber, 3 Garden Rd., suggested the Board consider alternative approaches to the budget.

Julia Fantasia, 9 Lawrence Rd., expressed support for level School services. She noted parents have already accepted deficient buildings and grounds, and higher class sizes, and object to further reductions.

Catherine Goehring, 43 Radcliffe Rd., is appalled at how the schools have deteriorated over the past 8 years and by the additional reductions proposed for FY12.

**At 9:25 The Board was polled all aye to adjourn to Executive Session for the purposes of Collective Bargaining.**