

Board of Selectmen – October 31, 2011
Present: Babson, Tsagaris, Searle, Dugan, Gibbs
Also present: Larsen, Ketchen, Robinson

Call to order: Meeting called to order at 6:30 pm.
Warrants approved: None
Citizen speak: None

Business:

At 6:30 p.m. the Board voted all “yes” to go into executive session for the purpose of discussing strategy with respect to Real Estate matters.

At 7:01 p.m. the executive session concluded and the Board reconvened in public session.

3. Executive Directors Update

The Board voted to approve the minutes of the October 17, 2011 and October 24, 2011 meetings of the Board of Selectmen.

The Board voted to appoint Erin Reilly to the Wellesley Youth Commission for a term to expire on June 30, 2014.

Mr. Larsen reported on the FY2013 School Budget Guidelines.

Mr. Larsen reported that Governor Patrick signed supplemental budget allotting approximately \$79,000 in State aid for FY12.

Mr. Larsen also reminded the Board of upcoming Veterans Day Observances at the Town Hall on November 11th.

4. Police Officer Appointment

Chief Cunningham and Deputy Chief Brooks presented Mr. Kevin Joseph as a candidate for appointment as a Police Officer.

The Board voted to approve the appointment Kevin Joseph to the position of Police Officer in the Wellesley Police Department, and further that said appointment is effective January 14, 2012.

5. Annual Town Election

The Board voted to set Tuesday, March 13, 2012 as the date of the Annual Town Election pursuant to Article 8.2 of the Town Bylaws.

6. Special Town Meeting

Article 8- Alcohol Licensing

Deputy Chief Brooks appeared before the Board to discuss Article 8, which would authorize the Selectmen to petition the legislature to amend the Town’s regulations governing liquor licenses. The Board asked Deputy Chief Brooks to confirm if there was a way to restrict some of the Town’s all alcohol licenses to beer and malt only for smaller restaurants. Ms. Tsagaris expressed concern about restricting restaurants with seating between 50 and 99 seats to beer and malt only.

Mr. Ming Tsai, owner of Blue Ginger, spoke in opposition to changes allowing smaller restaurants to serve alcohol in the absence of other regulatory changes. He recommended that the Town allow larger restaurants with bars to serve alcohol to patrons who do not intend to order a meal. The Board agreed to consider Mr. Tsai's proposal, contingent upon the findings of Deputy Chief Brooks regarding the Board's earlier request for information. He later emphasized the extensive training legally required of staff to properly enforce the current liquor laws.

Ms. Laura Wolf, owner of The Cottage, spoke in opposition to the changes allowing smaller restaurants to serve alcohol. She expressed the difficulty she has experienced enforcing the Town's unique regulations. She expressed support for Mr. Tsai's proposal.

Ms. Berna Ozargun, owner of Café Mangal expressed support for Mr. Tsai's proposal.

Mr. John Wolf, owner of The Cottage, expressed the difficulty he has experienced enforcing the Town's unique regulations.

Article 10-Fingerprinting

Ms. Tsagaris and Deputy Chief Brooks reviewed Article 10 of the warrant for the November 14, 2011 Special Town Meeting. The article proposes to amend the Town Bylaws by enabling the Police Department to conduct State and Federal Fingerprint Based Criminal History checks for individuals applying for some town-issued licenses.

Mr. Wayne Bennett, 73 Longfellow Road, spoke in opposition to the proposed bylaw change for numerous reasons including the inequality of treatment toward those being regulated versus others performing similar activities. He also gave examples of consequences related to instances of past incorrect fingerprinting matches and gave several additional bases for opposition to the proposed bylaw change.

Article 4 and Article 5 –Firefighter Contract

Human Resources Director Susan Adler, Human Resources Board chair Susan Hurwitz, Fire Chief DeLorie and Deputy Chief Peterson came joined the Board for this agenda item. Mr. Larsen reviewed Articles 4 of the Special Town Meeting warrant which would amend Article 31 of the Town Bylaws by making changes in Schedule B entitled "Salary Plan – Pay Schedule" in accordance with the contract negotiated between the Town and the firefighters union. Ms. Babson, Mr. Larsen and Chief DeLorie also spoke to the benefits of removing the Fire Department from Civil Service, the subject of Article 5.

The Board voted to approve the Memorandum of Agreement with Local 1795 firefighters of Wellesley.

Article 11- VW Lease Extension

Mr. Larsen discussed the details of Article 11 which requests Town Meeting approval of changes in the implementation of the Development Agreement for Linden Square to allow the continued use and operation of the VW parcel as a car dealership and repair facility.

7. Holiday Parking

The Board voted to allow free parking for shoppers at 2-hour and 4-hour parking spaces on street and in municipal parking lots from December 12, 2011 – January 2, 2012. This free parking does not apply to any long term or all-day parking spaces used by commuters or employees.

Project and Updates

Wellesley High School

Ms. Babson reported on several alumni events related to the "Turn Out The Lights" schedule.

Wellesley Square Initiative Ms. Searle reported that the next meeting with the merchants would take place on Wednesday morning.

Sustainability Mr. Ketchen reminded Board members and the public about a NRC-sponsored sustainability program on backyard gardening taking place at the Wellesley Free Library on November 1st. He also encouraged participation in the MLP's Voluntary Renewable Program.

Fuller Brook Park Ms. Babson invited Town Meeting Members to walk along the path on November 12th and 13th in advance of Special Town Meeting.

Old Business/New Business:

Old Business-none

New Business – Ms. Gibbs mentioned an exhibit at the Library promoting the World of Wellesley celebration.

Ms. Tsagaris reported that the MLP has agreed to perform hazardous material testing on the old substation site.

Ms. Tsagaris reminded the public that the Town is accepting applications for charitable organization to apply for sponsorship through the Boston Marathon invitational entries granted to the Selectmen from the Boston Athletic Association.

At 9:39 the Board voted all “yes” to go into Executive Session to discuss real estate matters and contract negotiations with non-union personnel.