

Board of Selectmen – June 3, 2013
Present: Searle, Tsagaris, Gibbs, Babson, McCauley
Also present: Larsen, Connolly, Williams

Call to order: Meeting called to order at 7:00 pm

Warrants approved: #2013-048 in the amount of \$9,954,935.42 and #2013-047 in the amount of \$1,741,864.

Ms. Tsagaris expressed the Town's condolences and sympathies to the family and friends of Alexander Glennon who lost his life at Morses Pond on Saturday. Ms. Tsagaris also thanked the Morses Pond staff, lifeguards, Police, Fire, Recreation Department and all who responded to the event.

Police Chief Cunningham made a brief statement regarding the accident.

1. Citizen speak

None

2. Executive Directors Update

Approval of Minutes

The Board voted 5-0 to approve the minutes of the May 13, 2013 and the May 23, 2013 Board of Selectmen Meetings.

Council on Aging Gifts

The Board voted 5-0 to approve the Gifts to the Council on Aging from:

- **Wellesley-Weston Lifetime Learning, Inc. for \$75.00**
- **Mary A. West for \$35.00**
- **Barbara L. Jordan for \$20.00**
- **Guillermo Monzon for \$100**

Sign Senatorial Special Election Warrant

The Board voted 5-0 to approve the Warrant for the 2013 Special State Election for Senator in Congress and further that Tuesday, June 25, 2013 from 7:00 am – 8:00 pm is the date and time for said election.

Mr. Larsen noted that the Board has set December 9, 2013 for the Fall Special Town Meeting.

3. Firefighter Appointments

Fire Chief DeLorie and Deputy Chief Peterson joined the Board. Chief DeLorie recommended two candidates, James Clafin & Timothy Millian, for employment with the Wellesley Fire Department. Chief DeLorie & Deputy Chief Peterson reviewed the backgrounds of each of the candidates. Mr. Larsen clarified that Mr. Clafin has already completed fire academy training but Mr. Millian's employment might possibly be contingent upon the completion of the Fire Academy. Chief DeLorie noted that the Fire Academy is backed up at least a year, which has resulted in timing issues with regards to hiring.

The Board voted 5-0 to make conditional offers of employment to James R. Clafin effective June 18, 2013 and Timothy C. Millian, effective June 19, 2013, contingent upon the successful completion of the one-year probationary period. At Chief DeLorie's discretion, Timothy Millian's employment may also be contingent on his successful completion of a fire academy recruit program or specific training, as deemed necessary based on the Chief's review of Mr. Millian's skills and ability.

4. Town Counsel Search Update

Ms. Babson updated the Board on the current status of the Town Counsel search. The Search Subcommittee has recommended to the Board that a search take place, that they prepare an RFP to send out to lawyers and law firms and that interviewing take place. Ms. Babson listed the members of the Search Committee. Ms. Babson noted that members of the Subcommittee continue to interview board members and staff to review attributes that they would like to see in a successor as well as changes they would like to make. The plan is to have the RFP out by the summer and to begin interviews in the fall.

5. Quarterly Traffic Update – Morton Street Parking Restrictions

Deputy Police Chief Pilecki joined the Board. Mr. Pilecki noted that in order for the police to enforce the "One Way" & "Do Not Enter" signs at the Washington Street entrance to the Whole Foods Supermarket, the signs will need to be added to the Town's Traffic Regulations. The signs are currently in place, were put up by Gravestar and located on private property, hence the Board needs to accept the signs to give the police authority to enforce them. Mr. Connolly presented some of the key components of MGL ch90 s18 to clarify the issue as well as photos of the signs in question.

The Board voted 5-0 to approve special regulations (MGL c.90 s18) for all traffic control signage in the private parking lot at 442-448 Washington Street per request of the property owner, Gravestar Inc.

Mr. Pilecki noted that the Traffic Committee is scheduled to meet with the Benvenue Street neighbors, regarding the issues of speeding cars and accidents. The Traffic Committee had received feedback from the neighbors on possible suggestions for controlling the problem. Mr. Connolly noted that invitations to the meeting were mailed to residents on Benvenue Street and the surrounding area. Mr. Connolly reviewed the agenda of the scheduled meeting.

Mr. McCauley asked that more notice be given to the Selectmen in the future on meetings dealing with public safety issues.

Ms. Tsagaris opened the Public Hearing for Morton Street and Fuller Brook Park at 7:32pm. Mr. Connolly described the issues that have arisen on Morton Street with regards to parking issues. Morton Street Residents are upset that students at the High School have been parking on their street, which causes problems for the neighbors trying to access their street and their driveways. Mr. Connolly reviewed the proposal with regards to a seasonal parking restriction on Morton Street as well as alternative parking restrictions. Notices of the hearing were sent to residents on Morton Street and the surrounding area. In addition, the hearing was advertised in the Wellesley Townsman. Ms. Tsagaris noted two emails from residents in support of the proposed parking restriction.

Morton Street resident, Vanessa Berry approached the Board. Ms. Berry noted that there are so many cars on the street that driving and plowing is difficult, and she is sometimes blocked in her driveway.

Morton Street resident, Abigail Sule approached the Board, and also described traffic problems created by the parked vehicles.

Morton Street resident, Rob Taylor approached the Board, and noted that he is concerned that during the snowstorms that it is very difficult to plow the snow. It seems reasonable to have the same restrictions on Morton as other neighborhoods.

Ms. Searle questioned whether parking should be limited to one side. Deputy Chief Pilecki stated that they should try out the seasonal restrictions first and they didn't want to unreasonably limit the parking for residents.

The Board voted 5-0 that the Town's Traffic Regulations be amended by adding to Schedule I -Seasonal Parking

| <u>Location</u> | <u>side</u> | <u>from</u> | <u>to</u> |
|----------------------|-------------|----------------------|--------------------------|
| Morton Street | both | Atwood Street | Fuller Brook Park |

Ms. Tsagaris closed the public hearing at 7:42pm

6. Bicycle Safety

Mr. Larsen gave a brief review of discussions that took place at the March 2013 Bicycle Safety meeting. Since then the Traffic Committee has been trying to decide how to move forward with the issues discussed that evening. Mr. Larsen presented relevant actions to date as well as what questions need to be answered when deciding how to move forward. Mr. Larsen made reference to the Channel 2 program done on Bicycle Safety in Wellesley. Mr. Larsen also discussed the need for broader community involvement in this matter. Mr. Larsen proposed the Selectmen appoint a committee to provide focus and direction for near term and future efforts. Mr. Larsen listed the proposed membership of this Committee and reasons for involving each department as well as the key tenets of the Committee's charge.

Mr. McCauley noted that he would like to see a focused near-term effort on Weston Road in light of the tragic accident on this road. Mr. McCauley reviewed some of the issues on Weston Road he would like to see focused on. He also suggested reviewing the plans for the reconstruction of Linden Street between Weston Road and Crest Road, e.g., to determine if any changes to the plans for curbing need to be modified to improve safety.

Deputy Chief Pilecki noted that with every roadway project the Town will be reviewing the possibility of bike lanes or other bike safety features. Ms. Babson suggested that further educating bicyclists on alternate routes they can take will help with safety measures.

Mr. Larsen asked the Board to reflect on this discussion and decide how to move forward with this issue. Ms. Tsagaris suggested reaching out to some of the cyclists who attended the March public hearing.

7. Wellesley Housing Authority – Proposed Statewide Consolidation of Housing Authorities

Mr. John Schuler, Chair of Wellesley Housing Authority Commissioners, joined the Board. Mr. Schuler discussed legislation before the Massachusetts General Court which incorporates Governor Patrick's proposal to consolidate the number of housing authorities across the state within an administrative scheme. Mr. Larsen gave a brief overview of the Governor's proposal. There would be six regional associations and Wellesley would be integrated into one of those six. It came to the Governor's attention that there were issues with the administration of the housing authority in Chelsea and his reaction was to convene a commission of citizens to develop an alternative arrangement for overseeing the housing authorities, to help prevent any future loss of funds. Mr. Schuler reviewed the historical source of funding for housing authorities. Currently, Wellesley and Needham use a model in which they are combined with respect to access to resources, staff and executive director. Mr. Schuler noted that there are various reasons the Wellesley Housing Authority (WHA) would not be a supporter of the change proposed in the Governor's bill. Mr. Schuler noted that WHA has never accepted federal assistance in regards to its housing programs. Mr. Schuler noted the consequences of not accepting a federal subsidy. Mr. Schuler gave a brief overview of the Wellesley Housing Authority's operating structure. He feels that an outside person unfamiliar with the conditions of the housing properties would be unbeneficial to the Wellesley Housing Authority. Mr. Schuler discussed available alternatives within the General Court.

Ms. Gibbs questioned plan in terms of when the current executive director leaves. Mr. Schuler stated that this will be decided by the Needham Housing Board. There is a deputy director who can be in charge of the Wellesley office but she does not have authority in Needham.

8. Encroachment on Town Property – 81 Prospect Street

Ms. Joanna Capecci, owner of 81 Prospect Street, and Mr. David Himmelberger, Attorney, joined the Board. Mr. Larsen reviewed the current encroachments the Board is working towards correcting within the Town. Mr. Himmelberger gave an overview of Ms. Capecci's history at the residence and the details of the current encroachment. Mr. Himmelberger noted that the encroachment was built approximately 33 years ago, and that Ms. Capecci purchased the property in 1997. Ms. Capecci is upset that she may lose the use of a portion of her back yard. Mr. Himmelberger noted that the current retaining wall is in very good condition and does not pose a safety hazard. Mr. Himmelberger reviewed his proposal whereby Ms. Capecci would retain control of the land in question based on the recurring payment of an imputed property tax amount.

Ms. Capecci noted that the reason her family bought the house was the yard, and that had she known it was on Town property she would not have purchased this house. Ms. Capecci stated that she does not feel that she should be responsible for taking down the retaining wall as she did not put it up.

Ms. Babson noted that working with homeowners was always a goal when drafting the Town's Encroachment Policy. She also noted that the area of the encroachment represents a significant portion of Ms. Capecci's "property".

Mr. Larsen noted that the proposed solution presented by Mr. Himmelberger would result in Ms. Capecci essentially paying a recurring penalty. Mr. Larsen asked the Board to reflect on how they wish to deal with this encroachment. Ms. Tsagaris suggested that all encroaching retaining walls should be inspected to insure that they are in safe condition.

Mr. McCauley liked the idea of giving property owners time to remove the encroachment and he noted that the shed on 81 Prospect Street should be removed.

Ms. Tsagaris noted that the Board would review the matter and get back to the property owner.

Projects and Other Updates

- Tolles-Parsons Center - Ms. Tsagaris noted that traffic counts have been completed and they are waiting for a report from the traffic engineer. The Planning Committee will be meeting with the Owner's Project Manager to discuss project design and with the PBC to discuss next steps.
- Wellesley Community Development - Ms. Searle and Ms. Babson met with representatives from Haynes Management as part of their series of interviews with commercial property owners. They received great feedback and will continue to conduct interviews with other business owners. The new website InWellesley.org is up and running. Ms. Searle discussed some of the highlights of the website.
- Advisory Committee Update - Ms. Tsagaris noted that on Wednesday at 7:30, the Board of Selectmen will be meeting with the Advisory Committee to discuss opportunities for improvement, the preliminary FY15 budget guidelines and the agenda for the June 13 Inter-Board meeting.
- Fuller Brook Park - Ms. Babson noted that last Thursday the project went before Wetlands Protection Committee (WPC) for the fourth night. The WPC issued a 32 page draft orders of condition for the property. It will take time to get the orders of condition in order. The project will appear again before WPC later this month.
- School Facilities - Ms. Searle reported the School Facilities Committee has been formed, and proceeded to list the members of the committee. The first meeting will take place on June 13. They are currently working on a draft mission and goals. Ms. Searle asked for feedback on the draft.
- WPS Strategic Planning Committee - David Lussier has begun meeting with each school to discuss key initiatives developed through the strategic planning process. Ms. Tsagaris reviewed some of the key initiatives. Ms. Tsagaris reviewed the schedule for the upcoming community forums. The goal is to have a final strategic plan in place by fall.

Old Business/ New Business

Ms. Babson asked the Board to consider a warrant article for the next Annual Town Meeting to create a moderator-appointed Town Government Study Committee. Ms. Babson discussed why she felt this committee was necessary as well as a quick history of past study committee decisions/suggestions.

The meeting was adjourned at 9:29pm.

Documents Presented:

- Traffic Update, June 3, 2013
- Bike Initiatives Presentation