

Board of Selectmen –June 10, 2013

Present: Tsagaris, Gibbs, Searle, Babson, McCauley

Also present: Larsen, Connolly, Goodhue (representing Al Robinson), Williams

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

Warrants approved: #2013-049 in the amount of \$1,318,307.43

1. Citizen Speak

None

2. Executive Directors Update

Approve Minutes

The Board voted (5-0) to approve the minutes of the June 3, 2013 Board of Selectmen Meeting.

Common Victualler License Application Question

Mr. Larsen noted that Lobelias has closed and a Subway franchise has filed a Common Victuallers license application for the space. Mr. Larsen indicated he believes the application does not require a traffic study, given the use of the property is not changing. He asked if the Board is comfortable with that conclusion.

Mr. McCauley questioned whether the seating is expected to increase. Mr. Larsen responded that he believes there will be fewer seats than Lobelias had. Mr. Larsen noted the bulk of Subway's business is expected to be take-out.

The Board expressed their concurrence with Mr. Larsen's conclusion that a traffic study is not warranted.

Sign Wales Street Bridge Improvement Contract

Mr. Larsen noted that at the most recent Annual Town Meeting, funds were appropriated for the Town's portion of the cost of work on the Wales Street Bridge. Newton is funding their share of the cost with Chapter 90 funds. It is unclear when the governor will sign the legislation for Chapter 90 money, which may impact the timing of the work from Newton's perspective. The contract is in order and ready for the Board's signature.

The Board voted (5-0) to approve the Agreement between the Town of Wellesley and the City of Newton for Wales Street Bridge Improvements.

Mr. Larsen reviewed the Board's schedule for the next few weeks.

3. Town Moderator – Town Meeting process issues

Peg Metzger, Town Moderator, joined the Board. Ms. Metzger discussed the potential use of electronic voting for Town Meeting. She noted that a number of communities have started or are in the process of adopting use of this technology, including Brookline, Chelmsford, Billerica, Framingham, and Wayland. The technology involves the use of handheld voting devices. Ms. Metzger discussed different options available. Ms. Metzger reviewed some of the reasons for utilizing electronic voting, which include saving time, improving accuracy and accountability. Ms. Metzger asked the board to consider a study committee, who could begin to investigate costs, pros

and cons, necessary bylaw changes, and cultural issues of switching to electronic voting. Ms. Metzger discussed the pros and cons of leasing vs. buying the equipment.

Ms. Searle asked which communities that use electronic voting have a Representative Town Meeting form of government? Most of the communities that have been investigated have representative town meeting.

Ms. Metzger raised the possibility of using a consent agenda. Many towns use a consent agenda for routine articles or motions on which no debate is expected. The idea is to give everyone a complete write up of the article, then announce that these articles would be taken up early and together. At this time members would be allowed the option to call certain articles out, at which time they would go back into the ordinary order. Using this process reduces the time required for votes, presentations, and Advisory recommendations, which would allow Town Meeting to focus on the more serious/controversial issues. If successful, this would be worked into the bylaws and its use would be at the discretion of the moderator.

Ms. Tsagaris suggested trying it out with 1 or 2 articles before adopting.

Mr. McCauley questioned whether there was any consideration that introduction at a later town meeting might be more appropriate. Ms. Metzger responded that there is a lot to consider as next year's schedule will be tricky.

4. Preparations for June 13, 2013 Inter-Board meeting

Mr. Larsen distributed and reviewed a draft of the agenda for Thursday's Inter-Board meeting and asked the Board for any feedback or adjustments.

Ms. Searle questioned if they were going to give boards an idea of when the warrant will open. Mr. Larsen responded that they already know the date of Town Meeting, so the warrant will likely be opened in September or October.

Ms. Metzger suggested dates for Town Meeting be publicized and that related public hearings be scheduled early, to help enable a timely and complete Advisory write-up.

5. California Pizza Kitchen, 183 Linden Street – Change of Officers/Directors Stock Transfer

Mr. Larsen noted that action on this item was previously deferred until the details of the requested change were fully understood. Mr. Larsen noted that one complex ownership structure is selling the business to another complex ownership structure. The new ownership structure involves several levels of holding companies, as detailed in the application. Mr. Larsen reviewed some of the details of the new ownership structure. The lawyers for the acquirer are submitting similar applications in other communications. From an operational perspective in Wellesley, there will be no change. Mr. Larsen further noted that the ABCC (Alcoholic Beverages Control Commission) has approved a similar application for the Town of Braintree.

Ms. Babson asked why information regarding the CEO appeared to be missing from the application. Mr. Larsen noted that the staff failed to provide the Board with a copy of the related page from the application.

The Board voted (5-0) to approve the application of California Pizza Kitchen Inc., located at 183 Linden Street, Wellesley, MA for Transfer of Stock, New Officer/Director, and New Stockholder.

Projects and Other Updates

Tolles-Parsons Center - Ms. Tsagaris noted that the Tolles Parsons Senior Center Committee had a design meeting last week with the Owner's Project Manager, Architect, members of Planning Board and members of Permanent Building Committee(PBC). They will continue this work on Wednesday and hope to come to a final conclusion with the PBC.

Wellesley Community Development - Ms. Searle noted that they are continuing to schedule meetings with property owners and merchants on Washington Street.

Fuller Brook Park - Ms. Babson noted that there was a fourth session on permitting for Fuller Brook Park project last week with the Wetlands Protection Committee (WPC). There will be another session or two before they complete permitting with the WPC.

Regional Matters/Transportation - Ms. Gibbs announced that the Town has received a JARC (Jobs Access Reverse Commute) grant in the amount of \$400,000, to provide fixed bus route service in Wellesley. The new service will serve the general public and is expected to begin sometime in the fall. There will be opportunities for public input. The Transportation Advisory Group held a preliminary planning meeting with MWRTA staff to develop a timeline for the work that will be required over the next several months. Ms. Gibbs proposed expanding the Transportation Advisory Group to include two new members, Dave Hickey and Deputy Chief Pilecki. The Board concurred with this proposal.

Sustainability - Ms. Searle noted that 272 home energy audits have been done, and it is anticipated that by the time the program is finished they will have completed approximately 300 audits.

Wellesley Public Schools Strategic Planning Committee - Ms. Tsagaris noted that the Strategic Planning Committee's next meeting is tomorrow and she will report next week. David Lussier, School Superintendent will meet with the Selectmen next week, to discuss the Committee's work and progress to-date. Ms. Tsagaris announced the dates of upcoming community forums.

Old Business/ New Business

Mr. Connolly discussed the Order of Taking Document related to Woodside Avenue. This is the final step in completing the Woodside Avenue street acceptance. Several attempts to record the taking at the Registry of Deeds have been unsuccessful. Technical issues related to the document have been corrected and the Town will again seek to record the layout and taking. The betterment cost is approximately \$6,000 (full share) and the staff proposes to allow residents up to 10 years to pay the betterment. Recognizing the length of time it has taken the Town to finalize this documentation; the staff also proposes to charge a 0% interest rate.

Ms. Babson questioned whether the work costs were greater than appropriated. Mr. Larsen responded that the work came in on budget.

Ms. Searle noted that much of the land on this road is Town-owned, which is why the Town has absorbed so much of the cost.

The Board voted 5-0 to approve the Layout and Order of Taking (with betterments) for Woodside Avenue and set the interest rate at 0% and the maximum repayment term to 10 years.

Mr. McCauley expressed concerns regarding the proposed budget guidelines to be presented at the Inter-Board meeting (see Agenda item #4 above) and questioned whether the Board should be suggesting the creation of gap lists, as a means for distinguishing between the FY15 budget with and without an override. Mr. McCauley is not convinced it's the most efficient way to go about budgeting. He feels a "zero-base" approach to the budget might be a more constructive way to move forward instead of focusing on a "no override" budget at this time.

Mr. Larsen noted that a plan for balancing the budget in the event of a failed override needs to be articulated. Absent development of a no-override budget, he is unclear how this objective would be met.

Ms. Searle noted that all contracts but one will be open next year, which will need to be taken into consideration when thinking about the budget. Mr. Larsen added that we will be entering 2014 with an open teacher's contract which is the biggest part of the Town's cost structure.

At the end of the discussion Mr. McCauley was comfortable with the planned approach for Thursday's Inter-Board Meeting.

At 8:21pm the Board was polled all aye to go into executive session to discuss litigation.