

Board of Selectmen Meeting: December 20, 2013
Present: Babson, Searle, Tsagaris, McCauley, Gibbs (absent)
Also Present: Larsen, Jop, Connolly, Robinson

Warrants: #2014-022 in the amount of 3,700,696.09 and #2014-023 in the amount of 3,544,171.80.

Meeting called to order: 8:00am

Ms. Tsagaris noted that she will take over as chair for the next six months, as previously voted by the Board and thanked Ms. Babson for her service as Chair. Ms. Tsagaris congratulated the Wellesley fifth grade junior football team on winning the American Youth Football National Championship. She also thanked the John and Dwin Schuler and Meghan Jop for their coordination of the Salvation Army bell ringing his year at Roche Brothers Supermarket.

1. Citizen Speak

none

2. Appoint Single Building Historical District

Ms. Jop noted that the Historical Commission has worked with two property owners to complete a preliminary study for two new Single Building Historic Districts. These Single Building Historic Districts would be at 26 Elmwood Road and 126 Woodlawn Avenue. She noted the process for establishing a committee under MGL chapter 40Cis for the Selectmen to formally appoint the study committee. Ms. Jop described the rules governing the makeup of the committee and noted the Historical Commission has put together a study committee. The Historical Commission created a list of the members of the committee they would like appointed and have met with the Planning Board who has agreed to co-sponsor this article at the 2014 Annual Town Meeting. She noted the members would be Helen Robertson, David Wright, Joel Slocum, Maureen Carey, Josh Dorin and Catherine Johnson. Ms. Babson recused herself from the vote as she represents one of the property owners on an unrelated matter. Mr. McCauley noted he was curious about how this initiative came forth. Ms. Jop noted that the property owners came to the Historical Commission seeking ways in which they could preserve their properties. Ms. Jop noted the study needs to be submitted to the Massachusetts Historical Commission and that cannot happen until after the study committee has been formalized. The Historical Commission and the Planning Board would co-sponsor the article at the 2014 Annual Town Meeting.

The Board voted (3-0) to appoint the following individuals to serve on the Wellesley Single Building Historic Study Committee as required by Chapter 40C Section 4, for a one-year term:

Helen Robertson, Historical Commission
David Wright, Historical Commission
Joel Slocum, Historical Commission
Maureen Cary, Historical Commission
Joshua Dorin, Historical Commission
Catherine Johnson, Planning Board

3. Executive Directors Update

Minutes

The Board voted (4-0) to approve the minutes of the 11/18 11/25, 12/2, 12/4, 12/9, 12/10, 12/16, Board of Selectmen meetings.

4. Annual Appointment of Police Officers

Mr. Larsen noted that they are looking to appoint Babson College Candidates as special police officers. Mr. Larsen noted an agreement between the Town and Babson has been signed.

The Board voted (4-0) to appoint Babson College candidates as Special Police officers, as outlined in a memo from Police Chief Cunningham dated December 1, 2013.

5. Open Warrant for 2014 Annual Town Meeting (ATM)

Mr. Connolly noted that the Selectmen had previously decided to wait until after Special Town Meeting to call the ATM. He noted the Town Bylaws require the Selectmen to also set the date when all motions must be submitted to the Selectmen. Mr. Connolly reviewed the dates for the upcoming ATM. Ms. Tsagaris noted that Town Meeting will begin on March 31, 2014, and will meet the following Monday. She noted that there is a possibility Town meeting could be adjourned for two weeks (if additional days are needed) because of Passover and school vacation.

The Board voted (4-0) to call the 2014 Annual Town Meeting and set the following dates:

- Open the Annual Town Meeting Warrant – Friday, December 20, 2013
- Close the Annual Town Meeting Warrant – Friday, January 10, 2014 at 5:00pm
- Motions due to Selectmen – Monday, March 10, 2014
- Start of Annual Town Meeting – Monday, March 31, 2014

Ms. Babson noted that there is no rule for when annual and capital appropriations must be submitted and noted that should be included in the town meeting calendar.

6. New Years Eve License Extension – Susu's Bakery

Susu Aylward, Owner, and David Himmelberger, counsel for the applicant joined the Board. Mr. Himmelberger noted that the Board had questions about the nature of the application and the ongoing business at the bakery. He noted his client currently has a CV License and has been serving lunches Monday-Saturday 11am-3pm. Mr. Himmelberger noted Susu's has been open the past two Saturdays for private dinners and would like to serve dinners on a limited basis going forward in the New Year on Saturday evenings. This application before the Board for the New Years Eve extension came about because her business manager mentioned to they were doing this event and he advised her that they needed a license to stay open past midnight. Her plan for New Years Eve extension would be to host one of these limited functions including having music. Mr. Himmelberger stated Ms. Aylward is waiting for the decision from the Board on the entertainment license. Copies of the entertainment license were distributed the Board. Mr. Himmelberger noted that the alcohol license is not time sensitive but the CV license is so he would like to amend that soon. Ms. Aylward described the logistics of the entertainment license. Ms. Babson requested that sometime in the new year Ms. Aylward come back to update the Board on her plans to have an evening service of food.

The Board voted (4-0) to approve the request from SuSu's Bakery for the extension of liquor service for one hour from 12:00am to 1:00am on January 1, 2014 and also to allow entertainment on December 31-January 1 from 7:30pm -1am which would include a jazz trio.

7. Marijuana update

Carol Hannenberg, associate member of the Board of Health and member of the Medical Marijuana Working Group, joined the Board. Ms. Jop noted that she worked with Planning Board staff to take the strawman proposal that was presented to the Board and to create a draft of proposed Marijuana zoning provisions. She noted the current draft was not shared with the Medical Marijuana Working Group as of yet. Initially it was believed that the Town could create a stand-alone bylaw provision, but upon further review the working group realized that this type of provision will impact multiple areas of the Zoning Bylaw. Ms Jop noted that the proposal in front of the Board shows several sections of the proposal and where they are heading in terms of restrictions. She did clarify that this does not eliminate any of the other permits required i.e. PSI special permit. This is a special use permit which will not be a simple stand alone provision.

Mr. McCauley briefly reviewed the context and the structure of the proposal. Ms. Babson noted that going section by section is extremely onerous. Mr. McCauley reviewed the issues and noted that it will become clearer as to why they have decided to go this way. Mr. McCauley reviewed issues pertaining to definitions, special permit granting authority, and use restrictions in residential districts. Ms. Jop added that the procedure of the special permit, if a standalone bylaw were created, would have been redundant as it was already spelled out in zoning bylaw. Ms. Searle suggested adding nursery school to youth oriented definition. Ms. Tsagaris noted that in Marijuana dispensary there was no mention of the word building. The Board reviewed the document and made suggestions. Ms. Searle noted that she would like video surveillance throughout the facility. Ms. Hannenberg noted she believes the law states that video cameras are required in areas where marijuana is measured stored etc. Mr. McCauley discussed the next steps and time frame moving forward for this issue.

8. Retail Sale of Beer

Ms. Tsagaris noted Ms. Jop circulated a new draft home rule petition yesterday. She noted this petition to the General Court will need to be approved before the final step, which is passage of the question at a town-wide election. If it is not completed in time for the annual town election on March 4, 2014, it will be placed on the ballot for another election in late spring. Ms. Tsagaris asked for comments. Ms. Babson noted changes including the recommendation that they remove the definition of grocery store and specialty stores. Ms. Babson asked for clarification on the suggestion that the ballot question be changed. Ms. Jop noted that it had been changed and reviewed the changes. Ms. Babson suggested that they show the number of licenses to the ballot question. Ms. Tsagaris suggested asking Ms. Peisch first to make sure that won't be limiting. Ms. Babson noted that it is the hope that it is drafted in a fashion so that it can get passed and that people are able to understand it. Ms. Tsagaris noted that they will finalize it and put it on website so people view the verbiage of the final question.

The Board voted (4-0) to approve the language for special legislation provided to the Board and further that Town Counsel and the Executive Director are authorized to pursue enactment of the special legislation.

9. Town Government Study Committee Update

Ms. Babson alerted the Board to fact that if they are interested in including the creation of a town government study committee they will have to submit a warrant article by January 10, 2014. Ms. Babson volunteered to draft the article. The Board was amenable to this.

10. Building Department FY15 Budget

Mike Grant, Building Inspector, joined the Board. Mr. Grant noted that the Building department proposed budget for FY15 was level funded. Mr. Larsen noted the Building Department's FY14 budget allows for an additional part-time building inspector and the funds have not been spent since the position has not yet been filled. The Building Department will be audited in regards to staffing in order to make a more informed decision of their staffing needs. Mr. Larsen noted that he and Ms. Jop will bring forward a more definitive decision in a few months. Mr. Larsen also noted that they would hire a temporary employee to help work down the backlog in this office and reduce permit issuance time. Ms. Babson noted that there should be some follow-up on enforcement of regulations.

Mr. Grant noted that the Department was recently audited by ISO rating agency and they received notification of an upgrade to a 5, which is the best number they can get for this type of Department. Mr. Larsen noted this will have a favorable impact on the rates for property insurance in the town.

11. Council on Aging (COA) FY15 Budget

Gayle Thieme, COA Director, and Diane Lapon, COA Treasurer, and Miguel Lessing, COA Secretary joined the Board. Ms. Thieme noted that over the last fiscal year the COA has had tremendous growth in their offerings. This is due to an increase in staff including the Activities Coordinator which was increased to a full time position. Ms. Thieme stated that the FY15 proposed operating budget is in compliance with budget guidelines and the budget request totals just under \$359,000.

Ms. Thieme described a significant change in the senior transportation service which is contracted with outside transportation company M&L, which provides a door to door service for seniors to places they need to go. She noted that M&L supplies a driver, fuel, insurance, etc. She noted that they renegotiated their contract down from \$107,000 to \$88,250 this spring, which was made possible by reducing their service schedule by 1 hour each day. Ultimately the COA would like more control and flexibility with the senior bus service. Over the last 18 months the COA has explored different options and researched surrounding COA's regarding senior transportation. They found a model in the town of Holliston that they liked very much and would like to emulate. This new model would include a partnership between MWRTA and Wellesley which would allow the COA more flexibility with scheduling times and stops. Major changes to the current model would allow the COA to run the service with their own staff, which would require the hiring of 2 part time drivers and a part time transportation coordinator, which they currently have on a temporary basis. This would require making this position full-time and adding additional responsibilities. Ms. Thieme briefly described the duties of the Transportation Coordinator. Mr. Larsen summarized the evolution of the COA thinking on how to make this more effective going forward. He noted that the COA is in support of this change. Ms. Babson questioned why the COA wants to make this change now as opposed to what they currently have. Ms. Thieme summarized the reasons for this change which focused on having staff that has a better skill set to work well with this population as well as having more flexibility on where the bus travels and the timing. Mr. Larsen noted that in total they are spending less going forward with this model. Mr. McCauley questioned whether they would have to buy a bus. Ms. Thieme noted that similar to the arrangement in Holliston, they would apply for grant at MASSDOT that will provide the bus at no cost. Ms. Thieme noted it will be a 12-14 passenger bus but will not require a CDL license. Ms. Babson noted it is a big change that we need to be thoughtful about it and consider whether the Town is willing to take on some big responsibilities. Ms. Lapon noted that she agrees with Ms. Babson and that that while it does have a lot potential it is a big responsibility with added benefits that she hopes will pay off. Mr. Lessing noted that he would like to look at how this new model with the volunteer drivers program and noted that this will be a good time to do this sort of thing. Mr. Larsen noted that they could come back in May and give the board an update on plans and preparations. Mr. McCauley questioned what is the plan to

sustain this level of grants? Ms. Thieme noted 1/3rd has come from tax funds and the rest from grant sources. She noted that they are tapping less into the grants as this use decreases the balance of these funds. They would like to increase their programming and these funds will now be freed up. Ms. Thieme also noted that come July 1, 2014 there will be a 3% or \$755 increase in the rent at the Community Center where they currently lease office space. Mr. Lessing noted that the COA relies on volunteers and that in FY13 with a volunteer pool of 223, the number of volunteer hours is equivalent to the salaries of all the COA employees for the entire year.

12. Board of Selectmen FY15 Operating Budget

Mr. Larsen noted that the Selectmen had an updated packet and highlighted the two most significant changes. He noted that Joe McDonough had explained that there was a 12% increase in the rate of the cost of gas which was driving a significant increase in the gas charge. Following further discussion the cost was lowered the cost by \$43000, expecting to absorb half the cost of the rate increase with efficiency savings. There is also minor realignment with regards to COA costs. Mr. Larsen reviewed a matrix which details facility costs by building. He noted the biggest draw to funds is the cost of electricity and reviewed the breakdown of the numbers in regards to the largest consumers of electricity in Town. Mr. Larsen noted that this sheet did reflect the reduction in the price of gas. Mr. Larsen noted that the total tax impact on the operating budget is a 1.42% increase which is lower as some contract wage increases have not yet been accounted for. He briefly reviewed a breakdown of the numbers.

The Board voted (4-0) to approve the Selectmen's FY15 Operating Budget Request totaling \$63,186,113 and 849,069 related to traffic and parking non tax impact.

Projects & other updates

Tolles Parsons – Ms. Tsagaris noted that they received the message at STM from members that they should try to engage with the abutting property owner to see if there is any interest in a sale.

Wellesley Community development – Ms. Babson noted that the stroll was highly successful and merchants felt it was most successful to date and they have received great feedback. She thanked the Municipal Light Plant for all their work.

Fuller Brook Park – Ms. Babson noted that 100% plans have been completed and are being reviewed.

School Facilities Task Force – Ms. Searle noted that they will meet after first of year to discuss two studies that were approved at STM.

Town-wide Facilities – Ms. Searle noted that they have received information on 10 projects that were approved last year at town meeting, and that she will update the Board at a later date.

Ms. Tsagaris noted that the next meeting is January 6, 2014 and wished everyone a Happy Holiday and Happy New Year.

At 10:35am the Board voted (4-0) to go into executive session to discuss the acquisition of real property.

The Board of Selectmen meeting was adjourned at 10:45am.