

Board of Selectmen Meeting: January 27, 2014
Present: Tsagaris, Searle, Gibbs, Babson, McCauley
Also Present: Larsen, Jop, Connolly, Goodhue
Minutes Approved: March 10, 2014

Warrants approved: #2014-026 in the amount of \$3,351,032.74, #2014-027 in the amount of \$3,438,098.75, #2014-028 in the amount of \$3,645,918.42.

Meeting called to order at 6:00pm.

1. Executive Session

See executive session minutes.

At 6:45 the Board polled all aye to return to open session.

Announcements: Ms. Tsagaris noted that the Selectmen will hold Town Counsel interviews on Tuesday, January 28th in public session. She noted that Advisory will hold a public hearing on the Annual Town Meeting warrant and they will also discuss the Town-Wide Financial Plan. There will be an inter-Board meeting Thursday January 30 in the Great Hall.

2. Citizen Speak

none

3. Sign 2014 Town Meeting Warrant

Mr. Connolly noted that the Board received two versions of the Town Meeting Warrant. He reviewed 3 changes in the alternate version. Ms. Tsagaris noted that the Library Trustees have not voted on the wording in the article dealing with the Library Chimney.

Ms. Tsagaris discussed the Citizen Petition and questioned the amount of work the Selectmen's Office is willing to take on to get this to Town Meeting. The Board noted that there is a lot of work that needs to be done and noted that there are issues the citizen will need staff assistance. Mr. Larsen noted that historically MLP and DPW have done the diligence on the building and that to the extent space would be leased to third parties, the Board would need to better understand the condition of the building. Mr. Larsen reviewed the various issues that would need to be investigated and noted that there is a large amount of work that would need to be done. Ms. Jop noted there could be building code issues in triggered by the change in use. Ms. Babson questioned what the abatement cost of this project would be and why the Town would want to make the investment. Ms. Tsagaris questioned whether the Board should vote to support the demolition. The Board suggested going back to the citizen and asking her to come in and talk to the Board about how she plans to complete this work.

Mr. McCauley noted that the beer and wine legislation was passed by the House & Senate and briefly summarized the status of the legislation noting changes to the approved legislation. The Board discussed going forward with a bylaw change including language regarding the restriction of beer & wine to food and specialty stores only. Ms. Tsagaris noted that Warrant A is the warrant that will be signed tomorrow pending the changes.

4. Susu's Bakery - Amend CV Hours

Susan Aylward, Proprietor, Stuart Rekant, Manager and David Himmelberger, counsel for the applicant, joined the Board. Mr. Himmelberger noted that Susu's Bakery is seeking an amendment

to the current CV license to allow the restaurant to serve dinners. Susu's also submitted an entertainment license application to allow light music to accompany dinners. Mr. Himmelberger noted that the bakery has evolved since 2007 and thinks it is time to move in this direction. Mr. Himmelberger noted a formal CV amendment application was not required by the office. Ms. Searle questioned whether there would be amplification of music. Mr. Rekant noted the amplification would be consistent with the size of the space. Mr. Himmelberger noted that Susu's will come back in the spring to request an outdoor seating license.

CV Amendment Motion

Upon a motion made by Ms. Gibbs and seconded by Ms. Searle the Board voted (5-0) to amend SuSu's Bakery Common Victualler's license hours of operation 8am to midnight, Monday-Sunday.

Entertainment Motion

Upon a motion made by Ms. Gibbs and seconded by Ms. Searle, the Board voted (5-0) to approve a Weekday Entertainment License (Monday – Saturday) for SuSu's Bakery located at 575 Washington Street. The entertainment would be light jazz, classical, or easy listening contemporary music performed by up to three musicians.

5. Beer & Wine License – Upper Crust, 99 Central Street

Shawn Shenefield, Manager and Karen Simão, Counsel for the applicant, joined the Board. Ms. Simão noted that her client is looking for a new wine and malt license for the Upper Crust restaurant. Ms. Simão noted there is a public need for this license here. She noted Mr. Shenefield has experience operating a restaurant with beer and wine in this type of setting and that he successfully operates serving beer and wine in similar restaurants in comparable towns. Ms. Simão submitted a petition with over a 130 signatures of customers supporting this license. Mr. McCauley asked for an explanation of the term fast casual dining. Ms. Simão reviewed the policies as it relates to the service of alcohol in the restaurant and explained how Upper Crust is distinguished from a fast food restaurant. She noted that Upper Crust averages 40% delivery and 60% in house dining. Ms. Babson asked for clarification on service of alcohol. Mr. Shenefield noted an order would be placed at the counter and served to the table. Ms. Tsagaris asked for a document which discusses the arrangement of how alcohol will be served before making a decision. Ms. Simão noted that the patio service of beer and wine would be a full service area.

Dave Andelman, President of Restaurant and Business Alliance, approached the Board. Mr. Andelman noted that the Upper Crust does fulfill a need to have quality affordable quick food and be able to have an alcoholic beverage. He noted that it will be great for families and will increase sales tax revenue.

Neal Siskind, 28 Burke Lane, approached the Board to voice his support for the Upper Crust. He noted that being able to serve beer and wine with pizza would be good for friends and family who dine at this establishment.

The Board discussed whether they were comfortable allowing liquor service in the patio area. Mr. Shenefield noted there are 52 seats inside and 16 seats outside. Ms. Tsagaris stated the Board wished to continue the hearing in order to receive documents discussed.

Upon a motion made by Ms. Gibbs and seconded by Ms. Searle, the Board voted (5-0) to continue the hearing for a wine and malt license for The Upper Crust to February 10, 2014.

6. Sustainable Energy Committee, 2014 Power to Choose Campaign

Susie Littlefield and Phyllis Thurman of the Sustainable Energy Committee (SEC) joined the Board. Ms. Littlefield reviewed the history of the Sustainable Energy Committee as well as the major SEC campaigns. She then reviewed their newest campaign the More Power to Choose 2014 Comprehensive program which offers five programs to residents to conserve energy. As a result of the many energy assessments done in homes, it was found most of the residents did not follow through on the recommendations. The new programs outline various ways to follow through on sustainable initiatives. Ms. Littlefield reviewed the Astrum Solar Program and described the renewable energy program at the Wellesley Municipal Light Plant. She noted that the success of sustainable energy campaigns has been powered by support from various town boards, organizations and volunteers.

7. Marijuana Update

Ms. Jop updated the Board on the Medical Marijuana write-up and motion language. She noted that the Planning Director took initial drafts and formatted the language so that it adds to the existing regulations rather than a standalone section in the Zoning Bylaw. Ms. Jop reviewed some of the key elements from the write-up and questions that were addressed. She noted the Board would need to revise the regulations; however this draft is more organized and comprehensive. Ms. Jop stated the public zoning hearing is scheduled for Feb. 24. Ms. Jop stated there is a joint meeting scheduled with the Planning Board next week, and that Advisory will review Medical Marijuana at their February 8th meeting.

8. Executive Director's Update

Minutes

Upon a motion made by Ms. Gibbs and seconded by Ms. Searle, the Board voted (5-0) to approve the minutes of the January 6, 2014 Board of Selectmen Meeting.

High School Facility update

Mr. Larsen noted that recently a pipe burst at the High School during a cold spell. The Construction Manager for the High School will absorb costs incurred by the Town to clean up the water spill and repair damage to the school, as well as reimbursing the School for overtime costs of employees. He also noted that there is a room which experiences excessive humidity and its thought that this is being caused by a defect with construction, condition of the flues, or change in operation of the various boilers. The Permanent Building Committee will work with the Owner's Project Manager and SMMA to figure out how to mitigate this issue. The FMD is dealing with how the costs of humidity issue will be handled. There have also been various roof leaks and further investigation is being done to figure out the cause of these leaks.

Eagle Scout Proclamation

Mr. Larsen congratulated Derek Huddleston and Mathew Christopher Huddleston on becoming Eagle Scouts. Mr. Larsen reviewed the projects of both of the Eagle Scouts, and noted an Eagle Court of Honor will be held to honor these two young men. The Board signed a proclamation in recognition of this honor.

Town Clerk Salary

Mr. Larsen reviewed the terms of the Town Clerk Salary.

Upon a motion made by Ms. Gibbs and seconded by Ms. Searle, the Board voted (5-0) to recommend under Article 6 of the 2014 Annual Town meeting that the Town Clerk's salary be increased to \$81,649 (52 weeks) effective July 1, 2014.

Babson One-Day Special License

Ms. Jop reviewed the request from Babson for a One-Day Special License.

Upon a motion made by Ms. Gibbs and seconded by Ms. Searle, the Board voted (5-0) to approve the request from Babson College for a One-Day Special License for an event to be held on February 21, 2014.

Police Dispatchers Contract

Ms. Jop noted that the Town has come to an agreement with the Police Dispatchers and stated the financial impact is nominal. The proposed increase for 3 consecutive years will be 2% for a cost of living adjustment as well as an increase in night shift differential to 2% in the first year, 2.25% in the second year, and 2.5% in the final year. Ms. Jop noted that total increase in wages would be \$13,636 dollars and that the police budget with all contracts settled is at 2%.

Upon a motion made by Mr. Larsen and seconded by Ms. Gibbs, the Board voted (5-0) to approve the Memorandum of Agreement between the Town of Wellesley and the Wellesley Police Dispatchers Association dated January 15, 2014.

Ms. Jop updated the Board on other outstanding contracts.

9. Town-Wide Financial Plan

Sheryl Strother, Finance Director joined the Board. Ms. Tsagaris noted that an override and various budget scenarios will be discussed. Mr. Larsen reviewed guiding principles for maintenance and evolution of the Town Wide Financial Plan. He reviewed planning issues and noted teachers contract is still open which is a large variable, as well as issues related to health insurance He discussed the Town's overall financial situation, reviewed current status of collective bargaining, reviewed health insurance and noted active plans assume a 6% rate increase. Mr. Larsen reviewed pension and OPEB, and presented an alternative approach to OPEB then what is currently used. He discussed projected debt service over the next 10 years, reviewed the total Town budget displayed in a pie chart, briefly reviewed the sources of funds as well as the 5 year projected uses of funds, reviewed the free cash outlook, and the median tax bill impact. Mr. Larsen concluded by reviewing the key next steps. He noted he would meet with Advisory on Wednesday night to make this same presentation.

Projects & Other Updates

Fuller Brook Park – Ms. Babson noted that the Town is waiting for bids to come in on February 6.

School Facilities Task Force – Ms. Searle noted the task force would be meeting on Friday to go through draft RFP's for Hardy, Hunnewell, Upham, and the Middle School.

Town wide facilities – Ms. Searle noted the Permanent Building Committee requested direction as to whether the Board will support the replacement of boilers in the Police Station as part of the HVAC projects. The existing boilers have 5-8 years of useful life left. Chief Cunningham would prefer to take care of the boiler issue right away. Ms. Searle asked the Board for their input on the matter.

Other Business - There was a request from Wellesley Youth Football Association to place signs around town to recognize the recent championship. They would purchase and supply the signs and town would mount them. The Board agreed but noted that they would like to view the sign first.

The Board of Selectmen Meeting was adjourned at 10:13pm

Documents presented:

- More Power to Choose Campaign
- Town Wide Financial Plan – January 27, 2013