

Board of Selectmen Meeting: January 12, 2016
Present: Murphy, Freiman, Gibbs, Searle & Morgan
Also Present: Larsen, Connolly
Minutes Approved: January 19, 2016
Warrants Approved: None

Meeting called to order at 6:15

1. Citizen Speak

None.

2. Traffic Update – Tolles Parsons Directional Signage

Ms. Searle explained the request for a Stop sign at the exit of the proposed Tolles Parsons Center

Upon a motion made by Ms. Gibbs and seconded by Ms. Freiman, the Board voted (5-0) to authorize the Wellesley Police Department, as specified in Chapter 90 Section 18, to enforce the directional and stop signage located on the site of the proposed Tolles Parsons Center as detailed in the approved Site Plan A1.0 dated 12/03/15.

3. Executive Director's Update

Mr. Larsen presented the One Day Special License requests from Babson College. The Board questioned whether there are traffic issues related to events involving One Day Special Licenses and whether the Town has ever asked applicants to make arrangements for a police detail. Mr. Larsen noted that the Selectmen's office has historically relied on the applicant to decide whether a police detail is required. Ms. Gibbs asked whether there is a limit on the number of such licenses an applicant may receive in a year. Mr. Larsen does not recall such a limit.

Upon a motion made by Ms. Gibbs and seconded by Ms. Freiman, the Board voted (5-0) to approve the one day special license requests from Babson College for the following:

- **Black Affinity Conference on February 27, 2016 in the Needham Wellesley Room, Olin Hall**
- **Babson Investment Management Conference on March 4, 2016 in the Needham Wellesley Room, Olin Hall**
- **St. Stephen's Gala on March 12, 2016 in the Lower Carling – Sorenson Theater and Bridge to Sorenson**
- **Babson Energy and Environment Conference on April 1, 2016 in the Needham Wellesley Room, Olin Hall**
- **Senior Athletics Banquet on April 29, 2016 in the Needham Wellesley Room, Patio and Lobby of Olin Hall, and the Ground Floor and First Floor of Knight Auditorium**
- **Senior Week Campus Crawl on May 13, 2016 in the Coleman Courtyard and Barefoot Park**

The Board requested that the application form for One Day Special Licenses be amended to specify the time of the event.

4. Wellesley Media Corporation Business Review

Peter Marx, Chair of the Wellesley Media Corp. Board and James Joyce, Wellesley Media Director joined the Board and presented an update on the operations of the Media Corp. Their presentation covered studio relocation, municipal meetings and other events covered, classes offered at the Library, infrastructure upgrades, financial overview and future outlook. During the past year the studio was successfully relocated to Washington Street, signal content is now transmitted via Town fiber vs. the Comcast iNet, and the central hub for PEG Access is now a server installed in the Police Station.

Mr. Joyce reviewed the PEG Access revenue trend from Comcast and Verizon. Mr. Murphy observed that the balance sheet continues to show a significant cash balance. Mr. Marx observed that future initiatives will be costly and there is uncertainty regarding future revenues. Mr. Murphy questioned the increase in employee benefit costs. Mr. Joyce responded that it is a mix of additional employees and one employee who married and is now enrolled in a family plan. Mr. Murphy questioned what type of individuals the Media Corp. might want to hire in the future. Mr. Joyce described their plan for soliciting more volunteers and training such volunteers.

Ms. Freiman asked whether there is any plan for improving the audio in the Juliani Room. Mr. Joyce responded affirmatively.

Mr. Larsen explained the requirement for the Board to re-designate the Media Corp. as the PEG Access Provider. Mr. Joyce confirmed that documentation of the Media Corp.'s insurance coverages had been forwarded to the Selectmen's office.

Upon a motion made by Ms. Gibbs and seconded by Ms. Freiman, the Board voted (5-0) to designate the Wellesley Media Corporation as PEG Access Provider for the year ended December 31, 2016.

5. Bristol Road Drainage Easement Abandonment

David Himmelberger joined the Board and explained his request that the Town release a drainage easement on his client's property. In 1970, the Town sold the land that was intended to benefit from this easement. Accordingly, the easement is no longer of value to the Town, as confirmed by the Town Engineer and DPW Director. The School Department has similarly indicated it has no interest in continuing the easement. The Board questioned whether the related easement might extend to other neighboring properties. Mr. Himmelberger did not know the answer to this question.

Abandonment of this easement will require action by Town Meeting.

Upon a motion made by Ms. Gibbs and seconded by Ms. Freiman, the Board voted (5-0) to authorize the release of the existing drainage easement located to rear of the property currently known as 65 Bristol Road.

6. Petition to Norfolk County to discontinue a portion of the County Layout of Cedar Street

Mr. Himmelberger explained his client's interest in discontinuing an unused portion of the historic County layout of Cedar Street. This portion of the layout is no longer required, as a result of Cedar Street being constructed in a different fashion, following the layout and construction of Route 9 and its related on ramps and exit ramps. The largest portion of the unnecessary layout abuts the Town's Rosemary Town Forest. The County continues to own the unused layout in fee. Mr. Himmelberger's client intends to attempt to purchase the portion adjacent to his property by first petitioning the County

Commissioners to discontinue the unused layout. Mr. Himmelberger reports that a joint petition involving his client and the Town would be viewed more favorably by the County Commissioners. Once the discontinuance is granted, any abutter could seek to acquire the land from the County. It is unclear what level of consideration it would expect if the Town were to seek to acquire the portion adjacent to its land.

Ms. Freiman asked whether the other affected abutters are interested in joining the petition. Mr. Himmelberger does not know, but will reach out to the other abutters once the Town decides its position on the matter. Ms. Freiman also inquired whether there would be any public notice related to the discontinuance of the layout, or subsequent sale of the land.

Mr. Morgan asked what the Town does with its Town forest land. Mr. Himmelberger provided his perspective on this question. Mr. Murphy questioned whether the unused layout was ever paved. Mr. Himmelberger does not know.

Upon a motion made by Ms. Gibbs and seconded by Ms. Freiman, the Board voted (5-0) that the Town join in a petition to the Norfolk County Commissioners to discontinue the unused public way portion a the layout of Cedar Street adjacent to 94A, 96 and 100 Cedar Street and the Town's Rosemary Town Forest, in order that the land may be subsequently conveyed to the abutters, including the Town.

7. Discussion of Town Bylaw changes to be considered at the February 1, 2016 Special Town Meeting related to transition to a Board of Selectmen – Town Manager form of government

Ray Miyares and Eric Reustle, representing Miyares & Harrington, and John Roslansky, HR Board Chair, and Scott Szczebak, HR Director joined the Board. The Board initiated a review of the proposed amendments to the Human Resources bylaws to be considered at the February 1, 2016 Special Town Meeting. The amendments in question have been proposed by a group of Town Meeting members, including Heather Sawitsky, Don McCauley, David Himmelberger and Suzy Littlefield.

Ms. Freiman invited Mr. Roslansky and Mr. Szczebak to provide their overall perspective on the proposed amendments. Mr. Roslansky observed that the HR Board would like to see Mr. Szczebak run the HR Department, which would allow the HR Board to focus on policy issues. Mr. Szczebak observed that the original proposal from the Town Government Study Committee (TGSC) better reflects what actually happens today in the HR Department today, i.e., the proposed amendments would realign more responsibility to the HR Board.

Mr. Morgan questioned why the original TGSC recommendation provided for the Town Manager to administer the Classification and Salary Plans, vs. the HR Director (Bylaw Article 30.4). Tom Ulfelder, a member of the TGSC joined the Board and clarified the TGSC's reasoning. He said the Committee's objective was to be very clear about the Town Manager having ultimate accountability. Ms. Freiman questioned whether the individual department heads establish HR procedures for their department. Mr. Szczebak clarified that the HR Director and HR Department establish the procedures. In response to a question from Ms. Searle, Mr. Szczebak said that he was comfortable with the original language proposed by the TGSC.

Ms. Freiman asked Heather Sawitsky whether she wished to speak to this issue. Ms. Sawitsky initially declined. The Board discussed the issue further. Ms. Sawitsky approached the Board and explained that her group believes the HR Director is bringing the specialized knowledge of personnel law, and weren't sure whether the TGSC recommendations had adequate checks and balances.

The Board continued to discuss the same issue as it relates to Bylaw Articles 30.5 (Review Work) and Bylaw Article 30.6 (Review Salary Plan). Mr. Miyares advised against inclusion of a reference to "best practices" as suggested by Ms. Sawitsky et al. Mr. Roslansky concurred.

Ms. Freiman recommended that the responsibilities outlined in Bylaw Articles 30.4, 30.5 and 30.6 remain aligned to the HR Director. The Board was amenable to this recommendation.

The Board discussed the notice period for changes in Personnel Policies (Bylaw Article 30.10). Mr. Szczebak is agreeable to 7 days, as opposed to the 10 days proposed by Ms. Sawitsky et al. Following further discussion, the Board agreed to revise the notice period to be 7 days, and to eliminate the requirement for "written" notice to department heads and board members. The board also agreed to eliminate the distinction with respect to "elected" boards.

The Board discussed the proposed amendments of Bylaw Articles 31.6 and 31.7. The Board tentatively agreed to certain changes.

Ms. Freiman will forward a revised draft of the HR Bylaws to Mr. Miyares, with the expectation that Mr. Miyares will return a revised draft in time for the Board's review at their meeting scheduled for 7:30 Thursday morning.

Mr. Roslansky and Mr. Szczebak departed.

The Board initiated discussion of the various proposed edits to Article 2A (i.e., new Town Bylaw Article 6A).

The Board discussed Mr. Miyares' proposed language regarding the effective date of the Bylaw (i.e., "Commencing no later than the first of October next following the effective date of this Article,"). Mr. Miyares explained his rationale for this language. The Board discussed this point, and ultimately deferred any decision, and agreed to cogitate on this language.

Ms. Freiman discussed whether budget submissions should be posted on the Town website. Given the number of submissions, the fact that the submissions often change, etc., she believes it would be more appropriate to post the Town-wide budgets due 60 days and 45 days prior to Town Meeting, the Town-wide Financial Plan and the Five-year Capital Budget Program to the website.

Ms. Freiman explained that Mr. Larsen re-ordered the proposed Budget bylaw, in order to begin with the Town-wide Financial Plan and end with the annual operating budget (the current proposal begins with the annual operating budget and ends with then TWFP).

Ms. Freiman explained several other changes.

Mr. Morgan observed that the Selectmen shall approve the TWFP and Five-year Capital Budget Program. Mr. Morgan offered several additional comments. The Board discussed the comments.

Mr. Miyares suggested several additional edits.

Matt Kelley, Chair of the School Committee joined the Board and offered several comments. He expressed concern regarding the expectation that the School Superintendent would provide a Budget Message together with his budget submission. The Board discussed some different approaches for dealing with this.

Mr. Larsen asked whether members of the TGSC had received copies of the latest drafts. Mr. Ulfelder observed a technological issue had prevented the electronic distribution. Mr. Ulfelder explained the need for a strong and constructive relationship between the Town Manager and School Superintendent. He suggested caution in reducing the level of information provided to the Town Manager regarding the School budget.

Kathleen Woodward, a member of the Advisory Committee, asked when that Committee would receive a revised draft. Mr. Murphy hopes the Selectmen will finish their work on these documents on Thursday morning and aim to provide revised drafts to the Advisory Committee by Thursday afternoon.

Ms. Freiman will circulate a revised draft of Article 2A prior to the Board's meeting on Thursday morning. The Board will also review and discuss Articles 2B and 2D at that time.

Mr. Miyares and Mr. Reustle departed.

8. 2016 Annual Town Meeting Warrant

Terry Connolly summarized the status of the draft warrant for the 2016 Annual Town Meeting and distributed copies of the draft. The Board will provide feedback at their meeting on Thursday.

9. Old/New Business

None.

At 9:50 the meeting was adjourned.