

Approved: January 31, 2022

Select Board Meeting: January 3, 2022

Present: Ulfelder, Olney, Sullivan Woods, Aufranc, Lanza

Also Present: Jop, Frigulietti

Warrants approved:

Meeting Documents:

1. Agenda
2. Draft SB Calendar
3. Draft Planning Department FY23 Budget
4. Notes re: Budget Preparation
5. Request and plans re: 1 Kendall Road
6. Memo re: 2022 Boston Marathon Invitational Entries
7. Miyares Harrington Holiday Note
8. Needham DPW Report of Perambulation

1. Call to Order

Mr. Ulfelder, Chair, called the meeting to order at 6:00 pm online.

Mr. Ulfelder announced the meeting was being streamed live on Comcast channel 8 and Verizon channel 40 and by Wellesley Media and recorded for subsequent viewing on the cable channels or at wellesleymedia.org.

2. Citizen Speak

None.

3. Health Department Update on COVID-19

Mr. Cohen, Board of Health Chair, Ms. Testa Simonson, Board of Health Vice Chair, Ms. Grape, Secretary of the Board of Health; Mr. Izzo, Health Department Director, and Ms. McCauley, Health Department Nurse joined the Board

Mr. Cohen and Mr. Izzo provided a brief overview of the rising cases of COVID in Wellesley as well as the Commonwealth. Mr. Cohen noted the difficulty in obtaining PCR testing and the importance of vaccinations. Ms. McCauley provided a review of the average daily COVID cases; adding that case counts do not include at home test results or those experiencing symptoms who cannot access PCR tests. She stated that many cases include interfamily and household spread including younger children not eligible for vaccination. Mr. Cohen stated that the town's rising case counts is consistent with the Commonwealth's data and added that this is an over 95% vaccination rate for eligible residents. Ms. McCauley reviewed the updated CDC guidelines on quarantine and self-isolation. Mr. Cohen stated that the Board of Health had been issuing advisories and providing signage throughout the community regarding masks and vaccines. He added that the Board of Health had always approached the community through education rather than mandates. He stated that the Board of Health had received emails and calls and would discuss masking and vaccination mandates in more detail at its next meeting on Thursday, January 6th. Ms. Testa Simonson stated that the Town continued to follow the state guidance regarding mask and vaccination mandates. She noted several communities currently had mandates in place, although over 80% of communities did not. Mr. Izzo stated that the Health Department intended to hold vaccination and booster clinics, however, no formal dates had been set as staff continued to be focused on

contact tracing. He added that the town was investigating options of purchasing at home testing kits for distribution. Ms. Testa Simonson briefly reviewed the protection of the various types of masks available as well as proper mask wearing techniques. The Boards continued to discuss the updates provided from the Board of Health.

4. Annual Town Meeting Preparation

Ms. Strother, Town Finance Director, joined the Board.

Ms. Strother provided an update on the budget process noting that all budget requests except Schools had been received. She stated that based on the requests, the current deficit was \$1.1 million without School information or updated capital requests. Ms. Strother briefly reviewed the rationale for proposing several projects be funded through the use of free cash. She also noted that several budgets remained out of guideline. Ms. Jop stated that budgets that remained over guideline continued to be discussed and reviewed. She noted the Board would hold an additional budget meeting at the end of the week. The Board discussed the current budget information.

Ms. Jop provided a brief overview of ARPA funds available and potential projects for the use of the funds. She briefly reviewed and discussed the Planning Board budget that had been submitted over guideline, noting that some of the items proposed may not be necessary given existing capital rollover funding.

5. Discuss and Vote Citizen Proposed Non-Binding Referendum on Lights at High School Track and Field

Mr. Stuntz, petitioner, joined the Board. Ms. McManus, Chair of the NRC, joined the Board.

Mr. Ulfelder stated that the Board had received communication from residents and believed there had been a misunderstanding in the purpose of the agenda. He added that the Board would not be voting on or discussing if there should be lights at the field; the focus would be on discussing and voting on a request to place a non-binding referendum question on the March town election ballot. He asked that residents wishing to speak make comments and statements that address only whether the question should appear on the March town election ballot and not opinions on the placement of lights on the field.

Mr. Stuntz reviewed the background of discussions regarding placement of lights at the High School track field. He stated that many public meetings with boards and discussions with the neighbors had been held, however, public comment from the broader community had not been received. He briefly reviewed his understanding of the options for having a referendum question added to the ballot and he had received incorrect information from Town Hall about the process. Mr. Stuntz stated that he was told that there were two options: seek permission from the Select Board or collect signatures to have the question placed on the ballot. He was not told that it was a two-step process and consequently missed the date to be eligible to collect signatures. He briefly discussed his approach to learning about the referendum process and his rationale for the non-binding question. He noted the NRC has final authority in deciding if lights are placed on the field. He believed full voter input would be valuable in the NRC's decision making process.

Ms. McManus reviewed the NRC decision making process in considering lighting at the Hunnewell track and field. She stated that she was speaking on behalf of herself and not for the full NRC Board adding that the NRC had not discussed or taken a position on the placement of the referendum question on the ballot. Ms. McManus further detailed the considerations the NRC would review in making a decision regarding the potential for adding lights to the field. She noted upcoming meetings and forums that would

be held regarding the subject of the lights. Ms. McManus stated that a referendum would not override the NRC process and believed it may be detrimental in bringing the community together. She noted that NRC meetings are televised and available on Wellesley Media adding that questions and comments from all residents were welcome.

Mr. Nigro of 15 Washburn Avenue joined the meeting. He stated he had been part of lighting discussions at the field for ten years. He added that he supported adding the question to the ballot.

Ms. Reidy of 60 Prospect Street joined the meeting. She stated she believed the Board should rectify a mistake that was made and allow the referendum process to move forward.

Mr. Spagnuolo of Paine Street joined the meeting. He stated he was in favor of the non-binding referendum being placed on the ballot and believed Mr. Stuntz received incomplete information regarding the process.

Ms. Horn of 31 Southgate Road joined the meeting. She stated she believed it would be beneficial for the town boards to hear the full vote of the public and asked the Board to add the non-binding referendum to the ballot.

Mr. Lally of 38 Rice Street joined the meeting. He stated he understood the lighting issue had been a long process and asked the Board to approve the non-binding referendum being placed on the ballot.

Ms. Okun of 15 Cottonwood Road joined the meeting. She asked the Board not vote to allow the referendum on the ballot. She stated that a referendum would bypass process in favor of overall public opinion. She added that she believed the NRC process directly considered the impact on the neighbors while a majority popular vote would not.

Mr. Mack of 14 Bancroft Road joined the meeting. He stated he supported including the non-binding referendum on the ballot in order to understand the opinion of the whole community as the process continues to move forward.

Mr. Crawford of 15 Rice Street joined the meeting. He believed placing the non-binding referendum on the ballot would undermine and put pressure on the NRC. He added the process was moving forward as appropriate.

Ms. Hester of Twitchell Street joined the meeting. She stated she believed the Board should not allow the non-binding referendum to be added to the ballot. She noted the proper process is occurring. She added that the Town has a decentralized form of government which was upheld by the voters.

Ms. Boyle of 5 Patton Road joined the meeting. She stated she believed the Board should vote in favor of adding the non-binding referendum to the ballot. She added the process had been going on without a full understanding of the community desire.

The Board discussed the proposal of adding the non-binding referendum to the March ballot and the typical procedures for the process. The Board discussed the information regarding citizen petitions received by the petitioner as well as the NRC process for finalizing the outcome of the field lighting discussions. Mr. Stuntz reviewed the timeline of communications and information that he had received regarding the process for adding a non-binding referendum to a town election ballot. Ms. McManus stated that the NRC continues to review and discuss the issue and believed a resolution would be found that benefits all parties. The Board continued to discuss the merits and concerns about adding the non-binding referendum on the March ballot. Ms. Sullivan Woods proposed the Board could address the unintentional

incorrect procedural information by taking a vote to place the question on the ballot only if the proponents could produce the required signatures in a timely manner. The Board agreed to vote both motions.

Upon a motion by Mr. Ulfelder and seconded by Ms. Sullivan Woods, the Board was polled and voted (1-4) to approve that non-binding question be placed on the Town election ballot if the proponent of the non-binding referendum provided the Town Clerk with supportive signatures from no less than 10% of the Wellesley registered voters no later than forty-two days prior to the election.

Sullivan Woods – Aye

Olney –No

Ulfelder – No

Aufranc – No

Lanza – No

Upon a motion by Ms. Sullivan Woods and seconded by Ms. Olney, the Board was polled and voted (0-5) to approve the non-binding referendum question for the annual Town election.

Sullivan Woods – No

Olney –No

Ulfelder – No

Aufranc – No

Lanza – No

6. Discuss and Vote Request for Access over Cochituate Aqueduct to 1 Kendall Road

Mr. Himmelberger, Counsel for the homeowners; Ms. Bartlett and Mr. Oliveri, homeowners, joined the Board.

Mr. Himmelberger reviewed the request for an access easement from the Town for an area that had been used by 1 Kendall Road since 1935. He explained the reason was being brought forward as part of preparing to rebuild the home on the lot. He noted past easements approved by the Board including 33R Cedar Street as precedent for this type of request. He reviewed the lot characteristics the location of the driveway, and the historical use of vehicle access at the aqueduct.

Ms. Jop reviewed the challenges of the site, including topography challenges and permitting challenges that would likely arise in review of the property. She noted the options allowed to the applicants should the Board not allow access over the aqueduct. Ms. Jop stated that encroachments on Town land had become a significant issue the Town had been attempting to correct and enforce. She added that, should the Town enter into an easement with the applicant, the Board would likely face many similar access requests from parties encroaching on Town land.

Mr. Himmelberger continued to discuss the lot and access challenges for the homeowners. He briefly described the intention of relocating the home should the Board allow access for the reconstruction of the property. The Board discussed the request and challenges of the site as well as encroachment concerns along the aqueduct. The Board expressed agreement to consider the request at a future meeting when additional information would be available regarding options for accessing and reconstructing the lot.

7. Discuss and Vote Marathon Invitational Entry Awards

Ms. Hawkinson, Town Communication Director, joined the Board. She reviewed her memo and recommendation for awards of the Town's invitational entries for the 2022 Boston Marathon. She stated

that, per the Board's Marathon Policy, four bibs for first responders would be awarded to Police and Fire, and two bibs would be dedicated to fundraising for the War Memorial Scholarship; the Town had received two applications to run and fundraise for the War Memorial Scholarship. Ms. Hawkinson provided an overview of the charity applications received by local nonprofits that applied for the remaining bibs. The Board discussed the charity applicants and recommendation for the allotment of bibs. The Board requested additional information regarding one of the charity applicants prior to awarding the final charity bib. Ms. Sullivan Woods suggested that consideration be given to giving two bibs to ABC, noting it was their 50th Anniversary.

Upon a motion by Ms. Sullivan Woods and seconded by Ms. Olney, the Board was polled and voted (5-0) to award 15 of the Boston Marathon Invitational Entry Bibs as outlined in the recommendation from Stephanie Hawkinson holding aside the IDET recommendation until a future meeting and in addition award 2 bibs to the runners for the War Memorial Scholarship as outlined in the memo.

Sullivan Woods – Aye

Olney –Aye

Ulfelder – Aye

Aufranc – Aye

Lanza – Aye

8. Executive Director Update

Ms. Jop stated that Town Counsel had donated to the Wellesley Food Pantry on behalf of the Board in lieu of sending a holiday gift to the Town. She added that the Board would hold a budget meeting on January 7th. She briefly provided an update regarding the RFP process for relocation of the land use departments from Town Hall. Ms. Jop stated that following the Board's determination regarding the Verizon contract negotiations, a request from the Commonwealth was granted to extend the time to issue the preliminary letter of denial in order to continue negotiations with Verizon.

9. New Business and Correspondence

The meeting was adjourned at 9:40 pm

The next regular meeting is scheduled for January 10, 2022 at 6:00 pm.