

Approved: March 21, 2022

Select Board Meeting: February 14, 2022

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

Also Present: Jop, Frigulietti

Warrants approved:

Meeting Documents:

1. Agenda
2. Draft Select Board Calendar
3. September 1st Emergency Order: Mandatory Masks in Town Buildings
4. Draft Budget Request – Planning Department
5. Common Victualler Application – Tatte Bakery & Café
6. Change in Manager Application – Papa Razzi
7. Change in Manager Application – Wellesley Country Club
8. Alteration of Premises Application – Wellesley Country Club
9. FMD Presentation for Advisory re: Land Use Department Article 17
10. ATM Warrant Article proposed assignments
11. Draft motions
12. Memo re: FY23 Cash Capital request for kitchen study – revised 2/10/22
13. One Day Special License Requests
14. SPED Stabilization expenditure information
15. Animal Control Report
16. Quarterly Cash Flow Analysis
17. Hardy Traffic Documents

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. Executive Session under M.G.L c. 30A §21A, exemption #2 to conduct a grievance hearing with the Local 1795, IAFF

Mr. Ulfelder requested a motion that the Board vote to convene in Executive Session for the purposes of conducting a grievance hearing with Local 1795, IAFF as required under a collective bargaining agreement.

At 6:01 pm, upon a motion by Ms. Sullivan Woods and seconded by Ms. Olney, the Board was polled and voted (5-0) to enter Executive Session under M.G.L c. 30A §21A, exemption #2 to conduct a grievance hearing with Local 1795, IAFF as the Chair has declared that having such discussions in Executive Session is required under a collective bargaining agreement and to invite Meghan Jop, Amy Frigulietti, Labor Counsel Jim Pender, Michael Leach, Scott Smith, Ken DeMerchant, and Patrick Bryant (Fire Union Counsel) to join the meeting. Following the adjournment of executive session, the Board will return to open session to conclude the agenda.

Sullivan Woods – Aye

Olney –Aye

Ulfelder – Aye
Aufranc – Aye
Lanza – Aye

Upon a motion by Ms. Sullivan Woods and seconded by Ms. Olney, the Board was polled and voted (5-0) to exit executive session and return to open session

Sullivan Woods – Aye
Olney – Aye
Ulfelder – Aye
Aufranc – Aye
Lanza – Aye

3. Citizen Speak

The Board returned to Open Session at: 7:09pm

4. Joint Meeting with the Board of Health to Discuss and Vote the Modifications or removal of the September 1, 2021 mask mandate for Town Buildings

Ms. Testa Simonson and Ms. Oliver Grape of the Board of Health; Mr. Izzo, Health Department Director, and Ms. McCauley, Public Health Nurse, joined the meeting. It was noted that Mr. Shep Cohen, Chair, was unable to join the meeting.

Upon a motion by Ms. Sullivan Woods and seconded by Ms. Testa Simonson, the Board was polled and voted (7-0) to call the joint meeting of the Select Board and the Board of Health to order.

Sullivan Woods – Aye
Olney – Aye
Ulfelder – Aye
Aufranc – Aye
Lanza – Aye
Oliver Grape – Aye
Testa Simonson – Aye

Upon a motion by Ms. Sullivan Woods and seconded by Ms. Testa Simonson, the Board was polled and voted (7-0) to appoint Tom Ulfelder as Chair of the Joint Meeting.

Sullivan Woods – Aye
Olney – Aye
Ulfelder – Aye
Aufranc – Aye
Lanza – Aye
Oliver Grape – Aye
Testa Simonson – Aye

Upon a motion by Ms. Sullivan Woods and seconded by Ms. Testa Simonson, the Board was polled and voted (7-0) to appoint Marcia Testa Simonson as Secretary of the Joint Meeting.

Sullivan Woods – Aye
Olney – Aye
Ulfelder – Aye
Aufranc – Aye
Lanza – Aye

Oliver Grape – Aye
Testa Simonson – Aye

The Boards noted the discussion would not address mask requirements in the schools and that the discussion was only related to the emergency order placing a mask mandate in effect for town buildings.

Ms. Braatz, 105 Suffolk Road, joined the meeting. She stated that she supported the removal of the mandate as the latest surge had eased.

Dr. Goldberg, 24 Standish Circle, joined the meeting. He stated that he supported the removal of the mask mandate and supported additional education regarding vaccinations.

Dr. Plenge, joined the meeting. He stated he was in favor of the removal of the mask mandate and believed it was time to transition to a new normal.

Ms. Testa Simonson reviewed the background on the September 1, 2021 implementation of the municipal building mask mandate, including the rise in cases related to the Delta variant. She noted that the differences in the characteristics of the Delta variant and the more recent Omnicron variant. She stated that the Board of Health had strategically focused on community education rather than mandates. Ms. Testa Simonson added that during the most recent surge, the Board of Health had opted to implement advisories and educational tactics with retail business rather than mandates. She stated that the removal of the mandate was not a statement that people should not wear masks and that people should continue to make prudent choices for their health about when and where to use masks. Mr. Izzo reviewed discussions with staff regarding the mandate noting that staff supported removing the mandate on March 7th; he noted that this date was chosen as it was the week after school vacation week and after the town election. Ms. McCauley discussed the current Wellesley cases and provided a comparison of the current case data relative to the Delta variant surge when the mandate was enacted. Mr. Izzo stated that he believed removal of the mandate should be replaced with a mask advisory.

The Boards discussed removing the executive order mandating masks in town buildings enacted in September, 2021, and the current status of the pandemic. The Boards expressed agreement that the date for removal should be March 7th. It was noted that metrics would continue to be monitored and adjustments to health policies and mandates would be implemented when necessary.

Upon a motion by Ms. Sullivan Woods and seconded by Ms. Testa Simonson, the Board was polled and voted (7-0) to rescind the emergency order of the Wellesley Board of Health and the Wellesley Select Board regarding practices to prevent the spread of infectious respiratory droplets dated September 1, 2021 this rescission will take effect on March 7, 2022.

Sullivan Woods – Aye

Olney –Aye

Ulfelder – Aye

Aufranc – Aye

Lanza – Aye

Oliver Grape – Aye

Testa Simonson – Aye

Upon a motion by Ms. Sullivan Woods and seconded by Ms. Testa Simonson, the Board was polled and voted (7-0) to dissolve the joint meeting.

Sullivan Woods – Aye

Olney –Aye

Ulfelder – Aye
Aufranc – Aye
Lanza – Aye
Oliver Grape – Aye
Testa Simonson – Aye

5. Joint Meeting with the Planning Board to discuss Planning Board Budget

Ms. Johnson, Planning Board Chair; Mr. McCauley, Planning Director; and Mr. Arbeene, Planner joined the Board. Ms. Johnson stated that other Planning Board members had conflicting commitments and the Planning Board would not have a quorum.

Ms. Jop stated that she and Ms. Strother were recommending the Select Board approve a modified version of the Planning Board budget. She recommended maintaining the requested upgrade of a part time to full time employee and reducing the consulting fund amount by \$25,000 rather than approving the total budget submission from the Planning Department. Mr. McCauley stated that the office had trouble staffing the part time position and believed the department workload justified the change to a full time position and the addition of another full time employee to the office. He reviewed the analysis used in developing the budget and justification for the proposal being over guideline. Mr. McCauley noted the increased workload in the department with trend information, the difficulty in securing and retaining employees, and presented staffing comparisons with other communities.

The Board discussed at length the Planning Department budget proposal, the current open positions within the department, and the workload for the office. The Board discussed the process for reviewing the Planning Board budget and the request of the Select Board staff to modify the budget rather than allowing the Planning Board to submit the budget as it determined appropriate. The Board did not reach consensus on how the Planning Department budget should be assessed or if it should be revised.

6. Discuss and Vote Common Victualler License for Tatte Bakery and Café at 165 Linden Street

Ms. Meagher, Support Services Manager joined the Board. Mr. Boyle, applicant, and Ms. Kittinger, proposed manager, joined the Board.

Ms. Meagher reviewed the application noting that staff had processed the application and supported its approval. She stated that the applicant had been in contact with the Health Department and the Board should consider approval based on final sign offs from the Health and Building Departments. The Board briefly discussed the application.

Upon a motion by Ms. Sullivan Woods and seconded by Ms. Olney, the Board was polled and voted (5-0) to approve the Common Victualler license for Tatte Bakery and Café at 165 Linden Street pending final signoffs from the Health Department and Building Department and to set the hours of operation at 7am-8pm Monday through Sunday.

Sullivan Woods – Aye
Olney – Aye
Ulfelder – Aye
Aufranc – Aye
Lanza – Aye

7. Discuss and Vote Change in Manager for Papa Razzi at 16 Washington Street

Ms. Coogan, proposed Papa Razzi Manager, joined the Board.

Ms. Meagher stated that long time manager Mr. Gary Morrison had been promoted within the organization and Ms. Coogan had worked at Papa Razzi in Wellesley for several years with him. She noted that staff had processed the application and recommended the Board approve the application to submit to the ABCC for final approval. The Board briefly discussed the application.

Upon a motion by Ms. Sullivan Woods and seconded by Ms. Olney, the Board was polled and voted (5-0) to approve the change in manager from Gary Morrison to Christine Coogan for Papa Razzi located at 16 Washington Street.

Sullivan Woods – Aye

Olney –Aye

Ulfelder – Aye

Aufranc – Aye

Lanza – Aye

8. Discuss and Vote Change in Manager for Wellesley Country Club at 300 Wellesley Avenue

Mr. Himmelberger, Counsel for the applicant, Mr. Lynch and Mr. Ryan joined the Board.

Ms. Meagher stated that Mr. Ryan was retiring from the Club and Mr. Lynch had been working for several years with Mr. Ryan. She added that staff recommended approval for the application and submission to the ABCC. The Board briefly reviewed the application. The Board noted Mr. Ryan's long service and thanked him for his tremendous contributions to the community.

Upon a motion by Ms. Sullivan Woods and seconded by Ms. Olney, the Board was polled and voted (5-0) to approve the change in manager from Martin Ryan to Brian Lynch for Wellesley Country Club at 300 Wellesley Avenue.

Sullivan Woods – Aye

Olney –Aye

Ulfelder – Aye

Aufranc – Aye

Lanza – Aye

9. Public Hearing to Amend Premises of Alcohol License for Wellesley Country Club at 300 Wellesley Avenue

Mr. Ulfelder opened the public hearing.

Mr. Ulfelder stated that abutters had been notified and notice had been posted in accordance with State and local regulations. He added that the Board had not received any comments from the public regarding the application to revise the service locations for the Club. Ms. Jop stated the application had been reviewed by staff and recommended approval.

Mr. Himmelberger stated that the building was under construction and the change included two new interior alcohol service locations and one outdoor patio, while the old tennis building included one interior and one patio location for alcohol service.

The Board closed the public hearing. The Board briefly discussed the application.

Upon a motion by Ms. Sullivan Woods and seconded by Ms. Olney, the Board was polled and voted (5-0) to close the public hearing.

Sullivan Woods – Aye

Olney –Aye

Ulfelder – Aye

Aufranc – Aye

Lanza – Aye

Upon a motion by Ms. Sullivan Woods and seconded by Ms. Olney, the Board was polled and voted (5-0) to approve the alteration of premises application for Wellesley Country Club located at 300 Wellesley Avenue to include the Golf Simulator Lounge, Tennis Viewing Lounge, and Tennis Outdoor Patio within the newly constructed racquets facility.

Sullivan Woods – Aye

Olney –Aye

Ulfelder – Aye

Aufranc – Aye

Lanza – Aye

10. Annual Town Meeting Preparation

Ms. Strother, Finance Director joined the Board. Mr. Kaplan, Moderator, joined the Board.

Ms. Jop stated that the draft motions had been updated and included in the packet. She reviewed article 24, establishing a study committee to review various Town Meeting guidelines and the term of the Moderator. Mr. Kaplan reviewed the drafted motion noting that the last in person Town Meeting had been December, 2019. He stated that various process changes to study included evaluating electronic voting, the processes for reconsideration, and additional technical changes. Mr. Kaplan further reviewed processes and procedures for study and potential modification, noting that the current guidelines were drafted in 1973. He stated that the State statute allows for Moderators to be appointed for one or three years and believed the Town would benefit from having a three-year term for the moderator given the appointment responsibilities and learning curve. The Board discussed the drafted motion for article 24.

Ms. Jop reviewed the recommended Board article assignments for Town Meeting. She stated that additional funding in free cash was identified to assist with offsetting the Middle School parking lot project. She briefly reviewed additional motions.

Ms. Jop stated that in order to prepare the Town Wide Financial Plan for the Board to review and vote, a final budget was necessary. The Board continued its discussion regarding the Planning Department budget and did not express agreement on how the Board should address the budget submission approved by the Planning Board. The Board discussed the proposal to include \$25,000 in the FMD capital budget for a COA kitchen study. Ms. Jop reviewed updates and revisions to the updated budget proposal. She stated that the proposed budget reflected the staff's proposed changes to the Planning Board budget as discussed earlier. She stated that currently there was a deficit of \$117,036 which would require an additional appropriation from free cash. Ms. Sullivan Woods requested that the vote be delayed to allow the Planning Board to consider the Board's input and determine if it would like to modify its recommended budget. The Board discussed its role in submitting a balanced budget and motions for Article 8 at Town Meeting. The Board continued to discuss how the Planning Board budget was being assessed and modified by staff. Ms. Sullivan Woods and Ms. Lanza expressed concerns and disagreement that the Board should modify the Planning Board budget against the wishes of the Planning Board. .

Upon a motion by Mr. Ulfelder and seconded by Ms. Olney, the Board was polled and voted (3-2) to approve the fiscal year budget in the amount of \$191,956,359 including an appropriation of \$117,036 from free cash

Sullivan Woods – No

Olney –Aye

Ulfelder – Aye

Aufranc – Aye

Lanza – No

11. Executive Director’s Update

Ms. Jop stated that the Governor had signed the bill authorizing remote Town Meetings and reviewed the process for the Town moving forward with a remote option. She added that allowance for remote meetings was extended to July 2022. Ms. Jop reviewed the gift from the Community Fund for Wellesley to the Police Department. She provided a review of the two One Day Special License requests from Babson College and noted they had been reviewed by staff and recommended approval of both. Ms. Jop reviewed the expenditure from the SPED stabilization fund which had been approved by the School Committee at its previous meeting. The Board discussed reimbursement of the Medicaid filing to New England Medical Billing was larger than normal due to the significant reimbursement for services that had been received by the Town.

Upon a motion by Ms. Sullivan Woods and seconded by Ms. Olney, the Board was polled and voted (5-0) to approve the grant to the Wellesley Police Department in the amount of \$5,000 for the Traffic Box Project from the Community Fund for Wellesley.

Sullivan Woods – Aye

Olney –Aye

Ulfelder – Aye

Aufranc – Aye

Lanza – Aye

Upon a motion by Ms. Sullivan Woods and seconded by Ms. Olney, the Board was polled and voted (5-0) to approve the One Day Licenses for Babson College “Countryfest” event on March 4, 2022 and the Babson College “Biz Bougee Birthday Bingo Party” on April 21, 2022.

Sullivan Woods – Aye

Olney –Aye

Ulfelder – Aye

Aufranc – Aye

Lanza – Aye

Upon a motion by Ms. Sullivan Woods and seconded by Ms. Olney, the Board was polled and voted (5-0) that the Board vote to authorize payment of invoices in the amount of \$11,758.41 to New England Medical Billing for the Town’s Medicaid filing from the SPED Stabilization Fund.

Sullivan Woods – Aye

Olney –Aye

Ulfelder – Aye

Aufranc – Aye

Lanza – Aye

12. New Business and Correspondence

Mr. Ulfelder provided a brief update from the PBC meeting regarding a traffic light installation recommendation at Weston and Hardy in connection with the Hardy School Project.

Ms. Sullivan Woods provided an update from the COA Board meeting that had been held earlier in the evening to review the proposed kitchen study that had been developed by FMD. Overall, the COA Board was glad that the Select Board was supportive of conducting a kitchen study with FMD. She added that the COA had requested modifications to the proposal, including that the project plan include involvement of the COA Board and staff to ensure alignment, the language should not reference that the kitchen was not intended to be commercial. She stated that the COA understands that delay of the proposed entrance way study and would like to ensure it is on the plan for the near future.

The meeting was adjourned at 10:41 pm

The next regular meeting is scheduled for February 22, 2022 at 6:00 pm.