

Approved March 8, 2023

**Advisory Committee Meeting  
Zoom Video Conference  
Tuesday, February 28, 2023, 6:30 p.m.**

Those present from Advisory Committee included Shawn Baker, Doug Smith, Madison Riley, Rani Elwy, Gail Sullivan, David Prock, Bill Schauffler, Pete Pedersen, Al Ferrer, Jenn Fallon, Christina Dougherty, Wendy Paul, Susan Clapham, Neal Goins, and Andrea Ward.

The link to the meeting video can be found here. [February 28, 2023 Meeting](#)

Chair Shawn Baker called the meeting to order at 6:30 pm; Vice Chair, Doug Smith took roll call of Advisory members in attendance.

**Citizen Speak**

There was no one present for Citizen Speak.

**Discuss and Vote 2023 ATM Warrant Articles**

**Article 31 – PILOT Agreement with Citizens Energy**

*Susan Clapham made, and Doug Smith seconded a motion for favorable action on Warrant Article 31, Motion, as proposed by the MLP, that the Town authorize the Select Board and the Board of Assessors to negotiate and execute an agreement for payments in lieu of taxes (“PILOT”), with BESS, LLC, for a battery storage system to be located on a parcel at 4-8 Municipal Way, as detailed in the Article and the Motion.*

**Discussion**

- The Citizens Energy agreement with the MLP is to build a large battery to enable the MLP to shave peak usage during the year. It also allows the town to review the battery from a climate change perspective. The savings will be split between Citizens Energy and the Town. There are no capital costs to the Town to build the battery storage system. Although they will be locating the battery storage system on Town-owned land, Citizens Energy would still be liable to pay personal property taxes on the equipment, and thus seeks to make payments in lieu of taxes for personal property. This article authorizes the town to negotiate this. The value of the battery is unknown at this time.
- Support for the article was expressed as it makes sense and sets expectations on both sides.
- Additional support was expressed. This is an authorization article authorizing the Select Board (SB) to enter into the agreement for a PILOT. The SB is negotiating the terms.
- Does it make a difference that Citizens Energy is a nonprofit in terms of taxes?
  - They need to pay personal property taxes and real estate taxes. The PILOT is a key part of the Citizens Energy’s agreement.

Roll call vote was taken.

**Advisory recommends favorable action on Article 31, 14 to 0.**

**Article 8, Motion 1 – Municipal Light Plant contribution**

*Susan Clapham made, and Jenn Fallon seconded a motion for favorable action on Warrant Article 8, Motion 1, as proposed by the Select Board, that the sum of \$1,000,000 (ONE MILLION DOLLARS) paid to the Town from the Municipal Light Plant be appropriated to the Board of Assessors as an estimated receipt when computing the tax rate commencing on July 1, 2023.*

### Discussion

- This is a vote to accept money from the MLP which will go into the Town's General Fund. It is a payment from the rate payers to the taxpayers and was originally conceived as a benefit the town receives for owning the municipal light plant. \$1 million is more than a private facility would pay in taxes.
- A comment was made that the payment shouldn't be \$1 million forever and that there should be a rationale for the calculation of the payment.
- A comment was made that the Town should think about a calculation method so the number could be audited.
- A comment was made that MLP is not obligated to make the payment. Payment is voluntary and not subject to town control.

Roll call vote was taken.

**Advisory recommends favorable action on Article 8, Motion 1, 13 to 0.**

### Article 34 – Extend Moderator Term

*Susan Clapham made, and Wendy Paul seconded a motion for favorable action on Warrant Article 34, Motion 1, as proposed by the Moderator, that the Town vote to extend the term of office for the Town Moderator from one year to three years.*

### Discussion

- A comment was made that for the representative Town Meeting communities (RTM) the length of the moderator term splits evenly between terms of one or three years. The challenge if the moderator is moved to a three-year term is that some moderators might not be as capable as others. The moderator appoints key people and runs Town Meeting. Best practices were not in the presentation. It was felt that the best way to make sure there is succession planning is to vote each year.
- A comment was made that the moderator is a critical position in town and if there were a rogue moderator, he or she could load committees with rogue appointees.
- A comment was made that Wellesley is different than many communities and if there were a two-year option it could be better because three years is a long time.
  - Massachusetts General Laws says moderator's term is either one or three years.
- A comment was made that the information presented was interesting. It was further commented that committee appointments are shared in other towns with three-year terms and appointments are made by a committee. It would be good to combine the three-year term with a shared appointing responsibility.
- Support for the article was expressed even though the data is not compelling; it was felt that there is a very short period of time between the election and Town Meeting which then compresses the time the moderator must make the numerous committee assignments.
- Agreement was expressed with previous comments, that the data presented was not compelling. However, the amount time of in the learning curve was very compelling to have more continuity in the moderator position.
- Wellesley has had an outstanding moderator in the past few years who invests a lot of time in looking at how to improve processes that run Town Meeting and help the Town. It was commented that when looking at a proposal to change an existing bylaw, there should be a higher bar, and the data was not persuasive. Wellesley is not an outlier with the one-year term. Regarding issues of awkwardness or difficulty recruiting candidates for committees in the fall and winter moderators can't ensure that they will be in the position to make the appointments until after the Town election. It was felt that candidates understand and benefit from appointment

Approved March 8, 2023

closer to the start of a service term. It was felt that the possibility of a rogue moderator might be small, but it was felt that there are institutional challenges in a three-year term for a moderator who does not run Town Meeting well. It was felt that there could be a larger conversation about the timing of Town Meeting being held at the earliest date allowed when there is an allowed range into May.

- Appreciation for previous comments was expressed. A comment was made that most of the appointments the moderator makes are for two or three years, so while the moderator is a key person, there may be rogue individuals in other positions. Support was expressed due to the efficiency the three-year term provides even though there might be risks.
- A question was asked if there has ever been a contested race for moderator.
  - It was believed that there has been a contested race for the moderator, but it does not happen very often.
- A comment was made that in effect there is a long-term moderator because the race is often not contested. An additional comment was made that past behavior suggests that the moderator position will not be contested if the incumbent is doing a good job.
- A comment was made that the biggest concern about the three-year term is a potential rogue moderator.
- There was a discussion about how a moderator could be removed for cause.
- A comment was made that the uncertainty expressed by other members is because it requires the unknown in predicting the future. There is the potential for someone to be only focused on a particular issue and then to make appointments based on that issue rather than the broader town needs.
- A question was asked if there is a way to put in guardrails regarding appointments such as making them a shared appointment.
  - A comment was made that the independence of Advisory is important as the one independent voice in town. If the appointments to Advisory were shared it was felt Advisory would lose its independence.
- Additional comments were made in agreement with previous comments and either expressing support or no support for the Article.

Roll call vote was taken.

**Advisory recommends unfavorable action on Article 34, 8 to 5.**

#### **Article 4 – Amend Job Classification Plan**

*Susan Clapham made, and Rani Elwy seconded a motion for favorable action on Warrant Article 4, Motion 1, as proposed by the Human Resources Board, that the Classification Plan established at the 1950 Annual Town Meeting as amended be further amended by striking Schedule A, “Job Classification by Groups,” and inserting a new Schedule A as set forth in the Warrant and the Motion.*

Roll call vote was taken.

**Advisory recommends favorable action on Article 4, 13 to 0.**

#### **Minutes Approval**

Madison Riley made, and Bill Schaffler seconded a motion to approve the February 22, 2023, minutes.

Roll call vote was taken and February 22, 2023, minutes were approved, 13 to 0.

#### **Administrative**

Approved March 8, 2023

Next meeting is March 1, 2023; DPW; Schools budget questions; TWFP and update on Omnibus budget are on the agenda. Two documents related to questions that the schools were asked will be distributed tomorrow before the meeting.

**Liaison Updates**

*Pete/DPW* – DPW will be attending the March 1 meeting to provide an update on the various DPW articles and activities.

**Adjourn**

Jenn Fallon made, and Bill Schaufler seconded a motion to adjourn.

Roll call vote was taken and the meeting was adjourned at 7:58 p.m., 13 to 0.