

Approved April 4, 2022

**Advisory Committee Meeting
And
STM Public Hearing
Zoom Video Conference
Wednesday, March 30, 2022, 6:30 p.m.**

Those present from Advisory Committee included Shawn Baker, Jake Erhard, Jenn Fallon, Neal Goins, Jeff Levitan, Corinne Monahan, Doug Smith, Susan Clapham, Wendy Paul, Pete Pedersen.

Neal Goins called the meeting to order at 6:30 pm and introduced members of Advisory in attendance.

Citizen Speak

There was no one present for Citizen Speak.

MLP Presentation for STM

Donald Newell, Director, MLP; Francisco, Frias, Assistant Director, MLP presented the background regarding the MLP STM Warrant Article to transfer the care, custody, management and control of a parcel of land (the Parcel) to the Municipal Light Board (MLB). While the MLP is exploring executing a lease for the Parcel for placement of a battery storage unit it was determined that the Parcel is not under their care, custody, management and control. Tom Harrington, Town Counsel, further explained that the MLP is authorized to lease property under its control without a Town Meeting vote. This land was acquired by the Town in 1924 for municipal purposes and allocated to the Board of Selectmen with contributions from water, sewer, highway, and electric. The MLP has used the parcel for decades but it was never formally transferred to MLP. To address this, the Select Board and the Board of Public Works (BPW) need to declare that they no longer need the Parcel for “general municipal purposes” and that the Parcel is surplus to their needs by majority vote. Then Town Meeting must vote by a two-thirds majority to transfer the care, custody, management and control of the Parcel to the MLB. Then this allows MLB to give the necessary certificate to the proposed tenant to take to a lender to show that MLB has authority to bind the land. Ultimately the Town owns everything and parcels out control of its land to various town boards. Meghan Jop, Executive Director and Tom Ulfelder, Chair, Select Board were also present.

Questions/Discussion

- Clarification was requested of the process for the SB and BPW to vote and to confirm that these boards don’t officially need to return the care, custody, and control to the town?
 - That parcel has been divided up with the agreement to divide made a long time ago. This parcel did not go through Town Meeting years ago.
- Majority vote or 2/3rd vote?
 - Majority (later updated to 2/3rds)
- Are there two motions under this article?
 - There is one motion. Votes for SB and BPW will occur prior to TM. Then they can report to Town meeting.
- Is this battery storage for solar panels or are there batteries that could leak and produce hazardous waste?
 - There are no solar panels and this system has been installed in many other places. It is very beneficial to how we can manage various products. However, there will be solar panels installed on roof on DPW building but there won’t be on the battery storage.

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- Is there any consideration to the boards that are relinquishing care custody and control as part of this transaction?
 - No, the Town owns it and is just shifting who controls it.
- Beyond the passage of the warrant article what type of documentation is involved to give the clear title assurances?
 - Town Clerk will produce a certified copy of town vote and this will be attached to the lease and recorded.
- Clarification was requested that this vote is for the transfer for land and that the case for the contract and approval as to the use is a different topic.
 - Yes, this is solely about land transfer
- Clarification was requested that this was originally a quarter each water, sewer, highway, and electric.
 - Yes, this was acquired for municipal uses.

Advisory's regular meeting was suspended until the 7 p.m. Public Hearing.

April, 2022 Special Town Meeting Public Hearing

Public Hearing was opened at 7 p.m. by Neal Goins, Chair of the Advisory Committee, and members of Advisory Committee in attendance were introduced. A summary of each of the two STM Warrant articles was read. There was no one present who wished to speak on either article.

Vote to close Public Hearing

Wendy Paul made and Corinne Monahan seconded a motion to close the Public Hearing.

Roll Call Vote

Jennifer Fallon – yes
Corinne Monahan – yes
Jeff Levitan – yes
Jake Erhard - yes
Patti Quigley – absent
Tom Cunningham -absent
Doug Smith – yes
Susan Clapham - absent
Al Ferrer - absent
Wendy Paul – yes
Pete Pedersen - yes
Madison Riley – absent
Shawn Baker – yes

Public Hearing was closed, 8 to 0.

Shawn made and Corinne Monahan seconded a motion for favorable action to transfer the care, custody, management, and control of the land, as detailed in the Motion, to the MLB.

Roll Call Vote

Jennifer Fallon – yes
Corinne Monahan – yes
Jeff Levitan – yes
Jake Erhard - yes
Patti Quigley - absent

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Tom Cunningham – absent
Doug Smith – yes
Susan Clapham - yes
Al Ferrer - absent
Wendy Paul – yes
Pete Pedersen - yes
Madison Riley – absent
Shawn Baker – yes

Advisory recommends favorable action on STM Warrant Article 2, 9 to 0.

Minutes Approval/Liaison Reports/Administrative Items

Citizens Petition/Doug Smith – Article 44 will be re-worked. Moderator is reviewing the revised Motion to determine if stays within the 4 corners.

Planning/Shawn Baker – Planning will be presenting revised motions to Advisory on Monday, April 4.

Coming attractions

Minutes Approval

Jenn Fallon made and Wendy Paul seconded a motion to approve the March 23, 2022 minutes and adjourn the meeting.

Roll Call Vote

Jennifer Fallon – yes
Corinne Monahan – yes
Jake Erhard - yes
Jeff Levitan – yes
Patti Quigley - absent
Tom Cunningham – absent
Doug Smith – yes
Susan Clapham - yes
Al Ferrer - absent
Wendy Paul – yes
Pete Pedersen - yes
Madison Riley – absent
Shawn Baker – yes

March 23, 2022 minutes were approved and the meeting adjourned, 9 to 0.

Meeting was adjourned at 7:40 p.m.

Documents Reviewed (link to website documents)

<https://wellesleyma.gov/DocumentCenter/Index/1649>

- MLP Presentation and Notes
- DPW Complex Plan Battery Storage Project
- STM Motion – Article 2