

Approved: July 24, 2023

Select Board Meeting: June 28, 2023

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

Also Present: Jop

Meeting Documents:

1. Agenda
2. Draft Select Board Calendar
3. Draft Select Board Minutes: 3/21/23, 5/2/23, 7/27/22
4. Draft PILOT Agreement with Citizen's Energy
5. Appointment list for June 28, 2023 Meeting
6. Recommendation for appointment letter from CAC
7. Recommendation for appointment letter re: COA appointments
8. Recommendation for appointment letter re: Historical Commission
9. Draft Year End Transfers
10. Animal Control Report
11. Police Commendations
12. Transportation Update from Colette Aufranc
13. Testimony from Lise Olney on HB 3137 on behalf of CAC
14. Local Preference Letter for 3 Burke Lane Project

1. Call to Order

Ms. Olney, Chair, called the Select Board to order at 2:00 pm.

- 2. Executive Session M.G.L c. 30A §21A, exemption #2 to conduct strategy sessions in preparation for negotiations with non-union personnel (Police Chief J. Pilecki and Fire Chief Position) and M.G.L c. 30A §21A, exemption #3 to conduct strategy with respect to AFSME Local 335, Production and Supervisory Units (DPW), and Local 1795, IAFF (Firefighters), and Wellesley Police Dispatchers Association**

Ms. Olney requested that the Board vote to convene in Executive Session for the purposes of discussing union negotiations with the Firefighters, Library Association Unions, Department of Public Works Unions, and Police Dispatchers and to conduct strategy session regarding the negotiations for non-union personnel and declared that having such discussions in Open Session would have a detrimental effect on the Town's position.

At 2:02 pm Upon a motion by Ms. Sullivan Woods and seconded by Mr. Ulfelder, the Board was polled and voted (5-0) to enter Executive Session under M.G.L c. 30A §21A, exemption #2 to conduct strategy sessions in preparation for negotiations with non-union personnel (Police Chief J. Pilecki and Fire Chief Position) and to enter Executive Session under M.G.L c. 30A §21A, exemption #3 to discuss strategy with respect to union negotiations with AFSME Local 335, Production and Supervisory Units (DPW), WFL Staff Association and Supervisor Association (Library), and Local 1795, IAFF (Firefighters), and Wellesley Police Dispatchers Association and to invite Meghan Jop, Jack Pilecki, Brian Duggan, David Houghton, Dave Cohen, and Nat Brady to join as the Chair has declared that having such discussion in open session would have a detrimental effect on the Town's position. Following the adjournment of executive session, the Board will return to open session at 4:00 pm to continue the remainder of the agenda.

Olney – Aye

Sullivan Woods – Aye

Ulfelder – Aye
Aufranc – Aye
Lanza – Aye

Upon a motion by Ms. Sullivan Woods and seconded by Mr. Ulfelder, the Board was polled and voted (5-0) to exit Executive Session and return to Open Session

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

3. Call to Order Open Session

The Board returned to open session at 3:45pm. The Board agreed to take a 15-minute break as the agenda had listed a 4:00pm start time. The meeting resumed at 4:00pm.

Ms. Olney 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.

4. Citizen Speak

None.

5. Executive Director's Update

Ms. Olney recognized the passing of longtime resident Donna Kemp who had served on many Boards and Committees as well as a Town Meeting Member.

Ms. Jop stated that the Wellesley Square Merchants would be hosting the “July Jubilation” the weekend of July 15th. She noted that there had been a public meeting regarding 8 Cliff Road held on June 15th and the recording of that meeting was available on the Select Board webpage of the town website. She also provided an overview of other resource information that was available on the website. Ms. Jop provided a brief update on the search for a Fire Chief. Ms. Jop reported that the Recreation and Youth Commission had requested use of the Tailby Lot for a schedule of summer outdoor movies.

Ms. Jop stated that the drafted minutes had minor edits and should be voted as amended; these edits were briefly reviewed. Ms. Jop requested that the July 2022 minutes in the packet be held for a future meeting. Ms. Jop reviewed the request to use the Tailby lot for the summer movie nights and noted this will be the third year of this successful offering. She announced that the summer concerts will be offered by Recreation Department on alternating weeks and encouraged the community to check the website for additional information.

Upon a motion by Ms. Sullivan Woods and seconded by Mr. Ulfelder, the Board was polled and voted (5-0) to approve the minutes of March 21, 2023 and May 2, 2023 as amended.

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

Upon a motion by Ms. Sullivan Woods and seconded by Mr. Ulfelder, the Board was polled and voted (5-0) to authorize the use of the Tailby Parking Lot for Drive-In movie events and to authorize the Executive Director to modify dates as needed due to weather in coordination with the Wellesley Police Department, Recreation Department, and Youth Commission.

Olney – Aye

Sullivan Woods – Aye

Ulfelder – Aye

Aufranc – Aye

Lanza – Aye

6. Discuss and Vote BESS Payment in Lieu of Taxes Agreement with Citizen’s Energy and MOU with WMLP and Citizen’s Energy on Access to the site

Ms. Brewer of Town Counsel’s Office joined the meeting.

Ms. Jop stated that Ms. Brewer had negotiated the payment in lieu of taxes and licensing agreements and that both the Select Board and the Board of Assessors are required to vote to approve the PILOT agreement. She noted that Town Meeting had authorized these actions in the spring and the Board of Assessors had voted to approve this proposed agreement. Ms. Brewer reviewed the PILOT Agreement negotiated with Citizen’s Energy and the valuation of the property over the term of the lease. She noted that experts had been retained to assess full and fair value of the personal property over the 20-year lease period for assessment purposes. Ms. Brewer reviewed the MOU and license agreement. The Board discussed the agreement and MOU. Ms. Brewer explained that the license and MOU agreement are required to document Citizen Energy’s access to the property during the term of the lease. Ms. Lanza asked a clarifying question about the map referenced in the document and asked that the final document be updated to include a color copy, so the property lines are clear. Mr. Ulfelder expressed the Board’s appreciation for Ms. Brewer’s work on negotiating a strong agreement for the Town.

Upon a motion by Ms. Sullivan Woods and seconded by Mr. Ulfelder, the Board was polled and voted (5-0) that the Board approve the Payment in Lieu of Taxes Agreement with Wellesley BESS LLC and authorize Meghan Jop to sign on behalf of the Town and further that the Board approve the Memorandum of Understanding and License Agreement with Wellesley Municipal Light Plant and authorize Chair, Lise Olney to sign on behalf of the Town.

Olney – Aye

Sullivan Woods – Aye

Ulfelder – Aye

Aufranc – Aye

Lanza – Aye

7. Discuss and Vote Board and Committee Appointments

Ms. Jop reviewed the appointments for consideration. The specific appointments were for the Historical Commission (full and alternate), Climate Action Committee, Youth Commission, and the Council on Aging. She noted that Cultural Council appointments remained outstanding. Ms. Jop reviewed the individuals recommended for each board and committee along with the term dates, referencing that the information about these recommendations had been included in the Board’s packet. Ms. Lanza stated that she appreciated all that are willing to serve on Boards and Committees however would prefer that the Board policy on appointments had restrictions regarding a single individual serving on multiple Boards or Committees. She noted that tonight’s appointments will result in two people being appointed to multiple boards and she believed that this precedent should be revisited. Ms. Sullivan Woods agreed that the Board

should be more inclusive in terms of allowing for the appointment of unique individuals to Boards as opposed to having people serve on multiple boards during the same time period. Ms. Aufranc supported inviting a broad group of people into town government, noted that we are a small town, individuals often serve in multiple roles over time, and felt it was not necessarily a bad thing. Ms. Olney noted that the Board would be reviewing Board policies at its upcoming retreat.

Upon a motion by Ms. Sullivan Woods and seconded by Mr. Ulfelder, the Board was polled and voted (5-0) to approve the appointments as identified in the Select Board appointments dated June 28, 2023.

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

8. Discuss and Vote Police Chief Contract

Chief Pilecki joined the meeting.

Ms. Olney stated that the Board had discussed the contract in Executive Session and was prepared to vote. Chief Pilecki recognized the strength of his department staff and thanked the Board for their support of the department. The Board members each made observations about strengths of the WPD and Chief Pilecki's leadership, noting the Chief's commitment to sensitively dealing with mental health issues, consistently exercising judgment in achieving positive outcomes, attention given to training and developing leadership in the department, commitment to community policing philosophy, and consistent commitment to listening and thoughtfully responding to the community needs.

Upon a motion by Ms. Sullivan Woods and seconded by Mr. Ulfelder, the Board was polled and voted (5-0) to approve the 2-year contract extension for FY24 and FY25 Chief Francis Jack Pilecki with key provisions including a 5% increase per year and the opportunity to earn an additional 2% for each year based on performance, with the understanding that the terms of the contract are fully memorialized in the document signed by the Board.

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

9. Discuss and Vote Tentative Agreements on Union Contracts

Mr. Cohen, DPW Director, joined the meeting.

Ms. Jop noted the contracts that had been negotiated for DPW and Police; she noted that the contracts would be brought to the fall Special Town Meeting to ask Town Meeting to approve the appropriations.

Ms. Jop noted that the contract with the Police Dispatch Association included a cost-of-living adjustment of 4%, 3%, and 2% over the next 3 fiscal years. She noted that dispatchers would receive a stipend to maintain the required certifications. Ms. Jop reviewed several additional provisions within the contract regarding leaves, holidays, overtime, and shift bidding. She noted there is a side letter with respect to ongoing cleaning the technical equipment in dispatch. The anticipated incremental cost of this contract in FY24 is \$20,202 which will be brought to STM.

Chief Pilecki thanked Ms. Jop for her support on the contract negotiation and noted the trust the union had in her had a very positive impact on the process.

Upon a motion by Ms. Sullivan Woods and seconded by Mr. Ulfelder, the Board was polled and voted (5-0) to approve the Memorandum of Understanding with the Wellesley Police Department Dispatch Unit for a three-year contract extension as outlined in the MOU.

Olney – Aye

Sullivan Woods – Aye

Ulfelder – Aye

Aufranc – Aye

Lanza – Aye

Mr. Cohen briefly reviewed the Production Unit Contract noting that negotiations had begun in January. He noted key provisions included increases over the next three fiscal years of 5%, 2%, and 2% as well as updating holidays to include Juneteenth, overtime pay modifications, and longevity adjustments; the contract removes the RDF stipend for new employees and adjusts the boot allowance. The sick leave time and other administrative policies around time off, sick time, work schedules and holidays have been adjusted. In addition, some adjustments have been made to job descriptions to make them more contemporary. Mr. Cohen stated that for the Supervisory Unit the base rate increases were 5%, 3%, and 1% over the next three years. He added that for the Supervisory Unit contract updates were similar to the Production Unit.

Upon a motion by Ms. Sullivan Woods and seconded by Mr. Ulfelder, the Board was polled and voted (5-0) to approve the Memorandum of Understanding with AFSCME Council 93 Local 335 Production Unit as outlined in the document.

Olney – Aye

Sullivan Woods – Aye

Ulfelder – Aye

Aufranc – Aye

Lanza – Aye

Upon a motion by Ms. Sullivan Woods and seconded by Mr. Ulfelder, the Board was polled and voted (5-0) to approve the Memorandum of Understanding with AFSCME Council 93 Local 335 Supervisors Unit for the three-year contract extension.

Olney – Aye

Sullivan Woods – Aye

Ulfelder – Aye

Aufranc – Aye

Lanza – Aye

10. Discuss and Vote FY23 Year End Transfers

Ms. Jop reviewed the transfer requests noting that all transfers were required to be approved by the Board as well as Advisory. She stated that the Advisory Committee was requesting a transfer of approximately \$4,200 to cover additional hours of personnel services. Ms. Jop stated that the Building Department was requesting approximately \$8,000 in personnel services due to costs for on-call inspectors to cover vacancies. She added that the transfer request for the legal budget was approximately \$35,000 for the final invoices of the fiscal year for Town Counsel, Labor Counsel, and the special Counsel hired to address a personnel matter. Ms. Jop reviewed the transfer request from the Fire Department of approximately

\$370,000 in personnel services, largely due to personnel overtime costs incurred filling shifts resulting from departmental vacancies for the majority of the fiscal year. Ms. Jop stated that overtime and leave policies within the Fire Department budget would be reviewed in the upcoming fiscal year. She highlighted that it is likely that there will be a supplemental budget request for Fire at Fall STM to fund projected FY24 budget gaps due to ongoing vacancies and illnesses. The Board discussed the transfer request and budget deficit of the Fire Department.

Upon a motion by Ms. Sullivan Woods and seconded by Mr. Ulfelder, the Board was polled and voted (5-0) to approve a \$4,200 interdepartmental transfer for the Advisory Committee from expenses to personnel services.

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

Upon a motion by Ms. Sullivan Woods and seconded by Mr. Ulfelder, the Board was polled and voted (5-0) to approve a \$8,000 interdepartmental transfer for the Building Department from expenses to personnel services.

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

Upon a motion by Ms. Sullivan Woods and seconded by Mr. Ulfelder, the Board was polled and voted (5-0) to approve a \$35,000 from the High School Electric Fund in the FMD expense Budget to the Legal Expense budget.

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

Upon a motion by Ms. Sullivan Woods and seconded by Mr. Ulfelder, the Board was polled and voted (5-0) to approve a \$100,000 transfer from FMD Custodian at the Middle School from personnel services, \$90,000 transfer from FMD Custodian at the High School personnel services, \$85,000 transfer from IT personnel services, \$85,000 transfer from Crossing Guard personnel services, \$10,000 transfer from Finance personnel services to the Fire Department personnel services.

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

11. Liaison Update on Housing

Ms. Lanza stated that the Housing Authority was reviewing options for redevelopment of Barton Road. She added that the Housing Authority had been working toward filling empty units and anticipated to

have the units filled by September. Ms. Lanza stated that she attended a greater Boston interfaith event advocating for a significant increase in state funding for public housing.

Mr. Ulfelder stated that he and Ms. Jop had walked through the interior of Town Hall and view the conditions of the building. He noted the condition of various areas of the building, adding that he would address concerns with PBC for their consideration. Ms. Sullivan Woods asked that arrangements be made to allow the Board members to view Town Hall and understand the conditions.

The meeting was adjourned at 5:18 pm

The next regular meeting is scheduled for July 11, 2023 at 6:30 pm.