

**Approved: March 12, 2018**

**Board of Selectmen Meeting: February 20, 2018**

**Present: Gibbs, Morgan, Freiman, Sullivan Woods, Ulfelder**

**Also Present: Robinson, Jop**

**Minutes Approved: January 10 & January 29, 2018**

**Warrants approved: 2018-032 in the amount of \$4,652,512.27**

**Meeting Documents:**

1. Meeting Agenda
2. Draft Motions
3. BOS Calendar
4. Executive Director's Weekly Report
5. Review Draft – RFP for Redevelopment of the Tailby & Railroad Commuter Lots
6. Article 35 - Draft Alcohol Regulations
7. Advisory Book Write up - Aged Parking Ticket Penalties
8. Parking Tickets – Summary of Outstanding Fines & Penalties
9. Breakdown of Parking Ticket Collections Prior to 2010
10. Draft Town-Wide Financial Plan
11. Minutes of the February 20, 2018 Meeting
12. Minutes of January 10, 2018
13. Minutes of January 29, 2018
14. Babson College
15. Acceptance of Gift
16. Request for One Day Liquor License – Babson College
17. Request for One Day Liquor License – Babson College
18. Request for One Day Liquor License – Babson College
19. Gifts – New Era Fund to COA (2)
20. Gifts to the COA – General
21. West Suburban Health District Audit – FY17
22. FY18 Work Plan – January 2018
23. Memo to State Delegation – FY19 State Budget Requests
24. Memo from the State – 911 Grants
25. Draft Invitation to Retirement Party for Kathy Nagle

**1. Citizen Speak**

None.

**2. Discuss Potential Acquisition of Real Estate**

Ms. Gibbs read a statement from the Board regarding the Town's interest in acquiring 818, 822 & 826 Worcester Street. All three parcels are adjacent to Hardy School. The Board believes that the purchase of these properties will substantially improve the long-term usefulness of the site the Town by providing for a means of access and egress directly from Route 9 as well as well over an acre of land. Mr. Morgan discussed the process with the MSBA for deciding whether a new school will be built in the next few years at the Hardy site or the Upham site. He noted that whether or not the new school is built at the Hardy site, acquisition of these parcels will substantially improve the value of that site for future school and municipal use. Attorney Brian Levey asked for permission to speak on behalf of his client Mr. Jay Derenzo. He told the Board that Mr. Derenzo has a purchase & sale agreement on the 818-822 properties and is pursuing the construction of a 40B development on the site. He further noted that Mr. Derenzo

objects to the Town's plan as it would deprive him of the opportunity to pursue the development he has proposed, and he does not believe the Town's records indicate that the Hardy School will be redeveloped.

### **3. Review Draft RFP for the Redevelopment of the Tailby and Railroad Avenue Commuter Lots**

Ms. Jop gave an overview of the request for proposals and the process for this project. She noted that it largely follows the process the Town used when it put out an RFP for the redevelopment of 900 Worcester Street. She pointed out that it is written in broad terms to let the market dictate the development opportunities. Following the meeting she will post the draft on the Town's website for public comment. Mr. Ulfelder complimented Ms. Jop & Mr. Zehner on the draft and asked if the Board could get neighborhood input, and asked about getting a balance as to the optimal density and the uses of the properties. Ms. Freiman concurred and pointed out that it would be ideal if this development could better link the upper and lower sections of Wellesley Square as well. Staff will bring the document back for final approval after soliciting additional feedback and making some changes suggested by the Board.

### **4. Discuss ATM Warrant Articles**

- **Article 6 – Town Clerk Salary**

Ms. Freiman provided a background on the reasoning for this article, indicating this is the only elected position that receives a full-time salary. Further, the amount indicated is a 2% increase over FY18, and historically the salary for the position has followed the same increases provided to Series 50/60 employees recommended by the HR Board. Mr. Ulfelder asked if the staff had surveyed other towns and how much vacation the position receives. Ms. Robinson indicated that as the Town Clerk is an elected position, he/she is not subject to vacation provisions applicable to other Town staff. Ms. Robinson also indicated that HR has surveyed other Towns in the past and our salary is competitive. **Article 32 – General Bylaw Amendments**

Ms. Freiman provided a background on the changes proposed in the general bylaws and how the recommendation contained in the Advisory Committee report was developed (by category of change). If the Board follows this outline in crafting the motions there would be five, and the changes that are substantive for which there might be some discussion would be in the last motion. These include the Director of Veteran's Services to be appointed by the Executive Director rather than the Board, the size of the Youth Commission and how those appointments are recommended, etc. Ms. Sullivan Woods asked about the change of title for the Plumbing and Gas Inspector now being one title. Ms. Robinson answered that it is one person that performs both aspects of the job and that is standard across the Commonwealth.

- **Article 35 – Draft Alcohol Regulations – Alcohol in Town Buildings**

Ms. Sullivan Woods gave an overview of this article and the draft regulations which involves moving forward to lift the restriction on issuing one-day licenses within non-school town buildings. She said she has discussed this with the MLP and DPW. One issue that came up is that the Board should be able to give Town Meeting a sense of how it would review and issue special licenses. The proposed regulations are an initial draft, with incremental requirements that the Board may consider implementing if Town Meeting approves the article. She further noted that Town Counsel has taken a first look and raised two issues that would be good to discuss. The first is how the Board views nonprofit organizations, specifically, does the Board want to limit this to non-profit charities or all non-profit organizations? Second, are there some further

guardrails the Board wants to put around these regulations? Ms. Sullivan Woods reviewed the current draft of the proposed policies with Chief Pilecki and he is comfortable with them.

Mr. Morgan added that in the process of review many people have raised questions regarding the regulations as a whole. Town Counsel has also noted that the Town currently operates under a Special Act instead of M.G.L. c.138 and should the Town consider adoption of that. The Board agreed that the broader discussion should be put on the work plan for next fiscal year after the resolution of the narrower question of alcohol in town buildings.

**Upon a motion by Ms. Freiman and seconded by Mr. Morgan the Board voted (5-0) to bring a motion under Article 6 on the Annual Town Meeting warrant.**

**Upon a motion by Ms. Freiman and seconded by Mr. Morgan the Board voted (5-0) to bring motions under Article 32 regarding amendments to the Town's General Bylaws on the annual town meeting warrant.**

**Upon a motion by Ms. Freiman and seconded by Mr. Morgan the Board voted (5-0) to bring a motion under Article 35 regarding the allowance of alcohol to be served in Town buildings on the annual town meeting warrant.**

**5. Discuss Purging of Aged Parking Ticket Penalties**

Ms. Robinson told the Board that Town counsel has reviewed the proposal. She noted that the short spreadsheet in the agenda packet shows those tickets that can go to collection and those that cannot. The Board will be asking Town meeting to purge \$163,765 (base fines) and the Board will consider whether to purge the accumulated penalties, which are \$366,300 for this period. Ms. Freiman asked whether the act of registering a car or paying something to the RMV is the only way to collect parking tickets. Ms. Robinson responded that inability to reregister a car or obtain a driver's license renewal until payment is made to the Town is the primary method; however, the Town also sends out regular delinquent notices that have been effective as well. Ms. Sullivan Woods asked if the Board should wait to vote to purge the penalties until Town Meeting makes a decision. It was agreed that the Board should wait.

**Upon a motion by Ms. Freiman and seconded by Mr. Morgan the Board voted (5-0) to bring a motion under Article 27 regarding the purging of unpaid parking fees assess on or before January 1, 2010.**

**6. Discuss Draft Town-Wide Financial Plan**

Ms. Robinson reviewed the current draft of the TWFP noting that in the three-year look ahead the use of funds has not been modified to meet the new debt policy recently adopted. Mr. Morgan noted that the operating percentages do not include provisions for the UP and continues to show a 3.5% guideline for school operating budgets. He asked that the Board note the pattern, but indicate that the BOS is not endorsing the percentages as guidelines. Ms. Freiman suggested some revisions that clarified this point. Ms. Sullivan Woods suggested an operating budget model of a flat 3% increase. Other Selectmen found this idea to have merit, but were not ready to move ahead with the suggestion at this time; the Board needs to have more dialogue on this before making such a change. The Board will take up the document for approval at their next meeting.

**7. Executive Director's Update**

Ms. Robinson noted for the Board that two sets of minutes from January meetings were ready for approval. Further that there were requests for three one-day licenses from Babson College that staff recommends for approval, as well as a number of donations and gifts to the Council on Aging that need to be accepted.

**Upon a motion by Ms. Freiman and seconded by Mr. Morgan the Board voted (5-0) to approve the minutes of the January 10 and January 29, 2018 meetings.**

**Upon a motion by Ms. Freiman and seconded by Mr. Morgan the Board voted (5-0) to approve a one-day license to Babson College for the Black Affinity Conference on February 24<sup>th</sup> in Knight Auditorium, Old Money Post reception on March 7<sup>th</sup> in the Sandra Sorenson Rehearsal Studio and the India Symposium on March 10<sup>th</sup> in Olin Hall.**

**Upon a motion by Ms. Freiman and seconded by Mr. Morgan the Board voted (5-0) to accept various gifts for the Wellesley Council on Aging to include:**

- ❖ **New Era Fund - \$649 for various periodical subscriptions**
- ❖ **New Era Fund - \$700 for design and printing of the October grand opening brochure**
- ❖ **New Era Fund - \$1,502.40 – outdoor benches for the Tolles Parsons Center**
- ❖ **Friends of the COA - \$1,001.00 for the January Senior Lunch Program**

#### **8. Adopt Chapter 32B, Section 19**

Ms. Robinson gave a brief update on the union negotiations on healthcare, noting that the team is making slow steady progress. The Town will meet with the unions again on the 26<sup>th</sup> and that our informal process requires that all 11 unions agree on the proposal. Further, that while the group is feeling confident, the Town has made it clear that it is the 11<sup>th</sup> hour and the Town needs to complete the process. The unions have indicated they are all on board, thus our hope is to reach consensus on the 26<sup>th</sup>. Having said that, the Town needs to take every step it can to come to a resolution. She reminded the Board that this section of the law allows a Town to negotiate with a group of unions but not all of them. Such a group must represent the majority of employees as well as the retirees. The unions have proactively reached out to the state to say they want to decide on the retirement representative should that be the course the Town needs to take. Ms. Robinson is hoping this will not be required, but indicated the need for a plan to move forward; thus, she told the board she was asking them to accept this section of the law in case the Town needs to exercise it.

**Upon a motion by Ms. Freiman and seconded by Mr. Morgan the Board voted (5-0) to adopt Massachusetts G.L. Chapter 32B, §19.**

#### **9. New Business and Correspondence**

None.

The meeting was adjourned at 8:37 PM.