

Advisory Committee
March 1, 2014
Wellesley Police Station

Marjorie Freiman called the meeting of the Wellesley Advisory Committee to order at 8:00 a.m. Those present included Robert Capozzi, Thomas Engels, Becky Epstein, Tom Frisardi, Ann Marie Gross, John Hartnett, John Hussey, Lucy Kapples, Andy Patten and Deb Robi.

Citizen Speak

No one wished to speak.

Update on Town Counsel Search

Katherine Babson, Board of Selectmen, gave the update. The law firm of Miyares and Harrington, LLP, has been selected to represent the Town. Tom Harrington will be the lead counsel for Wellesley. He will replace Al Robinson who is stepping down after 37 years of service to the Town. Discussion followed regarding the fee structure. A retainer will be initiated with an hourly rate paid for non-retainer type consultations. A decision has been made that counsel will not have to attend the weekly BOS meetings on Monday nights.

Article 15 – Fuller Brook Park

Motion 1 of this Article seeks TM approval to appropriate and/or borrow \$5,430,205 for the implementation of Phase 4 of the Fuller Brook Park Preservation Project. The CPC has approved the appropriation of \$4,500,000, with the balance of \$930,205 to be raised by borrowing inside the levy. CPC voted to increase the amount of funds for Phase 4 construction from \$3.6 million to \$4.5 million because the members consider it an important capital project to preserve and restore the resource for all Town citizens.

Phase 4 will restore and/or rehabilitate the structure, environmental and aesthetic elements of the Park through critical improvements and repairs to stream banks, vegetation and paths, to protect and preserve the Park's historic landscape. The Park is also part of the Town's storm water management system and drains 32% of the Town's storm water into the Charles River. R. Bates and Sons was awarded the construction contract with the lowest bid of \$4,324,647. Total Phase 4 budget consists of \$4,326,647 for construction costs, \$263,000 for Project Manager, \$323,600 for consultation fees and a contingency fee of 12% or \$518,958 for a total project cost of \$5,430,205.

Advisory raised questions about potential future costs if the project goes beyond the 880 days allotted for project time (it is a flat cost irrespective of timing). Members discussed the maintenance needs of the Park and the management of its maintenance post-construction. The job responsibilities of the DPW Zone Supervisor were presented. Some members expressed concerns about the need for a future NRC Park Manager in addition to the Zone Supervisor and the possible redundancy of job functions. It was suggested that the project team make regular construction updates and report progress annually to TM. Volunteer participation in the form of the Friends of Fuller Brook Park was recognized and should be encouraged.

Motion 2 seeks approval to create a Fuller Brook Park advisory committee to help oversee the implementation of Phase 4 construction.

Lucy Kapples made a motion that the Advisory Committee recommend favorable action on Article 15, Motion 1. Andy Patten seconded the motion.

Disposition:

Favorable action was recommended on Article 15, Motion 1 by a show of hands, 12 to 0.

Lucy Kapples made a motion that the Advisory Committee recommends favorable action on Article 15, Motion 2. Ann Rappaport seconded the motion.

Disposition:

Favorable action was recommended on Article 15, Motion 2 by a show of hands, 12 to 0.

Article 14 – Community Preservation Fund

This Article seeks approval to make appropriations from the Community Preservation Fund as follows:

Motion 1 – appropriation of \$65,000 for administrative purposes and \$435,000 to designated reserves.

Motion 2 - appropriation of \$33,000 to meeting CPA funding requirements for FY14.

Motion 3 – appropriation of \$16,140 to Wellesley Recreation Department for installation of an ADA compliant dock extension at Morses Pond.

Favorable action would have no tax impact. However the balance in the Community Preservation Fund would be reduced for other projects. There is a \$4.5 million appropriation for the Fuller Brook Park in Article 15.

Lucy Kapples made a motion that the Advisory Committee recommend favorable action on Article 14, Motion 1. Bob Capozzi seconded the motion.

Disposition:

Favorable action was recommended on Article 14, Motion 1 by a show of hands, 12 to 0.

Lucy Kapples made a motion that the Advisory Committee recommend favorable action on Article 14, Motion 2. Ann Rappaport seconded the motion.

Disposition:

Favorable action was recommended on Article 14, Motion 2 by a show of hands, 12 to 0.

Lucy Kapples made a motion that the Advisory Committee recommend favorable action on Article 14, Motion 3. Ann Rappaport seconded the motion.

Disposition:

Favorable action was recommended on Article 14, Motion 3 by a show of hands, 12 to 0.

Article 4 – Human Resources Board (HRB) Job Classifications

The HRB establishes new classifications, changes existing classifications and deletes classifications as needed. The Town boards or the HR Department make the requests and HRB reviews all proposals. This Article seeks approval for the recommendations made by HRB. There is no budget appropriation as any costs are handled by the individual departments and included in their budgets.

Advisory recommends that departments with new or re-classifications review how these changes might affect upcoming budgets in the future.

Lucy Kapples made a motion that the Advisory Committee recommend favorable action on Article 4. Ann Rappaport seconded the motion.

Disposition:

Favorable action was recommended on Article 4 by a show of hands, 12 to 0.

Article 13 – Revolving Funds

This Article seeks approval for the annual authorization of Town revolving funds which are created from departmental receipts received in connection with the programs supported by the funds. There is no tax impact on the budget. Unspent monies are returned to the General Fund. The authorized limits for each fund have remained the same in FY15 from FY14 except for three items.

The name and amounts of funds requiring authorization/reauthorization are as follows:

Street Opening Maintenance, said funds to be expended under the direction of the Department of Public Works, annual expenditures not to exceed \$200,000;

DPW Field Use, said funds to be expended under the direction of the Department of Public Works, annual expenditures not to exceed \$200,000;

Turf Field Fund, said funds to be expended under the direction of the Department of Public Works, annual expenditures not to exceed \$25,000;

Tree Bank, said funds to be expended under the direction of the Department of Public Works, annual expenditures not to exceed \$75,000.

Council on Aging Social and Cultural Programs, said funds to be expended under the direction of the Council on Aging Department, annual expenditures not to exceed \$70,000;

Building Department Document Fees, said funds to be expended under the direction of the Building Department, annual expenditures not to exceed \$50,000;

Teen Center Program Revenues, said funds to be expended under the direction of the Recreation Department, annual expenditures not to exceed \$40,000;

Recreation Summertime Revenues, said funds to be expended under the direction of the Recreation Department, annual expenditures not to exceed \$30,000;

Recreation Scholarship Revenues, said funds to be expended under the direction of the Recreation Department, annual expenditures not to exceed \$15,000;

Library Room Rental, said funds to be expended under the direction of the Library Department, annual expenditures not to exceed \$25,000;

Branch Library Maintenance, said funds to be expended under the direction of the Library Department, annual expenditures not to exceed \$8,000; and

Brookside Gardens, said funds to be expended under the direction of the Natural Resources Department, annual expenditures not to exceed \$5,000.

Lucy Kapples made a motion that the Advisory Committee recommends favorable action on Article 13. John Hartnett seconded the motion.

Disposition:

Favorable action was recommended on Article 13 by a show of hands, 12 to 0.

Article 23 – Fire Apparatus

This Article requests authorization to borrow funds inside the Proposition 2-1/2 levy for no more than \$500,000 to cover the purchase of a new pumping fire engine to replace existing Fire Engine 2. This item has been included in the Capital Budget Plan for some time and was in the 2010 Five Year Capital Budget. The engines are on a 15-year replacement cycle and this new unit would replace a 1998 engine which had mechanical failure during three fires and has considerable corrosion in the undercarriage area. Based on the heavy usage of the truck, it was deemed prudent to seek a new model as opposed to a used engine. Chief DeLorie anticipates the final costs will not exceed \$500,000 and if the truck is purchased from E-One, there will be a local service center in Foxboro, MA. Discussion continued about the necessity of using fire trucks to accompany non-fire emergency calls.

No vote was taken at this time as a final amount is not known. Advisory will make a recommendation at Town Meeting when the final purchase price is known.

Article 24 – Easements

This Article seeks approval for easements at 44 Valley Road (abandon and relocate drain easement) and 8 Rockland Street (sidewalk easement). Any easement presented at Town meeting is reviewed and approved by Town Counsel and the Engineering Department. It is recorded at the Registry of Deeds. There is no expense to the Town.

Lucy Kapples made a motion that the Advisory Committee recommend favorable action on Article 24. Ann Rappaport seconded the motion.

Disposition:

Favorable action was recommended on Article 24 by a show of hands, 12 to 0.

Article 26 – MLP Building Demolition

This Article would authorize the demolition of the building at 2 Municipal Way using funds from the MLP and the transfer of jurisdiction over the property from MLP to the Board of Selectmen. This building was previously occupied by both MLP and DPW, but became vacant in July 2013. Earth Tech, Inc. was contracted in 2004 to review the building and found many deficiencies, recommending that it be razed. In addition, MLP received notice from state building inspectors that the building was out of compliance with accessibility standards and the

Town would incur financial penalties if it remained occupied. Also the boiler would need to be replaced.

The Wellesley Women Artisans and the Wellesley Players previously asked that the demolition be postponed until a study could be done to see if the building could be used as an artist studio and theatre group workshop. However, they found this option to be cost-prohibitive and the citizens' petition was dropped.

Discussion was held about alternative uses for this building and including its possible use for bulk storage for large items like sail boats, school auction props and other similar items. Some members expressed concerns that we may regret demolishing a town building at a later date.

Lucy Kapples made a motion that the Advisory Committee recommend favorable action on Article 26. Ann Rappaport seconded the motion.

Disposition:

Favorable action was recommended on Article 26 by a show of hands, 10 to 2.

Article 27 – 978 Worcester Street

This Article seeks approval to transfer \$180,275 from the Town to the Wellesley Housing Development Corporation. This money originated from the Wellesley Realty Associates, developers of the 978 Worcester Street project, to fulfill the Town's affordable housing requirements.

Lucy Kapples made a motion that the Advisory Committee recommend favorable action on Article 27. Ann Rappaport seconded the motion.

Disposition:

Favorable action was recommended on Article 27 by a show of hands, 12 to 0.

Article 29 – Valor Act

This Article authorizes the Town under State statute Section 5N of MGL Chapter 59 to create a program that allows veterans to provide personal services in exchange for a reduction in property taxes (in addition to any other exemption or abatement to which they may be entitled). The volunteer service would be at minimum wage as established by the Massachusetts Legislature and the maximum reduction would be \$1000. The Valor Act was signed into law by Governor Patrick on May 30, 2012.

Eligible residents or their representatives would apply through the Town's Tax Assessor's Office and would be required to present supporting documentation of their service. An applicant's veteran status will be verified through the West Suburban Veterans Affairs Office. The WSVA office will assist with assigning work and keeping track of the hours performed and will report back to the Board of Assessors.

Lucy Kapples made a motion that the Advisory Committee recommend favorable action on Article 29. Ann Rappaport seconded the motion.

Disposition:

Favorable action was recommended on Article 29 by a show of hands, 12 to 0.

Article 30 – Government Review Study Committee

Katherine Babson answered questions. This Article would establish a government study committee comprised of 9 members to be appointed by the Moderator to study the existing structure of Wellesley town government and make recommendations at the 2015 ATM. It would also authorize an appropriation of \$15,000 from Free Cash for use by the committee for materials, consultants, postage and other expenses.

If the Article is approved, there will be several public hearings for public comment. Recommendations will be made at the 2015 ATM, which could include amending the Town bylaws, filing a Home Rule Petition or following the Charter Commission process as set out in State statute.

Advisory recommends the committee have diverse membership including former Advisory committee members, town board members and interested citizens and that the committee periodically update the BOS prior to the 2015 ATM.

Lucy Kapples made a motion that the Advisory Committee recommend favorable action on Article 30. John Hartnett seconded the motion.

Disposition:

Favorable action was recommended on Article 30 by a show of hands, 12 to 0.

Deb Robi left the meeting at 11:08 a.m.

Article 33 – Single Building Historic Districts

This Article would establish the Sylvia Plath House Historic District and the Fiske House Historic District. The Sylvia Plath House is located at 26 Elmwood Road and the Fiske House is located at 126 Woodlawn Avenue. Both homes are examples of mid-20th Century Colonial Revival. Massachusetts statute provides a ruling to allow Wellesley to preserve the distinctive character of buildings of significance in local history by regulating modifications to exterior features. Wellesley enacted the Historic Districts Zoning Bylaw in 1980 and created the Historic District Commission to administer the bylaw. The identification of historic properties was a goal of Wellesley's Comprehensive Plan for 2007-2017. There were concerns that historic properties were at risk without some regulation.

The owners of the two properties have requested that their properties be considered historic properties and preserved as such. In December 2014, the Single-Building Historic District Study Committee was created and their report recommended that both properties be included in historic districts. There was a public hearing held on February 24th for public comment

Motion 1 would establish the Sylvia Plath House at 26 Elmwood Road as a Historic District.

Motion 2 would establish the Fiske House at 126 Woodlawn Avenue as a Historic District.

Lucy Kapples made a motion that the Advisory Committee recommend favorable action on Article 33, Motion 1. John Hartnett seconded the motion.

Disposition:

Favorable action was recommended on Article 33, Motion 1 by a show of hands, 11 to 0.

Lucy Kapples made a motion that the Advisory Committee recommend favorable action on Article 33, Motion 2. Ann Rappaport seconded the motion.

Disposition:

Favorable action was recommended on Article 33, Motion 2 by a show of hands, 11 to 0.

Article 44 – Fire Engineers

This Article would authorize the BOS to appoint one or more of the members as Fire Engineer. When administrative issues are dealt within the Fire Department, the BOS is required to convene as the Board of Fire Engineers.

Lucy Kapples made a motion that the Advisory Committee recommend favorable action on Article 44. Ann Rappaport seconded the motion.

Disposition:

Favorable action was recommended on Article 44 by a show of hands, 11 to 0.

Article 3 – Consent Agenda

This Article would allow Town Meeting to approve several articles with one single vote. The Articles included are Article 4 – Amend Job Classifications Plan; Article 13 – Authorize/Reauthorize Revolving Funds; Article 24 – Accept/Abandon Easements and Article 44 – Appoint Fire Engineer.

Lucy Kapples made a motion that the Advisory Committee recommend favorable action on Article 3. Ann Rappaport seconded the motion.

Disposition:

Favorable action was recommended on Article 3 by a show of hands, 11 to 0.

Discussion on Budget, Override, Free Cash and OPEB Funding

Advisory discussed concerns with the budget and potential override issues. Some members suggested that if the override did not pass, perhaps Advisory could make recommendations for the use of free cash to cover shortages. It is possible that all departments will be told to reduce their expenses by a certain percentage and it will be up to them how they will reduce the budget. Some members questioned the current set-aside schedule for bringing OPEB back to solvency. It was decided to review various scenarios to see what financial gain could be achieved by extending the date for solvency. Also, discussion included the possibility of putting OPEB on debt exclusion status. Andy Patten called for a straw vote.

Lucy Kapples made a motion asking whether members of the Advisory Committee would be inclined to approve a budget with a \$5 million override given what is known about the FY15 and FY16 budgets and FY15 gap list. Andy Patten seconded the motion.

Disposition:

The motion was defeated, 0-11.

Preliminary Discussion of STM Article 2 (Real Property at 494 Washington Street)

No action was taken at this time as the paperwork is not completed.

Approval of Minutes

None were presented at this time.

Calendar Review

The updated calendar is on Dropbox for review.

Old Business/New Business

There was none presented at this time.

Announcements

The next meeting of Advisory Committee is scheduled for Wednesday, March 5, 2014, at 6:30 p.m. in the Juliani Room of Town Hall.

The meeting was adjourned at 12:08 p.m.