

*Approved January 30, 2019*

**Advisory Committee Meeting  
Juliani Room, Wellesley Town Hall  
Wednesday, January 9, 2019, 7:00 p.m.**

Those present from the Advisory Committee included Jane Andrews, Julie Bryan, Todd Cook, Rose Mary Donahue, Mary Gard, Jeff Levitan, Bill Maynard, Paul Merry, Dave Murphy, Lina Musayev, Betsy Roberti, Mary Scanlon, Tom Skelly and Andrea Ward.

Tom Skelly called the meeting to order at 7:00 p.m.

**7:00 p.m. Citizen Speak**

There was no one present for Citizen Speak.

**7:00 p.m. Town Clerk FY20 Budget**

K.C. Kato, Town Clerk, presented.

- Copies of the Town's updated general bylaws and zoning bylaws, which were approved by the Attorney General's office in August, were distributed to Advisory members
- Responsibilities of the Town Clerk's office include providing customer service to the community, fostering access to Town government, and serving as an information center within Town Hall
  - As directed by the Commonwealth, Town Clerk responsible for census, elections, Town Meeting, vital records, dog licensing/animal control administrative support
- Town Clerk's office saw \$87,000 in revenues in FY18, primarily from dog fines and licenses
  - Expecting revenues to decrease this year with start-up of online licensing

A question was asked as to how many of the marriage, birth and death records are kept online: Birth and death records are maintained by the state; all other records are digitally saved to the extent permitted by the state.

A question was asked whether the resident list is available online: No, but it is available as an Excel spreadsheet upon request.

A question was asked whether there is adequate storage space for all the records: As part of the Town Hall renovation project, the Town Clerk will have dedicated storage space; records are currently stored all over Town Hall; in the process of determining which records can be converted to online and hard copies eliminated.

- Town receives some revenue from the state for special elections; however, the lag can be a year or more

A question was asked whether the Town Clerk performs marriages at Town Hall and if there is a fee for this: Yes, the Town Clerk, as a justice of the peace, performs weddings at Town Hall outside of ordinary business hours; cost is statutorily set (\$100).

- Salaries in the Town Clerk's office are projected to increase by 6.99% in FY20 due to an adjustment to the Assistant Town Clerk's salary in FY19; very experienced individual whose salary was well below the mid-point; worked with HR to bring that up to the mid-point

- In addition, vacant part-time clerical position filled this year

A question was asked as to when the mid-point adjustment to the Assistant Town Clerk's salary was made: July 1, 2018. A follow-up question was asked seeking to understand how much of the increase seen in the present (FY20) budget request is really attributable to the FY19 salary increase rather than FY20: Will provide details; Town Clerk's budget was able to absorb additional costs.

- Temporary/seasonal employee costs will decrease for FY20 by 34.17% due to there being only two elections that year (local and presidential primary) instead of three in FY19 (local, primary, state)
- Each election costs about \$15,000, regardless of how many people show up to vote
  - Early voting added about \$5,000 in costs

A question was asked as to how much grant money was received to offset the \$5,000 of early voting expenses: About \$1,700 was received; the community really enjoyed early voting.

- FY20 expenses are slightly down from FY19; much of those expenses are postage and publishing

A question was asked as to why the personal services expenses declined in FY18: The assistant Town Clerk went to part-time and remains part-time; position was budgeted full-time for FY19 and FY20; actual position will go back to full-time when the current Assistant Town Clerk retires.

- Capital request includes potential expense for electronic poll books in FY21 (\$36,000)
  - Town currently uses paper books for check-in and check-out at the polls
  - Electronic poll books (iPads) approved by state for early voting and used by Town

A question was asked if this is a one-time expenditure: Yes.

A question was asked whether electronic voting requires more security: This is not electronic voting; it is electronic check-in of voters; there is a separate warrant article/possible capital request for system of electronic voting devices that could be used at Town Meeting.

A question was asked about the security of the Town election process: Voters are confirmed and verified throughout the process; know how many voters signed in and out and how many ballots were cast; many checks and balances are in place; paper ballots can be physically counted if necessary. A follow-up question was asked about the security of the ballot boxes at the polling places: Ballot boxes are locked and there is a police officer at each polling site; only the warden can open the ballot box if it becomes jammed, and this is observed by the police officer on duty.

#### **7:24 p.m. Board of Assessors FY20 Budget**

Donna McCabe, Chief Assessor, and W. Arthur Garrity III, Chair, Board of Assessors, were present.

- Amount of work for the Assessor's Office is increasing, yet those increasing tasks are completed with the same number of staff
- Budget request for FY20 is 7.56% increase (\$27,510) over last year
- Three-quarters of overall budget comes from personal services; trend is fairly steady increases in compensation, which is natural outcome of staff becoming more experienced/moving up in steps
  - Personal services up 3.12% from FY19
  - Largely driven by 52.4 weeks in FY20

- Also have one employee who is going up to the last step on the salary scale
- Biggest driver of the increase in FY20 is expenses
  - Expenses going up 22% (\$18,750)
  - This is due to the recertification process required by the Massachusetts Department of Revenue every five years; more comprehensive audit of practices
  - Without recertification, the Town cannot send out tax bills; 85% of the Town's budget revenue comes through the Assessor's Office

A comment was made that, since recertifications are required every five years, it might be good to put money aside each year in the budget to smooth out cost/prevent large increase in a single year.

The Advisory supportive/unsupportive vote process for all department budgets over guideline was explained.

### **7:35 p.m. Overview of Board of Selectmen-Sponsored Annual Town Meeting (ATM) Warrant Articles**

Blythe Robinson, Executive Director, was present.

#### Overview

- Warrant is essentially an agenda of the Town's annual business meeting, which is ATM
- Articles are received in December from the various Town Boards (and citizen petitions)
- Executive Director drafts the warrant in conjunction with Town Counsel; draft distributed to Board of Selectmen, Advisory, individual boards
- Warrant will continue to be refined until Board of Selectmen (BOS) signs it on January 28, in time for Advisory public hearing on January 30

#### Highlights of Various Articles

- *Article 1:* To receive reports from the various boards. Up until this year, has included language about choosing a moderator; but Town Counsel indicated that language is not necessary; ATM can always choose one if something happens.
- *Article 2:* To hear the annual Town-Wide Financial Plan from the BOS.
- *Article 3:* Articles on the consent calendar; opportunity to deal expeditiously with non-controversial articles (e.g., appointment of BOS as fire engineers).
- *Articles 4 and 5:* Human Resources Board.
- *Article 6:* Set salaries of elected officials; only one is the Town Clerk; may be appropriate for consent agenda.
- *Article 7:* Adjustments to the current year (FY19) budget (e.g., snow and ice). Last year this was also used for an anticipated shortfall in Special Education funding. This year, may need appropriation for mid-year Building Department salary adjustment; Finance still doing calculations.

A question was asked whether increasing the FY19 compensated absences budget eliminated the need for a supplemental appropriation in that area (which occurred in FY18): Yes, it did.

- *Article 8:* Omnibus Budget; the budget passed by Town Meeting, using monies from the Municipal Light Plan to balance the budget.
- *Article 9:* The revolving funds of the Town. This article will do two things: (1) Create new revolving fund for Cultural Council revenues (state grant of \$4,600); Council will in turn make grants from the revolving fund; and (2) Set annual limits on the various funds.

There was a question whether the “Turf Field Fund” listed in Article 9 is the one that will be used for the Sprague turf replacement: No, this one in Article 9 is for quick repairs, not replacement.

There was a question as to how much the Town can spend each year from a revolving fund: The state makes you set a limit on how much you can spend from each fund; no limit on how much you can collect in the fund.

- *Article 10:* Revision to Injured on Duty (IOD) Stabilization Fund. Currently this fund is used to pay for medical costs of IOD firefighters; want to begin to use it to pay for salary costs, as well; Town has not been able to obtain affordable insurance for salary component, and overtime costs necessitated by sick firefighters can have major budgetary impact, as discussed by Fire Department in prior presentations to Advisory. Source of funds will be the funds turned back from the Fire Department to the General Fund in FY18 (approximately \$48,000).
- *Article 11:* Appropriate additional funds to the Special Education Reserve Fund. There will be one motion, like last year, to deposit the Medicaid funds the Town receives. Ongoing discussions between the BOS and School Committee to add an additional amount from Free Cash to cover unanticipated situations (e.g., unexpected shortfalls in state reimbursement; new out-of-district placements that School Department can’t fund). Ratings agencies count the amounts in this fund towards the Town’s overall reserves. Funds can only be withdrawn by a vote of both the BOS and the School Committee.

A question was asked as to the difference between a revolving fund and a reserve fund. A revolving fund is required by state law to identify a specific revenue source and pair it with a specific use/program.

A comment was made that the Board of Health may be planning to establish a revolving fund using restaurant fees for the purpose of paying for bumps in inspection costs: This potential revolving fund has not come to the attention of the Executive Director.

- *Article 12:* Baler Stabilization Fund. Created in 2016; currently has balance of \$732,000. There have been no deposits since 2016. DPW operating budget has continued to include annual appropriation for baler, but DPW has been turning those amounts back to the Town; would like to add those turnbacks to the stabilization fund and resume funding with an eye to eventual replacement of the baler in FY25 (anticipated \$1 million cost).
- *Articles 13, 14, 15:* Enterprise Funds (Water, Sewer, MLP)

A question was asked about Article 15 (MLP) and whether the accounting issue that arose last year (warrant language was different from motion language due to different accounting methods required by different regulatory bodies) will occur again this year: These are the numbers as voted by the MLP.

- *Article 14.1:* DPW is looking for authorization for Water Program to borrow additional money (estimated at \$400,000) for replacement of water meters; replacement program is more expensive than originally thought.
- *Article 18:* Addresses need for additional funding of Town Hall exterior project due to issues uncovered during construction (e.g., mortar, gables). Had been anticipating transfer of funds from design budget, but that may not cover shortfall. At this point, carrying \$500,000 in the warrant; may be able to finance via rescissions of debt on/turnbacks from other projects.

A question was asked whether CPC would be a place to get additional funding for Town Hall exterior project: It could be.

- *Article 23:* Replacement of 15-year old apparatus at Central Street Fire Station with a “quint” (combination fire engine/ladder). Net cost for quint is \$735,000 after trade-in of current equipment. Conversations ongoing with Babson College and Wellesley College to see if they are willing to contribute (as they have in past).

There was a question whether private resale of the existing truck is possible in lieu of trade-in: Liability that goes along with a fire truck is significant; buyers would rather purchase from dealer, who will provide warranty to buyer; Town’s general practice has been to trade in old equipment.

- *Article 25:* Accepting Polaris Circle as a Town street. Follows Town’s Street Acceptance Policy; 78% of the residents have requested this; street is relatively new and was built to Town standards so no work/cost required by Town; Planning Board will be issuing a report.

A question was asked as to the location of Polaris Circle: It is a small cul de sac subdivision off of Cedar Street. A follow up question was asked as to the timing/status of the Planning Board report: More information will be provided on this.

- *Article 26:* State transportation infrastructure fund established in 2016 receives 20 cents per ridesharing (Uber/Lyft) ride; 10 cents per ride goes to town where ride originated. Wellesley received \$19,337 in 2017. Town Meeting approval is needed to spend these funds; newly formed Town mobility committee will decide how to spend funds.

A question was asked whether these funds need to be spent this year or whether Town could wait to allow mobility committee to get up and running: We could hold the funds or just give the funds to the Department of Public Works to spend on some transportation-related item.

- *Article 27:* BOS would like Town Meeting approval to enter into longer term arrangement for lease of small sliver of Town-owned land (aqueduct) behind 254 Washington Street to abutting property owner; has been handled to date through one-year leases; currently in process of obtaining appraisal so can put out for bid; likely that only current lessee would be interested.
- *Article 28:* Town Meeting approval is required for any changes to Linden Square Development Agreement; this would be the fifth round of changes; request by Federated Realty to change use of part of property (from current Citgo gas station to an office building).

A comment was made that the area of the Citgo gas station is not a large footprint.

- *Article 37:* Several housekeeping changes to the general bylaws, including (1) changing the location of the posting of the warrant from Wellesley Square to the Police Station, as this location is open 24/7 and is protected; (2) changing/updating fees charged by the Town Clerk; (3) authorizing the Town Clerk to make minor non-substantive corrections to the bylaws; and (4) changing the approval/authorization process for Town personnel policies from Town Meeting to the Human Resources Board.

With respect to the third item, authorizing the Town Clerk to make certain changes to the bylaws, a comment was made that perhaps the BOS should strike the general term “non-substantive” from that provision and list only the specific powers being given to the Town Clerk. There was a further comment that serious concerns were raised last year at ATM about the legal basis for granting the Town Clerk such authority, and that Advisory in fact voted in favor of the amendment (which ultimately passed) to remove

this authorization from the proposed changes to the bylaws. A request was made that more information be provided to Advisory and ATM about the legal basis for granting the Town Clerk such authority.

A comment was made that there should be more transparency in this warrant article, as the current preamble language suggests the changes are housekeeping in nature, but several of the items (granting Town Clerk authority and transferring personnel policy authority to Human Resources Board) are substantive, and take some powers away from Town Meeting. The suggestion was made to change the language in the preamble accordingly, and to consider making the personnel policy change a freestanding article.

- *Article 38:* Change to general bylaws to permit electronic voting at Town Meeting, and, if approved, to fund the lease of the equipment in the first year (\$15,000). Funding would come from Free Cash and the expense would be added to the Town Clerk's budget. It would be awkward to place this funding in Article 8 because, if the electronic bylaw change were not approved, there would be excess cash in the Town Clerk's budget.
- *Article 40:* Citizen petition asking Town to change the name of the Columbus Day holiday to "Indigenous Peoples Day." This is really a "sense of the meeting" article, since Town Meeting cannot change a federal holiday.

A question was asked about Article 39 (citizen petition to rezone properties on Dexter Road and Wellesley Avenue) and whether this is something the Planning Board should sponsor: This article came from David Himmelberger's office; he is representing homeowners who would like the properties rezoned from general residence to single family because there is a chance that one of the homes in the neighborhood is being torn down and replaced with a multi-family unit.

- *Article 41:* Annual article seeking to rescind debt from projects that are complete and in some cases repurposing debt to other projects. Executive Director and Finance will be working on this to get it final.
- *Article 42:* Town Meeting approval is required for settlements of greater than \$5,000; may not be a motion under this article.

The order of the warrant is still being discussed by the BOS.

Currently the warrant has dollar amounts listed in the articles; ongoing discussion by BOS about whether to include those or to put them only in the motions at ATM. Decision to include/exclude numbers is really a community preference as to how the Town wants to present the warrant; leaving the numbers out of the warrant allows flexibility; putting them in provides additional information about the magnitude of costs. A question was asked whether including numbers in the warrant would influence a bidder for a project (i.e., would know how much the Town is willing to spend): Market forces have more impact on bidding.

A question was asked as to who the key decision makers are for the Sprague turf field project: Playing Fields Task Force and DPW.

A comment was made that at last week's Board of Public Works presentation to Advisory there was a brief discussion of ATM articles, including the acceptance and abandonment of easements, but no easement article is on the warrant: This warrant is not final; BOS could re-open and add an article; will follow up with Public Works.

A question was asked about the planned upcoming Special Town Meeting (STM): Will be a vote to accept Section 40R for the Wellesley Office Park (WOP) redevelopment; vote would be to approve zoning bylaw change to allow by-right zoning; state incentive program to encourage transit-related development. In the first phase of redevelopment, the plan is to replace office building with 350 units of housing, of which 25% will be affordable. Project will need to come back to Advisory. The development agreement is being worked on; good progress to date in sorting out the infrastructure concerns. There is a draft fiscal impact statement that will be sent to Advisory as soon as it is finalized. The BOS will be discussing WOP at its meeting on January 28; Advisory is urged to attend or watch.

A question was asked whether the STM is being brought by BOS or Planning: BOS or jointly.

A comment was made that by going forward with the motion to rezone this property, does it assume the project will be approved: We need to work through the development agreement as to whether all future phases are by-right or via special permit; the Town needs to be comfortable with the regulation of future phases of the project. A comment was made that it is important to allow some breaks between phases to see how the project is working given all the constraints on the site.

### **8:35 p.m. Minutes Approval**

Andrea Ward made and Paul Merry seconded a motion to approve the December 19, 2018 minutes. The motion passed unanimously.

### **8:36 p.m. Liaison Reports and Administrative Matters**

#### Planning/Dave Murphy

- There is increased pressure on all the Planning activities with the impending departure of the Planning Director
- Search process will be opened soon; hope replacement can be on board
- Catherine Johnson, Chair, Planning Board, was present and reported that the Board has met with staff and is moving forward on the search

A question was asked as to when Planning will return to Advisory to present on all the zoning articles that are part of the ATM warrant: Not until after Planning's public hearing in early February. There was a follow-up question whether there is any kind of statutory bar to presenting the zoning articles in advance of the public hearing, given that Advisory understands they are still subject to a final vote of approval by Planning Board: No, but it would be imprudent; Planning gave Advisory a review of these in the fall; parking and lighting are fairly straightforward; the start of the re-codification process will be a change in number from Roman to Arabic and there is the need to create the red-lining of the zoning by-laws. A further question was asked whether it is worth the effort to change the numbering: Yes. A comment was made that the zoning articles are complex, and it would be helpful to have the details presented sooner rather than later; Advisory would like to help Planning, but needs to understand the articles.

#### NRC/Paul Merry

- NRC budget is over guidelines
- Some materials were circulated about the change in the Director's job classification

A comment was made that in looking at the NRC materials, there is no discussion about re-classification and staffing changes in the context of the Commission's goals and priorities; could not locate strategic plan and other documents on website.

A comment was made echoing the need for this information, given that staffing costs account for \$230,000 out of \$300,000 departmental spending.

#### Board of Health/Mary Gard

- Board's budget is over guidelines, due to requesting more per diem hours for the environmental health specialist and social worker positions
- As to social worker needs: Board has been meeting regularly with Blythe, Police and Fire to determine those needs; at this point, those numbers and hours have not been finalized; will urge them to get something out soon

#### PBC/Rose Mary Donahue

- PBC is identifying additional work that will be needed based on the exploratory studies for the Town Hall renovation
- Looking at different ways to approach the work and costs; will have firmer numbers in the next month or so; likely to exceed the amount leftover from design budget
- Not unusual in a project/building like this to have surprises

There was a brief discussion about the Article 8 departmental write-ups for this year's Advisory Report and the process for assigning write-ups for the other (non-Article 8) articles. New Advisory members were urged to review last year's Advisory book to become familiar with the write-ups; all Advisory members were urged to contact Tom by Friday with any requests for particular articles.

#### **8:59 p.m. Adjourn**

Jane Andrews made and Mary Scanlon seconded a motion to adjourn. The motion passed unanimously.

#### **Items Reviewed During the Meeting**

- *Town Clerk FY 2020 Budget, Power Point Presentation to Advisory* (January 9, 2019)
- *Town Clerk's FY20 Operating Request and FY20 Mission, Services and Priorities*
- *Memorandum from K.C. Kato to Advisory Committee re: Town Clerk's FY 20 Budget* (December 17, 2018)
- *Board of Assessors FY20 Operating Request and FY20 Mission, Services and Priorities*
- *2019 Draft ATM Article List* (January 7, 2019)
- *2019 ATM Warrant V.3* (January 7, 2019)
- *Memorandum from Blythe Robinson to Board of Selectmen re: Draft Annual Town Meeting Warrant* (January 8, 2019)