

**Wellesley Advisory Committee
Wakelin Room, Wellesley Free Library
March 3, 2018, 9:00 A.M.**

Those present from the Advisory Committee included Jane Andrews, Todd Cook, Rose Mary Donahue, Tom Fitzgibbons, Mary Gard, Mike Hluchyj, Mark Kaplan, Don McCauley, Paul Merry, Lina Musayev, Alena Poirier, Betsy Roberti, Ria Stolle and Andrea Ward.

Mike Hluchyj called the meeting to order at 9:00 a.m.

9:02 a.m. Citizen Speak

There was no one present for Citizen Speak.

9:03 a.m. Discussion and Voting on ATM Warrant Articles

Article 1

Andrea Ward made and Paul Merry seconded a motion for favorable action on Warrant Article 1, as proposed by the Board of Selectmen (BOS), to see if the Town will vote to disband the Fuller Brook Park Committee. The motion passed unanimously (11-0).

Article 2

Andrea Ward made and Jane Andrews seconded a motion for favorable action on Warrant Article 2, as proposed by the BOS, to see if the Town will vote to receive the Reports of the BOS on the Town-Wide Financial Plan and Five-Year Capital Budget Program in accordance with Sections 19.5.2 and 19.16 of the Town Bylaws, or to take any other action in relation thereto. The motion passed unanimously (12-0).

Article 3

Andrea Ward made and Ria Stolle seconded a motion for favorable action on Warrant Article 3, as proposed by the BOS, to see if the Town will vote to take action on certain articles set forth in this warrant by a single vote, pursuant to a consent agenda. The Advisory Committee has recommended favorable action unanimously on each of the articles to be included in the consent agenda, and they are:

- Article 4: Amend Job Classification Plan*
- Article 6: Town Clerk Salary*
- Article 12: Water Program*
- Article 13: Sewer Program*
- Article 38: Rescind or Transfer Debt*
- Article 42: Appoint Fire Engineers*

The motion passed unanimously (13-0).

Article 7, Motion 2

- *Andrea Ward made and Jane Andrews seconded a motion for favorable action on Warrant Article 7, Motion 2, as proposed by the BOS, to see if the Town will vote to appropriate \$776,000 (Seven Hundred Seventy-Six Thousand Dollars) from Free Cash to the School Committee for special education costs.*
- Discussion Highlights: There was a comment by an Advisory member that this is an obligation of the Town; that the School Department's efforts to try to control costs have been impressive; and that this is an area that might not lend itself to benchmarking as much as some other areas might. There was a comment by another Advisory member that Needham has 20 more out of district

students than Wellesley, possibly because Wellesley does a better job keeping students in-house. An Advisory member echoed the point that this is an obligation of the Town that absolutely must be funded, and inquired as to whether, after such funding, the Town's cash reserves will still be in the range targeted by the Board of Selectmen.

- *The motion passed unanimously (12-0).*

Article 7, Motion 3

Andrea Ward made and Mark Kaplan seconded a motion for favorable action on Warrant Article 7, Motion 3, as proposed by the BOS, to see if the Town will vote to appropriate from Free Cash \$30,000.00 (Thirty Thousand Dollars) for expenses of compensated absences for retiring employees. The motion passed unanimously (12-0).

Article 7, Motion 4

Andrea Ward made and Mark Kaplan seconded a motion for favorable action on Warrant Article 7, Motion 4, as proposed by the BOS, to see if the Town will vote to appropriate \$75,195 (Seventy-Five Thousand One Hundred Ninety-Five Dollars) and to meet said appropriation transfer \$22,185 (Twenty-Two Thousand One Hundred Eighty-Five Dollars) from Board of Selectmen personal service 01122500 and transfer \$53,010 (Fifty-Three Thousand Ten Dollars) from Free Cash to Police Personal Services 01210100. The motion passed unanimously (12-0).

Article 8, Motion 1

Andrea Ward made and Mark Kaplan seconded a motion for favorable action on Warrant Article 8, Motion 1, as proposed by the BOS, to appropriate \$1,000,000 paid to the Town from the Municipal Light Plant to be used by the Board of Assessors as an estimated receipt when computing the tax rate commencing on July 1, 2018. The motion passed unanimously (12-0).

Article 8, Motion 2

- *Andrea Ward made and Mark Kaplan seconded a motion for favorable action on Warrant Article 8, Motion 2, as proposed by the BOS, to appropriate \$164,768,909 to the Town Boards and officials for the purposes outlined in the 2019 Omnibus Budget.*
- Discussion Highlights: There was a comment from an Advisory member that the Schools (including School budget, benefits, and debt payments for School buildings) represent 65% of total overall Town budget. There was a comment that the Town has done a great job in terms of getting the next health insurance plan in place. There was a further comment that the new BOS policy to limit cash capital plus inside-the-levy debt to a range of 6.2-6.8% of Town revenues should help control spikes in expenses; not a new invention (other Towns do it), but it is an important component of fiscal responsibility; next step for BOS and Town as a whole is to develop a capital planning policy/capital spending plan. There was a comment that the BOS is bringing forward a balanced budget with no need for an override this year, and hopefully can continue that in future. There was a further comment that next year, large School contracts will be on the agenda, which could change things.
- *The motion passed unanimously (12-0).*

Article 8, Motion 3

- *Andrea Ward made and Paul Merry seconded a motion for favorable action on Warrant Article 8, Motion 3, as proposed by the BOS, to transfer \$2,500,000 from Free Cash, as certified on July 1, 2017, to reduce the tax rate.*
- Discussion Highlights: There was a comment by an Advisory member that unspent Town funds in a given year that lead to free cash in subsequent years are a very small percentage of total budget and should not be thought of as "fat," but rather sound budgeting practices; Town must have financial ability to meet 100% of its required expenditures in a given year. Using free cash

in a subsequent year encourages turnback by boards/departments and avoids the “spend it or lose it” mentality. There was a question and a response as to how this year’s free cash amount (\$2.5 million) compares to prior years: Last year, \$4.3 million of free cash was used. There was a comment by an Advisory member that just because the Town balances the budget doesn’t necessarily mean it is flush with cash to meet new objectives; this year, the Town is spending reserves down to the lower part of the range; reduction in cash capital that also occurred this year may be just a delay in expenditures, rather than a true savings.

- *The motion passed unanimously (12-0).*

Article 9

Andrea Ward made and Paul Merry seconded a motion for favorable action on Warrant Article 9, as proposed by the BOS, to see if the Town will vote to: (1) amend Article 55 of the Town Bylaws to remove the Building Department Document Fees Fund, Recreation Summertime Revenues Fund, and Recreation Scholarship Revenues Fund; and (2) set the limit on the total amount that may be spent from each revolving fund for Fiscal Year 2019 as set forth in the Warrant and Motion. The motion passed unanimously (12-0).

Article 10

Andrea Ward made and Lina Musayev seconded a motion for favorable action on Warrant Article 10, as proposed by the BOS, to see if the Town will vote to transfer the sum of \$170,000.00 (ONE HUNDRED SEVENTY THOUSAND DOLLARS) from available funds presently held in the Building Department Document Fees Revolving Fund to be expended under the direction of the IT Department, for the purpose of purchasing, installing, upgrading, and implementing of electronic permitting software and for any associated costs, said funds to be made available for expenditure upon the adjournment of Town Meeting. The motion passed unanimously (12-0).

Article 11

Andrea Ward made and Jane Andrews seconded a motion for favorable action on Warrant Article 11, as proposed by the BOS, to see if the Town will vote to transfer \$88,000 from Free Cash to the Special Education Reserve Fund established by the vote taken under Article 10 at the 2017 Annual Town Meeting to pay, without further appropriation, for unanticipated or unbudgeted costs of special education, out-of-district tuition or transportation. The motion passed unanimously (12-0).

Article 14

- *Andrea Ward made and Mike Hluchy seconded a motion to rescind the Advisory Committee’s February 7 vote regarding Article 14. The motion passed unanimously (12-0).*
- *Andrea Ward made and Don McCauley seconded a motion for favorable action on Warrant Article 14, Motion 1, as proposed by the Municipal Light Board, to see if the Town will vote to appropriate the sum of \$39,756,300 (THIRTY-NINE MILLION SEVEN HUNDRED FIFTY-SIX THOUSAND THREE HUNDRED DOLLARS) to be raised from the sources set forth in the Motion, to be expended under the direction of the Municipal Light Board for purposes of operating and managing the Municipal Light Plant.*
- Discussion Highlights: Mark Kaplan, liaison to the Municipal Light Board, explained that, due to different accounting methods used for Town and Federal Energy Regulatory Commission purposes, the Municipal Light Plant operating figures that appear in the warrant are different from those that the MLB will include in the motion at Annual Town Meeting. Advisory accordingly re-voted the figures as they will appear in the motion.
- *The motion passed unanimously (12-0).*

Article 23

Andrea Ward made and Jane Andrews seconded a motion for favorable action on Warrant Article 23, as proposed by the BOS, to see if the Town will vote to accept as a public way (with betterments) the following street as laid out by the Board of Selectmen: Granite Street; to borrow the sum of \$250,000 to be expended under the direction of the Board of Selectmen, for the cost of engineering services, for preparation of plans and specifications, and for reconstruction, of Granite Street. The motion passed unanimously (12-0).

Article 24

Andrea Ward made and Ria Stolle seconded a motion for favorable action on Warrant Article 24, as proposed by the Board of Public Works, to hear the report of the Board of Public Works that certain easements for utilities are no longer required for public purposes, and to see if the Town will vote to authorize the Board of Public Works to make the required declaration to abandon those easements for utilities, crossing 111 and 115 Westgate, Wellesley, MA, as described in the Warrant for the 2018 ATM, without charge for said declaration. The motion passed unanimously (12-0).

Article 34

- *Andrea Ward made and Mark Kaplan seconded a motion for favorable action on Warrant Article 34, as proposed by the BOS, to see if the Town will vote to amend Article 49.19 of the Town Bylaws to allow the consumption of alcohol in Town buildings, but not public school buildings, by temporary license issued by the Board of Selectmen to a nonprofit organization, pursuant to Chapter 138 of the Massachusetts General Laws and Chapter 635 of the Acts of 1982, by deleting said Article in its entirety and replacing it as listed in the Warrant for the 2018 ATM.*
- *Discussion Highlights: There was discussion around the question of liability for the Town and whether that would be addressed in the bylaw. Several Advisory members expressed the belief/expectation that the BOS would address liability issues in its alcohol regulations, as opposed to the bylaw. Selectman Beth Sullivan Woods was in attendance and answered several questions, including whether the Town would allow alcohol at retirement parties in Town buildings (exploring that with Town Counsel; will not do so if cannot reasonably address liability); whether there would be restrictions as to the hours or days of the week during which alcohol could be served (looking into that now); and custodial staffing (looking into that as well). As noted by Ms. Woods, the BOS has the discretion to deny any application.*
- *The motion passed unanimously (12-0).*

Article 35

Andrea Ward made and Tom Fitzgibbons seconded a motion for favorable action on Warrant Article 35, as proposed by the BOS, to see if the Town will vote to amend the General Bylaws by deleting Article 52 in its entirety and replacing it as listed in the Warrant for the 2018 ATM. The motion passed unanimously (12-0).

Article 27

Andrea Ward made and Mary Gard seconded a motion for favorable action on Warrant Article 27, as proposed by the Board of Selectmen, to see if the Town will vote to authorize the Board of Selectmen to purge and forgive all unpaid and uncollectible parking fees assessed on or before January 1, 2010 totaling \$163,765.00 (ONE HUNDRED SIXTY-THREE THOUSAND SEVEN HUNDRED SIXTY-FIVE DOLLARS). The motion passed unanimously (11-0).

Article 28

- *Andrea Ward made and Jane Andrews seconded a motion for favorable action on Warrant Article 28, as proposed by the Board of Selectmen, to see if the Town will vote to amend Sections IA. and XVI. of the Zoning Bylaws to prohibit marijuana establishments other than Registered Marijuana Dispensaries, as is listed in the Warrant for the 2018 ATM.*

- Discussion Highlights: An Advisory member expressed concern about the total prohibition that would result from this bylaw amendment; wonders if the Town can do something short of that. Another Advisory member noted that state law allows us a one-time opportunity to enact this prohibition in light of the fact that town residents voted against legalizing marijuana in the 2016 referendum vote. An Advisory member expressed the view that this is a bylaw change that can always be undone or modified by a future Town Meeting. Another Advisory member noted that cultural views around marijuana are changing and may have changed since the 2016 referendum.
- *The motion passed unanimously (11-0).*

Article 29

Andrea Ward made and Don McCauley seconded a motion for favorable action on Warrant Article 29, as proposed by the Planning Board and Natural Resources Commission, to see if the Town will vote to amend the Zoning Map of the Town of Wellesley by rezoning the properties listed in the Warrant for the 2018 ATM that are owned by the Natural Resources Commission. The motion passed unanimously (12-0).

Article 30

- *Andrea Ward made and Jane Andrews seconded a motion for favorable action on Warrant Article 30, as proposed by the Planning Board, to see if the Town will vote to amend the Zoning Map of the Town of Wellesley by rezoning those properties, or parts thereof, listed in the Warrant for the 2018 ATM in order to formally adopt and accept certain inadvertent errors associated with the switch to the current digital Zoning Map.*
- Discussion Highlights: An Advisory member expressed concern about the treatment of residential areas on Pleasant Street and near River Street, particularly in light of proposed 40B developments; wonders if it is appropriate to change zoning in those areas or if the Town instead should wait to see how area develops. Another Advisory member expressed concern about how the changes are being presented to Town Meeting. Will ask Planning Board/Department to come to Advisory's next meeting (Wednesday, 3/7).
- No vote was taken on the motion.

Article 31

- *Andrea Ward made and Rose Mary Donahue seconded a motion for favorable action on Warrant Article 31, as proposed by the Planning Board, to amend the Zoning Bylaw by adding a new section, Section XVIG, Outdoor Lighting, to regulate the installation and use of outdoor lighting in association with certain projects.*
- Discussion Highlights: There was a comment by an Advisory member that this bylaw does not apply Town-wide, but rather to certain triggering projects, like new construction going through the large house review process, signage, and other major/minor construction projects; Planning Board is adopting some objective criteria about acceptable lighting. There was discussion about prior objections from the colleges re: athletic fields and interior portions of campus having been addressed in current version of bylaw. An Advisory member reiterated concern about prohibiting light fixtures such as the one that the Planning Board had illustrated during an earlier presentation to Advisory. Another Advisory member expressed support for the bylaw; noted that process of regulating outdoor light has to start somewhere. An Advisory member expressed the hope that, before enacting such a bylaw, the Town would attempt to educate/inform residents about the problems of excessive nighttime lighting, as occurs with other issues in Town. In this member's view, the bylaw unfairly targets certain houses/projects; doesn't do anything about existing houses that, for example, are shining spotlights into neighbor's yards or have lights on all night long. Another Advisory member expressed concern about how the bylaw would be enforced.
- *The motion failed by a vote of 4 in favor and 8 opposed.*

Article 32

Motion 1: Andrea Ward made and Rose Mary Donahue seconded a motion for favorable action on Warrant Article 32, Motion 1, to see if the Town will vote to amend the sections of the General Bylaws listed in the motion for the purpose of making Corrections to formatting and word usage. The motion passed unanimously (12-0).

Motion 2: Andrea Ward made and Rose Mary Donahue seconded a motion for favorable action on Warrant Article 32, Motion 2, to see if the Town will vote to amend the sections of the General Bylaws listed in the motion for the purpose of making minor edits to correct errors and omissions. The motion passed unanimously (12-0).

Motion 3: Andrea Ward made and Rose Mary Donahue seconded a motion for favorable action on Warrant Article 32, Motion 3, to see if the Town will vote to combine Section 2.4 and Section 6.20 as described in the motion. The motion passed unanimously (12-0).

Motion 4: Andrea Ward made and Lina Musayev seconded a motion for favorable action on Warrant Article 32, Motion 4, to see if the Town will vote to amend the sections of the General Bylaws listed in the motion for the purpose of making changes to conform with current Town practices. The motion passed unanimously (12-0).

Motion 5: Andrea Ward made and Alena Poirier seconded a motion for favorable action on Warrant Article 32, Motion 5, to see if the Town will vote to amend the sections of the General Bylaws listed in the motion for the purpose of making changes in official duties, appointment authority, and committee composition. The motion passed unanimously (12-0).

Article 33

- *Andrea Ward made and Tom Fitzgibbons seconded a motion for favorable action on Warrant Article 33, as proposed by the BOS, to see if the Town will vote to amend the Town Bylaws Article 47 Animal Control Regulations, by deleting the Article in its entirety and replacing it as listed in the Warrant for the 2018 ATM.*
- *Discussion Highlights: An Advisory member questioned whether there were any changes to the fees. Another Advisory member expressed concern that the bylaw does not include animals other than dogs (e.g., chickens, reptiles); those are covered by Board of Health regulations. An Advisory member responded that perhaps a reference could be included in the bylaw at a future Town Meeting that there are other applicable regulations.*
- *The motion passed unanimously (12-0).*

Article 36

- *Andrea Ward made and Rose Mary Donahue seconded a motion for favorable action on Warrant Article 36, as proposed by a Citizen Petition, to see if the Town will vote to amend the Zoning Map of the Town of Wellesley by rezoning the properties at 170-184 Worcester Street and 7 Burke Lane, as described in the Warrant and Motion for the 2018 ATM.*
- *Discussion Highlights: An Advisory member commented that it is important for the Town to be flexible about zoning to help businesses; this Article is in keeping with some zoning changes that are proposed in the Unified Plan draft.*
- *The motion passed unanimously (13-0).*

Article 37

Andrea Ward made and Tom Fitzgibbons seconded a motion for favorable action on Warrant Article 37, as proposed by a Citizen Petition, to see if the Town will vote to authorize the Town Moderator to form a committee to evaluate and select an electronic voting solution and vendor for use at Wellesley's Town

Meetings; and Furthermore, that the committee will report back to the next Town Meeting with any bylaw changes needed, and the committees' recommended electronic voting solution, and associated costs for Town Meeting's approval. The motion passed unanimously (13-0).

Article 38

Andrea Ward made and Mark Kaplan seconded a motion for favorable action on Warrant Article 38, as proposed by the Board of Selectmen, to see if the Town will vote to rescind authorized and unissued loans, to authorize the transfer of unused proceeds from previously issued loans to one or more eligible appropriations, and/or to amend existing borrowing authorizations on unissued debt authorized prior to November 7, 2016, in order to allow the use of premiums for project costs and to reduce the amount of the borrowing so authorized in accordance with Section 20 of Chapter 44 of the Massachusetts General Laws, as amended by Section 67 of Chapter 218 of the Acts of 2016, as set forth in the Motion under the warrant. The motion passed unanimously (13-0).

Article 42

Andrea Ward made and Mark Kaplan seconded a motion for favorable action on Warrant Article 42, as proposed by the BOS, to see if the Town will vote to authorize the Board of Selectmen to appoint one or more of its members as a fire engineer, or to take any other action in relation thereto. The motion passed unanimously (13-0).

Article 5, Motion 4

Andrea Ward made and Ria Stolle seconded a motion for favorable action on Warrant Article 5, Motion 4, as proposed by the Human Resources Board, to see if the Town will vote to amend the Salary Plan with respect to the pay schedules for the Wellesley Superior Officers Association, P40 Lieutenant and P20 Sergeant. The motion passed unanimously (13-0).

Article 5, Motion 5

Andrea Ward made and Paul Merry seconded a motion for favorable action on Warrant Article 5, Motion 5, as proposed by the Human Resources Board, to see if the Town will vote to amend the Salary Plan with respect to the pay schedules for the Wellesley Police Patrolmen's Association, P10 Police Officer position. The motion passed unanimously (13-0).

Article 25

- *Andrea Ward made and Mark Kaplan seconded a motion for favorable action on Warrant Article 25, as proposed by the Contributory Retirement Board, to see if the Town will authorize the Contributory Retirement Board to increase the maximum base on which the cost-of-living increase is calculated for retirees and beneficiaries of the Wellesley Contributory Retirement System by \$1,000 each July 1 for the next 3 years resulting in a base change from \$15,000 to \$16,000 effective July 1, 2018, from \$16,000 to \$17,000 effective July 1, 2019, and from \$17,000 to \$18,000 effective July 1, 2020.*
- Discussion Highlights: An Advisory member commented that, while the Town/Retirement Board is right to fully fund the pension/OPEB and to have a COLA increase, they have taken the most conservative assumptions around rates of return, and have made them even more conservative this year; amounts to several hundred thousand dollars of additional Town expenditures. Another Advisory member commented that the Town's current practices are a response to less conservative practices 10-12 years ago that resulted in underfunding. That same member clarified that the \$1,000 incremental increases in the COLA base are not increases in actual retirement benefits; they are increases in the base against which the COLA percentage is applied; amounts to maximum of \$90 in increased annual benefits per retiree.
- *The motion passed unanimously (13-0).*

11:55 a.m. Liaison Reports

Schools/Tom Fitzgibbons

- Interviews for new Assistant Superintendent have been completed
- Three finalists; outstanding candidates; very thorough process
- Recommendation will be presented to School Committee on March 6

12:05 p.m. Adjourn

Mark Kaplan made and Alena Poirier seconded a motion to adjourn. The motion passed unanimously.