

Approved: July 19, 2022

Select Board Meeting: June 21, 2022

Present: Ulfelder, Olney, Aufranc, Lanza

Also Present: Jop, Frigulietti

Meeting Documents:

1. Agenda
2. Draft Select Board Calendar
3. Draft Letter of Review to the Commonwealth Division of Conservation Services
4. Application for alteration of premises for the Wellesley Tavern
5. ABCC Guidelines for Outside Service
6. Application for annual mobile food vendor license for Captain Marden's d/b/a The Cod Squad
7. Correspondence re: 1 Kendall Road request for easement over Cochituate Aqueduct
8. Draft Contract for Finance Director Sheryl Strother
9. SPED Stabilization Fund Expenditure Request
10. Appointment Memo 6/21/22
11. Memo from Town Clerk re: Appointment of Election Worker's
12. Municipal Light Board Appointment Request
13. Draft Select Board Minutes: 4/25/22, 5/2/22, 5/9/22, 5/24/22

1. Call to Order

Mr. Ulfelder, Chair, called the meeting to order at 6:00 pm online.

Mr. Ulfelder 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.

2. Citizen Speak

None.

3. Discuss Open Space and Recreation Plan

Mr. Schmitt, NRC Director; Ms. Robert and Mr. McHale of the NRC joined the meeting.

Mr. Schmitt provided an overview of the components of the Open Space and Recreation Plan update, noting the various requirements including the letter of review from the Select Board. He stated that the plan helps guide policy decisions for the NRC and Recreation as well as give the Town the ability to apply for grant funding for projects. Mr. Schmitt continued to review the update to the plan to be submitted to the state. He noted accomplishments since the previous update including the Fuller Brook Park restoration, Hunnewell field renovations, and shoreline restoration at Morses Pond. Mr. Schmitt further reviewed current and upcoming projects including the tree canopy assessment. He provided an overview of the data collected from a community survey and public forums regarding open space and restoration goals and action steps. The Board discussed the presentation, Open Space and Recreation Plan update and the request to submit a letter of review.

Upon a motion by Ms. Aufranc and seconded by Ms. Olney, the Board was polled and voted (4-0) to transmit a letter of review for the 2022-2029 Open Space and Recreation Plan prepared by the Town's Natural Resources Commission.

Aufranc – Aye

Olney –Aye
Ulfelder – Aye
Lanza – Aye

4. Discuss and Vote Use of Poll Pads for All Precincts

Ms. Kato, Town Clerk, joined the meeting. She reviewed the use of poll pads for early voting in the past. She stated that the pads would be used for early voting and on Election Days. Ms. Kato reviewed the uses of the pads, adding that for security reasons the pads are not connected to the internet and further reviewed the safety and accuracy features included in the software. The Board discussed the use of the pads for voting.

Upon a motion by Ms. Aufranc and seconded by Ms. Olney, the Board was polled and voted (4-0) to authorize use of Electronic Poll Pads for Check-in at all precincts beginning at the September 6, 2022, Election.

Aufranc – Aye
Olney –Aye
Ulfelder – Aye
Lanza – Aye

5. Discuss and Vote Alteration in Premises for CV and alcohol License at The Wellesley Tavern, 165 Linden Street

Ms. Wolfe, Co-Owner of The Wellesley Tavern, joined the Board. Ms. Meagher, Support Services Manager, joined the Board.

Ms. Wolfe described her proposal for outdoor seating in the non-contiguous area outside the restaurant. She noted her experience in a similar configuration at another restaurant under her ownership. Ms. Meagher provided an overview of the application and the approval from the ZBA of the outdoor patios at Linden Square. The Board discussed the proposal and the description of the barriers to be installed at the patio.

Upon a motion by Ms. Aufranc and seconded by Ms. Olney, the Board was polled and voted (4-0) to approve the alteration in premises for the Common Victualler and Alcohol License at the Wellesley Tavern located at 165 Linden Street subject to ABCC approval for two outdoor areas, one with up to 16 seats directly outside the main door of the restaurant, and one with 22 seats in a small, non-contiguous enclosed area across from the front door.

Aufranc – Aye
Olney –Aye
Ulfelder – Aye
Lanza – Aye

6. Discuss and Vote Mobile Food Vendor License for Captain Marden’s

Ms. Meagher stated that the food truck had historically provided service at less than five private and public events in Town. She noted that Captain Marden’s had been invited to additional events necessitating an annual license. She added that the application was supported by staff and the Health Department.

Upon a motion by Ms. Aufranc and seconded by Ms. Olney, the Board was polled and voted (4-0) to approve the mobile food vendor for Captain Marden’s Seafood dba the Cod Squad.

Aufranc – Aye
Olney –Aye
Ulfelder – Aye
Lanza – Aye

7. Discuss and Vote Access over Cochituate Aqueduct for 1 Kendall Road

Mr. Himmelberger, counsel for the homeowners; Mr. Harrington, Town Counsel; Mr. Oliveri and Ms. Bartlett, homeowners; joined the meeting.

Ms. Jop provided an overview of the request, noting that the Board had previously discussed the potential use and access point. She stated that the Board had previously noted the encroachments throughout the aqueduct and had been reluctant to set precedent if other options of access could be used. Ms. Jop described the property location and the potential access points over the aqueduct and connection to Kendall Road. She stated that counsel for the homeowners had cited case law that provided a grandfathering provision for the access that had been continuous. Ms. Jop noted that Town Counsel had advised if the applicants could support the claim of meeting the grandfathering provision, the Town could potentially bring the easement to Town Meeting. Ms. Jop reviewed the easement process.

Mr. Himmelberger stated that he believed his clients have met the exception under statute in order to grandfather the access over the aqueduct. He added that his clients wished to memorialize the access and begin construction on the property. Mr. Himmelberger reviewed the current positioning of the home, driveway, and fencing; noting where the proposed new home would be built on the property. He noted he believed he could demonstrate twenty years of continuous access over the aqueduct in order to meet the provision allowing an easement. Mr. Harrington provided an additional overview of the statute, its exceptions, and the standards the Board could consider in its deliberations in relation to a possible allowance of an easement.

The Board discussed the request, the provisions allowed by statute, and the potential for rebuilding the lot. The Board expressed concerns including if permitting would allow for new construction on the lot as well as the potential for allowing access over the Town trail systems. The Board noted the ability to access the lot from Kendall Road. The Board expressed agreement that the homeowners should submit proof of meeting the statute as well as submitting some diagrams or drawings of the proposed new construction in order to have another discussion.

8. Discuss and Vote Finance Director’s Contract

Ms. Jop stated that the Board had been in negotiation with Ms. Strother for a new three-year contract. She noted the analysis of comparable community salaries. Ms. Jop reviewed the terms of the contract and salary adjustments throughout the contract.

Upon a motion by Ms. Aufranc and seconded by Ms. Olney, the Board was polled and voted (4-0) to approve the FY23 to FY25 Contract for Sheryl Strother with an FY23 salary of \$180,000.

Aufranc – Aye
Olney –Aye
Ulfelder – Aye
Lanza – Aye

9. Discuss and Vote Special Education Stabilization Expenditure

Ms. Jop noted the expenditure request, adding that the School Committee had approved the expenditure at its last meeting.

Upon a motion by Ms. Aufranc and seconded by Ms. Olney, the Board was polled and voted (4-0) that the Board vote to authorize payment of invoices in the amount of \$1,663.61 to New England Medical Billing for the Town's Medicaid filing from the SPED Stabilization Fund.

Aufranc – Aye

Olney –Aye

Ulfelder – Aye

Lanza – Aye

10. Discuss and Vote Annual Appointments

Ms. Jop reviewed the proposed appointments and recommendations received for the new appointments. Ms. Jop provided an overview of the Kepes Panel Committee's work. Ms. Jop stated that the Town Clerk had submitted a list of Election Workers to be appointed.

Upon a motion by Ms. Aufranc and seconded by Ms. Olney, the Board was polled and voted (4-0) to approve the appointments for the Kepes Panel Committee, Municipal Light Board, School Crossing Guard, Climate Action Committee, Wellesley Housing Development Corporation, Zoning Board of Appeals as identified in the Select Board Appointments FY23-FY24 dated 6/21/22 and the Election Workers detailed in a memo from Town Clerk dated June 15, 2022.

Aufranc – Aye

Olney –Aye

Ulfelder – Aye

Lanza – Aye

11. Executive Director's Update

Ms. Jop noted the minutes for approval should be approved as amended.

Ms. Jop stated that long time crossing guard at Grove Street, Ms. Johnson, had retired after 53 years and thanked her for her service to the Town. She noted that the Traffic Committee had been working on the Wellesley Square streetscape plan and two meetings would be held during the week which would be recorded and available on Wellesley Media. Ms. Jop stated that the parklet at Central and Cross Streets had been successful and the Board had received positive comments from the community. Ms. Jop stated that an information session from The Nines for its affordable units and the lottery would be held in August for the affordable units.

Ms. Olney stated that Sustainable Wellesley and the Climate Action Committee were holding an informal discussion "Cool Conversations" in the parklet on Wednesday evening from 7-8 pm regarding ways to reduce heating and cooling costs and how to reduce greenhouse gas emissions.

Ms. Jop stated that office hours would be held on June 28th on zoom and additional information would be sent through News & Announcements. She noted that the PFAS remediation phase 1 had been inspected and the Morses Pond well had been turned back on.

Upon a motion by Ms. Aufranc and seconded by Ms. Olney, the Board was polled and voted (4-0) to approve the minutes of April 25, 2022, May 2, 2022, May 9, 2022, and May 25, 2022 as amended.

Aufranc – Aye

Olney –Aye

Ulfelder – Aye
Lanza – Aye

12. Executive Session under M.G.L c. 30A §21A, exemption #2 to conduct strategy sessions in preparation for negotiations with nonunion personnel (Scott Whittemore)

Mr. Ulfelder requested a motion that the Board vote to convene in Executive Session for the purposes of conducting strategy for negotiations as having a meeting in open session may be detrimental to the Town's bargaining position.

At 7:50 pm; upon a motion by Ms. Aufranc and seconded by Ms. Olney, the Board was polled and voted (4-0) to enter Executive Session under M.G.L c. 30A §21A, exemption #2 to conduct a strategy session in preparation for negotiations with nonunion personnel (Scott Whittemore) as the Chair has declared that having such discussions in Open Session would be detrimental and to invite Meghan Jop, Amy Frigulietti, and Jack Pilecki to join the meeting. Following the adjournment of executive session, the Board will return to open session for the sole purpose of adjourning the meeting.

**Aufranc – Aye
Olney –Aye
Ulfelder – Aye
Lanza – Aye**

Upon a motion by Ms. Aufranc and seconded by Ms. Olney, the Board was polled and voted (4-0) to exit Executive Session and return to Open Session.

**Aufranc – Aye
Olney –Aye
Ulfelder – Aye
Lanza – Aye**

The meeting was adjourned at 8:15 pm
The next regular meeting is scheduled for June 27, 2022 at 6:00 pm.