

Approved: August 29, 2023

Select Board Meeting: July 24, 2023

Present: Olney, Ulfelder, Sullivan Woods, Aufranc, Lanza

Also Present: Jop

Meeting Documents:

1. Agenda
2. Draft Select Board Calendar
3. Draft Select Board Meeting Minutes: 6/27/22, 6/6/23, 6/28/23
4. Advisory Committee Correspondence
5. Draft MOU between Select Board and Human Resources Board
6. Draft Select Board FY24 Priorities and Work Plan
7. Select Board FY24 Liaison Assignments
8. Executive Director's Contract
9. Police Chief's Contract
10. Correspondence from CPC re: North 40 CPA required Deed Restriction
11. Change of Ownership – CV Application; Wellesley Pie Inc. dba Domino's Pizza
12. Parklet Application – Café Mangal
13. Notes re: Mobility July 20, 2023 meeting

1. Call to Order

Ms. Olney, Chair, called the Select Board to order at 6:30 pm.

2. Executive Session M.G.L c. 30A §21A, exemption #2 to conduct strategy sessions in preparation for negotiations with non-union personnel (Interim Fire Chief – David Soar)

Ms. Olney requested that the Board vote to convene in Executive Session for the purposes of discussing negotiations with non-union personnel, David Soar, Interim Fire Chief, and declared that having such discussions in Open Session would have a detrimental effect on the Town's position.

At 6:30 pm Upon a motion by Ms. Sullivan Woods and seconded by Ms. Aufranc, the Board was polled and voted (5-0) to enter Executive Session under M.G.L c. 30A §21A, exemption #2 to conduct strategy for negotiations with non-union personnel David Soar Interim Fire Chief and to invite Meghan Jop to join as the Chair has declared that having such discussion in open session would have a detrimental effect on the Town's position.

Following the adjournment of executive session, the Board will return to open session to continue the remainder of the agenda.

Olney – Aye

Sullivan Woods – Aye

Ulfelder – Aye

Aufranc – Aye

Lanza – Aye

Upon a motion by Ms. Sullivan Woods and seconded by Ms. Aufranc, the Board was polled and voted (5-0) to exit Executive Session and return to Open Session

Olney – Aye

Sullivan Woods – Aye

Ulfelder – Aye

Aufranc – Aye
Lanza – Aye

3. Call to Order Open Session

The Board returned to open session at 6:59 pm.

Ms. Olney 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.

4. Citizen Speak

Ms. Greer of 24 Windsor Road joined the meeting. She stated she was attending the meeting to speak to an incident regarding a bicycle accident involving her friend at Dover Road and Benvenue Street. She expressed concerns regarding the road and pedestrian and cyclist safety. She stated that the police report included errors and asked for an additional investigation into the accident. Ms. Greer stated that the road had no shoulder and hoped that the Town could review improvements to the area.

5. Executive Director's Update

Chief Pilecki joined the meeting. Ms. Jop asked Chief Pilecki to review the incident reported to the Board via email from Ms. Greer. Chief Pilecki briefly discussed the facts surrounding the accident. Chief Pilecki noted some information determined during the investigation of the accident, adding that the area would be reviewed by the Traffic Committee for any safety modifications.

Ms. Jop noted that the original unedited version of the June 27, 2022 minutes had been sent in her memo with the packet. The Board identified significant changes had been made to the original draft, and some Board members wished to review the substantive changes. The Board discussed how the Board minutes are drafted including that Ms. Sullivan Woods as Board Secretary had a practice of reviewing the drafts prior to full Board review. The Board agreed to remove the June 27, 2022 minutes from the agenda and to have an agenda item included at a future meeting regarding the practice of drafting and reviewing minutes. The Board reviewed the minutes of June 6, 2023 and June 28, 2023.

Upon a motion by Ms. Sullivan Woods and seconded by Ms. Aufranc, the Board was polled and voted (5-0) to approve the minutes as amended and projected on the screen of June 6, 2023 and June 28, 2023 .

Olney – Aye
Sullivan Woods – Aye
Ulfelder – Aye
Aufranc – Aye
Lanza – Aye

6. Discuss Advisory Committee Year End Recommendations

Ms. Clapham, Mr. Baker, Mr. Riley, and Mr. Smith of the Advisory Committee joined the meeting.

Mr. Riley reviewed the Advisory Committee year end recommendations from the Advisory Committee to the Select Board, HR Board, and School Committee. He stated that Advisory Committee reviewed the activities and functions of the HR Department and identified operational challenges. Advisory then identified changes necessary moving forward. Mr. Riley stated that the Advisory Committee recommendation was developed over time and not due to the recent changes in the HR Department

personnel. He reviewed the recommendation that the reporting structure of the HR Department be revised based on the research that was conducted on comparable communities. The Board discussed the recommendation regarding the HR department's reporting structure.

Mr. Baker reviewed the Advisory Committee's recommendation on communication strategies for the Town's annual budget. He noted that Town Meeting Members had many questions about the Stormwater Enterprise Fund and believed additional, timely communication regarding financial matters that are foreseen was necessary. Ms. Jop stated that the Board had discussed strategies to improve communication to Town Meeting Members regarding financial and other matters.

7. Discuss and Vote Memorandum of Agreement between HR Board and Select Board to designate Executive Director as Supervisor to the Human Resources Director

Ms. Moore of the Human Resources Board and Mr. Harrington, Town Counsel joined the meeting.

Ms. Moore stated that the HR Board had unanimously voted to approve the MOA specifying the HR Director report to the Executive Director for an undetermined amount of time. She added that the HR Director and the Assistant Director positions are open which presented an opportunity to review and revise the structure of the department. She noted that as a Board, the members cannot provide day to day leadership and advice and prefer that the new employees hired for the department have that leadership to set them up for success. Ms. Moore stated that the HR Board would continue to be involved in the process and would be responsible for setting goals and agendas. She noted that the MOU included the ability for either the HR Board or the Select Board to terminate the agreement at any time. Mr. Harrington provided details on the agreement, the MOA was presented on the screen for review. He noted an edit that was added since the Board last received the document, adding that the Executive Director's role was limited in its supervisory authority. He stated again that either Board could terminate the agreement at any time. The Board had an extensive discussion regarding the MOA with a concern raised regarding no end date. The Board discussed the view that the agreement and supervision is not a long-term solution and believed the HR Board would be working with Ms. Jop under the MOA in the short-term to find a long-term solution. A suggestion was raised that the MOA state that the agreement would only be in place for the hiring and supervising of an interim director. The Board continued its extensive discussion regarding the drafted MOA that had been approved by the HR Board. A minority of the Board expressed concerns with and dissent of approving the document as drafted and shown on the screen and recommended a study directed by the Moderator. Ms. Sullivan Woods proposed amendments to the drafted MOA; the changes were made and shown on the screen.

Upon a motion by Ms. Sullivan Woods and seconded by Ms. Lanza, the Board was polled and voted (2-3) to approve the edits proposed to the Memorandum of Agreement between the HR Board and the Select Board.

**Olney – No
Sullivan Woods – Aye
Ulfelder – No
Aufranc – No
Lanza - Aye**

Upon a motion by Ms. Aufranc and seconded by Mr. Ulfelder, the Board was polled and voted (3-1-1) to approve the Memorandum of Agreement between the HR Board and Select Board to designate the Executive Director as Supervisor to the Human Resources Board.

**Olney – Aye
Sullivan Woods – No
Ulfelder – Aye**

Aufranc – Aye
Lanza – Abstained

Ms. Howley of the Library Trustees joined the meeting. She stated that she was asked to attend by Ms. Robinson, who was unable to attend, but had sent a letter to the Select Board. She highlighted the contents of the letter from Ms. Robinson that asserted the MOA between the HR Board and the Select Board was in violation of the Bylaws.

8. Discuss and Vote FY24 Select Board Work Plan and Goals

Ms. Jop noted that the Board had discussed the work plan and goals at its retreats in June and July. The FY24 Priorities and Work Plan were projected on the screen. The Board discussed the document. Members expressed concerns that some matters in the work plan were not included in the Executive Director's performance goals, and objected to the staff role in restructuring the HR department. It was discussed that the document was for the Select Board Department and several priorities would be assigned to other members of departmental staff and not only the Executive Director. The Board continued to engage in a lengthy discussion of the priorities and work plan for FY24.

Upon a motion by Ms. Sullivan Woods and seconded by Ms. Aufranc, the Board was polled and voted (4-1) to approve the Select Board Priorities and Departmental Work Plan for FY24 in the document provided.

Olney – Aye
Sullivan Woods – Aye
Ulfelder – Aye
Aufranc – Aye
Lanza – No

9. Discuss and Vote Performance Reviews, FY24 Compensation, and FY24 Goals

Ms. Olney reviewed how performance reviews are conducted for the Executive Director and the Police Chief. She noted Ms. Jop's composite rating and read the composite review comments for Ms. Jop for the official record. A comment was corrected that had been clarified by Town Counsel regarding collaboration; Ms. Olney re-read the comment with the adjustment and asked that Mr. Harrington make that revision prior to the review being finalized. Ms. Olney stated that the recommendation for annual increase for Ms. Jop was 2%. Ms. Olney reviewed the composite drafted goals for Ms. Jop, adding that she asked the Board to focus on goals for the next six months. The Board discussed the goals proposed and expressed opinions on how the goals for Ms. Jop should be established in the performance evaluation. Some opinions included expanding goals to include a broader subset of the work plan, and to exclude a goal of working with the HR Board on the HR departmental structure.

Upon a motion by Ms. Sullivan Woods and seconded by Ms. Aufranc, the Board was polled and voted (5-0) to approve the FY24 composite performance evaluation for Ms. Jop as amended.

Olney – Aye
Sullivan Woods – Aye
Ulfelder – Aye
Aufranc – Aye
Lanza – Aye

Upon a motion by Ms. Sullivan Woods and seconded by Ms. Aufranc, the Board was polled and voted (5-0) to approve a performance salary increase for Meghan Jop of 2%.

Olney – Aye

Sullivan Woods – Aye
Ulfelder – Aye
Aufranc – Aye
Lanza – Aye

Upon a motion by Ms. Sullivan Woods and seconded by Ms. Lanza, the Board was polled and voted (2-3) to remove #2 of the drafted FY24 Goals for the Executive Director.

Olney – No
Sullivan Woods – Aye
Ulfelder – No
Aufranc – No
Lanza – Aye

Upon a motion by Ms. Sullivan Woods and seconded by Ms. Aufranc, the Board was polled and voted (3-2) to approve the FY24 Goals for the Executive Director as originally proposed.

Olney – Aye
Sullivan Woods – No
Ulfelder – Aye
Aufranc – Aye
Lanza – No

Ms. Olney reviewed Chief Pilecki's composite rating. She read the composite performance review comments into the record. The Board discussed the composite review comments and acknowledged Chief Pilecki's accomplishments during the fiscal year. Ms. Olney stated that the recommendation for a performance increase was 2%. Ms. Olney reviewed the drafted composite goals for the upcoming year as well as the three drafted goals for Chief Pilecki. The Board discussed the drafted goals for Chief Pilecki. A change was proposed to the goal related to the Equity Audit towards a preference to improve communication between the Police Department and the community regarding Police Department activities and initiatives. The Board generally agreed to the change proposed, modifying the suggested goal to a consistent communication with the Board, with the expectation that Chief Pilecki provide quarterly updates to the Board at meetings regarding Department activities and initiatives.

Upon a motion by Ms. Sullivan Woods and seconded by Ms. Aufranc, the Board was polled and voted (5-0) to approve the FY24 composite performance evaluation for Chief Pilecki.

Olney – Aye
Sullivan Woods – Aye
Ulfelder – Aye
Aufranc – Aye
Lanza – Aye

Upon a motion by Ms. Sullivan Woods and seconded by Ms. Aufranc, the Board was polled and voted (5-0) to approve the performance salary increase for Chief Jack Pilecki of 2%.

Olney – Aye
Sullivan Woods – Aye
Ulfelder – Aye
Aufranc – Aye
Lanza – Aye

Upon a motion by Ms. Sullivan Woods and seconded by Ms. Aufranc, the Board was polled and voted (5-0) to approve the FY24 Goals for the Police Jack Chief as amended.

Olney – Aye

Sullivan Woods – Aye
Ulfelder – Aye
Aufranc – Aye
Lanza – Aye

10. Discuss Conservation Restriction Designation for CPC Funded Portion of North 40

Ms. McMahon, Chair of CPC joined the meeting. She noted that a quorum of the CPC was present though other members would likely not participate in the meeting. Ms. McMahon called the CPC to order.

Ms. McMahon stated that this discussion was preliminary in order for the Select Board to begin deliberating on the Town's approach to finalizing the conservation restriction requirement on the North 40. Ms. Jop reviewed the conservation restriction requirements, noting that 50% of the area must be retained as open space and that the use of CPC funding requires a conservation restriction be in place. She added that there were requirements for the southern 6 acres to be retained in its natural state in the original Purchase and Sales Agreement. Ms. Olney stated that the CPC was recommending a conservation restriction on 20 acres while the requirement for acreage was less. Ms. Jop noted that the 20 acres included the landfill that had been remediated but could not be used actively. The Board briefly discussed the memo and map of the area requested for the restriction. Ms. McMahon stated that the CPC would be coming to the Select Board in the future regarding the deed restriction for the area as well.

Ms. McMahon adjourned the CPC.

11. Discuss and Vote Contract for Interim Fire Chief

Ms. Olney noted that the Board met in Executive Session and had an extensive discussion regarding the contract for Mr. Soar. Ms. Jop stated that the contract was a one-year contract for the interim chief with a salary of \$200,000 as well as 4 weeks of vacation.

Upon a motion by Ms. Sullivan Woods and seconded by Ms. Aufranc, the Board was polled and voted (5-0) to approve a contract for David B. Soar as Interim Fire Chief for a duration of August 2, 2030 to July 31, 2024.

Olney – Aye
Sullivan Woods – Aye
Ulfelder – Aye
Aufranc – Aye
Lanza – Aye

12. Discuss and vote Change of Owner for Common Victualler License – Domino's Pizza located at 868 Worcester Street

Ms. Meagher, Support Services Manager and Mr. Gokdag, proposed new owner of Domino's joined the Board.

Ms. Meagher stated that the application was for a change of ownership only and all other aspects of the business were to remain unchanged. Ms. Meagher noted that Mr. Gokdag had been informed of the Town's plastic bag ban as well as the goals of reducing plastic and food waste. The Board welcomed Mr. Gokdag to Wellesley.

Upon a motion by Ms. Sullivan Woods and seconded by Ms. Aufranc, the Board was polled and voted (5-0) to approve the change in ownership of Domino's Pizza to Wellesley Pie Inc. dba Domino's Pizza at 868 Worcester Street.

Olney – Aye

Sullivan Woods – Aye

Ulfelder – Aye

Aufranc – Aye

Lanza – Aye

13. Discuss and Vote Support for H.3025/S.2011 Permanent Extension of Remote Meetings and H.2681/S.1632 MBTA Advisory Board Staff Benefits

Ms. Aufranc stated that the MBTA Advisory Board had submitted two identical bills to move its employees to the GIC benefit system and the Executive Director of the Advisory Board had asked for a letter of support from the Select Board for the legislation. A Board member expressed concern that the Select Board would weigh in on support for having employees of an agency be included in the GIC benefit system. Ms. Aufranc identified the financial benefits to the Town of Wellesley in reducing costs to the Advisory Board, which the Town supports financially through an assessment.

Ms. Aufranc stated that a bill was supported by Representative Peisch, the Mass Municipal Association, and MAPC for a permanent extension of remote meetings. Ms. Aufranc noted the highlights of the bill adding that municipalities would not be mandated to hold hybrid meetings, and the bill allows for remote or hybrid town meetings. The Board discussed an alternative bill being supported by the League of Women Voters of Massachusetts. The Board discussed the fact that the League's supported bill required all meetings be accessible as hybrid meetings whereas the bill requested for Board support did not include a hybrid requirement. Ms. Aufranc stated that she had spoken to the League in Wellesley regarding the bills, she noted that the League supported a different bill however was not taking opposing positions on other competing bills for remote meetings. The Board engaged in a discussion of the different bills regarding remote and hybrid meetings. Some Board members expressed concern over having enough information to make a determination at this time.

Upon a motion by Ms. Olney and seconded by Ms. Aufranc, the Board was polled and voted (3-1-1) that Ms. Aufranc advocate for H.3025/S.2011 on the condition that it be clear that a majority of the Board support it.

Olney – Aye

Sullivan Woods – abstained

Ulfelder – Aye

Aufranc – Aye

Lanza – No

Upon a motion by Ms. Aufranc and seconded by Mr. Ulfelder, the Board was polled and voted (4-1) to approve the letter of support for the MBTA Advisory Board as drafted in the email sent by Meghan Jop for the meeting materials.

Olney – Aye

Sullivan Woods – No

Ulfelder – Aye

Aufranc – Aye

Lanza – Aye

The meeting was adjourned at 10:45 pm

The next regular meeting is scheduled for August 15, 2023 at 6:30 pm.