

Approved 9/30/2020

**Advisory Committee Meeting
Zoom Videoconference
Wednesday, September 23, 2020, 6:30 p.m.**

And

**Advisory Committee's Public Hearing on Warrants for STM#1 and STM#2
Zoom Videoconference
Wednesday, September 23, 2020, 7:00 p.m.**

Those present from Advisory Committee included Shawn Baker, Julie Bryan, Tom Cunningham, Lauren Duprey, Jake Erhard, Jennifer Fallon, Neal Goins, John Lanza, Jeff Levitan, Bill Maynard, Deed McCollum, Corrine Monahan, Patti Quigley, Mary Scanlon and Doug Smith.

Julie Bryan called the meeting to order at 6:30 pm.

6:30 p.m. Citizen Speak

There was no one present for Citizen Speak.

School Committee is not bringing a request for additional funds to STM#2.

Administrative Matters/Liaison Reports/Minutes

Schools/Jenn Fallon and Lauren Duprey: The Schools are coming to a later Town Meeting for a supplemental appropriation. They were able to lower the projected \$1.8 million and they received \$1 million in CARES money from the Board of Selectmen (BOS). On October 1 PAWS through Grade 1 will be in school four days per week. 80% of students signed up for testing which will begin this weekend. SBC decision on Upham/Hardy will be made this week.

DPW/Bill Maynard: Gordon Kingsley proposed a DPW merger with MLP under the Department of Town Utilities. Mr. Kingsley feels that water and sewer could run more efficiently if part of a Department of Town Utilities. DPW is reviewing Mr. Kingsley's document and financial analysis. Mr. Kingsley will attend the next DPW board meeting on October 13. On October 14 DPW is presenting to Advisory.

CPC/Doug Smith: NRC has given CPC a preliminary application for the Hunnewell bathroom project for \$544,550. There is no information yet on the WHA emergency relief fund.

Audit/Shawn Baker: There is a change in leadership on the Audit Committee and the committee is looking to fill one open position. Auditors gave a presentation. The financial statement process is underway for MLP, Retirement and the town.

Minutes Approval

Patti Quigley made and Jeff Levitan seconded a motion to approve the September 16, 2020 minutes. A request was made for a sentence to be included about the excitement over the addition of Winnie to the Police Department

Roll call vote:

Bill Maynard – yes

Patti Quigley – yes

John Lanza – yes

Mary Scanlon - yes

Deed McCollum - yes
Jennifer Fallon – yes
Jeff Levitan – yes
Corinne Monahan - yes
Shawn Baker – yes
Doug Smith – yes
Jake Erhard – yes
Tom Cunningham – yes
Lauren Duprey – yes
Neal Goins – yes

The September 16, 2020 minutes were unanimously approved with the above change.

Concerns were expressed about the Tree Article and a request made to discuss this as a new committee and re-vote. It is a complicated issue and a complicated article. It warrants further discussion rather than a vote to adopt last year's recommendations and considerations. Next Wednesday Advisory can have Katherine and Brandon available to answer questions. The understanding is this is for new construction or substantial renovation and not for the typical homeowner who wants to remove a few trees.

7:00 p.m. Advisory's Meeting was suspended for the start of the Public Hearing

7:00 p.m. Public Hearing on the Warrant Articles for October 2020 Special Town Meeting #1

The purpose and the process of the Public Hearings was described. The Public Hearing for STM#1 will open and close and then the Public Hearing for STM#2 will open. The Public Hearing is for citizen input on the articles for Town Meeting. A description of the purpose of role of Advisory Committee was provided. Advisory does not set priorities and policies for the town. Advisory's role during its Public Hearing is to listen and to not engage in dialogue. However, Advisory members may ask questions for clarification. This is not the time to ask questions, but a citizen can ask Advisory to investigate a question.

7:09 p.m. Advisory's Public Hearing on the Warrant Articles for STM#1 concluded

7:09 p.m. Public Hearing on the Warrant Articles for October 2020 Special Town Meeting #2

Each of the Warrant Articles for STM#2 were read and open for public comment.

Article 12

Peter Watson, 18 Grove Street felt Article 12 was too general and the language was very loose. He would like to see more specifics like those that are in the NRC Report. He felt it important to put this out to the whole town.

Taylor Barnhill, 31 Oxford Road echoed Peter's point and would like to see stronger language and stronger actions and the initiatives NRC has been supporting.

Mary Gard, 21 Laurel Ave supports Article 12 and agrees that language is weak compared to other towns in Massachusetts. This is an opportunity to be bold and do more. She felt that the resolution that goes along with it is not strong enough.

Susan Zelenko, 76 Cleveland Road supports Article 12 but feels it should have more clear and indicative wording. This is a time when Wellesley can be a role model. Compared to other municipalities and cities around the world, the wording in Article 12 is weak.

7:26 p.m. Advisory's Public Hearing on the Warrant for STM#2 concluded

7:26 p.m. Advisory's Meeting was resumed

Neal Goins made and Patti Quigley seconded a motion that the 2020-21 Advisory Committee adopt the 2019-2020 Advisory Committee's ATM Report's considerations and votes on ATM 2020 Articles that have been carried over to the October 2020 STM #2 as Articles 5, 10, 11, 12, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, and 28.

There was a discussion of the carry over articles and if any should be pulled off and discussed individually.

STM #2 Articles and corresponding 2020 ATM Article number:

Article 5/9

Article 10/24

Article 11/25

Article 12/26 – further discussion requested

Article 14/29

Article 15/30

Article 16/31

Article 17/32 – further discussion requested

Article 18/33

Article 19/34

Article 20/35

Article 21/36

Article 22/37 –

Article 23/38

Article 24/39

Article 25/40

Article 26/41

Article 27/45

Article 28/46 – further discussion requested

Roll call vote

Bill Maynard - yes

Patti Quigley – yes

John Lanza – yes

Mary Scanlon - yes

Deed McCollum - yes

Jennifer Fallon – yes

Jeff Levitan - yes

Corinne Monahan - yes

Shawn Baker – yes

Doug Smith – yes

Jake Erhard – yes

Tom Cunningham – yes

Lauren Duprey – yes

Neal Goins – yes

The Motion was unanimously approved with further discussion and vote on Articles 12/26; 17/32; and 28/46. Language regarding the adoption of the votes by the 2020-2021 Advisory Committee will be added to the STM#2 Advisory Report for each of the articles.

Neal Goins made and Mary Scanlon seconded a motion to adopt the 2019 -2020 Advisory Committee’s 2020 ATM Advisory Report’s considerations and votes on STM#2 Article 12/ 2020ATM Article 26.

Discussion, Comments and Questions

- Comments heard tonight were that this Article doesn’t go far enough and there could be an opportunity to be a little bit stronger.
- Last year there was concern about the language in the motion that had some potential mandates that couldn’t be enforced and there was no power to make these things happen.
- Support was expressed for the resolution.
- If climate change action is wanted then bylaw actions are needed and different boards need to be on board with mandates and standards. The BOS can’t do some of these things through a climate change resolution.
- More teeth in the article may not be possible.
- What is the purpose of the article and what do they want to do with the Climate Action Plan? It is for the BOS to show support for the Climate Action Plan to the town.
- The article seems like a placeholder and to enact anything to have an impact on the Town’s carbon footprint will be very expensive and is a bigger conversation.
- The article references the foundation for the Climate Action Plan. Is that where more specificity comes in?
- Is this a first step and more symbolic and a call for action? BOS was trying to support SEC’s efforts and the Climate Action Plan and this is vague enough to allow the town to pivot as necessary but allows departments and boards to review their actions on climate change efforts. It is vague but it is an important first step.
- Is the Climate Action Plan guidelines or aspirational plans? The Climate Action Plan is still in development. The general goals and guidelines are being developed.
- Does this vagueness provide unfettered and unchecked ability for the boards to take action to impose costs? Actions are undefined and gives boards a broad range.
- The article is asking the town to adopt a resolution which is the motion but the motion is not in the article.
- Legally what does this resolution do? It doesn’t do much. Last year Town Counsel was asked and it has no teeth. There is nothing that is mandated. There would be lots of steps to do anything that affects the town budget. It is not an unfettered power grab to do whatever the town wants. Motion language may change and Advisory may need to re-vote if there is new Motion language. This was just to support the process. Anything that substantively changes needs to be re-voted.

Roll call vote

Bill Maynard - yes

Patti Quigley – yes

John Lanza – yes

Mary Scanlon - yes

Deed McCollum - yes

Jennifer Fallon – yes

Jeff Levitan - yes

Corinne Monahan - yes
Shawn Baker – yes
Doug Smith – abstain
Jake Erhard – yes
Tom Cunningham – yes
Lauren Duprey – yes
Neal Goins – yes

Motion was approved (13 yes and 1 abstention)

Neal Goins made and Mary Scanlon seconded a motion to adopt the 2019 -2020 Advisory Committee's 2020 ATM Advisory Report's considerations and votes on STM#2 Article 17/ 2020ATM Article 32.

Discussion, Comments and Questions

- A comment was made that there is no issue with the overall intent of the article but the struggle is with the logic behind the changes and enhanced protections. It was felt that the problem hasn't been articulated. The open-endedness and vagueness are concerning. It was felt that the BOS could have an open-ended mandate to impose costs for environmental benefits.
- This article doesn't apply to current homeowners who want to cut down trees.
- Support was expressed for the article but concern was raised as to the inconsistency of SBC's proposal to cut down all the trees at Upham.
- There is an existing tree bylaw and this is just putting metrics around it.
- There was discussion about the provisions in the bylaw. The chain link fence is to prevent contractors from parking on the roots of small trees. This is specifically for large house renovation or new builds.
- Don McCauley added that Planning doesn't see the chain link fencing as a significant cost. Plastic fencing provides no protection and people can just run it over. Plastic fencing is not an effective protection. The chain link fencing provides meaningful protection. Expectation is to protect the trees in town. The BOS decide and it is believed that the BOS is never eager to increase building costs. There are several programs and analyses to analyze the effect of trees and benefits including drainage. This allows the BOS to consider other factors to determine the value of trees.
- A comment was made that the language in the article is to close a loophole that has been used by developers to claim trees were diseased. The NRC did an analysis for several years and determined that a third of trees were determined hazardous and therefore not subject to the current bylaw so developers were not replanting or making payment to the Tree Fund for the tree removal.
- A question was asked if the NRC and the Planning Board would suggest to the BOS that trees being replaced are equivalent. Action would start through the NRC to make a recommendation to the BOS and they would act on what was appropriate.

Roll call vote

Bill Maynard - yes
Patti Quigley – yes
John Lanza – yes
Mary Scanlon - yes
Deed McCollum - yes
Jennifer Fallon – yes
Jeff Levitan - no
Corinne Monahan - yes

Shawn Baker – yes
Doug Smith – yes
Jake Erhard – no
Tom Cunningham – yes
Lauren Duprey – yes
Neal Goins – yes

Motion was approved (12 yes and 2 no)

Neal Goins made and Corinne Monahan seconded a motion to adopt the 2019 -2020 Advisory Committee's 2020 ATM Advisory Report's considerations and votes on STM#2 Article 28/ 2020ATM Article 46 which were unsupportive of the Article.

Discussion, Comments and Questions

- A comment was made that the main reason this article was voted against was it was not doing anything but making a political statement since there are so few fur sales in town.
- Concern was expressed about who is in charge of enforcing this.
- A comment was made that taking a stand in this day and age is good. It was a close vote so more discussion was wanted.
- Concern was expressed that prohibiting things we don't agree with could lead to additional bans of other things. There is a freedom to choose and let consumers choose. A comment was made that we shouldn't ban something that is not illegal. For example, Wellesley was a dry town until a few years ago and we have banned marijuana all of which are legal.
- It was felt that this is like making a political statement with little impact since so little fur is sold in town.
- The Animal Control Officer would enforce this if it is passed.
- A comment was made that even though fur sales are not currently happening this would prevent a store from opening. Just because this is not an active issue now, the town might want to pass something to provide protections in the future.
- It was felt that this resolution was overburdensome and arbitrary.
- A comment was made that there is little fur sold in town so this resolution doesn't seem to be necessary. It feels as if it is trying to stop fur farms that were being created to harvest fur.
- Historical perspective on the motion was provided. A comment was made that the proponents previously had talked themselves out of a motion. Their focus seemed to be on stopping fur farms in China and skepticism was expressed that stopping sales of fur in Wellesley would have any impact on that practice. Moreover, proponent had stated that over 60% of people in Massachusetts don't support the fur trade. When asked why the issue is not being brought to the State level first, the proponent, supported by an outside organization, stated that the strategy was to get "wins" at the local level before approaching the state level. The feeling was expressed that Wellesley was selected because it is an easy town in which to get a fur ban passed. A comment was made that the proponent did feel that Wellesley was an easy town and had approached Wellesley because of how we think on other issues.
- Clarification was provided that the leader of Fur Free Massachusetts is resident of Wellesley and is willing to come in and talk if Advisory wants more information.
- The voting is on whether to adopt the vote from last year.
- A question was asked whether the citizen supporter had the opportunity to comment during the public hearing period. Yes, they did, and when they asked if they should attend, they were told that they didn't need to.

Roll call vote

Bill Maynard - yes
Patti Quigley – yes
John Lanza – yes
Mary Scanlon - yes
Deed McCollum - yes
Jennifer Fallon – yes
Jeff Levitan - yes
Corinne Monahan - yes
Shawn Baker – yes
Doug Smith – yes
Jake Erhard – yes
Tom Cunningham – yes
Lauren Duprey – yes
Neal Goins – yes

Motion was unanimously approved.

There will be no meeting on Saturday, September 26.
NRC does not need to come to next week’s meeting as the article was voted on.

9:08 p.m. Adjourn

Doug Smith made and Mary Scanlon seconded a motion to adjourn.

Roll call vote

Bill Maynard - yes
Patti Quigley – yes
John Lanza – yes
Mary Scanlon - yes
Deed McCollum - yes
Jennifer Fallon – yes
Jeff Levitan - yes
Corinne Monahan - yes
Shawn Baker – yes
Doug Smith – yes
Jake Erhard – yes
Tom Cunningham – yes
Lauren Duprey – yes
Neal Goins – yes

Meeting was adjourned.