

**Minutes of Regular Meeting
Select Board
Tuesday, February 25, 2020
Select Board's Meeting Room – Town Hall
Called to Order at 7:00 p.m.**

Present were Board members Laurie Bent, Harvey Boshart, and Christopher Houston, Chair. Also present were Assistant Town Manager/Human Resources Director Lisa Yanakakis and Recording Secretary Kara Fleming. Videographer – Alanna Muldoon, Weston Media Center

Item 1 – Executive Sessions:

- a) **Exemption 3 – to discuss strategy with respect to collective bargaining negotiations with Public Safety Communications Unit & to discuss strategy with respect to collective bargaining with the unions regarding health insurance**
- b) **Exemption 7 - to comply with, or act under the authority of, any general or special law or federal grant-in-aid requirements, the Open Meeting Law, G.L. c. 30A, section 22(f), (g), to review the Board of Selectmen's Executive Session Minutes for the following dates: February 12, 2019, February 26, 2019, January 8, 2019, March 19, 2019, and December 18, 2018**

Mr. Houston moved that the Select Board vote to go into executive session for the following purpose: Executive Session: Exemption 3 – to discuss strategy with respect to collective bargaining negotiations with Dispatch Union & to discuss strategy with respect to collective bargaining with the unions regarding health insurance and Exemption 7 - to comply with, or act under the authority of, any general or special law or federal grant-in-aid requirements, the Open Meeting Law, G.L. c. 30A, section 22(f), (g), to review the Board of Selectmen's Executive Session Minutes for the following dates: February 12, 2019, February 26, 2019, January 8, 2019, March 19, 2019, and December 18, 2018.

Mr. Houston declared that an open meeting will have a detrimental effect on the negotiating position of the Board. And further, that the Board will resume in open session.

Roll call vote: Ms. Bent, Mr. Boshart and Mr. Houston all voted in the affirmative

Regular session called to order at 7:45 p.m.

Item 2 – Resident Comments

There were none

Item 3 - Attorney General Responses to Open Meeting Law Complaints

After two newspaper articles reported the Attorney General's findings that the Select Board violated the Open Meeting Law, some concern was raised by several residents. Mr. Houston explained to the audience that the Town ensures Open Meeting Law training for all of the volunteer board and committee members and has been recognized by the state and nationally for being transparent through the Town's website. He continued to explain that the Attorney General initiated an investigation as part of a follow-up from an

Open Meeting Law complaint that was filed by an investigator hired by a competing 40B developer at 104 Boston Post Road. Mr. Houston then listed the findings and explained the context of each:

- The Select Board did not approve executive session minutes in a timely manner:
 - Executive Session minutes are approved for content and then a second vote is taken to publicly release the Executive Session minutes. The vote to release the executive session minutes usually occurs once the subject matter is closed or the town's position no longer needs to be protected. Mr. Houston agreed that the minutes in question were not approved in a timely manner and that some details of those minutes were not clear in memory.
- That the Select Board deliberated in email and not in open meeting:
 - The Select Board is a three-member body, so two Board members on an email constitute deliberation. In this case, one selectman courtesy-copied Mr. Boshart, Chair at the time, on an email to a staff member. Mr. Boshart said he did not notice the email at the time and Mr. Gillespie said he had exercised poor judgment in his statement to the Boston Globe. It was not an intentional violation but a mistake.
- That the Select Board approved inaccurate executive session minutes with intent to conceal conflict of interest:
 - Mr. Houston agreed that had the minutes been approved in a timely manner the memory would have been sharper; however, the subject of 751-761 Boston Post Road had come up by name in the context of a conversation concerned only with 133 Boston Post Road and 751-761 Boston Post Road had not been specifically discussed. Mr. Gillespie had recused himself in every instance of the property being discussed and said previously that he should have requested the minutes to reflect his recusal rather than deleting the topic, again admitting to poor judgment. Mr. Houston questioned the Attorney General's description of "intent to conceal" since an investigator did not speak with any Board member to make that determination, and had asked Mr. Gaumond to follow-up with Town Counsel.

Many in the audience called into question the Board members' handling of 751-761 Boston Post Road property and 40B proposal, particularly with Mr. Gillespie being a member of the family trust, in which the property is held, and accused the Board members of conflict, corruption, and Mr. Gillespie using his Town position to advance personal gain. Mr. Boshart said Mr. Gillespie was vocal in his support for 275 units at the 133 Boston Post Road site before it was reduced to 120 units. Ms. Bent explained that the Board, as all of the Town Government bodies, are made up of volunteers who are genuinely trying to work toward the betterment of the entire town but these types of accusations will prevent good people from stepping up into these demanding positions. Mr. Houston took exception to the accusation of corruption, given that it is a criminal offense. The discussion continued for a long time and ultimately came to a discussion regarding the 40B development proposed at 751-761 Boston Post Road. The Board referred the remaining audience to address the Zoning Board of Appeals.

Item 4 - Meet with Weston Media Center and Receive Annual Status Report

Nathan Suher, Executive Director, and Joel Angiolillo, Treasurer

As part of the new agreement between Weston Media Center and the Town of Weston, Mr. Suher provided an annual report of what Weston Media Center has accomplished in 2019 and what the goals are for 2020 and Mr. Angiolillo provided a budget review (both attached). Mr. Suher said moving to the new space at the Art & Innovation Center has provided Weston Media Center with many opportunities to expand its programming and also allowed for more foot traffic and increased interest from the community. Mr. Houston asked if Mr. Suher could consider filming Traffic and Sidewalk Committee meetings and if meetings could be downloaded as a podcast, which touched on an upcoming goal for Mr. Suher.

Mr. Angiolillo said Weston Media Center is doing well, financially. The board will be exploring fundraising in the coming year and will report back its success next year.

Item 5 - Consider Request for a Commercial Dog Walking License

Animal Control Officer Rachel Hoffman and Greg McKeigue

Mr. McKeigue is seeking approval from the Select Board for a Commercial Dog Walking License, which has been denied by Officer Hoffman due to several violations of the Town's Dog By-law, including lack of voice control over the dogs and walking an excessive number of dogs at one time. Officer Hoffman had several discussions with Mr. McKeigue on how he can obtain the license but she continued to receive multiple complaints from other commercial dog walkers. Mr. McKeigue said he was not aware of the complaints and had corrected the citation for invalid rabies certificates. The Select Board discussed the police report and the filed complaints with Mr. McKeigue. They decided that a commercial dog walking license should not be issued until he obtained better control over the dogs and knowledge of the Town's Dog By-law. Mr. Houston welcomed Mr. McKeigue to apply next year and cautioned that if there is a single violation next year, Officer Hoffman has the authority to revoke the license.

MOTION: Mr. Boshart moved to deny the issuance of a Commercial Dog Walking License to Greg McKeigue through February 28, 2021 with notice that a single violation can cause the revocation of the 2021 license. 2nd by Ms. Bent. **Approved unanimously**

Item 6 - Update on Pay as You Throw Working Group

Ms. Bent informed the Board that the Working Group voted to pursue Pay As You Throw (PAYT), targeting September 2021 for implementation. She explained that the pilot program from a few years back was taken into consideration, as well as requiring a longer lead-time for public education. The Working Group also voted to pursue other measures to be taken at the Transfer Station, such as charging for bulk waste, introducing composting, and restructuring the Swap Shed.

Item 7 – Call Special Town Meeting for April 2020, Including Referral of Potential Zoning By-law Amendment to the Planning Board

Mr. Houston explained that work on the 255 Merriam Street/11 Hallett Hill Road property that Alfred Aydelott has been working on with the developer and the neighborhood has been based on the existing Active Adult Residential District Zoning By-law but minimized as a cluster so as only to pertain to this area. As a matter of technical process, the proposed by-law needs to be referred to the Planning Board for a public hearing, which will be held on March 11 and 25. Town Counsel is developing two warrant articles and the Select Board will be meeting on February 27th to call a Special Town Meeting for this April.

MOTION: Mr. Houston moved to refer the Active Adult Residential Cluster By-law to the Planning Board for a public hearing. 2nd by Mr. Houston. **Approved unanimously**

Item 8 - Sign the Memorandum of Understanding with the Communications Unit Union

Ms. Yanakakis explained the Communications Unit consists of eight public safety dispatchers serving both police and fire. A survey showed the dispatchers being compensated competitively amongst

comparator communities. However, when the Town went through its non-union pay and class study a few years ago, management and the consultant looked at pay for the dispatch profession in general because it was discovered that many communities have difficulty retaining dispatchers long-term. This is largely due to the perception of the dispatch position being the first step toward a police or fire service position rather than being a profession in itself; the typically lower wages and the misunderstanding of the skills needed and the importance of this profession lead to this perception. By incrementally increasing base wages, the Town is working toward recruiting and retaining long-term dispatchers.

The contract package is as follows: COLA: fiscal year 2020, 2.25 percent; fiscal 2021, 2.25 percent; and fiscal 2022, 2.25 percent. The total cost of the 2.25 percent in fiscal 2020 is \$9,812. In fiscal 2021, an additional \$50 will be added to a \$200 AED stipend for an additional cost of \$250.00 and a \$500 EMT stipend was added for an additional cost of \$900. A nominal stipend was added for current dispatchers to mentor and document the progress of new recruits. The unit agreed to reduce sick leave buyback for new hires from 42 percent to 20 percent and current employees from 49 percent to 45 percent.

MOTION: Ms. Bent moved to adopt the terms of the agreement and to subsequently execute the Collective Bargaining Agreement at an upcoming Select Board meeting. 2nd by Mr. Boshart. **Approved unanimously**

Item 9 – Town Manager Review

Passed over due to time

Consent Agenda

MOTION: Ms. Bent moved the consent agenda, as follows:

Approve a request from the Weston Public Library to accept \$100 from Tom and Jenny Seeman to be applied to the Art & Innovation Center Fund.

Approve a request from the Recreation Department to accept a gift of \$800 to be applied to the Ice-Skating Club Fund.

Approve request for permit from St. Demetrios Greek Orthodox Church for a charity 5k Road Race on October 17, 2020, between the hours of 10:00 a.m. and 12:00 p.m. Request for permit has been approved by Police and Fire departments and by the Department of Public Works, subject to conditions.

2nd by Mr. Boshart. **Approved unanimously**

Meeting adjourned at 10:15 p.m.

Laurie A. Bent
Clerk

Note: A copy of all documents, explanatory material, and exhibits presented to and used by the Select Board as part of this meeting are attached to the approved minutes.

Weston Media Center

Annual Report to the Select Board -- February 25th, 2020

2019 Accomplishments

- Moved into the new Art & Innovation Center and built WMC studio
- Filmed 120 government meetings
- Filmed and edited 22 concerts
- Created hundreds of hours of original video content
- Filmed and edited hundreds of hours of non-governmental community events

2020 New Initiatives

- School sporting events
- Podcasts
- Quarterly open houses
- Technology hours
- Video Transfer Station

2020 Budget

	Actual Year 2019	Budget Year 2020
1. OPERATIONAL EXPENSES TOTAL	\$256,332	\$297,065
1a. STAFF TOTAL	\$215,160	\$253,400
Payroll & Taxes	\$169,000	\$215,000
Filming and Editing Support	\$35,211	\$25,000
Financial Management Support	\$5,265	\$5,500
Insurance (D&O, Workers Comp, Gen Liability)	\$4,069	\$4,300
Travel, Conference, Prof Societies, Training	\$1,134	\$2,400
Misc Staff	\$481	\$1,200
1b. FACILITIES TOTAL	\$19,388	\$20,565
1c. EQUIPMENT & SOFTWARE TOTAL	\$20,506	\$20,700
1d. MARKETING TOTAL	\$1,278	\$2,400
2. OPERATIONAL INCOME	\$285,125	\$285,100
Comcast	\$152,582	\$152,600
Verizon	\$132,543	\$132,500
3. CAPITAL EXPENSES TOTAL	\$14,551	\$12,000
BANK ACCOUNTS (Cambridge Trust)		
Operating Account	\$178,041	
Capital Account	\$147,521	