

**Minutes of Regular Meeting
Board of Selectmen
Tuesday, March 12, 2019
Selectmen's Meeting Room – Town Hall
Called to Order at 7:00 p.m.**

Present were Selectmen Douglas Gillespie, Christopher Houston, and Harvey Boshart, Chair. Also present were Town Manager Leon A. Gaumond and Assistant Town Manager/Human Resources Director Lisa Yanakakis. Recording Secretary is Kara Fleming. Videographer – Alanna Muldoon, Weston Media Center

Item 1 – Resident Comments

There were none.

Mr. Boshart informed the residents in attendance that he and Mr. Houston will be making an official statement at the next Board meeting on March 19th regarding an anonymous mailer that has apparently been sent to several households in town. The mailer accuses the Selectmen of wrong-doing with regard to the development project proposed at 751-761 Boston Post Road. Mr. Boshart said the developer will be presenting to the Selectmen on March 19th and the Planning Board on March 20th. He explained the process for a 40B development where the development team submits an application for project eligibility to Mass Housing. The state agency then notifies Town Officials and requests that comments on the proposed project be submitted within 30 days. Mass Housing will then most likely issue the Project Eligibility Letter, which in turn, allows the development team to apply for a comprehensive building permit through the Town. Once the application is reviewed by the Town, a public hearing is scheduled with the Zoning Board of Appeals, initiating a thorough review of the project over the course of several public hearings.

Mr. Jack Doyle of Skating Pond Road said he received the anonymous, yellow mailer and he has also served on several town government committees over the last several years. He stated in his experience, where he may have had disagreements, he has never had any question about the integrity of elected and appointed board or committee members and suggested the Selectmen launch an investigation into the author of the letter who made such outrageous accusations. Mr. Houston thanked Mr. Doyle and read what he had posted to the Weston Community Facebook page:

“I expect Harvey and I will issue some formal response to the appropriately labeled “yellow mailer.” In the meantime, my advice regarding anonymous mailers, as well as Facebook posts by people or profiles with no discernible existence or involvement as Weston voters or residents and no real participation on this page except for their sudden and deep interest in a particular issue: Please do not blithely assume that the folks producing such mailers and Facebook posts are actually Weston residents or have any genuine connections to the town or concerns for the interests of the town, aside from their own private interests. I’ll leave it at that, and if the sender of the anonymous mailer takes offense to it or any Facebook folks think I’m referring to them, then, by all means, they should feel free to step forward and let us all see otherwise. It’s not my business what process the administrators of this page used to grant access to it, but I can control how and the extent to which I engage with specific parties and forums on town matters and will heed my own advice going forward. I’ve also got a much more tangible understanding of the 2016 Facebook/Twitter dynamics we’ve all read about and hope we

all keep in mind the same things about social media and appropriate skepticism that we strive to teach our kids.”

Item 2 – Eversource Grant of Location: 17 Apple Crest Road

Maureen Carroll, Rights and Permits

Ms. Carroll explained that Eversource is seeking permission to install conduit in Apple Crest Road in order to provide new underground electric service to house no. 17. The Public Works Department has reviewed this petition and recommends granting permission subject to conditions.

Mr. Boshart opened the floor to public comment. Mr. Zaharias Korfias of Apple Crest Road informed the Selectmen that construction crews from Eversource cut the irrigation hose on his property when they were installing an electricity hookup and also left material in his yard. Mr. Tom Cullen, director of the Public Works Department, said he would investigate the issue. Hearing no other comment, Mr. Boshart closed the hearing.

MOTION: Mr. Gillespie moved to approve permission to Eversource Energy, to install approximately 45-feet, more or less, of conduit under Apple Crest Road, westerly from pole 334/4 and approximately 447-feet south of Boston Post Road, as outlined in work order #2304487 and subject to conditions as set forth by the Public Works Department. 2nd by Mr. Houston. **Approved unanimously**

Item 3 – Property Tax Deferral Recommendations

Susan Kelley, Finance Director

Ms. Kelley reminded the Selectmen that special legislation, Chapter 421 of the Acts of 2004, allows the Town to set the income limits for the Property Tax Deferral Program. Last year, the Selectmen voted to increase the income limit to match the Community Preservation Act Affordable Housing Income Limit index, which was \$82,720 for fiscal year 2019, and to keep the interest rate at 4 percent. Currently, there are eight residents who have applied to this program and whose income is below the limit. Ms. Kelley recommended to the Selectmen to maintain the interest rate at 4 percent and to increase the income limit to \$86,240, which is the 2018 Community Preservation Act Affordable Housing Income Limit for a two-person moderate household.

MOTION: Mr. Houston moved to establish an income eligibility limit of \$86,240 for the fiscal year 2020 Property Tax Deferral Program, as permitted under Chapter 421 of the Acts of 2004; and further move to keep the interest rate for all deferrals initiated in fiscal 2020 at 4.0 percent. 2nd by Mr. Gillespie.

Approved unanimously

Item 4 – Review Town Center Improvement Project Bid Results

Stephen Larocque and Michael Harrity, Town Center Planning Committee, and Tom Cullen, Public Works Director

Mr. Larocque reminded the Selectmen that one construction company bid on the project in November, which prompted the February re-bid and March Special Town Meeting. After carefully reviewing the five bids that were received, and adding in the contingency costs to the final price, the Master Plan portion, which is the deferred roadway, drainage and sidewalks, landscaping, and lighting, came in at \$10.8 million; the undergrounding of utilities is priced at \$8 million (attached). Mr. Larocque had asked the Finance Director to analyze the tax impact of this project to the median household. The Master Plan portion would add \$156 annually on average over 20 years and the burying of the utilities would average

\$145 annually over 15 years. He continued to explain that if the March Special Town Meeting approves the two articles and the debt exclusion question is approved by ballot at the May 4th Annual Town Election, then construction could begin as early as June of this year and finish approximately 26 months later by October 2021. The underground infrastructure and utility work, which is the most disruptive piece, will most likely be taken on in the first year and the final piece would be the landscaping. This will be outlined in the contract. Mr. Larocque said his team has been reaching out to abutters for the easements, which are all for construction. They have a letter of intent and Town Counsel is involved.

Mr. Houston said the numbers are big, but a large piece of the Master Plan is the necessary deferred maintenance and infrastructure work, which needs to be completed. Mr. Cullen agreed and said he had asked Nitsch Engineering to review the bid result against the components of the project that need to happen. The deferred infrastructure portion came to just under \$7 million. The Selectmen continued to discuss the costs and how the two warrant articles, one for the Master Plan and one for the burying of the utilities, would be presented at the March Special Town Meeting.

Ms. Judy Pagliuca of Webster Road asked what protections are being put in place to keep the project on track. Mr. Cullen explained that the bidders were prequalified to ensure they are capable of handling a job of this magnitude and added that he has had a positive experience with this contractor in a previous job. Mr. Harrity said that a project manager will be in place to ensure the project moves along appropriately. Mr. Boshart asked what protections are in place for cost overruns. Mr. Cullen explained that the contract is priced by unit so if something were to come up, it would be handled through a change order.

Mr. Gillespie asked Mr. Cullen if the components of the bid for the deferred maintenance could be salvaged if neither article passed at Town Meeting. Mr. Cullen said the deferred maintenance components would have to be refigured and the project would have to be rebid. The earliest it could come back to Town Meeting for approval would be the fall Special Town Meeting and a construction season would be lost.

The Selectmen continued to discuss the cost of the project and the presentation at Town Meeting. They agreed that though the cost is high, the project is a once in a generation opportunity. Mr. Gillespie said it is important to explain the cost of needed maintenance and infrastructure work when discussing the cost of the Master Plan to help put the total price in perspective. Mr. Harrity added that the lowest bid received is not out of line, as all five were within 10 percent of the other. Mr. Boshart added that there will be \$30 million coming off the Town's debt and weighing that with the Old Library's reuse as the Art and Innovation Center and the potential reuse of the Josiah Smith Tavern, there will be a positive change to the character of the Town Center with a great benefit to the community. Mr. Gillespie said he is personally in favor of the project on a whole and recognized the benefits but the price is too high to recommend it as a Selectman.

MOTION: Mr. Houston moved to support Article 1 and Article 2 on the March 18th Special Town Meeting Warrant. 2nd by Mr. Gillespie. Mr. Houston and Mr. Boshart voted in favor; Mr. Gillespie against.

Item 5 – Review Draft Warrant and Discuss Order of Articles for May 6th Annual Town Meeting

The Selectmen read through the draft warrant and discussed changes to the order of articles. Mr. Gaumond said he is working with Town Counsel to finalize the language.

Consent Agenda

Mr. Boshart asked to remove the Selectmen's Report for the Annual Town Report from the vote.

MOTION: Mr. Gillespie moved the consent agenda as follows:

Approve a request from the Council on Aging to accept a donation of \$100 from Martha Bulyk to be applied the Miscellaneous Gift Account.

Accept the resignation of Tricia Liu from the Weston Cultural Council.

Accept the resignation of Anne Morgan from the Commissioners of Trust Funds.

2nd by Mr. Houston. Approved unanimously

Meeting adjourned 8:39 p.m.

Christopher Houston
Clerk

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

Recent Rebid & Anticipated Project Costs

Summary of Bids:

	<u>Rebid 02.18.19</u>	<u>Orig Bid 11.19.18</u>
Total Low Bid:	\$ 13,605,875	\$ 13,881,560
Deduct Alternate:	<u>\$ 3,993,000</u>	<u>\$ 3,310,900</u>
Total without Undergrounding:	\$ 9,612,875	\$ 10,570,660

Project Costs:

Masterplan Costs: (Roadway, Drainage, Landscaping & Lighting)

Low Bid Amount:	\$ 9,612,875
10% Contingency:	\$ 961,287
Construction Administration (Res Eng):	<u>\$ 325,000</u>
Total Masterplan	\$ 10,899,162

Undergrounding of Utilities Costs:

Low Bid Amount (Alternate 1):	\$ 3,993,000
10% Contingency:	\$ 399,300
Public Utilities:	
Eversource :	\$ 2,870,000
Comcast:	\$ 170,247
Verizon:	\$ 314,751
Town Fiber:	\$ 88,781
Construction Admin (Res Engineer):	<u>\$ 275,000</u>
Total Underground:	\$ 8,111,079

Total Estimate Project Costs: \$ 19,010,241

Proposed Articles - Impact on Taxpayers - Schedule

Articles:

Article 1: Masterplan Design & Level Service Utilities	\$ 10,899,162
Article 2: Underground Utilities	\$ 8,111,079

Impact on Taxpayers:

Taxes Per Median Household \$1,187,000 FY19 Estimated:

Total Master Plan Design & Construction (20 Years):

Average: \$ 156/Year

Total Bury Utilities Design & Construction (15 Years):

Average: \$ 145/Year

Total \$ 301/Year

Schedule:

If Approved, Debt Exclusion Vote: May 4, 2019

If Debt Exclusion Approved:

- Construction Commences Target Date: June, 2019
- Construction Completion Target Date: October, 2021