

**Minutes of Regular Meeting
Select Board
Tuesday, May 16, 2023
Remote Online Meeting (Zoom: 858 7457 3691)
Called to Order at 6:00 p.m.**

Remotely participating were Board members, Christopher Houston, Thomas Palmer and Laurie Bent. Also present were Town Manager Leon A. Gaumond, Jr., Assistant Town Manager/Human Resources Director Lisa Yanakakis, Assistant to Town Manager, Michelle LeBlanc, Finance Director Susan Kelley, Town Counsel Katherine Klein and others.

All members of the Select Board were introduced as present: Christopher Houston, Thomas Palmer and Laurie Bent.

Mr. Houston welcomed newly elected Select Board member Thomas Palmer and called the remote meeting to order and read the following:

Chapter 107 of the Acts of 2022, "An Act Relative to Extending Certain State of Emergency Accommodations", authorizes municipal boards to hold fully remote or hybrid meetings through March of 2023. The law does not mandate or prohibit in-person meetings; instead, it allows the Town flexibility in that regard. As required, if a meeting is held fully remotely or as a hybrid meeting, adequate alternative access is provided through a video conferencing link included on the meeting agenda.

Resident Comments

There were no resident comments.

Annual Reorganization of the Select Board

Motion by Mr. Houston to appoint Laurie Bent as Chair of the Select Board, seconded by Thomas Palmer.

Roll call vote: Mr. Palmer, Ms. Bent and Mr. Houston voted in the affirmative. **Approved 3-0.**

Motion by Mr. Houston to appoint Thomas Palmer as Clerk of the Select Board, seconded by Ms. Bent.

Roll call vote: Mr. Palmer, Ms. Bent and Mr. Houston voted in the affirmative. **Approved 3-0.**

Motion by Mr. Houston to appoint Laurie Bent as representative to the Metro West Regional Collaborative, seconded by Thomas Palmer.

Roll call vote: Mr. Palmer, Ms. Bent and Mr. Houston voted in the affirmative. **Approved 3-0.**

Meeting with Greatlands re: Riverside Project

Mr. Gaumond introduced Kara Must, Development Manager for Greatland Realty Partners who is coordinating the work for the Riverside project at the site of the former Liberty Mutual building. Also present is Robert Dolan from MassDevelopment. Mr. Gaumond mentioned that the Town Meeting

had recently approved a zoning change that was needed for a project that was going to happen at the old Liberty Mutual Building. Part of the approval for the zoning change was to approve a property development agreement that contemplated a land swap that would result in affordable housing units at the end of Park Road by swapping some town owned property with some development owned property to create a buildable lot.

Ms. Must provided an update of the master plan for the site which is currently under construction. They expect the base upgrades to the building to be completed in September of 2023. They believe they have a tenant for the second floor which they anticipate being completed in October. The project also includes Park Road infrastructure upgrades which they are hoping to be done this Summer and completed by the Fall.

Ms. Must explained that there was a conceptual plan for the upgrades to Park Road and their consultant, VHB, has been refining that plan after conversations with the Town, the state and the neighboring residents. The improvements include modifications to the road as well as landscape improvements. They are looking to start south of Orchard and then move north. They have gone out to bid for the work and it is expected to start work in the Summer.

Mr. Palmer asked about the timing of the remaining two buildings given the current commercial environment as well as whether there would be a food hall open to the public. Ms. Must feels building 20 and infrastructure was phase one, building 9 and the amenity center will be phase two. Then they would look at building 15 as the last phase. They feel building 15 could be six months after building 9. Regarding the food hall, the idea was that the amenity would be for tenants in the space and are open to further dialogue on the matter. Mr. Houston mentioned the process for acquiring alcohol service licenses in Weston. Ms. Must said they could consider future service of alcohol plans in their plans. Ms. Must feels the parking garage will be completed around the same time as building 15.

Mr. Dolan from MassDevelopment spoke to the PACE program administered by the green finance team of MassDevelopment which has been used nationwide for commercial property owners to finance energy improvements to their facilities. It is relatively new to Massachusetts, and it is meant to reduce energy consumption, reduce the carbon footprint, lower utility bills for property owners by allowing them to finance improvements through a betterment assessment. Some of the reasons this is better than a commercial loan is that the betterment assessment is tied to the property and not the owner and runs with the land at the sale of the property. It also allows for longer term repayment could be up to 20 years based on the useful life of the improvement. In some cases, a property owner may not be able to get a conventional loan; especially if they have maxed their debt in other capital improvements.

Mr. Dolan stated that Massachusetts began looking at these types of projects in 2020 and MassDevelopment has been partnering with the Department of Energy Resources on expanding these opportunities through municipal opt-in opportunities. Currently 65 other communities have opted-in and Greatlands is seeking Weston's approval for their improvements. Mr. Dolan stated that the Treasurer and Tax Collector may have some additional input because Weston would be collecting the money from the property owner and then remitting it to MassDevelopment who would pay the capital provider/lender. The assessment billing cycle has to align with Weston's tax cycle.

Mr. Dolan explained that MassDevelopment is a quasi-public state agency focused on economic development and works with cities and towns on economic development opportunities such as brownfields remediation, site development, real estate technical assistant grants, and many other related functions. They receive a fee as part of the financing from the property owner.

Mr. Palmer asked what the magnitude of the program would be for the Greatlands project. Ms. Must thought it could be roughly \$30 million. He also asked about the additional workload on municipal staff. Mr. Dolan felt that the impact thus far has been somewhat minimal on the municipal staff. They have been communicating with the Weston finance team and have been answering their questions. Finance Director Kelley would like to outreach to officials from Greenfield or Boston which have recently done similar opt-in projects to gauge their experience. Mr. Dolan also stated the Town could opt out if they no longer wanted to accept similar projects in the future. Mr. Gaumond pointed out that there does not seem to be an excessive number of opportunities for similar projects in Weston.

In response to Ms. Bent's question on phasing this program, Ms. Must stated that Greatlands was interested in pursuing this financing in all three phases of the redevelopment project.

The Select Board wanted to consider this further and deferred action on this item until a future meeting.

Mr. Gaumond discussed the Park Road improvement project. He has been attending community meetings with the DPW and the neighborhood to address any issues with the abutters as well as working with MassDOT on the interconnectivity of these improvements and future improvements contemplated for Rte. 30. MassDOT had formalized an agreement on maintenance requirements needed as part of these improvements that Mr. Gaumond and the DPW feels are excessive. He has been in negotiations with MassDOT on these maintenance agreement requirements and is hopeful that these discussions go well. He also mentioned that Traffic & Sidewalk will be reviewing this at their next meeting as well. Ms. Bent expressed concerns that the maintenance agreement might add responsibilities to the DPW outside its areas of expertise and she encouraged Mr. Gaumond to continue in those discussions with the state. Mr. Gaumond was pleased that the Select Board shared some of the concerns that he and the DPW had. Mr. Houston did not want to see these issues jeopardize the projects, however.

Review and approve 75% plan for Rte. 20 TIP Project

Mr. Gaumond provided the Select Board with an updated project design schedule with the 75% design submission target of June 9th, with an advertisement of the project by the end of June of 2024, then with construction through 2026. The Traffic & Sidewalk Committee will be discussing this at their next meeting. Mr. Houston mentioned that he would like to see this project advance as quickly as possible and is willing to schedule a quicker meeting as necessary.

Announce Water Tank Site Visits

Ms. Bent informed the Select Board and public that the Town has established two site visits with interested parties to examine the site where the water tanks might be located. The site visits will be May 31st at 10:00 a.m. at Doublet Hill, then 2:00 p.m. at Paine's Hill. Finally the last site visit will be June 7th at 2:00 p.m. at Cat Rock. The Town Manager's office has publicized the event and sent invitations to abutters to the properties.

EXECUTIVE SESSION

Motion: To enter into executive session pursuant to G.L. c. 30A, §21(a)(6) to discuss strategy relating to lease negotiations for the Josiah Smith Tavern by Ms. Bent, seconded by Mr. Palmer. The Chair declared that discussing the matter in an open meeting may have a detrimental effect on the negotiating position of the Board and that the Board will resume in open session at the conclusion of the Executive Session.

Roll call vote: Mr. Palmer, Ms. Bent and Mr. Houston voted in the affirmative. **Approved unanimously.**

The Select Board entered Executive Session at 7:36 p.m.

The Select Board reconvened in Open Session at 8:10 p.m.

Update on Projects & Priorities

Mr. Gaumond presented a brief update on the status of the Board's current list of Projects & Priorities.

- 1) Water master plan/tank replacement project: Mr. Gaumond reports that funds for the design were approved at the Town Meeting in May and the site visits are scheduled for siting purposes. Afterwards, the Town's consultant will be preparing a recommendation for presentation to the Board.
- 2) Case Estates: The Town has been working with former Select Board Member Harrity and representatives from historical interests in Town on the restrictions to be placed upon the properties to be sold. The RFP's have been drafted and are being reviewed. As an aside, the Ash Street Sidewalk project is expected to come forward at the Fall Town Meeting.
- 3) JST reuse: The Town has been engaged in discussion with the Friends of the JST and Weston non-profit groups about occupying the JST. We are working on a Master Lease Agreement with the Friends and temporary license agreements for the non-profits. Mr. Palmer agreed to take over the lead on this project on behalf of the Select Board.
- 4) Roadways & sidewalks: Mr. Gaumond informed the Board that the Town Meeting passed funds for the next year of road construction funds to help us reach our goal by FY28. In addition, Mr. Houston & Mr. Gaumond have been having updated meetings with TSC which have been very helpful. The Rte. 30 and Rte. 20 TIP projects appear to be moving forward through the process and seem to be planned for FY26. Mr. Gaumond also mentioned that the Town appropriated funds for the studying improvements at Route 20 & Highland.
- 5) Dog Bylaws: Mr. Gaumond reported that the Town Meeting approved the final improvements to the Bylaws at Annual Town Meeting and thus, this project is completed.
- 6) Water conservation policy, by law, with planning board: The Town is reengaging with the Planning Board and others to find a path forward. Our efforts to fund a demonstration garden through grant funds were not successful. Mr. Houston pointed out that the Town has instituted wireless meters to encourage conservation and Mr. Gaumond mentioned the three-tiered water bills to encourage conservation.
- 7) Improvement of cell phone service in Weston: Mr. Houston & Mr. Gaumond believes there is more to do with this.
- 8) Alternative voting: Mr. Houston views this as part of the Governance Discussion for an upcoming meeting.
- 9) Performance Measurement: Mr. Gaumond mentioned that the Town lost the employee who was assisting in this effort, but the position has been refilled and we are beginning to reengage on this. The Town has been collecting data but now the focus is on refining and presenting the data in a meaningful manner. Mr. Houston reminded the Board that there should be clear conclusions from this and if it is collecting data simply for the sake of collecting it then perhaps, we should abandon this effort.

Mr. Gaumond reminded the Select Board of the large difficulties in comparing data with other communities.

- 10) Financial model: Mr. Gaumond reported that the model is finished, and it is currently being used by the finance department. There is also a new finance model for water rate structures as we discuss impacts for water tank replacement.
- 11) Cemetery regulations update.
- 12) Public Park/Town Green Policy Updates: Mr. Houston stated he is working on the cemetery & park regulations and hopes to have a draft shortly.
- 13) Public tree policy/bylaw: this project is under active discussion by the committee.
- 14) Private tree policy/bylaw: Mr. Gaumond stated that a working group is getting closer to a public presentation on this project. Mr. Aiu added that the Town has procured some tree software which use historical aerial analysis to examine the town's tree canopy which will help the Town develop measurable goals for the Town. Ms. Bent does not feel there is an appetite for a private tree bylaw right now, but it could be revisited once the Town receives some useful data.
- 15) Weston Ahead: Mr. Gaumond has been meeting with the Town's sustainability advocates and together they are working towards recommendations for the upcoming year.
- 16) Amending the investment policy: Mr. Gaumond mentioned more work needs to be done on this. Mr. Palmer agreed to take this project on for the Select Board.
- 17) Master Plan: The Select Board will discuss this item later in the meeting.
- 18) Preservation of 55 Church Street Train Depot: Mr. Houston is working on this and believes that the working group is making progress.
- 19) Fire station study: A working group has been meeting and is considering next steps. Ms. Yanakakis recommended that the consultant come to a future Select Board meeting and invite other committees and boards to come to that meeting. Mr. Houston added that the consultants seem to indicate that the two fire stations are undersized for our current needs. The Permanent Building Committee and Historic Commission are also reviewing the findings from the consultant. Ms. Yanakakis feels that the Historic Commission seem receptive to the initial designs. Mr. Houston supported the idea of scheduling the consultant for the next Select Board meeting and inviting others to hear the discussion and participate. The goal may be to go for design funds at the Fall Town Meeting.

There were no other projects offered by the Select Board.

Unified Master Plan Discussion

Mr. Gaumond provided the Select Board with the previously adopted charge for the Committee. Some town boards are beginning to designate representatives to this, and the Town is searching for citizen representatives. Mr. Palmer added that the make-up of the committee is important and should provide for good representation. The Council on Aging has designated Danielle Black to be their representative and the School Committee has designated Mr. Lucas to be their designee. Mr. Houston encouraged the Town Manager to continue searching for applicants until the interviews are scheduled later in the Summer.

MOTION: Mr. Houston moved to designate Laurie Bent as the Select Board representative to Unified Master Plan Committee. Seconded by Mr. Palmer.

Roll call vote: Mr. Palmer, Ms. Bent and Mr. Houston voted in the affirmative. **Approved unanimously.**

Mr. Houston asked about the length of the obligation on this project. Ms. Bent feels that this is a three-year commitment. The Board discussed the process for selecting the at-large members and desire to see these done in open.

Update on Town Governance Commission & Charge

This item will be passed over.

Consent agenda

Mr. Houston asked Ms. Yanakakis for her thoughts on the COLA & compensation plan updates. Ms. Yanakakis mentioned that there are some positions falling behind in the compensation study that the Town has done. Our recent study examined maximum and minimum ranges for certain jobs with the goal of being in the 75th percentile compared to our peer communities. Ms. Bent supported adopting the 75% range proposal since the Town was somewhat close to that already. The other Select Board members concurred with Mr. Palmer highlighting the value of moving people in the pay range. Ms. Bent also agreed that a 2.5% COLA was appropriate and was comparable to what the unions in Weston were receiving.

Mr. Palmer asked about the Board of Health's sunscreen dispensing project. He is interested in hearing how the project is being received. Mr. Gaumond provided the Board with photos of the sunscreen dispensers which the BoH received a grant to put out at trail locations in Town.

MOTION: Mr. Houston moved the Consent Agenda as follows. Seconded by Mr. Palmer.

- Authorize Town Manager to sign IMA for RHSO
- Vote to establish 2.5% COLA for Non-Union employees inc. adjustments to the classification plan
- Vote to authorize sunscreen dispensers on Town Rail Trail locations

Roll call vote: Mr. Palmer, Ms. Bent and Mr. Houston voted in the affirmative. **Approved unanimously.**

Motion to adjourn at 9:00 p.m. by Mr. Houston, seconded by Mr. Palmer.

Roll call vote: Mr. Palmer, Ms. Bent and Mr. Houston voted in the affirmative. **Approved unanimously.**

Thomas Palmer
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