

**Minutes of Regular Meeting
Select Board
Monday, July 31, 2023
Remote Online Meeting (Zoom 863 1135 4141)
Called to Order at 9:30 a.m.**

Remotely participating were Board members, Chair Laurie Bent, Christopher Houston and Thomas Palmer. Also present were Town Manager Leon A. Gaumond, Jr., Assistant Town Manager/Human Resources Director Lisa Yanakakis, Assistant to Town Manager, Michelle LeBlanc, Town Moderator Rip Hastings, Police Chief Denis Linehan, Town Engineer Jason Lavoie, Traffic and Sidewalk Committee Chair Jay Doyle

Ms. Bent called the remote meeting to order and read the following:

Under current state law public bodies may continue holding hybrid and fully remote meetings, without a quorum of the public body physically present, as long as adequate, alternative access is provided. Information about how to join a hybrid or fully remote hearing will be included in the required Open Meeting Law posting.

Resident Comments: None

Weston Police- Consider Special Act amendment at STM on retiree ability to work details

Mr. Linehan stated that the Weston Police Department is proposing to increase the age from sixty-five to seventy for Weston Special Police Officers. Currently, once an officer reaches the age of sixty-five, they are no longer able to work traffic details. Mr. Linehan noted with this amendment to this act, the police department would be able to increase the age restriction from sixty-five to seventy. The requirement would remain intact where, these officers hired under this classification would still need to get a yearly physical at their own cost and show proof of that physical. There would be discretion by the Town Manager regarding hiring and any grounds for termination. Mr. Linehan noted there have been several police departments in surrounding towns that have also increased the age by five years. Mr. Linehan stated he is advocating for this due to the town details that need coverage, and it is hard to fill them. He noted that these officers are qualified and experienced and will help fill details.

Mr. Gaumond noted this change will require a Town Meeting vote. Mr. Gaumond explained that this was passed as a special act a couple of years ago by the Legislature and will need to get sent back to the Legislature. Mr. Gaumond noted it is a minor change and it should go through the Legislature relatively quickly.

Mr. Palmer asked Mr. Linehan if there would be any risks to increasing the age from sixty-five to seventy.

Mr. Linehan stated there would be older officers on details. Mr. Linehan said the officers working on shift will check in on the older officers working details. Mr. Linehan noted that the older officers working details are experienced and trained, so there is not a need to watch over them. Mr. Linehan noted that a yearly doctor's signature is required to sign off on the older officer's health, so if they failed, they would not be able to work details.

The Select Board decided not to vote on this matter. Ms. Bent stated the Select Board supports this change, and it will appear on the Special Town Meeting warrant.

DPW- Vote 75% Plan for Road Rt. 20/Highland St.

Mr. Lavoie stated the Traffic and Sidewalk Committee worked with a company, VHB who prepared the Route 20 at Boston Road & Highland Street Intersection Study. This study was done as a result of the intersection of Rte. 20 and Highland Street being deemed a dangerous intersection. Mr. Lavoie noted the Traffic and Sidewalk Committee discussed the project, and held an open public hearing on June 14th, 2023, for public input. The Traffic and Sidewalk Committee then voted to promote “Alternative 2a: Intersection Consolidation” layout to the Select Board for review and approval. Mr. Lavoie noted there were four scenarios VHB came up with. Mr. Lavoie summed up the 2a option as a four-way signalized intersection, removing the slip lane where Boston Post Road currently angles westward and into the Rt. 20 Bypass Road. That connection with Boston Post Road and Rt. 20 will be closed. The couple of existing houses on this section of Boston Post Road, west of the proposed new intersection, will be attached to the end of Boston Post Road. This design also allows for crosswalks, and it allows areas for people to pass just like they do for bikes. The original 2a design had two left turn lanes going eastbound on Route 20 at the intersection; this has been modified to have only one left turn lane, allowing the left-turning traffic to queue up a little longer, which will leave the other eastbound lane on the right for passing straight through the intersection. Mr. Lavoie also noted that MassDOT conducted a study for top areas for car crashes from 2018-2020, and the Highland intersection was flagged as a safety issue for crashes.

Mr. Houston asked Mr. Doyle what the feedback has been at the public hearings when this was presented. Mr. Doyle stated he felt the public was comfortable with this option after hearing the different alternatives that were presented at the Traffic and Sidewalk Committee Meetings.

Mr. Palmer asked about the process for the next steps for this project. Mr. Doyle noted it starts with a feasibility study, a concept, and agreeing on a preferred overall concept, and then giving direction to the design consultant to advance it to 25% design. Mr. Doyle stated the 25% for funding would come from either TIP process or another funding mechanism. Mr. Lavoie pointed out that MassDot can review the whole proposed project, and still give their input as requirements. Mr. Lavoie stated it could be town funded to make it quicker, but it still will have to meet a lot of mandates by the state.

Mr. Gaumond noted the design was responsibility of the town. The town would have been responsible for that under the TIP process too.

MOTION: Mr. Houston moved to accept the recommendation of the Traffic and Sidewalk Committee and to advance Alternative 2A as the preferred alternative. 2nd by Mr. Palmer.

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

Consider By-law changes for STM regarding celebrations

Ms. Bent stated that the proposal is to change a general bylaw in town to create a Celebrations Committee. Ms. Bent noted it would change an existing committee, the Memorial Day Committee, to broaden its scope to be a Special Events Committee. This would consist of three members appointed by the Select Board to centralize various recognitions and celebrations that are town sanctioned. Ms. Bent

stated that the Memorial Day Committee has been under the control of the Moderator. Ms. Bent asked Mr. Hastings for his input regarding this proposed change.

Mr. Hastings stated he was supportive of this change. He noted the last few years has been complicated to get people coordinated and organized to run the Memorial Day Celebration. Mr. Hastings also noted that there is an overlap between other town celebrations and the Memorial Day observance. Mr. Hastings stated there is no committee established that deals with coordinating a Veterans Day Celebration, which he said the community likes to observe. Mr. Hastings stated having a single committee established that will coordinate all the celebrations would be good for the community.

The Select Board did not vote, they will support the warrant article at the Special Town Meeting.

Open Meeting Law complaint from Isabella Jancourtz, received on July 11, 2023: acknowledgement of the Open Meeting Law complaint, discussion, and response to same; votes may be taken.

Mr. Gaumond stated the Select Board members received a copy of the Open Meeting Law complaint documents. He noted the complaint, which alleges a violation of Open Meeting Law, is that the Select Board is behind in their minutes and the minutes from their meetings are not posted in a timely manner. Mr. Gaumond noted that this complaint was submitted to the Commonwealth of Massachusetts Office of the Attorney General's Office. Mr. Gaumond stated since the Select Board was not meeting until now, the Town asked for, and received authorization from the Attorney General's Office to review at this meeting.

Mr. Gaumond stated Town Counsel has prepared a letter for a response to this complaint, acknowledging the issuance of the complaint, some legal background as to the legal basis for the complaint, and noted that the Select Board remains fully committed to being in compliance with the Open Meeting Law. If the Select Board approves of this letter, it will be submitted. Mr. Gaumond acknowledges that there have been some staffing considerations which caused a delay in the approval of several sets of meeting minutes. Mr. Gaumond notes the delay was not intentional but was a result of staffing constraints and that his office is working to approve the minutes in a timely manner and submits that no further remedial action will be required.

Mr. Palmer noted that he checked the Weston Town website, and all the Select Board meetings that have been recorded are posted on there for public viewing. Mr. Palmer wanted to mention that even though minutes may not be posted, the Town is good about posting the videos, so they are available for anyone wishing to see them. Mr. Palmer suggested to also note that in Town Counsel's response letter. Mr. Gaumond stated he would make that recommendation to Town Counsel.

Mr. Houston stated he understood the desire to get minutes posted in a timely manner, however the Select Board Meetings are recorded and posted on the Town's website, so if anyone had questions, they could review the video. Mr. Houston also acknowledged the turnover with staff in the Town Managers Office, where it has been challenging to catch up on previous minutes in addition to doing their full-time job duties. Mr. Houston stated that there are Boards and Committees facing this same issue.

Mr. Gaumond stated that his office was looking into some technological ways of solving some of these issues with minutes. Mr. Gaumond noted that his staff is working to get the minutes caught up so they can be posted in a timely manner. Mr. Gaumond wanted to mention how grateful he is for Weston Media for recording the Select Board meetings.

MOTION: Mr. Palmer moved to issue a response consistent with the discussion at this meeting and approve the draft as prepared by counsel with the comments that were raised, about the videos, the agenda, and the correction that Ms. Bent made. 2nd by Mr. Houston.

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

Consent Agenda

MOTION: Mr. Houston moved the Consent Agenda as follows. 2nd by Mr. Palmer.

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

- Approval of minutes from June 27th, 2023.
- Approve Board of COA's recommendation to reappoint Associate Members: Alice Benson, Vida Goldstein and Gerri Scoll, and Full Member Sue Ruskin Friend.
- Approve charge for Riverside Housing Working Group.
- Approve Greatlands vote of the property exchange agreement.
- Approve Block Party request from Remke Van Zadelhoff to occupy Silver Hill Road at the driveways of premises numbered 40 Silver Hill Road and 44 Silver Hill Road, from 3:00 p.m. to 8:00 p.m., Saturday, September 9, 2023.
- Approve request from Weston Forest & Trail Association to occupy Josiah Smith Tavern parking and garden areas on Saturday, October 14, from 4:00 p.m. to 8:00 p.m. with a rain date of Sunday, October 15.
- Accept gift received from Friends of the Weston Public Library of \$1870.10, to be applied to the Library General Purposes Fund.
- Accept gift received from Frederick and Sara Ewald of \$250, to be applied to the Council on Aging Miscellaneous Fund.
- Water abatement request for 449 Old North Ave.

The Select Board decided to hold their next meeting on Wednesday, August 30th.

Meeting Adjourned at 10:45 a.m.

Thomas Palmer
Clerk

