

**Minutes of Regular Meeting
Select Board
Tuesday, February 8, 2022
Remote Online Meeting (Zoom 897 8277 4831)
Called to Order at 7:09 p.m.**

Remotely participating were Board members, Chair, Harvey Boshart, Christopher Houston, and Laurie Bent. Also present were Town Manager Leon A. Gaumond, Jr., Assistant Town Manager/Human Resources Director Lisa Yanakakis.

Mr. Boshart called the remote meeting to order and read the following:
Pursuant to Governor Baker's March 12, 2020 Order Suspending Certain provisions of the Open Meeting Law, G.L. c. 30A, §18, and the Governor's March 15, 2020 Order concerning imposition on strict limitations on the number of people that may gather in one place, meetings in the Town of Weston will be conducted via remote participation to the greatest extent possible. We will strive to provide access to such meetings via a link to call in, or other similar option. In the event we are unable to accommodate the same, despite best efforts, we will post recorded sessions of the meeting as soon as possible following the same. No in-person attendance of members of the public will be permitted, but every effort will be made to ensure that the public can adequately access the proceedings.

Resident Comments: None

Bond Sale Presentation:

Zoe Pierce, Treasurer/Collector

Ms. Pierce stated that the Town of Weston received a net interest cost of 1.457%. Ms. Pierce stated that the Town borrowed a relatively low amount, roughly \$1,800,000. Ms. Pierce stated that the Town received four bids, which she stated is a solid amount.

Ms. Pierce stated that the Select Board will have to approve the borrowing for the Massachusetts Water Resources Authority (MWRA) at an upcoming meeting. She stated that the borrowing amount is around \$401,000. Ms. Pierce stated that it is interest free.

Ms. Pierce stated that the purchaser was Fidelity Capital Markets. Ms. Pierce stated that the other bidders were legitimate. Ms. Pierce stated that the Town continues to be AAA rated by Moody's.

MOTION: Mr. Houston moved to approve the motion as prepared by Bond Council:

Vote: that we hereby determine, in accordance with G.L. c.70B, that the amount of the cost of the High School partial roof replacement (F-Wing) school project authorized by a vote of the Town passed on May 15, 2021 (Article 16) not being paid by the school facilities grant is \$562,880 and we hereby approve of the issuance of notes and bonds in such amount under said G.L. c. 70B.

Further Vote: that the maximum useful life of the departmental equipment listed below to be financed with the proceeds of the \$750,000 borrowing authorized by the vote of the Town passed May 15, 2021 (Article 17) is hereby determined pursuant to G.L. c.44, §7(1) to be as follows:

<u>Purpose</u>	<u>Borrowing Amount</u>	<u>Maximum Useful Life</u>
Fire Engine (Pumper)	\$750,000	10 years

Further Vote: that the sale of the \$1,570,000 General Obligation Municipal Purpose Loan of 2022 Bonds of the Town dated February 17, 2022 (the “Bonds”), to Fidelity Capital Markets, a Division of National Financial Services LLC at the price of \$1,811,093.15 and accrued interest, if any, is hereby approved and confirmed. The Bonds shall be payable on February 15 of the years and in the principal amounts and bear interest at the respective rates, as follows:

<u>Year</u>	<u>Amount</u>	<u>Interest Rate</u>	<u>Year</u>	<u>Amount</u>	<u>Interest Rate</u>
2023	\$225,000	5.00%	2028	\$100,000	5.00%
2024	215,000	5.00	2029	100,000	5.00
2025	210,000	5.00	2030	100,000	5.00
2026	210,000	5.00	2031	100,000	5.00
2027	210,000	5.00	2032	100,000	5.00

Further Vote: that in connection with the marketing and sale of the Bonds, the preparation and distribution of a Notice of Sale and Preliminary Official Statement dated January 26, 2022, and a final Official Statement dated February 1, 2022 (the “Official Statement”), each in such form as may be approved by the Town Treasurer, be and hereby are ratified, confirmed, approved and adopted.

Further Vote: that the Town Treasurer and the Select Board be, and hereby are, authorized to execute and deliver a continuing disclosure undertaking in compliance with SEC Rule 15c2-12 in such form as may be approved by bond counsel to the Town, which undertaking shall be incorporated by reference in the Bonds, as applicable, for the benefit of the holders of the Bonds from time to time.

Further Vote: that we authorize and direct the Town Treasurer to establish post issuance federal tax compliance procedures and continuing disclosure procedures in such forms as the Town Treasurer and bond counsel deem sufficient, or if such procedures are currently in place, to review and update said procedures, in order to monitor and maintain the tax-exempt status of the Bonds and to comply with relevant securities laws.

Further Vote: that any certificates or documents relating to the Bonds (collectively, the “Documents”), may be executed in several counterparts, each of which shall be regarded as an original and all of which shall constitute one and the same document; delivery of an executed counterpart of a signature page to a Document by electronic mail in a “.pdf” file or by other electronic transmission shall be as effective as delivery of a manually executed counterpart signature page to such Document; and electronic signatures on any of the Documents shall be deemed original signatures for the purposes of the Documents and all matters relating thereto, having the same legal effect as original signatures.

Further Vote: that each member of the Select Board, the Town Clerk and the Town Treasurer be and hereby are, authorized to take any and all such actions, and execute and deliver such certificates, receipts or other documents as may be determined by them, or any of them, to be necessary or convenient to carry into effect the provisions of the foregoing votes.

The motion was seconded by Ms. Bent. **Roll call vote:** Mr. Boshart, Mr. Houston, and Ms. Bent voted in the affirmative. **Approved unanimously.**

Weston AIC Update – Library Trustees:

Susan Scott, Chair, Library Board of Trustees, Jennifer Warner, Director, Weston Public Library, & Cecily Cassum, Advisory Board Chair, Arts & Innovation Center (AIC)

Ms. Scott stated that the AIC opened just before the onset of the COVID-19 pandemic. Ms. Scott stated that the presentation will outline the current financial position, programming and future financial health of the AIC.

Ms. Warner stated that she was appointed Director of the Weston Public Library in 2018, previously she served as the Assistant Director under the leadership of Susan Brennan.

Ms. Warner stated that the budget of the AIC planned to be comprised of fundraising, class fees, and rentals while Library trust funds would be used to offset operating deficits.

Ms. Warner described the history of Makerspaces in libraries. Ms. Warner stated that Makerspaces were described in the Weston Public Library, *Long Range Plan: A Look Forward 2015-2017*. Ms. Warner stated that in 2015, a proposal was submitted for repurposing the Old Library. The Josiah Smith Tavern Old Library Working Group (JSTOL) vetted the proposal and recommended the AIC. Ms. Warner stated that at 2017 Special Town Meeting, there was an approval to use CPC funds to renovate the Old Library into the AIC. Ms. Warner stated that construction occurred during 2018 through 2019. Ms. Warner stated that the Library Board of Trustees provided \$240,000 in trust fund income as seed funding for operations of the AIC.

Ms. Warner described the 2017 Special Town Meeting Warrant and 2017 Annual Town Report, and highlighted language that stated library trust funds will be used to offset operating deficits.

Ms. Warner highlighted the Minuteman Network and stated that the AIC's funding model is unique compared to other communities. Ms. Warner described the Town of Watertown's Makerspace, and stated that it is a stand-alone building that does not cost residents and users to utilize the services.

Ms. Warner stated that the AIC has offered 170 classes and 65 rentals since opening.

Ms. Warner stated that the Library Board of Trustees have pledged \$331,000 in trust fund support for future operations. Ms. Warner noted that there is an open position that has \$60,000 in salary funds to offset Trust Fund costs.

Ms. Cassum stated that the AIC has two commercial sources of revenue; programming, and rental revenues. Ms. Cassum noted that the contribution margins from programming is 20%. Ms. Cassum stated that in the current fiscal years, the contribution margins are higher due to instructors providing their services for little or no compensation. Ms. Cassum described rental space. Ms. Cassum stated that the Weston Media Center rents the space on the first floor of the AIC. Ms. Cassum noted that due to COVID-19, rentals have decreased, but she anticipates that there will be more rentals in the coming years. Ms. Cassum noted that the AIC allows the Town's boards and committees to utilize the AIC at no cost.

Ms. Cassum stated that the AIC has one full-time program manager and a part-time studio technician. Ms. Cassum stated that a part-time door monitor has been hired to manage late-night rentals. Ms. Cassum stated that the full-time manager will begin receiving benefits in FY23. Ms. Cassum noted that there are plans to hire another part-time studio technician.

Ms. Cassum noted that a consultant will assist the AIC in developing a 5-10-year strategic plan. Ms. Cassum noted that they are seeking a Town resident that has professional consulting experience to provide their services at a discounted basis.

Ms. Cassum stated that there is a projected deficit of \$115,000 – \$125,000 per fiscal year. Ms. Cassum stated that fundraising will offset the deficit. Ms. Cassum stated that the AIC has received donations from the Friends of the Weston Library. Ms. Cassum noted that with donations included, there is a projected unmet need per fiscal year of \$80,000 – \$90,000. Ms. Cassum noted that the unmet need will be covered by the unexpended operating budget of the Weston Public Library. Ms. Cassum noted that the vacancy in staffing and additional trust funds will cover the unexpended operating budget. Ms. Cassum stated that there has been discussion for the Town to cover facility maintenance costs of the AIC.

Ms. Warner stated that a laser cutter is being delivered in the Spring of 2022. Ms. Warner stated that the AIC will need to scale and broaden class offerings and rentals through marketing. Ms. Warner stated that a marketing plan for the AIC needs to be developed, and the potential development of a long-range strategic plan.

Mr. Boshart noted that the electricity costs per fiscal year seem relatively high. Mr. Boshart asked what lessons were learned since the beginning of operation. Ms. Cassum noted the COVID-19 pandemic. Ms. Cassum noted that the original business plan that was drafted by Ms. Brennan in 2016-2017. Ms. Cassum stated that Ms. Brennan projected to have more classes offered than what is currently occurring. Ms. Cassum noted that her goal would be to have the AIC rented a full six days every month. Ms. Cassum noted that it would take aggressive marketing to reach that goal.

Ms. Warner noted that virtual classes are being offered. Ms. Warner stated that the AIC will explore the trend of virtual classes. Ms. Cassum noted that quality instructors attract more participants. Ms. Cassum noted that the AIC is responding to what users want for classes such as felting and knitting. Ms. Bent noted that the initial goal of the AIC is hands-on learning. Ms. Warner stated that some instructors feel more comfortable with remote classes, while some students want in-person learning.

Ms. Bent asked how much does renting the AIC Reading Room cost. Ms. Cassum stated that the spaces are rented in three blocks of time per day. Ms. Cassum stated that Friday and Saturday rentals are more expensive due to demand. Ms. Cassum stated that to rent the AIC Reading Room for a full day, it costs roughly \$800. Ms. Warner noted the 15% discount for Town residents. Ms. Bent said that Jean Arturi, former AIC Program Manager has been helpful in hosting hybrid Committee meetings. Ms. Cassum noted that many of the programs that are offered at the AIC require in-person hands-on learning.

Ms. Boshart reiterated the high electricity costs. Ms. Warner stated that heating is fully electric. Ms. Houston noted that historical windows may not be as energy efficient.

Mr. Houston noted that the AIC's operating deficit in comparison with the Library's operating budget is small in relation to the AIC services that are provided to the Town. Ms. Warner stated that the \$1,600,000 in the Library budget does not include Library Trust Funds. Mr. Houston asked what how much the Library Trust contributes per year. Ms. Warner said \$165,000. Mr. Houston noted that if the AIC operating deficit was covered by the Library Trust Funds, it would account for a 5% increase in the Library's total expenses. Mr. Houston noted that the added benefits of the AIC outweigh the relatively minimal costs in the overall Library expenses. Mr. Houston stated that utilization of the historic Old Library has been an added benefit to the Town.

Mr. Boshart agreed with Mr. Houston regarding the importance of the AIC. Mr. Boshart noted that the additional costs to operate the AIC are higher than the projected operating deficits per fiscal year. Mr. Houston noted paying debt, upkeep and maintenance of the AIC, potential costs of increasing energy efficiency. Mr. Boshart suggested that the AIC be considered similarly to the Recreation budget. Mr. Boshart stated that the Town covers roughly 40% of the budget for Recreation. Mr. Boshart agreed that the AIC is a public good and benefits the community.

Ms. Bent stated that she believes philosophically that the AIC is a branch of the Weston Public Library. Ms. Bent thinks about the AIC as a public resource. Ms. Bent believes philosophically that the AIC is a public good and is something the Town should support.

Mr. Houston asked Ms. Scott if the Library Board of Trustees agrees with the sentiment of the Select Board. Ms. Scott stated that there was unanimous agreement from the Library Board of Trustees to support the AIC and to proceed to use the trust funds and unexpended budget funds. Ms. Scott reiterated that there was enthusiastic support from the Library Board of Trustees.

Ms. Bent asked if there were any concerns from the Library Board of Trustees to utilize trust funds to support the AIC. Ms. Scott said no. Ms. Scott stated that the Library Board of Trustees have pledged to utilize \$331,000 in trust funds for the AIC. Ms. Scott stated the amount pledge has not been expended. Ms. Warner noted that the goal is for the AIC to be self-sufficient.

Sandford Whitehouse, Chair, Commissioners of Trust Funds, asked if the original warrant article for the AIC was to fund the AIC through Library Trust income. Mr. Whitehouse stated that the Commissioners of Trust Funds had concerns about dipping into principal of trust funds. Ms. Warner stated that she would need to check with Susan Kelly, Finance Director as to if the Library dipped into principal. Ms. Warner believed that they have been only utilizing income. Mr. Sandford confirmed that was the correct. Mr. Sandford noted that to continue planning for longevity of the funds, he believes that there should be no dipping into principal.

Mr. Sandford noted that the Commissioners of Trust Funds need to determine how to modernize the language of the trust fund utilization to include the AIC. Mr. Sandford noted that the Commissioners of Trust Funds believe that it is in the best interest of the Town to include the AIC operating expenses into the Weston Public Library budget. Mr. Houston reiterated that Town Counsel stated there is no legal ramification of the language in Article 1 of how the trust funds are utilized. Ms. Warner noted the differences between restricted and unrestricted funds. Ms. Warner noted that some funds have been legally modified to include modern related expenses. Mr. Houston agreed with Mr. Sandford's opinion that AIC expenses should be covered under the operating budget and not Library Trust Funds.

Ms. Scott noted that the Library Board of Trustees, like the Commissioners of Trust Funds have a fiduciary responsibility.

Mary Ellen Sikes thanked the Select Board for recognizing the importance of the AIC to the Town Center and the Town at large. Ms. Sikes noted that the Town Center Improvement project also had impact on the services the AIC provided to the Town.

Charles River Watershed Association's Watershed Flood Model Project:
Steve Fogg, Town Engineer & Jordan McCarron, Conservation Administrator

Mr. Fogg stated that the presentation was designed by the Charles River Watershed Association and was distributed to the participating communities. Mr. Fogg described some examples of flooding events in the Town.

Mr. Fogg stated that the Town of Weston participated in the Charles River Climate Compact to discuss and identify shared challenges to climate adaptation. Mr. Fogg noted that the Town of Weston benefited from technical expertise in a variety of areas.

Mr. Fogg described some challenges regarding the Charles River, including precipitation that connects to inland flooding, drought, extreme weather and sea-level rise. Mr. Fogg stated that the goal was to develop a flood model for the Charles River watershed, which includes the Town of Weston. Mr. Fogg noted that the Town of Weston is on the periphery of the Charles River watershed. Mr. Fogg described the land acknowledgement of indigenous people and people of color. Mr. Fogg described modeling scenarios in regards to rainfall and nature-based solutions.

Mr. Gaumont thanked Town staff with their collaboration with the Charles River Watershed Association. Ms. Bent was interested in how this relates to Weston Ahead, the Town's climate action and resilience plan. Mr. McCarron stated that it will be useful for planning and budgeting for infrastructure improvements.

Mr. Fogg presented the flood model in relation to the Town of Weston. Mr. Fogg stated that the Town's critical infrastructure is not in flood prone areas. Mr. Fogg noted that the current flood model does not include the stream that runs parallel to Route 20. Mr. Fogg asked the consultants to include that. Ms. Bent recommended that Cherry Brook be included as well.

Water Abatement Request, 158 Lexington Street:

Mr. Gaumont stated that the Select Board considered the request at a previous meeting. Mr. Gaumont stated that a fire hydrant was leaking at 158 Lexington Street. Mr. Gaumont stated that the fire hydrant is connected to the resident's water meter. Mr. Gaumont stated that the Select Board asked the Department of Public Works (DPW) to calculate the three-year average of previous billings and the resident would be responsible for that amount and the rest would be abated. Mr. Houston noted the differences of usage between the three-year averages.

Mr. Boshart reiterated the issue with fire hydrants that are connected to private water meters. Mr. Gaumont stated that he has a meeting with the Fire Chief and the DPW Director regarding this issue.

Mr. Houston asked about the status of the wireless water meter upgrades. Mr. Gaumont stated that he will provide an update at an upcoming Select Board meeting.

MOTION: Ms. Bent moved to abate the sum of \$16,354.80 for the 2021 Winter Water Bill for 158 Lexington Street. The motion was seconded by Mr. Houston. **Roll call vote:** Mr. Boshart, Mr. Houston, and Ms. Bent voted in the affirmative. **Approved unanimously.**

Water Abatement Request, 77 Loring Road:

Mr. Gaumont stated that the sole resident of 77 Loring Road is hearing impaired and did not know she had a water leak in her house. The resident appealed the decision by the Town. Mr. Boshart asked if the leak has been resolved and was discovered by the resident's family. Mr. Gaumont stated that there will need to be education regarding the new wireless water meters.

Mr. Houston was given information regarding a previous similar abatement request. In that case, the abatement was determined by taking the highest six-month usage over the past five years, apply that number under the current billing tiers and then for any cubic footage above that would be charged the

lowest water rate. Ms. Bent stated that a payment plan should be allowed. Mr. Gaumond stated that he will present the figures at the next Select Board meeting.

Cemetery Request:

Mr. Gaumond described a cemetery variance request by Mr. Joseph Leone. Mr. Gaumond stated that Mr. Leone sister, Jean Leone, recently passed away. Mr. Leone described his personal ties to the Town of Weston including his recently deceased sister Ms. Jean Leone.

Mr. Leone purchased the lot in 1971. Mr. Leone stated that he was under the impression that the lot had two vaults and four cremation urns. Mr. Leone stated that when Ms. Jean Leone was prepared to be interred, he was told that the lot were to allow only two vaults and two cremation urns. Mr. Leone was under a different impression. Mr. Leone daughter stated that Ms. Jean Leone did not have a partner or any children.

Mr. Houston noted the 1963 regulations. Mr. Houston stated that he received confirmation from the DPW that there is space. Mr. Houston noted that if waivers are granted every time a waiver is requested, the regulations do not suffice. Mr. Leone stated that Ms. Jean Leone’s name would be on an existing name plate.

Mr. Houston noted that the family has significant ties to the Town. Ms. Bent noted that the Mr. Leone was told by a former DPW Director that there was enough space for additional urns.

Mr. Houston noted that the updated cemetery regulations should be clear.

MOTION: Mr. Houston moved to grant a waiver for the interment of Jean Leone’s cremains in the Lot Number L254 in Linwood Cemetery with the understanding that no additional ground plate will be installed and that no other remains will be interred on the lot. The motion was seconded by Ms. Bent.

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

Logo Discussion for Celebrate Weston Event:

Ms. Bent stated that Dusty Rhodes, Chair of the Town Center Celebration Committee is preparing a logo by her team for the Celebrate Weston event in Spring 2022. Ms. Bent shared some prospective designs that were based on the Weston 300 logo.

Ms. Bent stated that there will be a logo chosen for the Celebrate Weston event. Ms. Bent proposed that the Select Board adopt an informal logo for the use of the Town. Ms. Bent made the distinction that the current Town Seal will remain on all official documentation, the proposed logo would be for informal usage. Ms. Bent stated that the informal logo would not be used for official documents. Ms. Bent stated that the color would remain consistent with the Town Seal. There was general discussion regarding color, design and text.

Discussion of Select Board Meeting Time Change:

Mr. Houston proposed that the meetings be held at 6:30 p.m. Ms. Bent and Mr. Boshart agreed. Mr. Houston proposed that additional Select Board meetings occur to review items that have less complexity. Mr. Boshart and Ms. Bent agreed. Mr. Houston noted that items that include staff presentations could occur during the day.

Police Chief Survey Results:

Ms. Yanakakis stated that as part of the Police Chief search process a survey was released to the general public. Ms. Yanakakis stated that there were 122 responses. Ms. Bent tabulated and categorized the responses. Ms. Yanakakis noted that engagement with the community, commitment to racial justice, gender equity, diversity, equity, and inclusion (DEI), accessibility, and being effective communicator were the top responses.

Ms. Yanakakis stated that the interview questions for the Police Chief candidates were based upon the survey results. Mr. Houston noted that the survey responses were not focused on addressing crime. Ms. Yanakakis stated that a handful of respondents did address preventing crime. Ms. Yanakakis noted that many responses stated that they feel safe in the Town. Ms. Bent noted that the focus of the survey was regarding what qualities would make for a good Police Chief in the Town of Weston.

Ms. Bent stated that candidate interviews are currently occurring. Mr. Houston noted that transparency was discussed in some of the survey responses. Ms. Yanakakis noted that one of the interview questions addresses transparency in the Police Department.

Town Manager Evaluation & Contract Discussion:

Mr. Houston stated that there have been conversations with residents and Town staff regarding Mr. Gaumond's performance. Mr. Houston stated that the evaluation is a composite review until September 2021. Mr. Houston stated that Mr. Gaumond's review was positive overall. Mr. Houston highlighted that residents are very enthusiastic with his involvement with the Town.

Mr. Houston stated that the Select Board had Executive Sessions regarding extending Mr. Gaumond's contract.

Mr. Boshart stated that Mr. Gaumond has adjusted well with his role with the Town of Weston. Mr. Gaumond stated that he has enjoyed his position with the Town of Weston.

MOTION: Mr. Houston moved to approve Mr. Gaumond's composite review through September 2021 and execute the proposed contract between the Town and Mr. Gaumond effective retroactively from September 2021 through September 2024. The motion was seconded by Ms. Bent. **Roll call vote:** Mr. Boshart, Mr. Houston, and Ms. Bent voted in the affirmative. **Approved unanimously.**

Consent Agenda

MOTION: Mr. Houston moved the Consent Agenda as follows:

Vote to approve Select Board minutes: February 2, 2022 regular session, and October 12, 2021 regular session.

Move to call the Town Caucus for Monday, March 7, 2022 at 7:00 p.m. in the Sears Auditorium of the Weston Town Hall and sign the notice of the Caucus.

Approve the designated polling places, acting under the provisions of General Laws, Chapter 54, Section 24, in the Town of Weston.

2nd by Ms. Bent.

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

Ms. Bent stated that the Celebrate Weston event is occurring on Saturday, May 21, 2022, rain date Sunday, May 22, 2022.

MOTION: Ms. Bent moved to adjourn the meeting. The motion was seconded by Mr. Houston. **Roll call vote:** Mr. Boshart, Mr. Houston, and Ms. Bent voted in the affirmative. **Approved unanimously.**

The regular meeting adjourned at 9:44 p.m.

Christopher E. Houston
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