

**SELECTMEN'S RECORD**  
**January 8, 2018**

**ATTENDANCE AND CALL TO ORDER**

The meeting was called to order at 7:30 p.m. in the EOC/Training Room at the Police Station by Chairman John Hickey. Also present were: Selectmen Nancy Hyde, Selectmen Michael Walsh, Town Administrator Michael Jaillet, and Town Counsel Thomas McCusker. Christine McCarthy record the minutes.

J. Hickey led the Pledge of Allegiance.

J. Hickey asked if anyone wishes to record the meeting and granted permission to Westwood Media Center to record.

**CHAIRMAN'S UPDATE**

**DPW and Storm Response**

The Board thanked the DPW, contractors and Public Safety Department for all of their work for the storm that took place on Thursday, January 4<sup>th</sup>. The DPW did a great job keeping the roads clear for first responders.

**SCHEDULED ACTION**

**Finance Update**

P. Dukeman, Finance Director, presented an updated FY19 budget to the Board of Selectmen. A copy of that PowerPoint can be found online at the below link:

<http://westwoodtownma.iqm2.com/Citizens/FileOpen.aspx?Type=4&ID=5799&MeetingID=1309>

The Finance Director and Town Administrator have been meeting with various groups in Town including the School Committee, Budget Steering Committee and Long Range Financial Planning Committee. At each meeting, the FY19 budget projects, University Station, real estate taxes and capital projects are discussed.

P. Dukeman explained that with the new federal tax bill, many Westwood Residents came into Town Hall to pay their taxes in the 2017 calendar year. The Town is set up to take pre-payments of taxes and P. Dukeman recognized both the Collectors staff and the Treasurers staff for making sure the process was smooth. P. Dukeman estimates that over 1,000 residents came in, paid online or mailed the bills.

Revenue estimates for FY19 levy increase is \$3.1 million. State aid is current projected to be level funded, the Governor will address the Massachusetts Municipal Association (MMA) at its annual conference on January 19<sup>th</sup> where the Town will receive a preview of what is expected from the Town. This projected increase is consistent with the forecast.

P. Dukeman explained how the Tax Revenue Growth works with Proposition 2½. The standard formula allows the Town to increase its prior year levy by 2.5% and add in new development tax revenues as new growth. The Town uses a very conservative budget estimate for new growth of \$450,000, but it is expected to change as the Town continues to work through the budget. The exempt debt does include the bond for the new High School which will be coming off in 2023.

N. Hyde asked if the FY18 new growth capture all of the new auto dealerships along Route 1? P. Dukeman responded that yes, it was all captured in the FY18 budget. The actual University Station new growth was lower in FY18 than expected, but this did not capture the new restaurant or the hotel. New growth is calculated based on what is constructed as of June 30<sup>th</sup> of each fiscal year.

P. Dukeman pointed out that the Town has not had a general override in over 10 years (2007) and that is mostly thanks to the Selectmen and their work with the budget.

The fixed cost estimates for FY19 is approximately an increase of about 9.6% or \$14.7 million including:

Employee benefit costs:		\$12,255,948
Insurance/Reserve Accounts:		\$1,274,850
Pension Assessment Increase:		\$649K
Health Insurance (Rates in March)	Approx.	\$345K
Other Fixed Costs:	Approx.	\$195K

All the factors presented by P. Dukeman result in approximately a 3% increase to operating budgets. The School Superintendent has released her initial budget proposal which is within the 3% sustainable growth level.

N. Hyde commented that the release of the School budget this early in the process is a great way for everyone involved in the budget process to review it and discuss.

P. Dukeman pointed out other areas of the budget including maintaining levels for the capital budget, transfers in the OPEB Liability Trust fund and other stabilization funds are on target, supplemental capital budgets including funds used from free cash and perhaps the meals tax, and finally the Aid to the Elderly Tax Relief.

J. Hickey added that the Board should start thinking about where the meals tax is going to be used, and not for the operating budget. P. Dukeman responded that it should be used for onetime appropriations such as capital items. That fund collects approximately \$400,000 a year from the meals tax and the Town should see some increase in that fund when new restaurants and hotel tax come on line. This also may be a good fund to match the Aid to the Elderly Tax Relief.

The initial municipal budget requests came in at 4.7% increase, however, the Finance Director and Town Administrator will continue to work with the departments to bring that total back down to 3%. P. Dukeman added that the Selectmen have worked over the

years to increase the level of staffing and services to the community and that FY19 may be a year of stability.

P. Dukeman explained that the next steps in the process will continue to meet with the various groups including the Long Range Financial Planning Committee and Budget Steering Committee. She will work with the Town Administrator to continue to work on the municipal budget request and prepare a capital budget for the Selectmen. The Board will be presented with the proposed budget by February 1<sup>st</sup> and a presentation to the Finance and Warrant Commission on February 6<sup>th</sup>.

### **University Station Phase II Development Agreement**

Special Counsel Dan Bailey and Community and Economic Development Director Nora Loughnane presented to the Board that the number of school age children in the consultant's report was actually 33 and have been updated now. N. Loughnane explained that the projection for school aged children is in line with the Town's consultant estimate between 49 and 60 units for the 350 units. The 33 number aligns with 321 occupied units of the 350 total units. The Town estimates 35 children when the apartments are fully occupied.

Phase II consists of an application of 100 condominium units on the opposite side of University Avenue, between the Bridges Care Center and Brigham and Woman's Hospital.

J. Hickey commented that he was unsure if the units at Bridges contribute to the Town's 10% Subsidized Housing Inventory (SHI) requirement? Special Counsel Dan Bailey responded that they were working on getting an opinion on that. He explained that his colleague Garth Orsmond, who did the legal work on the Gables Affordable Housing, has had a few conversations with the Department of Housing and Community Development (DHCD), and that it is a complicated issue. At this time, the Town should go with the assumption that the units will be included.

Dan Bailey gave the example that in Hingham, DHCD had counted all of an assisted living facility on Hingham's SHI, contrary to a letter. N. Hyde asked if DHCD has mandated that those units be counted and how did they go back on what they letter stated? D. Bailey explained that DHCD stated that their ruling was never binding. The Hingham units are similar to Fox Hill Village where it was a co-opt facility and people buy into it. What happened was a developer came into Hingham and challenged Hingham's 10%. This is concerning for the Town because if any or all assisted living units are counted in the denominator, this put's Westwood further away from the 10% requirement.

It is difficult for the developer to propose affordable condominium units. More than likely they would propose affordable units elsewhere in the development or somewhere else in Town. With multifamily units, if 25% are affordable, you can count all units towards the SHI. The economics in condominium affordability requirements is very difficult to meet.

M. Walsh asked if DHCD can be forced to make a decision? D. Bailey responded it was unlikely. M. Jaillet added that DHCD will be forced to make a decision when they begin to count in 2020. The Town will need to proceed with the idea that it needs more affordable housing units in town.

N. Loughnane explained that in order to go before the Planning Board for the development review and special permit, there needs to be a decision on whether the existing project is adequately mitigated. Therefore, if there is a shortage of seven (7) units, then it is not and that needs to be satisfied before the Planning Board can grant its approvals.

The Board discussed the following items that need to be reviewed for possible amendments to the Development Agreement:

1. Building Permit Fees – this is a significant amount of funds
2. School Mitigation – the Board feels mitigation has been met
3. Public Safety Cost Mitigation – Pam Dukeman reported that there are funds available from the Phase I Development that could cover this expense.
4. Affordable Housing – this issue is very important to the Town and needs to be addressed
5. Canton Street Traffic Mitigation – the Town will not want to evaluate the Canton University Ave intersection before the slip ramp construction is completed.

The Board would also like to continue discussion related to the property at 690 Canton Street. The Town would acquire the land at no cost, but is supposed to be use for traffic mitigation.

The Peer Review Report is still being compiled. The Consultant is meeting with staff and departments on various items and that will be presented at a later time. The Planning Board will be reviewing the proposal on Tuesday, January 9, 2018 at 7:00pm at the Downey School Cafeteria.

M. Jaillet explained that there is a fiscal issue that the Town needs to consider which is that if this residential is developed in advance of any further development of commercial, the balance in the development is off and second, increasing property values on the residential side and not on the commercial side will create a further imbalance on the split tax rate and the Town does not have room left to shift.

N. Loughnane explained that the Town looked at the balance of the overall project as well as the balance of each phase. The Master plan calls for 67% commercial, 33% residential. Since that balance was not met in the first phase, the developer planned on only the proposed 100 condo units (rather than the 300 allowed by special permit) to keep that balance. That balance is achieved for the Master modification because the Phase II includes commercial development as well (Brigham and Woman's office building, a mixed use office building, and spec office building). Since

these proposals are not going forward at this time, the balance will be off with the construction of the condos. The Planning Board can condition the approval for assurances that the balance will be met, but cannot deny the application based solely on that. The Planning Board will not issue its decision before a modification of the Development Agreement is reached. Past impacts must be adequately met in order for them to receive that approval.

The project has benefits to the community and as long as the other phases continue under the Master Plan, it will continue to provide benefits to the Town. The Board of Selectmen and staff need to discuss the Development Agreement with the developer further to ensure those benefits are received.

## **NEW BUSINESS**

### **Request to Post and Fill Position(s) – Children’s Librarian; Accounting Coordinator, Collectors Office**

#### Children’s Librarian

Children’s Librarian Hannah Gavalis resigned her position effective January 9, 2018 to become the Head of Children’s Services for the Westborough Public Library. Hannah has been with the Westwood Public Library for 4.5 years and has been a valuable contributor to the success of the Children’s Department. She will be greatly missed and we wish her all the best in her new position.

The Library Director, Tricia Perry, reports that the Children’s Department is very busy and that she wants to fill the Children’s Librarian position as it is configured. She previously requested, and the Board granted, permission to begin the recruitment process so that the position could be filled as soon as possible. As of last week, we had received 25 applications for this position.

**N. Hyde moved to authorize the Library Director to work with the Town Administrator and Human Resources Director to post and fill the position of Children’s Librarian. M. Walsh Seconded. Unanimous Vote: 3-0**

#### Accounting Coordinator – Collector’s Office

There is currently a vacancy in the Collector’s Office. As the department is staffed with only 2 people, it is important that this position be filled full time on a permanent basis. This position is responsible for processing tax collection payments and assisting our residents in person and by phone. Temporary staff is currently being used to help out in the office, but it is important to fill the position to ensure that the collection activity continue at the necessary level.

**N. Hyde moved to authorize the Finance Director to work with the Town Administrator and Human Resources Director to post and fill the position of Accounting Coordinator in the Collector’s Office. M. Walsh Seconded. Unanimous Vote: 3-0**

### **Massachusetts Municipal Association (MMA) Annual Business Meeting Delegation**

The Massachusetts Municipal Association Annual Business Meeting takes place during the MMA Annual Meeting and Trade Show. This year, the meeting is scheduled from 9:00am to 10:00am Saturday, January 20, 2018.

Each MMA member city or town is entitled to **ONE** vote. In order to vote at the meeting, a local official must be the mayor in a member city or the chairman of the Board of Selectmen or the chairman of the Town Council in a member town. If an official from one of these categories cannot attend, a councilor, selectmen, manager/town administrator from that same MMA member city or town can vote in the person's place, but only with written authorization from the mayor or chairman of the Board of Selectmen.

Those officials who cannot attend the Annual Business Meeting, and who designate someone else to take their place, must send the attached written authorization to the MMA.

**N. Hyde moved to authorize the Chairman to sign the voting form which authorizes the Town Administrator to vote on the Town of Westwood's behalf at the Annual Business Meeting for the Massachusetts Municipal Association (MMA) meeting on Saturday, January 20, 2018. M. Walsh Seconded. Unanimous Vote: 3-0**

### **OLD BUSINESS**

#### **Close Annual Town Meeting Warrant**

The Board of Selectmen voted to open the 2018 Annual Town Meeting Warrant at its meeting on December 4, 2017. The Board announced at that meeting that it planned to close the warrant at its first meeting in January. A total of 31 articles are being considered for this year's Town Meeting including one (1) petition article.

**N. Hyde moved to close the 2018 Annual Town Meeting Warrant and asked that all article sponsors being to prepare language for the Finance and Warrant Commission's review and recommendation. M. Walsh Seconded. Unanimous Vote: 3-0**

### **REGULAR MINUTES**

*November 2, 2017*

**N. Hyde moved to approve the November 2, 2017 Regular Minutes, as amended. M. Walsh Seconded. Unanimous Vote: 3-0**

*November 21, 2017*

**N. Hyde moved to approve the November 21, 2017 Regular Minutes, as written. M. Walsh Seconded. Unanimous Vote: 3-0**

*December 4, 2017*

**N. Hyde moved to approve the December 4, 2017 Regular Minutes, as written. M. Walsh Seconded. Unanimous Vote: 3-0**

Town of Westwood meeting January 8, 2018

### **OTHER BUSINESS THAT MAY PROPERLY COME BEFORE THE BOARD**

J. Hickey asked if there was any other business that may properly come before the board?

### **PUBLIC AND PRESS**

J. Hickey asked if there were any questions from the public or press?

### **EXECUTIVE SESSION**

**N. Hyde moved to go into Executive Session to discuss two issues; one issue related to collective bargaining agreements with public safety personnel and one issue related to the potential sale of real property, both of which would have a detrimental effect on the position of the governing body if discussion were in open session. The Board will not be returning to open session.**

**N. Hyde, aye. M. Walsh, aye. J. Hickey, aye.**

### **NEXT MEETING**

The Board of Selectmen's Meeting next meeting will be on Monday, January 30, 2018.

The meeting was adjourned at 8:24 p.m.

Initial after reviewed

A handwritten signature in black ink that reads "Michael J. Jillet". The signature is written in a cursive style with a large, sweeping initial "M".

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M. Jillet  
Town Administrator



# *LIST OF DOCUMENTS*

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Board of Selectmen  
1/8/2018 EOC/Training Room  
Regular Meeting

## **SCHEDULED ACTION**

- BOS Budget Update 1.8.18.pptx [Read-Only] (PDF)
- Fiscal Impact Memo - Fougere Planning and Development Inc 2.pdf (PDF)

## **NEW BUSINESS**

- Childrens Librarian (PDF)
- AcctCoordinatorColl (PDF)
- MMA Bus Delegate Signature Page (PDF)

## **OLD BUSINESS**

- 2018 Annual Town Meeting Warrant List 010818 (DOC)
- Email - Request for Extension on Closing the Warrant - Nada Fabrizio (PDF)
- Draft Summaries 010818.docx (PDF)