

**SELECTMEN'S RECORD**  
**August 8, 2016**

**ATTENDANCE AND CALL TO ORDER**

The meeting was called to order at 7:30 p.m. in the Selectmen's Meeting Room by Chairman Nancy Hyde. Also present were: Selectmen Michael Walsh, Selectmen John Hickey, Town Administrator Michael Jaillet and Town Counsel Tom McCusker. Christine McCarthy record the minutes.

N. Hyde led the Pledge of Allegiance.

N. Hyde asked if anyone wishes to record the meeting and granted permission to WestCAT to record.

**CHAIRMAN'S UPDATE**

**Farmer's Market Reminder to Residents**

The Farmer's Market is located at the Saint Margaret Mary's Church parking lot every Tuesday from 1:00pm to 6:00pm until October 14<sup>th</sup>. This year's vendors come from around the local area. Products being sold include fresh produce, seafood, freshly baked bread, welsh cakes, jams, jellies, and much more.

Residents can also follow the Westwood Farmer's Market on Facebook for frequent updates @WestwoodMassFarmers

**SCHEDULED ACTION**

**University Station - Update/Refinancing**

*(Nora Loughnane, Community and Economic Development Director, participated via phone)*

Dan Bailey, Special Counsel, was informed in late June that Westwood Marketplace Holdings (WMH) (the University Station owner) had an agreement to sell Phase I of the development. The buyer is American Realty Advisors from Glendale, CA. WMH will continue to manage Phase I and to develop Phase 2.

Phase 1 includes all of the retail (except for Target), the two stand alone restaurants on University Avenue, the vacant restaurant site at the intersection of University and Blue Hill and a vacant 11 acre parcel abutting Lifetime Fitness on the north. The property that will remain in WMH's control will be the village area and the office sites at the top of the hill (across from NSTAR).

WMH requested that the Board of Selectmen release the buyer from all remaining Development Agreement obligations, with two exceptions. All obligations to pay money have been satisfied, so the remaining obligations are primarily operation, maintenance, proper repair, etc.

The most important remaining obligation is the obligation that the 11 acre parcel between Harvard Street and Canton Street be deeded to the town at no cost, upon request by the Town. This obligation is triggered if the Town is not satisfied with the design of the Canton Street/University Avenue intersection component of the I95 north bound slip ramp project. If the Town is not satisfied, it can use the 11 acre parcel for an alternative intersection to be done at the Town's cost.

Parcel B-1 is being transferred to the Buyer, so the obligation to transfer that parcel will be transferred along with the land. The buyer has asked that the Selectmen specifically release it from all other development agreement obligations. The Development Agreement runs with the land, so unless the Selectmen releases the buyer, it will also be responsible for the Development Agreement obligations.

Dan Bailey reported that all other Development Agreement obligations have been met.

N. Hyde asked D. Bailey to clarify the language within the obligation where it states that the 11 acre parcel option is valid for 15 years after the issuance of the first building permit outside of Phase I and if that clock has started yet? The purpose of the timeline was to ensure the Town could monitor the traffic impact on that area and if the Town needed to do additional design.

D. Bailey responded that it was hard to define because Phase I was not defined in the documents. That being said, the Life Time Fitness building was one of the first buildings issued in 2013 which could constitute the start. The documents say when MassDOT completes the design of the Dedham Street Corridor Slip Ramp, the land can be deeded back to the Town to mitigate the traffic impacts of that design.

J. Twohig, Counsel for WMH, explained that Phase I is defined in other documents but that there were two approaches that could be taken; first, that Life Time Fitness could be defined as 'outside Phase I' since the developers came back for a separate review of the permit or, second, the more conservative approach, would be the hotel permit which is clearly outside Phase I could be considered the beginning of Phase II.

N. Hyde asked that an agreement on the start of the first permit issued outside Phase I be made. It was agreed that the issuance of the hotel permit (July of 2016) was clearly outside Phase I.

M. Walsh asked what the Town would be losing by agreeing to this? D. Bailey assured the Board it was not losing anything, it will remain in the same position, but would gain sometime on the fifteen year count.

J. Hickey asked D. Bailey to explain the role of the developers after this sale?

D. Bailey explained that New England Developers (WMH) will still be responsible for various items including, but not limited to, operating and maintaining the village and shopping area, obligation to replace street trees and landscaping along the roads around the development, replace street lights, and a report on the impacts of the residential units before it can apply for additional units to be added in Phase II.

WMH explained that it will still remain the contact for leasing space, collecting lease payments, etc.

D. Bailey added that unrelated to the sale of the development, the Board needed to release an easement it held for the bypass University Station Avenue. Since University Avenue has been fully constructed, the easement is no longer necessary.

**M. Walsh moved to approve and sign the Amendment to the Development Agreement which releases the buyer from the Development Agreement obligations except for the option parcel and reserving the land, as presented written. J. Hickey Seconded. Unanimous Vote: 3-0**

**M. Walsh moved to approve and sign the Estoppel Certificate, which means the buyers are in compliance with the terms Development Agreement. J. Hickey Seconded. Unanimous Vote: 3-0**

**M. Walsh moved to approve and sign the Letter of Agreement between the Developer and the Town, as amended, regarding the developers obligations as owners of Phase II development. J. Hickey Seconded. Unanimous Vote: 3-0**

**M. Walsh moved to approve and sign the Estoppel Certificate stating that the owner and developer are not in violation of the terms of the Restrictive Covenant. J. Hickey Seconded. Unanimous Vote 3-0**

**M. Walsh moved to approve and sign the Termination and Release of Easements, which terminates the Town's temporary easement over the bypass road. J. Hickey Seconded. Unanimous Vote: 3-0**

## **OLD BUSINESS**

### **Appointments/Reappointments**

#### Council on Aging

*Joseph Jowdy* - Joseph is a former member of Youth and Family Services, a long standing resident and member of the Westwood School Committee and a founding member of the Westwood Food Pantry. She represents the School Committee on a number of Boards/Committees within Town and has an extensive background on many of the issues and challenges faced both on the municipal and school

operations. Aside from her involvement in Town boards/committee, Josepha is an established Real Estate Agent in Westwood with over 40 years' experience.

*Hillary Kohler* - For the past several years, Hillary served as Secretary on the Board of Directors for [RallySound, Inc.](#), a nonprofit organization which promotes grassroots activism and civic engagement by helping to organize socially conscious live music events. In addition, she is an elected member of the Alumnae Association Council for the Emma Willard School serving on the Governance Committee. Together with her husband and daughter, they are also actively involved with Malayaka House, a Ugandan orphanage, in addition to several other organizations supporting homelessness and social justice. She and her daughter also spent a week volunteering as teachers in Ghana, West Africa.

On a personal level, Hillary has more recently become the "it" contact for an elderly woman living in Sudbury. With her, she has had the privilege of recapturing a sliver of the incredibly influential relationship she had with her grandmother. She believes her daily concerns are more universal than she may sometimes realize. They encompass "big things" such as preservation of her relevance and dignity, feeding her keen intellect and curiosity, managing her healthcare, and stretching \$20 for 10 more days. As stated by Hillary, 'It can be overwhelming for anyone! - but as we've nibbled away from the ground up, we've both learned it's totally do-able with kindness, patience, a little ingenuity and a good dose of laughter.'

Council on Aging Director, Lina Arena-DeRosa and Town Administrator, Michael Jaillet met with both Josepha and Hillary and recommends them for appointment.

**M. Walsh moved to appoint Josepha Jowdy as a Member of the Council on Aging for a term to end June 30, 2019. J. Hickey Seconded. Unanimous Vote: 3-0**

**M. Walsh moved to appoint Hillary Kohler as a Member of the Council on Aging for a Term to end June 30, 2019. J. Hickey Seconded. Unanimous Vote: 3-0**

## **SCHEDULED ACTION**

### **Department Reports**

When a new member of the Board of Selectmen have been elected, it is customary for the Departments to make a brief presentation on their respective mission and major areas of service. Over this and the next two meetings the Board will receive a presentation from each of the Executive Function Group members and specific department heads on the areas of service, accomplishments and some issues and challenges the departments face.

The Board heard presentation from Administration including Town Administrator/Selectmen's Office, Town Counsel, Town Clerk, Procurement, Human Resources and Information Technology; Department of Public Works including Highway, Grounds and Fields, Facilities Management, Cemetery, Engineering and

Sewer Division; Police Department including Patrol, Dispatch, Investigation, Community and Special Services. Each department presented on its areas of service to the community, municipal and school departments, its major accomplishments over the past few years, and challenges and issues its department is currently facing.

Reports for each presented department including PowerPoints are available on the Town's website, under the Selectmen's Page.

The Board will hear from the remaining departments over the next two meetings.

At the conclusion of the Police Chief presentation J. Hickey noted that the department had been very helpful securing the car seats for his twins and he has heard from residents that slowing the speed of traffic and enforcing the requirement that motorists stop for pedestrians in crosswalks within town should be made a priority, especially on main streets and especially with school starting in a month.

J. Silva said the Department will be out on patrol and making their presences known with the start of school with its sector cars and with the help of the School Safety Officer and the Department plans to communicate that out with social media and a message board.

## **NEW BUSINESS**

### **Approval of Grove Street Paving Contract**

The Town of Westwood plans to accept a proposal for the Grove Street Roadway Paving project. In accordance with Commonwealth of Massachusetts statutes, the Town will issue a formal Invitation for Bid (IFB) for the requirement. This paving project follows recent improvement to the drainage system and extension of sewer mains on Grove Street.

**M. Walsh moved to authorize the Town Administrator to sign a contract for the Grove Street Roadway Paving for an estimated \$175,000. J. Hickey Seconded. Unanimous Vote: 3-0**

## **SCHEDULED ACTION**

### **Traffic Rules and Orders**

In 1947, the Town of Westwood adopted, by power given to the Board of Selectmen by Chapter 40, Section 22 of the General Laws of Massachusetts, the Traffic Rules and Orders for the regulation of carriages and vehicles and set penalties for the violations.

In 1995, the Board of Selectmen reviewed and made amendments to the Rules and Orders which updated all the laws to be current with state laws and regulations. At that time the Board updated and amended its Appendices (A thru D) which have

been subsequently amended throughout the years to add locations of stop signs, no parking, and one way street signs, vehicle restrictions, and other traffic rules.

While most of the proposed amendments are grammar edits and changes to be consistent with current Massachusetts General Laws, the following is a list of the more important proposed changes:

- Adding Section 3-9 titled School Crossings – this authorizes Police Officers to cite operators for refusing to stop when signaled to do so by a Traffic Supervisor at a school cross walk.
- Adding reference to the Town’s Bylaw, Chapter 380, Article V, Section 11.2 Snow and Ice Emergency Parking Ban, which bans parking on the street during a declared and posted snow and ice emergency.
- Updating the definition for handicapped parking spaces and restricts usage of those spaces to be consistent with the MGL definition.
- Adding new Section 7-20a which would authorize Police Officers to cite vehicles for interfering with a properly marked funeral or other procession.
- Replacing the old Hackney Vehicle Regulations with the newly adopted regulations (Board of Selectmen approved recent amendments at its meeting on April 11, 2016)
- Replacing old version of Ice Cream Truck Regulations with the revised version adopted some years ago.
- Correctly referencing all Massachusetts General Laws and Town Bylaws as they are applicable throughout the document.

The Traffic Rules and Orders are maintained and enforced by the Police Department.

M. Walsh asked the Chief to look into adding a section in the future for “Jake Breaking Restrictions.”

**J. Hickey moved to approve the amended Traffic Rules and Orders and the final to be placed on the Town’s website. M. Walsh Seconded. Unanimous Vote: 3-0**

## **NEW BUSINESS**

### **Request to Post and Fill Positions**

*Library – Head of Circulation Services*

Nancy Hogan, a 16 year employee of the Westwood Public Library, has announced her retirement as Head of Circulation Services, effective September 30<sup>th</sup>. Nancy has

been an invaluable member of the WPL staff and will be sorely missed. The position of Head of Circulation Services is integral to the operations of the library in that it impacts every department and definitely should be filled.

**M. Walsh moved to authorize the Town Administrator to work with the Human Resources Director and Library Director to post and fill the position of Head of Circulation Services. J. Hickey Seconded. Unanimous Vote: 3-0**

*Recreation – Sports and Fitness Manager*

Mike Griffin, after 14 years of service to the town, has vacated the position to pursue other options. Mike was a dedicated employee who cared deeply about the children and families of the Westwood community and always went above and beyond in his efforts on their behalf. Mike will be missed.

The Human Resources Director is working with the Recreation Director and the staff to evaluate the remaining positions and job responsibilities within the department, so that the job description and job skills for the new hire will be a proper fit for the Department.

The Board asked that it be updated as soon as a revised job description is available and it would review the Sports and Fitness Manager position posting at its next meeting.

**Preliminary Discussion on Fall Town Meeting**

The Charter states “...that the Board of Selectmen may, at its discretion, cancel said Fall Annual Town Meeting, no later than September 15 in any year, so long as no more than 10 petitioned articles have been submitted for inclusion on the warrant of said Fall Annual Town Meeting...”

M. Jaillet has asked Department Heads to work with their respective boards and committees to consider the submission of articles for the Fall Town Meeting.

N. Hyde asked if the Board should open the warrant to allow for articles to be officially submitted? T. McCusker advised that the Board should open the warrant and close it at its meeting in September so it can make an informed decision whether or not to hold Fall Town Meeting.

**M. Walsh moved to open the 2016 Fall Town Meeting Warrant; asked that articles for consideration be submitted to the Selectmen’s Office and the Board would review and close the Warrant at its meeting on September 12<sup>th</sup>. J. Hickey Seconded. Unanimous Vote: 3-0**

## **OLD BUSINESS**

*Pictures for the following updates are available on the Town's website under the Selectmen's Page titled "Update on Various Projects August 8, 2016"*

### **Turf Field at Westwood High School**

The Department of Public Works has contracted with Sprint Turf to perform the Turf Field and Track Overspray installation. To date, the turf portion of the project has been installed and 100% completed. The remainder of the work involves the installation of safety netting (to stop soccer/lacrosse balls from entering the track area), field goal posts, and the track overspray. The estimated completion date for the project is the third week of August.

### **Parking Lot at Hanlon School**

A couple months ago the Town and Girl Scout of Eastern came to an agreement on the final design and contract for the construction of the Girl Scout House. The appropriated funds were transferred and a building permit was issued and construction has been proceeding ever since. It is the hope and expectation that the construction will be completed in the early fall.

In discussion with the School Department related to the transfer of the half acre of Hanlon land the Town agreed to install a turnaround in the parking lot to facilitate traffic at the end of the school day the Department of Public Works has worked on an agreement with Susi, the paving contractor doing the Chapter 90 work to create the traffic circle and pave that portion of the turn around and adjacent parking area.

### **Washington Street and East Street Paving Projects**

Seventeen years ago the Selectmen agreed to accept responsibility to maintain and control Washington Street also known as Route 1A as a town way on the condition that the Mass Highway Department fully reconstructed the roadway to town standards and design. The town conducted a cost benefit analysis and concluded that this arrangement was a cost effective decision for the town other than plowing, cleaning and maintaining the street surface, landscaping and traffic signals and lights, the maintenance cost has been relatively minor. Now seventeen years later it has come time to resurface this busy roadway.

The Department of Public Works performed a process by which the existing pavement was recycled and redistributed along Washington Street. This process is known as "Hot-in place Recycling" and has proven to be a very efficient and cost effective means of pavement preservation. There will be a Micro-Surface sealant applied to the recycled pavement the week of August 8<sup>th</sup> and the project will conclude with the re-stripping of all travel lanes soon after. It is important to note the differences in cost per square yard for this process resulted in almost a \$60,000 savings for a product expected to last as long as a standard mill and overlay pave.



## **Update on Various Construction Projects:**

### Fire Station 2

The roofing contractor started roofing in July. Crews placed the concrete topping slab over the 2nd floor pre-cast, concrete planks. Interior framing and rough mechanical, plumbing, and electrical work started on the 2nd floor. Crews installed the steel framing around the overhead door openings. Fencing crews erected the netting system poles at the softball field in July. Netting installation is expected in August.

### Police Headquarters

The Police Headquarters construction commenced on July 1<sup>st</sup> after the Groundbreaking ceremony. A lot of process has been made including the new staff lot behind Town Hall, fencing of construction area, trailer for contractors and Compass installed, parking areas have been assigned and soil readings have been completed. The foundation has been located and is being prepared for pouring.

### Deerfield Avenue Extension

The Town staff met with Eversource, Verizon and Comcast to stress the urgency of the relocation of the Eversource pole on August 3<sup>rd</sup>. A schedule was agreed to with all utilities to have the pole relocated and the old pole removed by the start of the school year (end of August).

FedCorp is completing the punch list items including, but not limited to, preparation of the As Built Plans, installations of the street lights, and installation of the wooden guardrail around the stormwater detention area.

## **Future Board of Selectmen Meetings:**

The Board of Selectmen scheduled the following meetings:

Monday, October 3, 2016 at 7:30pm in the Selectmen's Meeting Room at Town Hall

Monday, October 17, 2016 at 7:30pm in the Selectmen's Meeting Room at Town Hall

Monday, November 7, 2016 at 7:30pm in the Selectmen's Meeting Room at Town Hall

Monday, November 28, 2016 at 7:30pm in the Selectmen's Meeting Room at Town Hall\*\*

Monday, December 12, 2016 at 7:30pm in the Selectmen's Meeting Room at Town Hall

*\*\*The Board reserved the right to change this meeting date/time if necessary.*

## **Regular Minutes**

*July 11, 2016*

**M. Walsh moved to approve the July 11, 2016 Regular Minutes as written. J. Hickey Seconded. Unanimous Vote: 3-0**

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

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

The Board discussed the appointment of Patrick Ahearn to the Aid to the Elderly. Pat is a former Selectmen who founded the Aid to the Elderly and Infirm and has confirmed that he is willing to continue to serve as a community member on the committee.

**M. Walsh moved to appoint Patrick Ahearn as a Member to the Aid to the Elderly for a term to expire on June 30, 2017. J. Hickey Seconded. Unanimous Vote: 3-0.**

## **PUBLIC AND PRESS**

N. Hyde asked if there were any questions from the public or press?

The next Board of Selectmen meeting will be held on Monday, August 22, 2016 at 7:30pm.

**M. Walsh moved to adjourn. J. Hickey Seconded. Unanimous Vote: 3-0**

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

The meeting was adjourned at 10:18 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  
8/8/2016 Selectmen's Meeting Room  
Regular Meeting

### **SCHEDULED ACTION**

- Remaining DA obligations -- 8-5-16 (W5681595x7AC2E).docx (PDF)
- univ station plan -- phase 1 and phase 2 (W5681561x7AC2E).pdf (PDF)
- Covenant Release-Exhibits-Executed-2016-08-02.pdf (PDF)
- Administration Report (PDF)
- Department of Public Works (PDF)
- Police Department Report (PDF)

### **NEW BUSINESS**

- Head of Circulation Services.doc (PDF)
- Chapter 138: Town Meetings, Section 2 (PDF)

### **OLD BUSINESS**

- Turf Pic 1 (PDF)
- Turf Pic 2 (PDF)
- Turf Pic 4 (PDF)
- Turf Pic 5 (PDF)
- Hanlon Lot and GSH Pics (PDF)
- Washington Street Pics (PDF)
- Hillary Kohler - Letter of Interest (PDF)
- Handout - WW BOS Meeting - FS2 - 2016-08-08.pdf (PDF)
- CPM Dashboard-BOS Update - WW Police - 8-3-16.pdf (PDF)
- Calendar.doc (PDF)