

**Minutes of Regular Meeting  
SELECT BOARD  
Tuesday, June 8, 2021  
Remote Online Meeting (Zoom 812 1345 1389)  
Called to Order at 6:02 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.

**Call to Order:** Ms. Bent 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.*

Ms. Bent welcomed the Zoning Board of Appeals to join the meeting.

**Call to Order:** Zoning Board of Appeals Acting Chair Winifred Li called the remote meeting of the Zoning Board of Appeals to order at 6:02pm

**Joint Executive Session with Zoning Board of Appeals: Exemption 3 - to discuss strategy relating to pending litigation known as, Powell et al. v. Li et al., Massachusetts Land Court, 20 Misc. 000009(DRR).**

**MOTION:** Ms. Bent moved that the Select Board vote to go into Executive Session for the following purpose: Exemption 3 - to discuss pending litigation known as, Powell et al. v. Li et al., Massachusetts Land Court, 20 Misc. 000009(DRR), and declared that an open meeting may have a detriment effect on the litigating position of the Board and a vote regarding whether to go into Executive Session is expected, there may be votes during the Executive Session, and the Select Board will return to Open Session after the Executive Session. The motion was seconded by Mr. Boshart. **Roll call vote:** Mr. Boshart, Mr. Houston and Ms. Bent voted in the affirmative. **Approved unanimously.**

**MOTION:** Ms. Li moved that the Zoning Board of Appeals vote to go into Executive Session with the Select Board for the following purpose: Exemption 3 - to discuss pending litigation known as, Powell et al. v. Li et al., Massachusetts Land Court, 20 Misc. 000009(DRR), and declared that an open meeting may have a detrimental effect on the litigating position of the Board, that there may be votes during the Executive Session, and further that the Zoning Board will not return to the Open Session after the Executive Session. The motion was seconded by Mr. Rose. **Roll call vote:** Mr. Sitole, Mr. Rose and Ms. Li voted in the affirmative. **Approved unanimously.**

The Boards entered into Executive Session at 6:06pm.

The Select Board returned from Executive Session and resumed the open session.

**Recent Water Billing Update**

Mr. Gaumond explained that the investigations into the billing cycle is ongoing. Some issues that maybe causing higher than normal bills include people staying home during the pandemic, delayed meter reading because of early pandemic shutdowns (which caused some residents to have their meters read after 8 months rather than the normal 6 months which may bump them into another tier), as well as mistakes during reading.

Mr. Gaumond stated that there are 14 residents who are reporting exorbitant usage that have had errors including miscalculations, misreads, etc. during reading. These customers will be receiving abatements.

For the remaining residents with unusually high bills, the meters are being re-read. In the vast majority of the cases, the meter numbers are accurate. One of the issues is that there are residents who were bumped into a higher tier because of the delayed readings. Mr. Gaumond explained the review that was done of these residents. 576 counts appear to be in this category. This represents about \$65,000 in revenues. The highest impacted accounts were charged about \$332.00 more than usual. Mr. Gaumond suggests that the Board create a methodology. The Select Board could waive interest on contested bills or late payments from June 15 to June 30, 2021. This provides further time to determine and resolve some of these cases, and identify other unusually high users. Policy decision on residents who were bumped into a higher tier.

Mr. Houston suggested that tiers should be prorated if the readings are more than 7 months or less than 5 months.

Ms. Kelley said there are 1684 accounts representing about \$960,000 if you put the consumption back to 6 months in Tier 2 or Tier 3.

Mr. Houston said the problem is that the tiers are being prorated upwards rather than prorating consumption downward. There was a discussion about this. Mr. Houston supports waiving interest till the end of the month but doesn't feel methodology can be voted on tonight because it's not settled. Mr. Houston asked if the data could be sent so he could illustrate his thinking to DPW and Administration. Mr. Houston and Ms. Kelley discussed this and the spreadsheet.

There was a discussion about how to proceed regarding bill payment, timing, interest, etc. and how to handle different scenarios. Mr. Houston said there seems to be 3 scenarios: There was an error (number transposed, etc.). These are corrected quickly.

There is a leak a customer didn't know about, and the customer asked to pay at a higher Tier. They come to the Select Board and request an allowance to pay at Tier 1. In addition, customers who are actually using much more, but who received lower estimates in the past, will now be charged much more. Mr. Cullen said if this is the case, they need to reset the clock and do a thorough review. This would assure that they are not paying past low estimates at the Tier 3 price. It was decided to continue the conversation at the next meeting.

**MOTION:** Mr. Houston moved to agree to waive any interest for contested water bills, late payments, any miscalculated bills, or bills of 7 months or longer between readings until June 30, 2021. The motion was seconded by Mr. Boshart. **Roll call vote:** Mr. Boshart, Mr. Houston and Ms. Bent voted in the affirmative. **Approved unanimously.**

### **Public Hearing: National Grid Grant of Location Public Hearing for Wellesley Street at Sylvan Lane, Woodchester Drive & Radcliffe Road**

A public hearing for the National Grid Grant of Location Public Hearing for Wellesley Street at Sylvan Lane, Woodchester Drive & Radcliffe Road was called to order.

Mary Mulroney, Permit Representative for National Grid presented during the Public Hearing.

Ms. Mulroney requested the Select Board's consent to allow National Grid to re-lay the following sections before re-paving is done this includes, 1865 feet of 4" coated steel dating back to 1957, 205 feet of 2" plastic dating to 2001, and 2070 feet of 8" plastic in Wellesley Street from the existing 8" plastic at

574 Wellesley Street to the existing 4” plastic at 654 Wellesley Street. 35 feet of 2” coated steel dated to 1970 with 2” plastic in the intersection Sylvan Lane and Wellesley Street. In addition to 90 feet of 2” coated steel dated to 1954 and 300 feet of 1.25” inserted plastic with 390 feet of 2” plastic in Woodchester Drive from Wellesley Street to the existing 2” coated steel dated 1954 at 16 Woodchester Drive. In addition to, 50 feet of 2” coated steel dated to 1957 with 50 feet of 2” plastic in the intersection of Radcliff Road and Wellesley Street.

Mr. Cullen said that the referenced section of Wellesley Street was resurfaced in 2016 and falls off the moratorium this year. Sylvan was resurfaced in 2019, and Blueberry Hill Road was resurfaced in 2016. When Wellesley & Blueberry Hill were resurfaced the coordination between National Grid and the Town was young and these re-lays were not identified.

Ms. Bent asked if there are leaks. Mr. Cullen said there are leaks.

Ms. Bent asked what the motivation is for laying the new pipes. Ms. Mulroney said that the upcoming road work triggered it as well as Grade 3 leaks.

Mr. Houston said it’s important to get rid of the gas leaks and since Wellesley Street goes out of the moratorium at the end of this year, he is comfortable with the plan.

Gerry Scholl, 661 Wellesley Street, asked for clarification of where this work will be done which Ms. Mulroney provided. Ms. Scholl asked if she could tie into the gas line. Mr. Cullen confirmed that she could and gave instructions on how to proceed.

Resident of 638 Wellesley Street, asked for the timeline of the project. Ms. Mulroney said it should take about a month or 6 weeks.

Resident of 6 Winchester Drive, asked how they would be affected by the work. Ms. Mulroney said there should be no issues leaving or entering their driveway and there would be no digging on their property.

The hearing was closed.

***MOTION:*** Mr. Houston moved to approve National Grid’s petition to install its gas re-lay project under Wellesley Street, Sylvan Lane, Woodchester Drive, and Radcliffe Road as specified in work order 1383949 and following conditions as set for by the Department of Public Works. The motion was seconded by Mr. Boshart. ***Roll call vote:*** Mr. Boshart, Mr. Houston and Ms. Bent voted in the affirmative. ***Approved unanimously.***

**Mr. Boshart left the meeting at this point.**

### **Resident Comments**

Kate McGovern, Love Lane, thanked Mr. Houston for sending out the traffic survey, and asked what the next steps are. Mr. Houston said the intention is to present the results at the next Select Board meeting and at the Traffic & Sidewalk meeting on June 16, 2021.

### **Water Tank Study Working Group Charge**

Mr. Gaumont said he had distributed thoughts on creating a Water Storage Preliminary Planning Group in response to the Board’s wish to look at this issue in collaboration with other departments, land use boards, staff, the public, and consultants. He recommends there be an internal planning group including: a Select Board representative, Planning Board representative, Conservation Commission representative, the Town Manager, the DPW Director and/or designee, Land Use Coordinator John Field, Conservation Administrator Jordan McCarron, Town Planner Imai Aiu.

The charge would be to review the initial findings along with consultants, and recommend a course of action to the Select Board.

Ms. Bent supported the idea and volunteered to be the Select Board representative.

Mr. Houston said it's important that participants need to have a spirit of solving the problem.

Ms. Bent asked for a timeframe. Mr. Gaumont said he expects the committee to be active for only a few months.

### **Gun Club Lane Parking Proposal**

Mr. Gaumont said he has not received any response from Traffic & Sidewalk, so he does not see how formal action could be taken on this item at this meeting.

Ms. Bent asked for a more precise map or scheme for the next meeting.

Mr. Cullen said his understanding is that there is an updated map. His issue is having DPW install the signs – he needs to know the specific locations so he can do it if approved by the Board.

Ms. Bent said she doesn't have a problem with the proposal but wants to hear from Traffic & Sidewalk.

There was a discussion of how to proceed, and it was decided to consider this issue at the next meeting.

Kristin Barbieri, 23 Stony Brook Road and member of Weston Forest & Trails said the residents created the map and Weston Forest & Trails approves of the map.

### **Use of Parkland and Town Green Policy Update**

Mr. Houston reminded the Board that the policy needs to be reviewed.

Ms. Gaumont said there are various aspects of the Town Center Project that need to be incorporated and wanted the Board to be aware of this.

### **Roadway Moratorium Fee Schedule Proposal**

Mr. Houston said that an emergency roadway trenching situation had come up and if this issue had already been decided there would have been a \$15,000 fee involved. He said there had been discussion about whether a real emergency situation should be charged such a fee. Mr. Houston talked about what might and might not be an emergency for consideration under this proposal.

Ms. Bent said she is sympathetic to waiving the fee for a real emergency. Mr. Houston will work out a policy about this to propose to the Board.

### **Summer Hours**

**MOTION:** Mr. Houston moved to establish Summer Hours at Town Hall from June 14 to September 3 as follows: Monday through Thursday 8am-5pm and Friday 8am-1:30pm. The motion was seconded by Ms. Bent. **Roll call vote:** Mr. Houston and Ms. Bent voted in the affirmative. **Approved unanimously.**

### **Consent Agenda**

**MOTION:** Mr. Houston moved the consent agenda as follows:

Approve a request from the Council on Aging to accept a gift donation of \$50

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

### **Adjournment**

**MOTION:** Mr. Houston moved to adjourn the meeting. The motion was seconded by Ms. Bent. **Roll call vote:** Mr. Houston and Ms. Bent voted in the affirmative. **Approved unanimously.** The meeting adjourned at 7:18pm.

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Harvey Boshart  
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*