BOARD OF SELECTMEN

Natick Town Hall

April 7, 2014

6:30 p.m.

The meeting was called to order by the Chair Joshua Ostroff at 6:30 p.m.

PRESENT: Joshua Ostroff, Charles M. Hughes, Nicholas S. Mabardy, Richard P. Jennett, Jr., John J. Connolly

ALSO PRESENT: Martha L. White, Town Administrator; Donna Challis, Executive Assistant

WARRANTS: Payroll warrants were signed by the Board of Selectmen on April 7, 2014 in the amount of $1,071,237.19. This figure was included in total warrants signed by the Board of Selectmen of $4,509,310.99.

EXECUTIVE SESSION

Mr. Hughes, seconded by Mr. Jennett, moved to enter into executive session to discuss matters pertaining to real property negotiations, and executive session minutes. By roll call vote the Board unanimously voted to enter into executive session and at 6:30 p.m. the Board entered into executive session after announcing that the meeting would return to open session. The Chair further announced that discussion of the litigation in open session would have a detrimental effect on the Board of Selectmen's negotiating position.

The open session was reconvened at 7:00 p.m.

ANNOUNCEMENTS

1. *Unable to attend the reorganization meeting, Mr. Hughes thanked his fellow Board members for their support in electing him as Vice-Chair*

CONFIRMATION OF DPW DIRECTOR: DONALD OUELLETTE

Ms. White introduced Donald Ouellette as her appointee as DPW Director. Mr. Ouellette came with 30 years of experience in DPW management including most recently as the DPW Director in Wayland. He was also a professional engineer. Mr. Ouellette was scheduled to start in Natick on May 1.

On a motion by Mr. Hughes, seconded by Mr. Jennett, the Board unanimously voted to affirm the Town Administrator's appointment of Mr. Ouellette.

Speaking to the motion, Mr. Mabardy expressed disappointment in the manner in which the interview process was handled. He didn't believe anyone from the DPW was involved or even consulted.

Mr. Mabardy wanted to see a resume and stated that in the future he would like to get something prior to coming to the Board of Selectmen meeting to confirm an appointment.

Ms. White explained that under the Charter and By-laws this was a Town Administrator appointment. The Town Administrator makes the appointment and puts it to the Board of Selectmen. As to the DPW participation, she was disappointed that complaint was brought to a Board member. It was not her practice to have individuals participate in the selection of someone who was going to be their boss. That opinion was shared by the Personnel Director.

Mr. Mabardy understood that Ms. White made the appointment but according to the Charter the Board of Selectmen had 15 days to approve or disapprove and to do that he needed more than a letter saying this individual has been appointed and will be confirmed on such a date. Ms. White pointed out that a resume was included in the packet, and tonight was within the 15 days.

Mr. Ostroff thought Board members had every opportunity to reach out to the Town Administrator with any concerns – either a telephone call or a drop in would be appropriate vs raising it in a meeting.

Mr. Jennett commented that he reviewed the resume and found Mr. Ouellette's experience to be extensive with the technical background and expertise. He welcomed Mr. Ouellette to Natick and wished him the best working with a tremendous staff.

Mr. Connolly inquired if anyone from the DPW was interested in the position. Ms. White's response was "no".

Noting the distance of his residence from Natick, Mr. Connolly asked if Mr. Ouellette would be taking a vehicle from Natick home every day. Ms. White advised that he would. The position has historically had a vehicle. She added that the Town may look into getting some grant money for another hybrid.

Mr. Ouellette told the Board that he looked forward to the opportunity. Everything he has heard about the staff has been outstanding. He noted that he got a lot of things done and he would do the same in Natick. He managed by objectives and looked forward to getting goals & objectives from the Board of Selectmen and Town Administrator so he could put together a comprehensive program to move Natick forward.

Document – Memo from Town Administrator Martha White; Donald Ouellette's resume

TOWN CLERK
Ms. White congratulated Diane Packer who recently received the certified Mass Municipal Town Clerk designation.

DANIEL SPURLING: REQUEST FOR ONE DAY ENTERTAINMENT LICENSE
Before the Board was a request for a one day entertainment license for a fund raiser to benefit Scott Spurling, a Town employee who was seriously injured in an accident where another employee lost his life. The fund raiser was being held at the Natick Elks on April 19, 2014 from 6:00 p.m.-midnight.

Mr. Connolly disclosed that he was a friend of the father Mr. Spurling and of Scott and had a working relationship with Daniel Spurling.

A motion was made by Mr. Hughes to grant the one day entertainment license conditioned upon compliance with the recommendations of Lt. Brian Lauzon to hire one detail officer. The motion included a waiver of the fee. Seconded by Mr. Jennett and unanimously voted.

Document – Application from Arthur Hurst, Manager of the Natick Elks; email from Lt. Brian Lauzon

WHAT'S NEW: COMMUNITY SERVICES DEPARTMENT PARTNERSHIP WITH MASS BAY COMMUNITY COLLEGE
Ms. White explained that What's New would be a recurring item on each agenda to highlight one of the innovative programs going on in the Town.

Community Services Director Jemma Lambert spoke about the Town's partnership with Mass Bay Community College whereby full and non-credit college courses were being offered at the Community Senior Center. One full credit course was being offered this semester and the plan was to continue.

To the best of Ms. White's knowledge this was a first to partner with a college and offer classes in the Town.

CHRIS GLOVER: REQUEST ABATEMENT OF WATER & SEWER BILL
Sylvester Road resident Chris Glover requested an abatement of his higher than usual water bill. He explained he had an irrigation system in the backyard and last summer had a constant water bill that increased three fold this summer. A leak in the system was discovered and in the spring and summer he would have to have someone dig it up to find out the exact location. Having to pay three times the amount was a financial hardship on his family and he was requesting an abatement.

Deputy Town Administrator for Operations William Chenard advised that this was an irrigation meter with no sewer charge.

Mr. Hughes noted that in the past the Town has picked these things up, but Mr. Chenard pointed out that it happened in a very short period of time.

Mr. Ostroff explained the Board's position on the abatement of bills when the water was used. He then inquired as to what the difference would be between the irrigation rate and the water only rate. Mr. Hughes also wanted to see the difference and the Board agreed to table to the next meeting.

Mr. Connolly suggested that Mr. Glover double check to make sure the irrigation system was shut off.

Document – Letter from Chris Glover; the history of water bills at this location; Mr. Chenard's finding and letter

DAVID SOUSA: REQUEST ABATEMENT OF WATER & SEWER BILL
David Sousa told the Board he received an unusually high water & sewer bill in November, sent a letter, but never received a reply. The bill showed a water usage of 42 units of water which was 10 times the water used for the period of time in which they lived in the house.

They (the Sousa's) haven't had a contractor or any other work done in the house and if it were a case of a leaky toilet the reading would have continued to be high. His wife was a school teacher and in the summer she spent a lot of time on the Cap so it was a little odd the bill would jump in August. The subsequent water bill looks normal to what they generally paid.

Mr. Sousa didn't know what contributed to the high reading – if it was inside or outside, but suggested there may be a problem with the equipment.

Mr. Connolly noted that was usually the time when people watered their lawn or did lawn maintenance, but Mr. Sousa said that was not the case. He did most of his lawn watering in June and July when the lawn looked good and in August when it was burned out anyway he stopped.

Mr. Connolly inquired as to the reason for the delay in getting back to Mr. Sousa. Mr. Sousa responded that the answer he got was that there was a turnover in personnel which he understood but when sitting on a $600 plus water bill, he would like to get it resolved.

Ms. White added that it was during the transition period of the Deputy Town Administrator.

Mr. Chenard believed the Town was supposed to respond to a request within 90 days, but for a normal abatement request he was now responding within 30 days.

Mr. Connolly asked about the interest and Deputy Town Administrator for Finance Jeffrey Towne advised that was up to the Board. The Board could abatement the interest. If the delay was from the Town, the taxpayer shouldn't be hurt.

Mr. Sousa noted that in the grand scheme he wasn't real concerned with the interest.

Mr. Ostroff pointed out that in the billing history there was the same type of aberration in December 2011 when the Sousa's weren't living in the house. Mr. Sousa explained that their house was purchased and flipped and during that time there could have been construction, but he couldn't speak to anything before December 2012.

Asked if the Water Department did an investigation, Mr. Chenard responded that they did and there wasn't an explanation. He asked the Water Department to look at the meters to make sure there were no anomalies and in this case no equipment error was seen.

A motion was made by Mr. Hughes to waive the penalties incurred on the Sousa's water & sewer bill dated November 20, 2013. The vote was taken on a motion by Mr. Hughes, seconded by Mr. Jennett.

Document – Letter from David Souza dated November 21, 2013; history of water & sewer billing; copy of letter to Mr. Souza from William Chenard

PUBLIC HEARING: CHANGE OF STREET ADDRESS: 71 1/2 Pond Street
On a motion by Mr. Hughes, seconded by Mr. Jennett, the Board unanimously voted to open the public hearing.

The Board was in receipt of a recommendation to schedule a public hearing from the Safety Committee.

Glen Opela told the Board that the tax records for his property was 71 1/2 Pond Street, but for mailing purposes the address was 73R. His immediate next door neighbor was the reverse. There was considerable confusion.

Mr. Hughes questioned if changing Mr. Opela's address would create the same confusion with the neighbor. Mr. Opela would have a mailing address of 73R and the neighbor's tax records would be 73R. There would be two pieces of property with the same address.
Mr. Opela responded that that was what currently existed.

Mr. Hughes asked if Mr. Opela had talked to the other property owner and would they be inclined to change. Mr. Opela believed his neighbor would.

Mr. Jennett suggested tabling until the tax records could be checked to clarify what should be what.

The Board continued the hearing while Mr. Chenard went to check the records.

When Mr. Chenard returned he noted that he looked at the Assessors records and there were three parcels. It was still unclear as to whether a change of Mr. Opela's address to 73R would affect his neighbor and Mr. Ostroff suggested continuing the hearing.

A motion was made by Mr. Hughes, seconded by Mr. Connolly, to continue the public hearing to April 22. Unanimously voted.

Document – Hearing notice; email from Glen Opela; Safety Committee recommendation

APPLICATION TO TRANSFER CLASS III LICENSE FROM SANSOSSIO TO INTERNATIONAL AUTO WORKS, INC. D/B/A JOEY'S AUTO BODY
Representing Joey's Auto Body was the owner Joseph Gagliardi.

Mr. Connolly disclosed that Mr. Gagliardi was a friend of his and his property abuts where Mr. Connolly rented.

A motion was made by Mr. Jennett to approve the transfer of the Class III license held by Sansossio to International Auto Works, Inc. d/b/a Joey's Auto Body. Seconded by Mr. Mabardy and unanimously voted.

Document – Application filed by Joey's Auto Body; return of the Class III license issued to Sansossio

APPLICATION FOR CLASS II LICENSE: J&T AUTOMOTIVE
Appearing before the Board was the owner of J&T Automotive Justin Hansen and his father, the owner of the property Steven Hansen.

Steven Hansen noted there had been a Class II license at the 10 Cochituate Street premises in the past and his son was looking to renew it.

Ms. Challis noted that the license had been given up a few years ago, but the same restriction of limiting it to four cars on the premises that was imposed by the ZBA would remain.

Mr. Ostroff inquired if there was any intent to try to change that restriction, Justin Hansen responded, "no".

On a motion by Mr. Jennett, seconded by Mr. Connolly, the Board unanimously voted to grant J&H Automotive, LLC a Class II license for premises at 10 Cochituate Street with the restriction limiting the number of cars on the premises to four.

Document – Application filed by J&H Automotive

DEP WATER PERMIT REGULATIONS
Deputy Town Administrator for Operations William Chenard introduced Jennifer Pederson of the Massachusetts Water Works Association who highlighted the draft regulations under the Water Management Act in a power point presentation.

Mr. Chenard noted that these new regulations would affect the Town's water permit. They went to the Secretary's office 10 days ago and were due out any day. Once out, there would be a 60 day comment period. Natick has appealed the prior permit.

Mr. Hughes inquired as to what these new regulations would do to the permit being appealed, but Mr. Chenard was not sure. Everything has been forwarded to the attorney. All the appeals were put on hold pending these new regulations coming out.

Ms. Pederson offered her sympathy for the loss of Michael McDaniel, Jr. and hoped Scott Spurling was make a good recovery.

Ms. Pederson began her presentation by giving a brief synopsis of the MWWA's (Mass Water Works Association) function. The MWWA was a non-profit membership organization representing the public water supply profession with

more than 1,100 members throughout the Commonwealth. They provide educational opportunities for licensed water operators and engage in advocacy on behalf of the profession.

She noted that the Water Management Act was passed in 1986. A policy was introduced in 2004 that introduced a baseline and conservation standards. A Blue Ribbon Panel was convened. In October 2009 the Executive Office of Energy & Environmental Affairs launched a sustainable Water Management Initiative.

The policy outcome included a safe yield environmental protection factor, streamflow criteria, a baseline 5% allowance, minimization, and offsets and mitigation.

Ms. Pederson reviewed Natick's situation. Natick was in the Concord Basin and the Charles Basin.

In the Concord basin the registered volume was 4.1 MGD and the baseline was 4.1 MGD. In the Charles basin the registered volume was .22 MGD, permitted volume 1.31 MG for a total authorized volume of 1.53 MGD. The baseline was 1.19 MGD. That gave a total authorized withdrawal of 5.63 MGD and a total baseline of 4.32 MGD. The total system use in 2011 was 3.23 MGD. The groundwater withdrawal category was 4 and the biological category was 5.

Groundwater systems in subbasins with August net groundwater depletion >25% must develop and implement a plan to minimize existing impacts. That includes desktop optimization, water releases and returns, and additional conservation measures. All Water permit holders in coldwater fish resource designated subbasins must submit plan to minimize impacts on the CFR using desktop optimization.

Offsets and mitigation may be required based on the amount of water a system was requesting above the baseline and the impact it will have on flow or biological condition. The system will have to develop and implement a plan to offset additional withdrawal based on suggested measures or in consultation with the agencies. Credit will be based on the quantification of gallons restored to the basin and the location of the mitigation.

Ms. Pederson noted that the guidelines seem to suggest that DEP considers up to 2% annual rate increases for offsets/mitigation to be affordable. In Natick a 2% increase was $60,802 annually or $1,216,036 over 20 years. A 2% sewer rate increase was $146,694 annually and $2,933,888 over 20 years. This was strictly funding for mitigation, not for infrastructure or other budgetary needs.

Ms. Pederson identified the concerns with the draft regulations: The supporting science was not compelling and relied on modeled results vs site specific conditions. There was also significant uncertainty in the permitting track, the complexity of submittals, regulatory staffing limitations and compliance costs. If the cost feasibility was commensurate with the impact was undefined.

Mr. Connolly inquired as to why Ms. Pederson was bringing this forward rather than DEP and she explained that her organization was trying to get ahead of the curve. There will be a 60 day comment period and public hearings but the MWWA tried to be a primer for municipal officials that this was coming down the road.

Mr. Hughes inquired as to how much or less these regulations would be than the permit the Town was appealing. Mr. Chenard noted that a lot of the restrictions were the same. What scared him was that the Town mixed registered wells and permitted wells and it will change how future development in the Town was planned. This did not apply to the Quabbin Reservoir where the MWRA got its water.

Ms. Pederson added that this was an unfunded mandate that would impact rates. The public hearings were May 1 and May 5 and she encouraged representatives of the Town to go and hear the DEP's presentation and to provide comments.

Mr. Ostroff asked if Representative Dykama(?) had been contacted and Ms. Pederson said "yes".

Asked by Mr. Mabardy if she foresaw a substantial rate increase, Ms. Pederson responded that based on the numbers in the spreadsheet just to get to the permit could be a large jump and then to get to the level of swimming would be over that.

As to the right of appeal, Ms. Pederson advised that the right to appeal the permit was within 21 days of issuance. She again urged the Town to comment during the comment period and make sure the Town's legislators were aware of this. The regulations were projected to be final by the end of the year.

Ms. White emphasized that this was a very important issue. She has been in touch with the legislators and Mr. Chenard has spoken to the MMA liaison. Part of the concern was that it didn't affect every community and the larger MWRA cities were not affected and thus the political strength was not on the side of the relatively small communities.

Mr. Ostroff assured everyone that the Town and Board would be monitoring.

SUPERINTENDENT OF SCHOOLS: KENNEDY MIDDLE SCHOOL MSBA STATEMENT
Director of Fiscal Affairs for the Natick Public Schools William Hurley appeared before the Board to request support to allow the Superintendent to submit a statement of interest for the Kennedy Middle School.

In the Board's packet was the wording required by the Mass School Building Association. Mr. Hurley noted that the Board approved the same submission a year ago but the MSBA did not approve the project at that time. The School Committee has voted to resubmit.

Mr. Ostroff inquired as to the timing and was told by Mr. Hurley that a response was expected some time in the late fall of 2014.

Mr. Hughes commented that the statement to be submitted referred to renovations or new build, but he has never seen a determination come out to renovate. It was always new.

Mr. Hurley acknowledged that the School administration's preferred choice was a new school. An occupied renovation was an elongated project and the administration's feeling was that a new Kennedy Middle School would be the choice. They wanted to get into the MSBA queue for their grant program. The high school was 53% reimbursement and Mr. Hurley expected Kennedy to be the same.

Two motions were put on the floor. Mr. Hughes moved to approve the form of the motion provided. Seconded by Mr. Jennett and after some discussion passed on a 3-2-0 vote. Mr. Ostroff, Mr. Hughes, Mr. Jennett voted in favor of the motion. Mr. Mabardy and Mr. Connolly were opposed.

The formal statement was as follows: Having convened in an open meeting on April 7, 2014, the Board of Selectmen of the Town of Natick, in accordance with its charter, by-laws, and ordinances, has voted to authorize the Superintendent of Schools to submit to the Massachusetts School Building Authority the Statement of Interest Form that will be submitted to the MSBA by no later than April 14, 2014 for consideration in FY2014 for the Kennedy Middle School located at 165 Mill Street, Natick, MA. which describes and explains the following deficiencies and the priority category(s) for which an application may be submitted to the Massachusetts School Building Authority in the future; priority # 2, elimination of existing severe overcrowding; priority # 4, prevention of severe overcrowding expected to result from increased enrollment; priority # 5, replacement, renovation or modernization of school facility systems, such as roofs, windows, boilers, heating and ventilation systems, to increase energy conservation and decrease energy related costs in a school facility and priority # 7, replacement of or addition to obsolete buildings in order to provide for a full range of programs consistent with state and local requirements; and hereby further specifically acknowledges that by submitting this Statement of Interest Form, the Massachusetts School Building Authority in no way guarantees the acceptance or the approval of an application, the awarding of a grant or any other funding commitment from the Massachusetts School Building Authority, or commits the Town of Natick to filing an application for funding with the Massachusetts School Building Authority.

The other motion was made by Mr. Connolly and seconded by Mr. Mabardy to not support a submission to the MSBA for the Kennedy Middle School. The motion failed on a 2-3-0 vote. Mr. Mabardy and Mr. Connolly voted in favor of the motion. Mr. Ostroff, Mr. Hughes, Mr. Jennett were opposed.

Speaking to his motion, to Mr. Connolly it sounded like this was coming and the citizens couldn't afford what's coming now. By supporting this, he would be supporting the override debt exclusion and he will say from the get go.

Mr. Mabardy perceived an override in the future and questioned if the community could absorb another override. He would like to support this, but couldn't knowing what the future brings for the taxpayer.

Mr. Mabardy inquired if Kennedy Middle School had received any recent improvements. Mr. Hurley's reply was, "no", noting that modular classrooms were there and there were a number of projects in the pipeline.

Mr. Jennett commented on the timing of the process. An answer wouldn't be received until the fall and the tax impact most likely wouldn't be until two plus years. Mr. Hurley thought it would most likely be even longer.

Document – Copy of vote as required by MSBA

PROCUREMENT OFFICER

a. Town Forest Roof Recoating Contract

Procurement Officer Peter Roche requested the Board's award of the contract for the Town Forest roof recoating project to the low bidder, DN Tanks of Wakefield in the amount of $169,900. The Town's consulting engineer was familiar with the company and believed they were competent to handle this job. This was well below the Town Meeting appropriation.

Mr. Connolly questioned if this was required, and DPW Water & Sewer Supervisor Anthony Comeau advised that it wasn't legally required but it would prevent deterioration.

Asked when the last time this was done, Mr. Comeau's reply was never. This was the original roof from 1969.

A motion was made by Mr. Hughes to award the contract for the Town Forest roof recoating to the low bidder in the amount of $169,900. Seconded by Mr. Jennett. The motion passed on a 3-1-1 vote. Mr. Ostroff, Mr. Hughes, Mr. Jennett voted in favor of the motion. Mr. Connolly was opposed and Mr. Mabardy abstained.

Mr. Connolly moved to decline the project. Seconded by Mr. Mabardy. No vote was taken as the motion for approved passed.

In discussion of the motions, Ms. White commented that she lived in Milford where the private water company did not adequately maintain the roof and there were residents that had a seven week water ban due to improper maintenance. She urged the Board to consider awarding this contract.

Mr. Connolly perceived Ms. White's comments to be a scare tactic, but Ms. White assured him that it was not. Properly maintaining the water system was important to insure residents were afforded safe drinking water and she had personal experience of a community that didn't.

Mr. Connolly countered that that was implying that if the roof wasn't done there would be uncertainty with the water.

Mr. Jennett noted that one of the Board's responsibilities was to provide safe water. Money was charged to the users that went into an enterprise fund to maintain the water. The Board and the citizens have to count on the individuals running and maintaining the water system. This was preventative maintenance that needs to be done at the staff's recommendation. The money was coming from the Water & Sewer funds and the citizens were paying to maintain a quality water system.

Mr. Connolly used the example of 85 year old Mrs. Smith who was running the risk of being priced out of the community. The Kennedy Middle School was 2-3 years out and it would impact a lot of people. He wasn't saying he wanted sickly water, but if he could save a dime to keep Mrs. Smith here, he was going to do it.

Document – Memo from Procurement Officer Peter Roche

b. Environmental Monitoring Contract

The Board was being asked to award a three year contract for environmental monitoring to Fay, Spofford & Thorndike for $104,996.00.

Mr. Ostroff inquired if the monitoring was mandated and Environmental Compliance Officer Robert Bois responded that it was – three sites were DEP, one local Conservation Commission order, and about 24% was for compliance of the Sherborn order on the golf course. He noted there have been some successful discussions with Sherborn and a sampling has not been taken for

the last two years.

Mr. Mabardy inquired if periodic reports were provided and Mr. Bois advised they were and he got a copy. It has been the status quo for the landfill for as long as he has been here, but the Town was still required to monitor.

Mr. Connolly asked about using money from the Community Senior construction. Ms. White advised there was some money left from the project but it was part of the excluded debt. If that money was used it would be an additional tax burden. The preference was to pay for it out of the levy.

A motion was made by Mr. Hughes to award a three year contract for environmental monitoring to Fay, Spofford & Thorndike in the amount of $104,996.00.

Document – Memo from Procurement Officer Peter Roche

c. Modification of 25% BETA Contract
Mr. Ostroff reported that last Thursday the Conservation Commission voted to amend the contract with BETA to do some design work for a bridge crossing at Route 30. Mass DOT favored a bridge at this intersection for the rail trail. From a safety perspective, the grade should be separate.

Through the use of mitigation funds the Town would do a study. The proposal was to amend the contract in an amount not to exceed $60,000. Mr. Ostroff reiterated that it was not taxpayer funds. It was money from General Growth. Should the contract amendment be approved, approximately $60,000 would remain in that account.

The 25% design for the rail trail would be submitted to April, May to Mass DOT and he expected to have a public hearing on it sometime this summer where members of the public would see the design.

The Board unanimously voted to amend the contract with BETA in an amount not to exceed $60,000.00. The vote was taken on a motion by Mr. Jennett, seconded by Mr. Hughes.

Document – Memo from Joshua Ostroff; copy of BETA contract for CRT design work; copy of amendment to contract

<u>INTERVIEWS FOR APPOINTMENT TO THE FIRE CHIEF SCREENING COMMITTEE</u>
Mr. Connolly stated that he would like to move to hold off on the assessment center and offer the job to Rick White.

Mr. Ostroff explained that the Board didn't have the latitude to do that. The incumbent chief could apply, but there was a process the Board had to go through.

As Mr. Connolly read the bylaw in section A it said the Board of Selectmen may institute which meant it didn't have to be done. Mr. Ostroff pointed out that before that section it said within one year of the time and it went on to say within six months it shall. There was latitude to start the selection process early, but the Board didn't have the latitude of whether to go through the process. In this case Mr. Connolly's motion would be against the bylaw.

Mr. Connolly reiterated his motion, but Mr. Ostroff thought the first motion would have to be to reconsider the establishment of a Screening Committee.

Mr. Connolly then moved to offer the job of Fire Chief to the interim Chief Richard White. Seconded by Mr. Mabardy and after some discussion the motion failed on a 2-3-0 vote. Mr. Mabardy and Mr. Connolly voted in favor of the motion. Mr. Ostroff, Mr. Hughes, Mr. Jennett were opposed.

Speaking to his motion, Mr. Connolly felt that Civil Service was out and there was no one to sue the Town. There have been some uneasy situations at the Fire station and Chief White stepped up. He (Interim Chief White) earned the position and deserved it and the Town can hit the ground running tomorrow with a new chief.

Mr. Mabardy agreed that if the Board appointed Interim Chief White there would be no need of a screening committee, but the bylaw would be used to go through the process of doing the screening. Interim Chief White could give the Board an idea of how long he would stay if appointed as Chief and that gave time to go through a process and hire his replacement.

Mr. Ostroff confirmed that Interim Chief White would remain the Interim Chief until an appointment was made. He also reminded the Board that there was an unanimous vote to establish the screening committee and he intended to proceed down that path because that was what Town Meeting had voted it had nothing to do with respect for Rick White.

a. Larry Forshner

Mr. Forshner told the Board he was a lifelong resident of Natick and his interest came from his background. He devoted a lot of his working career toward fire prevention and safety. The Town had a great group of firefighters with great equipment, but a modern 21st century Fire Department needs to look at fire prevention. He would look for a candidate with a passion and energy for fire prevention and someone who would create that culture in the department.

This was an aging population and an aging housing stock and he would like to see more education and a focus on where people were most likely to die as the result of a fire.

Mr. Ostroff inquired if he had any experience in hiring a candidate at this level and Mr. Forshner responded that he was a general foreman and owned his own business for 15 years. He hired electricians and foremen.

b. Carol Gloff

Carol Gloff stated that she decided to apply because it was important for the Town to move forward with the position of Fire Chief. Until recently she served on the Board during those years interacted with five different Fire Chiefs. This was a critical department for the Town in that they provide not only fire service but emergency medical services and fire prevention.

As to her background before serving 9 years on the Board of Selectmen, she was on the Finance Committee for 8 and she had experience hiring people for the Town as well as in business.

Mr. Mabardy noted that Ms. Gloff was involved in the hiring of the last three chiefs, but Ms. Gloff corrected that to two. Chief Brien was already chief when she joined the Board.

Mr. Ostroff inquired if she approached this opportunity with a bias for or against any candidate or could she provide a list of candidates on an objective evaluation.

Ms. Gloff responded that absolutely she could evaluate candidates objectively and fairly and had no conflict with anyone. She thought Interim Chief White has done a good job if he chose to apply, he would get a fair evaluation from her.

Mr. Forshner stated that he had no bias.

By paper ballot, Carol Gloff received 3 votes and was selected as the citizen -at-large member of the Fire Screening Committee.
Mr. Ostroff voted for Ms. Gloff
Mr. Hughes voted for Ms. Gloff
Mr. Mabardy voted for Mr. Forshner
Mr. Jennett voted for Ms. Gloff
Mr. Connolly voted for Mr. Forshner

On a motion by Mr. Ostroff, seconded by Mr. Mabardy, the Board unanimously voted to appoint Ms. Gloff as Chair Pro Tem to arrange the first meeting.

c. Confirmation of Appointments by the Other Appointing Individuals or Boards

Mr. Jennett, seconded by Mr. Hughes moved to confirm the following appointments:

Susan Salamoff as the Personnel Board representative
Thomas Campbell as the School Committee representative
Patrick Hayes as the Finance Committee representative
Police Chief James Hicks
Tass Filledes as the Moderator's appointee

Unanimously voted.

It was noted that the Town Administrator would name an out-of-town Fire Chief to the committee. Ms. White advised that she had an excellent candidate who expressed an interest and was close to identifying the out-of-town Fire Chief.

Also still to be named was the representative from the Fire Department. Mr. Mabardy pointed out that going back to his point about the DPW Director, there would be somebody from the department involved in the selection and the same thing happened when the Police Chief was selected.

For the next meeting the Board requested a timeline for the appointment process.

Following a five minute recess, the Board meeting was reconvened at 9:30 p.m.

SPRING ANNUAL TOWN MEETING WARRANT ARTICLES:
Article 19 – Fiscal 2014 Omnibus Budget
Deputy Town Administrator for Finance Jeffrey Towne explained that Article 19 was to tie up any loose ends of the current fiscal year.

The recommendation was to reduce the sum of $109,000 from the following appropriations voted at the 2013 Spring Annual Town Meeting:

Board of Selectmen, Expenses	($44,000)
Shared Expenses	($65,000)

And to appropriate the additional sum of $109,000 to the appropriation voted at the 2013 Spring Annual Town Meeting:

Board of Selectmen, Salaries	$44,000
Finance Expenses	$45,000
Finance Salaries	$20,000

Mr. Hughes asked if the reduction in the Tier III safety net in health insurance shown as shared expenses was based on historic use. Mr. Towne's reply was, "yes".

Mr. Jennett moved to recommend favorable action of Article 19 in the amount of $109,000. Seconded by Mr. Hughes. The motion passed on a 4-1-0 vote. Mr. Ostroff, Mr. Hughes, Mr. Mabardy, Mr. Jennett voted in favor of the motion. Mr. Connolly was opposed.

Document – Copy of the Finance Committee motion

Article 23 – Fiscal 2015 Omnibus Budget
Mr. Towne pointed out a difference in the total number between $134,909,781 (if you add all the sections together) and the actual total of $132,668,294 and explained that when the Finance Committee voted the individual sections without a grand total he included the indirect costs for Water & Sewer. However, those weren't appropriated and shouldn't have been included in the total. The Finance Committee voted every item separately correctly but the lump sum was incorrect.

A motion was made by Mr. Jennett, seconded by Mr. Hughes, to recommend favorable action of Article 23 in the amount of $132,668,294. The motion passed on a 4-1-0 vote. Mr. Ostroff, Mr. Hughes, Mr. Mabardy, Mr. Jennett voted in favor of the motion. Mr. Connolly was opposed.

Document – Copy of the Finance Committee motion

Article 40 – Amend Zoning By-Law: Change Classification from I to RG: Pleasant Street
Speaking on behalf of the article was the proponent James Williamson.

Mr. Williamson referred to a map showing the site and noted the intent was to rezone a parcel of I-1 to RG. Assisted living was not permitted in I-1, but it was in RG. He said he met with the Planning Board and hey appropriated a working group to determine the appropriate zone and they determined the appropriate zone would be RG.

Mr. Williamson advised that his company had looked long and hard for a site in South Natick for an assisted living facility and thought this was a great site. It has the river, the ballfields, was close to a Fire station with paramedics, the hospital, and the new Community Senior Center. They tried to find a place that didn't have an impact on residential property.

Mr. Williamson continued that a couple of issues have come up that Barberry Homes could take care of once they owned the property. There was some concern the Town didn't have the right to use the entrance roads to the Little League property and Barberry would give those rights to the Town when the property was acquired. There was also an agreement with the abutters that there will be nothing north of the entrance. Very likely this would be developed as duplex zoning.

Mr. Jennett inquired as to the distance from the abutters on Phillips and was told by Mr. Williamson that it exceeds 150 feet and the house wasn't on the back property line. He wouldn't say it won't impact the neighbors but it was difficult to find another site in Natick that would have less impact than this site. This basically conformed to the assisted living bylaw.

In follow up Mr. Jennett asked if Mr. Williamson had reached out to abutters and he responded that there was a community meeting, the Planning Board hearing was well attended, and he has heard the issues. He has called a number of the abutters, but the only one to get in touch with him was Mr. Newton.

Mr. Williamson added that he has gone on record and provided Mr. Newton a letter saying there will be no development between his property and the access road. That was said publicly at both the Planning Board and Finance Committee hearings.

Mr. Connolly inquired if the ballfield would be compromised in any form. Mr. Williamson responded they viewed it as an amenity that the residents would enjoy watching.

Mr. Mabardy asked about the parking and Mr. Williamson delineated the area on the document.

Mr. Mabardy believed there were some concerns with the canal and easement, but the only concern Mr. Williamson was aware of with the canal was an easement that permitted canoeing. That easement has been extinguished by Land Court.

Mr. Mabardy then asked if Mr. Williamson could guarantee the recreation land would still have the same access. Mr. Williamson's reply was, "yes".

Mr. Mabardy commented that he wasn't sure this article had been adequately vetted.
Mr. Ostroff noted receipt of a position statement from the South Natick Neighborhood Association which was ready into the record:

SOUTH NATICK NEIGHBORHOOD ASSOCIATION

<u>0ur Position</u>
The members of the South Natick Neighborhood Association (SNNA), including direct and indirect abutters to the Knott property being considered for development as an assisted living facility, are opposed to the proposed zoning change and recommend this article be referred back to the Planning Board or postponed indefinitely.

<u>Our Rationale</u>
This recommendation is not because we are anti-assisted living, anti-business, nor anti-development. Two of the abutters are entrepreneurs who own their own business and a third is a business professor, The current Industrial 1 zoning provides 21 different purposes that would be acceptable uses of the current property. Our concern is that a 40' assisted living facility plus HVAC will be too dense, too tall, emit too much light, and generate too much noise for this site. This development would irrevocably change the nature of the surrounding historic neighborhood. The current structure has existed since 1840; long before the abutters' homes were even built. Thus, we can continue to co-exist.

<u>Selected Questions & Concerns</u>
There are many adverse implications with this proposed development that we believe need to be addressed before changing the zoning. The following are some selected questions and concerns that need to be considered before granting a zoning change.

- *A portion of this property is included in a Natural Resource Protection Area. What are the implications of development in this area?*
- *Is the proposed use of this industrially-zoned, land consistent with how we are using such land throughout the Town? There has been no evidence that this has been considered.*
- *Does the use of selective zoning constitute spot zoning as this zoning change advantages only one developer? Is, that legal or desirable?*
- *The environmental clean-up will be significant and the possibility of stirring up the toxins that have been lying dormant for years and the toxins becoming airborne next to residential property and the baseball fields must be addressed:*
- *The current canal and the Town's easement rights may soon be eliminated due to a pending case by the current owner in Land Court.*

If the adverse possession claim is granted, to which there was no opposition, the new owner could fill in the canal to increase useable land for parking. However, the Conservation Commission describes a wetland as "ponds, streams, seasonal streams, seasonal pools of water and their banks..." Thus, there needs to be a determination as to whether or not this is wetlands. The canal is certainly not dry. It is quite wet and we can provide pictures.

- *Our understanding is that unless public access has been provided to the Town in writing by its current owner, then the Town may only have access to the baseball fields if granted by the new owner. Given the importance of these fields to the Town, access should be guaranteed. Further, the only access that the Town has abutting Mr. Newton's property is less than 15 feet in width; inadequate for an interior driveway to access off-street parking.*

We believe the facility will have other negative impact on Little League operations including encroachment on their parking; especially during the extensive environmental clean-up, construction and use. People will park there because it is there. In addition, it is unclear how the developer will have 62 parking spaces without it overflowing into the baseball parking. This is based on the allowance of 30 units per acre times 4.1 acres = 123 units and the further allowance of 0.5 parking spaces per unit equaling 62 parking spaces. Further, they may be allowed a ten foot buffer between the Town and their lot which would also come from the baseball parking lots.

- *The HVAC units atop the building will immeasurably add noise to the neighborhood. In addition, it is unclear if the Natick Little League will be able to use their public address system throughout their season as it may be disruptive to the assisted living residents.*
- *As an assisted living facility, there will be intrusive lighting all the time. The current lighting remains on and is already an annoyance to the Water Street abutters. Further, there is no available land on which to plant to mitigate this impact; especially given National Grid's easement.*
- *The proposed height will dwarf any and everything around the building. From Water Street, it will block out their sunshine completely. From Phillips Street, we will have people on floors two and three looking at us, and we at them.*
- *Has anyone explored whether the Hunnewell family would be willing to consider buying the land adjoining the baseball fields and donating it to the Town at its now-lowered price to turn it into park area with an excellent boating entrance to the Charles River? This is certainly a better, if not ideal use.*
- *For that matter, has the Town considered buying the land for use as a Town Depot for Public Works? That usage fits into the current zoning and would not require an environmental clean-up.*

Summary.
As can readily be seen, there are many questions and issues that need to be considered and answered. Thus, we believe it is premature at best to request this zoning change at the Spring Annual Town Meeting. Therefore, we recommend that this article either be referred back to the Planning Board or postponed indefinitely. The following neighbors from South Natick have signed this statement in support of this request.

Mr. Hughes requested that in the future nothing be read into the record that was anonymous. A resident in the audience presented the Board with a list of 84 names that signed the petition.

The resident drew to the Board's attention the fact there was no opportunity for public discussions of this zoning change. This was first made public at the Planning Board meeting of January 8. On February 2 mention was made of delaying the vote beyond Spring Town Meeting to allow for full consideration of possible consequences. On March 1 a hearing was held at which the common theme was to delay but the Planning Board voted to recommend the article. On March 13 opponents and proponents were heard from but no recommendation was made.

He asked for reasonable time and opportunity. The proposed assisted living will have a huge adverse impact on the abutters and a huge impact on the Eliot Historic District. The present zoning has been in place since 1931. Given the many unanswered questions raised in the last 90 days, he didn't see why the Town should be pressured into rushing into this. The Genie was still in the bottle and the abutters didn't see a reason to let it out. It was the developer, not the landowner going for this change. He asked the Board of

Selectmen to recommend against Article 40 and allow the public discussion process time to work.

Connie Dini of Phillips Road had a number of reasons for voting against the proposal: the road was an easement where no plantings were allowed, the size of the building will tower over single family residences with no way of mitigating, and the lighting on the building will be obtrusive.

Mr. Mabardy was of the opinion that more work needed to be done. There were concerns with preserving access.

Mr. Jennett too thought there were a lot of unanswered questions.

The Board did not vote on a recommendation.

Document – Copy of the article; petition from South Natick residents; FinCom questionnaire; Planning Board recommendation

Article 42 – Facilitate Historic Building Preservation in Natick Through Amending Zoning By-Laws
Randy Johnson, one of the sponsors of the article, advised that the Planning Board and Finance Committee voted referral of the article back to the sponsor.

He explained that the proposed by-law was narrow in focus and only applied to religious properties. It was being discussed now because the building around which this bylaw was designed, Sacred Heart Church, was not occupied and there was an economic urgency.

The goal of the sponsors was to go to Town Meeting with a proposed amendment to the initial article and request consideration.

Mr. Johnson distributed a copy of the proposed modification and explained the differences. The modification made the eligibility requirements encompass Sacred Heart Church and East Natick Church; it elaborated on the definition of religious use; simplified a summary of what would be possible on the site. He noted that the Planning Board did not considered the changed article.

Mr. Jennett inquired if the former Montrose School would fall under the article and Mr. Johnson believed it would.

Mr. Connolly disclosed that he worked for the Archdiocese of Boston who owned Sacred Heart Church.

On a motion by Mr. Hughes, seconded by Mr. Jennett, the Board unanimously voted to recommend referral to the Planning Board and proponents of the article.

Document – Copy of the article; FinCom questionnaire; Planning Board Recommendation; proposed modification of article

Article 43 – Amend Zoning By-laws: Change Classification from RG to RSA or RSC: Pleasant Street Area
The Board unanimously voted to recommend referral of Article 43 to the Planning Board. The vote was taken on a motion by Mr. Hughes, seconded by Mr. Jennett.

Document – Copy of the Article; Planning Board Recommendation

Article 44 – Smart Growth Overlay (SGO) District for West Natick
Appearing on behalf of the article was the sponsor George Richards.

The Finance Committee and Planning Board voted to refer the article to the Planning Board and sponsor. Mr. Richards stated that he represented the owners of a couple of parcels of land in this area and working with the Planning Board and the state there was an indication that maybe a 40R would be appropriate in this area. A 40R was dependent on proximity to public transportation and the State wanted to see 20% affordable housing.

When he approached the State and the Planning Board, there was a desire to look at a district vs a particular site which would be long-term planning for the next 5-20 years. Some of the concerns to be answered were how big, how dense, and should there be retail. The concept was to begin the process and begin the public vetting process to identify and focus on an area. Everybody who owned property in the proposed district was invited to a meeting. About 8-9 property owners came and he heard from a few others.

Mr. Richards continued that not everybody was in favor. People in the area to the north side of the railroad believed this would cause more traffic in their area. He would the discussion to continue to take place with the Board of Selectmen and would like there to be a representative (of the Board) at the Planning Board meeting.

Mr. Ostroff stated that he filed a form with the Town Clerk. One of the firms he works with was Smart Growth America. He didn't and his employer didn't have any financial interest in this but the potential was there.

It was Mr. Ostroff's understanding that Framingham was talking about what to do with their side of this area and he thought there was some potential for regional discussion.

Mr. Richards agreed, and noted that was brought up at the Planning Board meeting in the discussion.

Mr. Mabardy felt the concern was for how it would impact the schools. Kennedy Middle School had modular classrooms and the high school was now too small for the projected enrollment.

Mr. Richards acknowledged that was one of the concerns on the size of the district and his instinct told him the size would probably be cut back which will have less traffic and less impact on education. All of the impacts will need to be looked at.

A motion was made by Mr. Hughes to refer the article to the Planning Board and proponent. Seconded by Mr. Mabardy and unanimously voted.

Speaking to the motion, Mr. Connolly stated that he received a call from Alan Grady who represents the West Natick Association and Mr. Grady was concerned with traffic and the schools. Mr. Connolly questioned if people in Community Development went to the Schools or to the Police Chief to try to see the impact.

Mr. Ostroff assured him that Community Development did and they looked at other developments in Natick to get an idea as part of the Town's due diligence. He added that this was the beginning of a public process.

Ms. White advised that quite a few emails had been received expressing concerns about the proposal.

Mr. Richards noted that the Finance Committee said he potential was for 640 units, but that would only be if all the stars aligned perfectly. A number of these parcels would probably never be redeveloped. His estimation was a couple of hundred

Document – copy of the article; Planning Board recommendations; FinCom questionnaire

<u>DISTRIBUTION OF PAYT BAGS TO NATICK SERVICE COUNCIL</u>
Deputy Town Administrator for Operations William Chenard reported that after the last meeting he met with Town Counsel and there was no impediment to the Town providing pay-as-you-throw bags to the Natick Service Council. It was a service the Town could do itself and was simply using the Service Council. There was no cash. The Natick Service Council has agreed to the draft agreement in front of the Board.

Mr. Chenard reviewed the numbers and noted that the Memorandum of Agreement required quarterly reports. If 100% of what was recommended, the cost would be $1,110 to purchase plus the lost revenue of $7,062.50.

Mr. Hughes inquired as to how the Service Council was going to determine who was eligible and Mr. Chenard explained the Council had a specific process that included income numbers based on family size. For those who qualified, one bag per week, large or small, depending on the family size would be provided.

Mr. Ostroff pointed out this was a 12 month agreement and asked if it would be renewed. Mr. Chenard responded that typically it would come back to the Board annually. He reiterated that quarterly reports would be provided.

Document – Draft Memorandum of Understanding with the Natick Service Council

TOWN MEETING ARTICLES
Mr. Connolly wanted to change the amount in Article 1 (McDaniel family) from $100,000 to $150,000.

Mr. Ostroff advised that it couldn't be discussed because it wasn't on the agenda but the Town Administrator could speak to it under Town Administrator notes.

CSX RAILBANKING EXTENSION
Mr. Hughes moved approval of requesting a six month extension of the time period to negotiate with CSX for the rail trail property. Seconded by Mr. Jennett and unanimously voted.

Document – Draft letter prepared by the Town Administrator Martha White
DISBAND COMMUNITY SENIOR CENTER BUILDING COMMITTEE
Ms. White advised that other than a couple of remaining final items the work of the Community Senior Center Building Committee was complete and the recommendation was to disband the committee.

On a motion by Mr. Hughes, seconded by Mr. Jennett, the Board unanimously voted to disband the Community Senior Center Building Committee with thanks.

As Vice-Chair of the Building Committee, Mr. Jennett recognized that a number of people spent many hours, days, years to make the project as successful as it was. Mr. Ciccariello was the leader and there wasn't enough that could be said about him. Without Mr. Ciccariello's efforts Mr. Jennett didn't believe the Community Senior Center or the Town would be where it was.

Mr. Ostroff commended Mr. Jennett's courage for standing up at Town Meeting and saying that a generational facility was needed.

Document – email from John Ciccariello

BOARD OF SELECTMEN OFFICE HOURS SCHEDULE
The Board unanimously voted to approve the schedule for office hours at both Town Hall and the Community Senior Center as presented. The vote was taken on a motion by Mr. Hughes, seconded by Mr. Jennett.

Document – proposed schedule for Town Hall and for the Community Senior Center

BOARD OF SELECTMEN COMMITTEE ASSIGNMENTS
The Board had been presented with a list of committee assignments. Given the lateness of the hour Mr. Ostroff didn't think it was urgent and something that could wait until the next meeting.

Mr. Hughes noted that his appointment to the MetroWest Regional Transit Authority changes when a new Chair comes on board and he would like to continue as Natick's rep. This appointment was the Chair's and Mr. Ostroff assured Mr. Hughes that he intended to appoint Mr. Hughes as the Town's rep on the MWRTA.

MINUTES
Mr. Hughes moved approval of the minutes of the February 24, 2014 meeting. Seconded by Mr. Ostroff. The motion passed on a 4-0-1 vote. Mr. Ostroff, Mr. Hughes, Mr. Mabardy, Mr. Jennett voted in favor of the motion. Mr. Connolly abstained.

RIVERBEND SCHOOL: REQUEST FOR BANNER
On a motion by Mr. Hughes, seconded by Mr. Jennett, the Board unanimously voted to approve the Riverbend School's request to hang a banner across Main Street for the period of September 22-October 6, 2014.

Document – Letter from Kathleen Battaglia of the Riverbend School

LEAD DOG: REQUEST TO DISTRIBUTE STONYFIELD YOGURT ON COMMON DURING THE MARATHON
On a motion by Mr. Hughes, seconded by Mr. Jennett, the Board unanimously voted to approve Lead Dog Marketing Group's request to distribute Stonyfield Yogurt on the Natick Common during the running of the Boston Marathon on April 21, 2014 subject to compliance with the recommendations of the Police Department, Recreation & Parks Commission, and obtaining a food permit from the Board of Health.

Documents – Letter from Doug Lynch of Lead Dog Marketing; email from Lt. Brian Lauzon, memo from Jon Marshall, Director Recreation & Parks

MCAULIFFE CHARTER SCHOOL: REQUEST ROAD RACE
On a motion by Mr. Hughes, seconded by Mr. Jennett, the Board unanimously voted to approve the McAuliffe Charter School's request to hold a 5K road race on May 10, 2014.

Document – email from Bob Moore, Race coordinator; email from Lt. Brian Lauzon

LAROMA FILMS: REQUEST TO OCCUPY PUBLIC WAY
On a motion by Mr. Hughes, seconded by Mr. Mabardy, the Board unanimously voted to approve the request of LaRoma Films to occupy the public way during the running of the Boston Marathon on April 21, 2014 subject to compliance with the Police Department recommendations.

Documents – Letter from Susan Treut, LaRoma Films; email from Lt. Brian Lauzon

SOUND & SPIRIT: REQUEST FOR BANNER
The Board unanimously voted to approve Sound & Spirit's request to hang a banner across Main Street for the period of May 24-June 1, 2014 in advertisement of a concert. The vote was taken on a motion by Mr. Hughes, seconded by Mr. Mabardy.

Document – email from Lisa Lavalley of Sound & Spirit

GPHOMESTAY: REQUEST TO HAVE TABLE ON COMMON DURING THE MARATHON
On a motion by Mr. Hughes, seconded by Mr. Jennett, the Board unanimously voted to approve gphomestay's request to set up an informational table on the Common during the running of the Boston Marathon subject to compliance with the recommendations of the Recreation Commission.

Document – email from Victoria Clerkin of gphomestay; memo from Jon Marshall, Recreation & Parks Director

TOWN ADMINISTRATOR NOTES
a. Town Meeting Article 1 (McDaniel family)
Ms. White explained that Article 1 proposed a Town contribution of $100,000 to go toward an education fund of the child of Michael McDaniel who was killed in a work accident. That request was modeled from a State program where if a Police Officer or Firefighter was killed in the line of duty $100,000 would be given to the family.

There was currently action in the legislature to raise that number to $150,000. Because the article stipulated $100,000, the Moderator and Town Counsel were of the opinion that raising it to $150,000 would be outside the scope of the article.

Ms. White confirmed there would be nothing to preclude the additional amount being brought to Fall Town Meeting.

SELECTMEN'S CONCERNS
a. Common
Mr. Connolly noted that the POW flag on the Common was beaten up and the lighting in the interior of the Common seemed to be dark.

b. Marion Street Bridge
Mr. Connolly inquired as to the status of the Marion Street bridge and if anything could be done to speed up the replacement.

Mr. Ostroff advised that the state was still doing the design and it should go out to bid later this year. It may be hard to believe, but the project was actually moving along well. The Town has been hitting Mass DOT pretty hard, and it may be helpful to have them attend a Board meeting to see where they were with the design.

c. Nstar Pole
Mr. Connolly asked that something be done with a utility pole that was leaning toward Route 27 south of Honey Farms. He was surprised it hadn't as yet fallen.

d. Town Positions
Mr. Connolly requested a print out of the new positions added in the last four years – the positions, department, salary.

e. Felch Court Complaint

Mr. Connolly called attention to a complaint from a Felch Court resident regarding the condition of her street.

f. Agenda Items
Mr. Connolly distributed copies of agenda items he would like to see included on upcoming agendas.

g. Budget
Mr. Mabardy expressed concern with the budget. He could foresee an override coming and wondered where the priorities were and what was being done to prevent an override. Salaries and benefits were up. If possible he would like not to start next year's budget cycle with a deficit. Seeing a deficit was alarming.

Mr. Hughes pointed out that a big part of the deficit was a budget not under our control. Mr. Mabardy would need to speak with the Schools.

With respect to the budget, Mr. Ostroff noted the central concern was how to provide the services people want. The challenge was how to deal with that. A lot of discussion would be through financial planning and there will be a need to look at the pro forma of what it will take to balance a budget responsibly. He didn't have a problem treating it as a money deficit vs a service deficit. As budgets were being developed he thought it would be helpful to give the Town Administrator input.

h. VFW Hearing
Mr. Hughes noticed the ABCC had scheduled a hearing with the VFW on gaming devices and requested the Board to schedule a hearing as well.

i. Underground Utility Funding
A letter from Verizon showed a collection to fund underground utilities of almost $1/2 million in one year, and Mr. Hughes wanted to know how much had been collected in gross over the years from the various utilities. It was not their (utilities) money and what was the Town proposing to do with it.

ADJOURNMENT
The meeting was adjourned at 11:20 p.m.

Nicholas S. Mabardy

Nicholas S. Mabardy, Clerk