

BOARD OF SELECTMEN

Natick Town Hall

March 10, 2014

5:45 p.m.

The meeting was called to order by the Chair Carol A. Gloff at 5:50 p.m.

PRESENT: Carol A. Gloff, Nicholas S. Mabardy, Charles M. Hughes, Richard P. Jennett, Jr., Joshua Ostroff arrived at 6:00 p.m.

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

WARRANTS: Payroll warrants were signed by the Board of Selectmen on March 10, 2014 in the amount of \$1,135,011.42. This figure was included in total warrants signed by the Board of Selectmen of \$4,233,879.20.

EXECUTIVE SESSION

Mr. Hughes, seconded by Mr. Mabardy, moved to enter into executive session to discuss matters pertaining to litigation, non-union personnel negotiations, real property negotiations, and executive session minutes. By roll call vote the Board voted to enter into executive session. Ms. Gloff, Mr. Mabardy, Mr. Hughes, Mr. Jennett all voted in favor of the motion. Mr. Ostroff had not as arrived and did not vote. At 6:05 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 these items in open session would have a detrimental effect on the Board of Selectmen's negotiating position.

The open session was reconvened at 7:30 p.m.

ANNOUNCEMENTS

- 1) The Natick League of Women Voters was meeting tomorrow night at the Community Senior Center to discuss reorganization.
- 2) The Town received a grant to offer an Aging Mastery program at the Community Senior Center. This was a multi-week program discussing ways to improve your life.
- 3) The Town's web site was recently converted to a new platform. Ms. White advised there were a number of challenges with the conversion and asked for everyone's patience.
- 4) Compost Pilot Program. Deputy Town Administrator for Operations William Chenard spoke briefly about a pilot program for compost with the hope that it evolve into curbside recycling. A non-plastic bag that can hold garbage and compost was tested by an environmental group. It was collected and put into one of the Town's packers. The test went well.

The Town was currently paying \$76 per ton to dump solid waste and if garbage and compost could be removed there would be a substantial savings.

Ms. White described this as another opportunity to save money while creating a useful program.

PUBLIC HEARING: STREET ACCEPTANCE: WALNUT HILL DRIVE; PORTION OF HIGHLAND STREET

On a motion by Mr. Hughes, seconded by Mr. Ostroff, the Board unanimously voted to open the public hearing.

Town Engineer Mark Coviello advised that Walnut Hill Drive and the portion of Highland Street were part of the same subdivision. Walnut Hill Drive was a new road. The portion of Highland Street under discussion was not an accepted way, but the developer as part of the subdivision had to make certain improvements to Highland. In 2012 the developer defaulted and couldn't complete the work so the Planning Board called the performance bond and an account was set up for the DPW to complete the work.

The work has been done except for some minor work to be done in the spring. All the work in the subdivision has been completed.

On a motion by Mr. Hughes, seconded by Mr. Ostroff, the Board unanimously voted to close the public hearing.

Mr. Hughes moved to accept Walnut Hill Drive. Seconded by Mr. Jennett and unanimously voted.

Mr. Hughes then moved to accept the portion of Highland Street identified in the plans. Seconded by Mr. Ostroff and unanimously voted.

Document - Hearing notice; site plans showing the location of the streets; street layout notice

PUBLIC HEARING DEDICATION OF INTERSECTION OF CROSS & SOUTH MAIN STREETS IN HONOR OF WARREN & WILBERT GAY

Appearing on behalf of the petition were Paul Carew, Veterans Services Officer; Patrick Young and John Crisafulli of the Natick Veterans Council

On a motion by Mr. Hughes, seconded by Mr. Ostroff, the Board unanimously voted to open the public hearing.

Mr. Ostroff inquired if there were members of the Warren & Wilbert Gay family in the area and was told by Mr. Carew that there was a nephew and a daughter who attended the Veterans' Council meeting. They have been informed of the date of the hearing.

Memos were received from both the Historical Commission and Community Development Director stating they have no objections.

It was noted that the two brothers were killed in action ten days apart.

The Board unanimously voted to close the public hearing. The vote was taken on a motion by Mr. Hughes, seconded by Mr. Ostroff.

Mr. Hughes moved to dedicate the intersection of Cross & South Main Streets in honor of Warren & Wilbert Gay. Seconded by Mr. Jennett and unanimously voted.

Document - Letter from Natick Veterans' Council; email from Steve Evers of the Historical Commission; memo from Patrick Reffett, Community Development Director

DANIEL SKINNER: APPLICATION FOR ONE DAY ENTERTAINMENT LICENSE

Daniel Skinner appeared before the Board to request a one day entertainment license to hold a fund raising event to benefit the Multiple Sclerosis Association on April 5, 2014 at the Natick Elks.

Mr. Ostroff inquired if Mr. Skinner had run similar events in the past. Mr. Skinner advised that he had not. This began with his son starting a walking team.

Mr. Hughes moved approval subject to the conditions recommended by Lt. Brian Lauzon of hiring one detail officer. Seconded by Mr. Ostroff and unanimously voted.

Document - letter from Daniel Skinner; email from Lt. Brian Lauzon

APPLICATION FOR TRANSFER OF JUNK DEALER'S LICENSE: CHERISHED ANTIQUES

On a motion by Mr. Hughes, seconded by Mr. Jennett, the Board unanimously voted to approve the transfer of the junk dealers license held by Pamela Lane d/b/a Cherished Antiques to Jason Ridenour d/b/a Cherished Antiques & Collectibles for premises at 132 East Central Street.

Document - Letter from Pamela Lane transferring the business; application filed by Jason Ridenour

SAFFRON INDIAN BAR & GRILL: APPLICATION FOR ONE DAY ENTERTAINMENT LICENSE

Appearing before the Board to request a one day entertainment license to hold an Indian cultural event on behalf of the United India Association of New England on March 16, 2014 at the Saffron Indian Bar & Grill on Route 9 in Framingham was the owner Amit Gupta. The event would be from 11:00 a.m.-3:00 p.m.

Mr. Gupta explained that the event will take place in a tent in the parking lot of his restaurant. The restaurant was in Framingham and licensed in Framingham, but the parking lot was in Natick.

It was Mr. Ostroff's understanding that alcohol would not be served in the tent. Mr. Gupta confirmed that as correct. He added that he had volunteers to watch out for traffic control in and out of the restaurant. Alcohol would

be consumed by people going into the tent, but they couldn't purchase it in the tent and they would not be able to buy a drink in the restaurant and take it to the tent. They could buy a drink in the restaurant and consume it in the restaurant.

Mr. Hughes moved approval subject to compliance with the recommendations of Lt. Brian Lauzon to hire a detail officer.

Document - Letter from Amit Gupta; email from Lt. Brian Lauzon

INTERIM DPW DIRECTOR: SNOW & ICE OVERDRAFT

Interim DPW Director Thomas Collins reminded the Board that in January an overdraft of \$650,000 was approved and he was now looking for an additional snow overdraft of \$200,000. To date \$867,000 had been spent on snow and ice removal.

Mr. Hughes asked about the status of the salt and Mr. Collins advised there was salt left. There was a big delivery last week and the rest of the order should be coming this week.

Mr. Ostroff inquired as to how the equipment was holding up. Mr. Collins responded that it was holding up pretty well.

It's been a tough winter and Mr. Collins took the opportunity to thank all the departments, the police, the fire, Town hall and the other cities and towns that stepped up and bailed them out with the McDaniel tragedy. He couldn't say enough about the police and fire.

On a motion by Mr. Hughes, seconded by Mr. Jennett, the Board unanimously voted to approve an additional snow overdraft in the amount of \$200,000.

Document - Memo from Interim DPW Director Thomas Collins

TREASURER: ESTABLISHED USEFUL LIFE FOR EQUIPMENT IN ANTICIPATION OF BORROWING

Deputy Town Administrator for Finance Jeffrey Towne explained that at both the Spring and Fall Town Meetings of 2013, respective borrowings of \$990,000 and \$1,130,000 were approved for the purchase of nine pieces of equipment. The Board was now being asked to approve a borrowing schedule based upon the Maximum Useful Life for this equipment.

Mr. Towne pointed out that the number of years being shown as the useful life didn't mean how long the equipment will be kept. It was how long the debt service would be funded. Most pieces will be held much longer.

Noting the useful life of the recycling toter was established as 5 years, Mr. Ostroff inquired if there was a sense for how long it would last. Deputy Town Administrator Operations William Chenard responded that there was a 10 year warranty.

Mr. Hughes, seconded by Mr. Jennett, moved to establish the maximum useful life for equipment authorized by the October 22, 2013 Town Meeting totaling \$1,130,000 as presented. Unanimously voted:

	<u>Borrowed</u>	<u>Maximum Useful Life</u>
Fire - Replace Engine 5	\$520,000	7 years
DPW - Replace S-3 (Trash Packer)	275,000	7 years
DPW - Replace H-62 (Street Sweeper)	185,000	5 years
Facilities-Replace Direct Digital Controls Ben-Hem	150,000	5 years

Mr. Hughes, seconded by Mr. Jennett, moved to establish the maximum useful life for water/sewer equipment authorized by the October 22, 2013 Town Meeting totaling \$355,000 as presented. Unanimously voted:

W/S Replace W-22 Dump Truck w/plow	\$220,000	6 years
W/S Replace W-14 Backhow w/plow	\$135,000	6 years

Mr. Hughes, seconded by Mr. Jennett, moved to establish the maximum useful life for equipment authorized by the 2013 Spring Annual Town Meeting totaling \$990,000 as presented. Unanimously voted:

Recycling Toters	\$570,000	5 years
Replace H-51 (hooklift/chassis)	230,000	7 years
Replace H-48 (dump truck/sander/plow)	190,000	7 year

Document - Memo from Treasurer/Collector Thaddeus Jankowski; copy of required motions

HEARING: DDH HOTEL NATICK/WORCESTER LLC D/B/A CROWNE PLAZA: ALLEGED LIQUOR LICENSE VIOLATION

Mr. Hughes recused himself and left the table.

Attorney David DeLuca of Murphy, Hesse, Toomey & Lehane recalled that this matter was brought to the Board's attention by the Natick Police Department concerning an alleged violation of an alcohol license issued to the Crowne Plaza. There is a nightclub at the Crowne Plaza and on September 8/9, 2012, there was an altercation. After an investigation some issues arose over service.

Mr. DeLuca advised that he has conference the matter with counsel for the Crowne Plaza and Lt. Lauzon. As a result of that conference and a review of the facts there was an agreed upon recommendation to resolve this case. Lt. Lauzon will provide a statement of the facts relevant and the allegations after which the recommendation will be presented for the Board's consideration. The incident resulted in criminal and civil proceedings and those matters were continuing. They will be resolved on a different time and a different basis than what the Board of Selectmen was considering.

Lt. Brian Lauzon presented a summary of his investigation conducted upon receipt of a complaint forwarded on June 17, 2013 from the Board concerning the September 8, 2012 incident. There were assertions of two violations: over service and service after hours.

Lt. Lauzon stated that he was provided with receipts from the Crowne Plaza and in working with the Crowne Plaza determined the receipts were for times and dates within the permitted hours of service. The time stamp on the receipts reflected the time the receipt was printed, not the time of service. Therefore, the allegation of service after hours was dismissed and the case proceeded on the allegation of service to an intoxicated person.

Lt. Lauzon reported that officers responded on Friday, September 7, 2012, approximately 2337 hours to take a report of a stolen cell phone. The responding officer learned that the phone in question had been placed on the DJ table along with the victim's license so that the DJ could play a specific song off the phone. When the victim returned a few minutes later to review her phone it was discovered that the phone and her license were missing.

While addressing this complaint, the responding officer learned that another lounge patron was reporting her pocketbook had been stolen from her chair. The pocketbook had allegedly contained a cell phone and \$300 in cash.

During this investigation the DJ was interviewed, but insisted he had no knowledge of the thefts and has been away from the table briefly speaking with the Manager.

Officers next responded to the hotel on Saturday, September 9, 2013 at 0047hrs for the report of a large fight.

Upon their arrival they observed a large group of people in the parking lot with several males holding down a white male.

The male on the ground was shirtless and bleeding from scratches on his back and was eventually identified as the DJ.

It was determined that the DJ had been in a physical altercation in the lobby with another patron, Steven O'Neil. Mr. O'Neil was found inside the hotel lobby being assisted by several people due to the injuries sustained in the altercation with the DJ.

During their investigation the officers learned that the DJ had approached a number of people at the hotels registration area inquiring if any of them had not been drinking and would be willing to "blow into his breath machine attached to his car, and would pay them \$20 if they would."

When no one would assist the DJ he became hostile and started yelling.

The DJ was told by the Hotel Clerk identified as Melanie Faas to leave the area and that she was going to call security.

The DJ, while walking away was observed yelling and swearing at Ms. Faas.

A moment later a commotion occurred near the hotels front doors. The altercation involved the DJ and Mr. O'Neil and resulted in the injuries sustained by Mr. O'Neil.

The DJ was then chased from the building by patrons and friends of Mr. O'Neil.

Lt. Lauzon told the Board that he interviewed hotel personnel who were on duty the night of the incident including the front desk clerk, security officer, and night manager. Each of these people either had at one time been to approved training in an alcohol service program or was currently TIPS certified and had made an observation of the DJ's sobriety, which ranged from being red in the face and cussing to staggering with slurred speech and in no condition to drive. One person associated with Mr. O'Neil's party related when interviewed that he believed he had seen the DJ being served 3-4 drinks. The facilities night manager related that the DJ had consumed at least two Grey Goose doubles and had become concerned enough that he sent him over a double cheeseburger.

He was informed that the DJ service which Crowne Plaza used was actually an independent contractor that they hire. The DJ who was working the night of this incident was a last minute, unannounced replacement for their regular DJ supplied by this company, and the Hotel was not notified of the change in advance. Mr. Shamoian related the Hotel requires the Contractors to sign and "Independent Contractors Agreement" prior to working at the Hotel, which in part prohibits the contractor from being "under the influence of alcohol or illegal drugs" while working. Mr. Shamoian related that "Independent Contractors" are requested to follow the same practices at Hotel employees by way of the "Independent Contractor Agreement."

In conclusion Lt. Lauzon advised that he was given unrestricted access to all hotel staff and had many discussions about what the hotel could do better concerning their policies and procedures and they (Crowne Plaza) were working them out now. One of the things was for people working to not be able to serve or secure drinks for other people working.

Based on the facts provided, Mr. DeLuca advised that a recommendation had been formulated for consideration whereby the Board would find there were sufficient facts should there be a full hearing but instead of a finding imposed there be a disposition of a three day suspension withheld for one year. That would avoid a lengthy and contentious dispute and avoids the likelihood of an appeal to the ABCC. It allowed the Board not to be entangled in the criminal and civil ongoing matters and it also recognized some of the positive changes the hotel has made. On the other hand it sent a message that any reported violations would be investigated and brought to the Board.

Mr. Mabardy asked if it would be fair to infer that the people who were somewhat responsible for the actions were no longer employed at the Crowne Plaza. Mr. DeLuca wasn't sure he could go that far, but there was testimony that the Crowne Plaza determined they needed to be doing something different and needed to start with the personnel.

Mr. Mabardy questioned if the manager addressed the issue immediately. Mr. DeLuca responded that that was his understanding. The Crowne Plaza was responsive to Lt. Lauzon's recommendations for policy changes.

Mr. Ostroff saw this recommended disposition as trying to strike a balance and not involve the board in a separate case that was under way but it could come back at some point after the criminal and civil cases.

Mr. DeLuca said he would caution the Board about planning to reopen this case in the absence of some new facts. He didn't think it was likely nor did he think it was proper. If there were any new incidents or new problems the Board could adjudicate the new problem and revisit this disposition.

A motion was made by Mr. Jennett to suspend the Crowne Plaza's alcohol license for three years effective March 10, 2014 to be held in abeyance for a year. Seconded by Mr. Ostroff. The motion passed on a 4-0-0 vote. Ms. Gloff, Mr. Ostroff, Mr. Mabardy, Mr. Jennett voted in favor of the motion. Mr. Hughes had recused himself and did not vote.

Speaking to his motion, Mr. Jennett thought it was a good solution to a difficult problem and kept the Town out of the fray. That was one of his main concerns. He was pleased to hear the hotel has been responsive in some of its policy changes and hoped there would be no further issues over the

coming year. He added that the hotel has been an excellent supporter of the Town and a good neighbor.

Ms. Gloff stressed that Mr. Jennett's last comment should not impact the decision.

Mr. Ostroff pointed out that this happened about 1-1/2 years ago and agreed it seemed like a good resolution. It recognized the responsiveness of the hotel and the need to make sure not to encounter the situation again.

In response to Mr. Mabardy's request for advice, Mr. DeLuca highlighted the objectives: The Town wouldn't be engaged in a lengthy and highly disputed fact based hearing that could be used by one side or another with respect to the pending criminal and civil suits and it avoided the likely appeal to the ABCC. It obtained a decision that was reasonable to the history, there being no record of prior incidents, and it recognized some of the improvements made on site. Finally it sent a clear message that over service of alcohol would not be tolerated.

Following the vote, Mr. Hughes returned to the table.

Document - Complaint filed on behalf of Steven O'Neil; Police Department Investigation Report

SPRING ANNUAL TOWN MEETING WARRANT ARTICLES

Article 3 - Transfer of Land to Conservation Commission: 0 Bradford Road End
Mr. Ostroff explained that this article would transfer 77 acres of land under the control of the Board of Selectmen to the Conservation Commission with the stipulation the Town would have access to maintain the public water supply and wells. It would put the land under the control of an agency with the expertise and the funds to manage if the Town wanted to develop walking trails. It would be a potential nice resource for park land.

The Finance Committee, Open Space Advisory Committee, and Conservation Commission all recommended favorable action.

Were the transfer to take place, Mr. Hughes wanted to be absolutely certain nothing would be in the way of the Town's right to get to whatever it took to maintain the well. Ms. White gave assurance that was correct.

Mr. Hughes pointed out that the language for the motion provided by Town Counsel seemed to require two votes - a vote to transfer the land and then a vote to retain the rights. While he didn't think the Conservation Commission would not allow the Town to get there, he didn't want to run the risk. He was happy to support the article as long as it was absolutely clear there was no risk to the Town's rights to maintain that well.

Ms. Gloff wanted to be sure it was not a situation where Town Meeting votes the first motion but not the second. She wanted a guarantee that if Town Meeting voted the first part, they would vote the second part.

Ms. White thought it was not likely for Town Meeting to authorize the transfer without the continuation of the wells but she could work with Town Counsel on a different motion.

Mr. Hughes moved to support favorable action on Article 3 with that condition (both parts were voted). Seconded by Mr. Ostroff and unanimously voted.

Mr. Jennett requested that the final language of the proposed motion be sent to the members before Thursday so if someone wished, it could be put on the agenda.

Document - copy of warrant article; FinCom questionnaire

Article 4 - Street Acceptance: Portion of Highland Street
On a motion by Mr. Hughes, seconded by Mr. Jennett, the Board unanimously voted to support favorable action on Article 4.

Document - copy of warrant article; public hearing material

Article 5 - Street Acceptance: Walnut Hill Drive
On a motion by Mr. Hughes, seconded by Mr. Jennett, the Board unanimously voted to support favorable action on Article 5.

Document - copy of warrant article; public hearing material

Article 41 - Appointment of Committee to Study Electronic Voting by Town Meeting

Town Moderator Frank Foss told the Board that he would like to appoint a committee of Town Meeting members to research, investigate and make a report on electronic voting at Town Meeting. He proposed a seven member committee appointed by the Moderator.

Mr. Ostroff was interested in seeing the kinds of issues that would come forward and applauded Mr. Foss for bringing it forward.

Mr. Foss noted that a number of Towns have implemented the electronic voting on a lease or purchase basis and more were investigating. The technology has improved and can be really finite, but that would be up to the committee to determine.

The Board unanimously voted to support favorable action of Article 41. The vote was taken on a motion by Mr. Hughes, seconded by Mr. Ostroff.

Document - copy of the warrant article; Finance Committee questionnaire

Article 6 - Shaw Park - Taking by Eminent Domain

Ms. White explained that the gift of Shaw Park was accepted by the Town specifically for park purposes. The property was under Article 97 and if used for any other purpose would require a 2/3 vote of the State Senate and House of Representatives. Her suggestion was to stipulate the taking by eminent domain for park purposes because that was the intent of the 1934 Town Meeting.

Mr. Hughes moved to reconsider the Board's previous vote of favorable action of Article 6. Seconded by Mr. Ostroff and unanimously voted.

Ms. White advised that Town Counsel was doing a title search and she ordered a survey to be conducted of the property which she expected to be completed by the end of the week. There seems to be a difference of opinion on the size of the parcel.

Mr. Hughes moved to support favorable action of Article 6 with the stipulation that eminent domain be for parking purposes. Seconded by Mr. Ostroff and unanimously voted.

Documents - copy of the warrant article; memo from Town Administrator Martha White

Article 13: Reorganization of Zoning By-Laws: Phase I Document

Mr. Hughes, as Chair of the Zoning Rewrite Oversight Committee, reported that they got to a point where the zoning by-law was reorganized and rewritten and discovered some problems with the zoning map. Originally the map was adopted in 1960 and it appears it hasn't be updated since the 1990's. A consultant went through every Town report and picked out any articles that dealt with zoning. That's been semi-successful, but at this point the committee wasn't prepared to go to Town meeting without the map being correct. This looks like a project for the Fall and no action was being requested on Article 13.

Mr. Ostroff inquired if there was any way it could be done by the end of April, brought to the appropriate boards and considered at this Town Meeting.

Mr. Hughes responded that they were working toward having the research on the map done by the end of the month. Getting it to the boards depends on Town Counsel but there were still the warrant hearings and postings.

Mr. Ostroff moved to support no action on Article 13. Seconded by Mr. Jennett and unanimously voted.

Document - copy of warrant article; Finance Committee questionnaire

Article 18 - Homeless Student Transportation Subsidy

School Finance Director William Hurley advised this was an article to subsidize Fiscal 2014 costs to transport homeless students in Natick. A couple of hotels along Route 9 were being used by DCF. Sixty-six students were living in the hotels; 26 were enrolled in Natick and 40 were transported to and from their home district - Quincy, Framingham, Arlington, Boston.

Mr. Hurley explained the situation with the Monticello that it was partially in Framingham and partially in Natick and Natick was responsible for those students. This came as a great surprise, but there wasn't anything to stand on. The amount being requested was \$233,000. The plan was to close the

books in Fiscal 2014, exhaust all savings, and then look to reimbursement from the State. A certain percentage was expected to be received from the State and that revenue would be used for the overage along with any balance in the subsidy account. Anything left over will go back to the Town. It was an unfortunate situation but something that had to be dealt with.

Mr. Hughes believed he heard Mr. Hurley say that at the end of June any money that would have fallen to free cash, before spending on anything else on education, would be used to reduce the use of this subsidy. Mr. Hurley confirmed that as correct.

Mr. Ostroff wished this could be fully funded by the state as it should be. The concern was for the kids and families but it was a Commonwealth problem.

Mr. Hurley knew the School Committee Chair had reached out to the legislators on this issue.

Mr. Mabardy asked about using a funding source other than free cash, but Ms. White noted that was the source being recommended. An alternative might be the stabilization funds but that would not be consistent with the financial management principles. She added that there were a number of funding needs competing for free cash and it could be that some of the items would be covered through a 3% transfer at the end of the year. This, however, would most certainly come from free cash because it was a Town Meeting article.

Mr. Mabardy then asked about the percentage of reimbursement from the State and was told by Mr. Hurley that the article placed on the State budget was about 30-40%. For Fiscal 2012 the Schools received about \$22,000 and expect to receive \$20,000 for Fiscal 2013. In Fiscal 2015 he expected to receive 30-40% of the \$280,000 being incurred this year.

A motion was made by Mr. Hughes to support favorable action of Article 18. Seconded by Mr. Jennett and unanimously voted.

Document - copy of the warrant article; Finance Committee questionnaire

Article 26 - School Bus Transportation Subsidy

William Hurley noted this was a longstanding article to maintain an affordable bus fee for Natick parents. The bus fee of \$150 hasn't been increased since the subsidy was instituted. Without the subsidy parents would be charged \$330. The requested appropriation for Fiscal 2015 was a 3% increase to \$360,750.

Mr. Jennett inquired as to the status of the contract with the bus company and the impact of the growing student population on the buses.

Mr. Hurley advised there was a three year contract and 2 option years. Last year was the first option year. The number of buses needed was stable. Originally they were looking to contract 2 additional buses for FY15 but that was when changing the start times was being considered.

On a motion by Mr. Hughes, seconded by Mr. Jennett, the Board unanimously voted to support favorable action of Article 26.

Document - copy of the warrant article; Finance Committee questionnaire

Article 31 - Establish One-to-One Technology Stabilization Fund

Ms. Gloff explained that the purpose of this article was to create a stabilization fund for the One-to-One Technology program limited to the devices for the students in grades 8-1. There was no funding plan and the article didn't request any funds. The School Department was working on approaches that may take care of that. The Finance Committee voted favorable action.

Mr. Jennett believed there could be some revenue from the sale of the older devices to the students as they left the school system and that revenue could go in this stabilization fund. Ms. White confirmed that was correct, but it was her understanding that there was no certainty there would be revenues derived from this program and if the devices were sold it wouldn't be sufficient to fund the program. The intent was to probably put some free cash into the fund in years to come.

Asked if there had been any revenue from the sale of computers to seniors leaving, Mr. Hurley said no. Asked if that was because the decision was made that that was not the plan going forward, Mr. Hurley wasn't sure what the plan was, but so far no computers had been sold.

Mr. Hughes' memory was that was how the program would be somewhat self-sustaining. Currently the seniors leave the computer behind and the computer went to someone else. Mr. Hurley advised that was correct and noted the concept of selling the computers back to leaving seniors was being discussed.

A motion was made by Mr. Hughes, seconded by Mr. Ostroff, and unanimously voted to support favorable action on Article 31.

Document - copy of warrant article; Finance Committee questionnaire

Following the discussion of the School warrant articles, Mr. Ostroff asked if Mr. Hurley could interpret the resolution voted by the School Committee. Mr. Ostroff's interpretation was that the School Committee would live with the proposed budget, they hate it, and if there was additional funding available, they would be interested in reviewing the budget.

Mr. Hurley explained that two budgets were presented at the public hearing. The first was the original request and then after getting a dose of reality at the Financial Planning Committee meeting, a fiscal reality budget was prepared. The resolution captured what Mr. Ostroff said. This was not an acceptable budget. If they had to live with it they would have to live with it, but the intention was to do much better than the fiscal reality budget.

Mr. Hughes didn't read the resolution the same way. The reality budget was still almost \$1 million out of balance and he didn't see any resolution from funding sources. Nobody has talked about an override. It seems that \$900,000 had to come from the general government and there has been no discussion of that.

Mr. Hurley believed the gap would be closed by additional state aid and surplus on the municipal side. It was down to about \$700,000.

Ms. White was sure this would be a primary topic at Thursday morning's Financial Planning Committee's meeting.

Article 20 - Elected Officials Salary

Ms. White noted that the only elected official was the Town Clerk and based on research of the Personnel Board, the administration was recommending a salary of \$80,000. The current rate of pay was \$76,000.

A motion was made by Mr. Ostroff to support favorable action of Article 20 in the amount of \$80,000. Seconded by Mr. Mabardy. The motion passed on a 4-0-1 vote. Ms. Gloff, Mr. Ostroff, Mr. Mabardy, Mr. Jennett voted in favor of the motion. Mr. Hughes abstained.

Document - copy of warrant article; Finance Committee questionnaire

Article 24 - Morse Institute Library

Ms. White referenced the budget in the budget book.

Mr. Hughes inquired if the proposed budget was sufficient so the level required for state aid was protected. Ms. White advised that it was. The formula included both Morse and Bacon together and the Town would be in compliance.

Mr. Hughes then inquired if there were any program improvement requests and was told there were additional hours for a part-time Library Associate in the Children's section.

Mr. Ostroff moved to support favorable action in the amount of \$2,072,587 for Article 24. Seconded by Mr. Jennett and unanimously voted.

Documents - copy of warrant article; copy of proposed budget

Article 25 - Bacon Free Library

On a motion by Mr. Hughes, seconded by Mr. Ostroff, the Board unanimously voted to support favorable action of Article 25 in the amount of \$152,466.

Mr. Jennett inquired as to the amount of money the budget was being supplemented by the Trust Fund. Deputy Town Administrator of Finance advised that question was a take away from the Finance Committee and his goal was to get to the FinCom by Thursday night.

Document - copy of warrant article; copy of budget

Article 39 - Board of Assessors: Increase Personal Property Exemption

Ms. White noted this was a routine article that was on the warrant every Spring Town Meeting. It provides assistance to seniors and disabled residents and was funded through the overlay account. This year's percentage was 45%.

The Board unanimously voted to support favorable action of Article 39. The vote was taken on a motion by Mr. Hughes, seconded by Mr. Ostroff.

RATIFICATION OF FIRE UNION CONTRACTS

- a. Deputy Chief
- b. Firefighters

Ms. White stated that she was happy to announce publicly the ratification of collective bargaining agreements for the period July 1, 2013-June 30, 2015 for the two fire unions.

The COLA's for both unions were 0 in Fiscal 2013; 2.5% in Fiscal 2014, 1% plus .5% on the last of the contract in Fiscal 2015.

The other main provision of the two contracts was the agreement to move the health care contribution to 75/25 (75% paid by the Town, 25% by the employee) effective the last day of the contract. New enrollees would be at 75/25.

Mr. Jennett moved to ratify the collective bargaining agreement with the Deputy Fire Chiefs. Seconded by Mr. Hughes. The motion passed on a 4-0-1 vote. Ms. Gloff, Mr. Ostroff, Mr. Hughes, Mr. Jennett voted in favor of the motion.

Mr. Jennett moved to ratify the collective agreement with the Firefighters union. Seconded by Mr. Ostroff. The motion passed on a 3-1-1 vote. Ms. Gloff, Mr. Ostroff, Mr. Jennett voted in favor of the motion. Mr. Hughes was opposed. Mr. Mabardy abstained.

Document - Memo from Town Administrator Martha White

AMEND FINANCIAL MANAGEMENT PRINCIPLES

Ms. White reviewed the proposed changes to the Financial Management Principles. The first was under the section on Capital Planning and Budgeting, deleting the second bullet and inserting in its place: Fundng for capital projects shall be timed to maximize efficiency and cost-effectiveness.

The second change was the addition of a new bullet under the Cash/Investments Management section concerning the annual review of the investment policy and the cash and investment balances.

Deputy Town Administrator for Finance Jeffrey Towne noted that as the legislative body, the Selectmen were responsible for things associated with risk management, especially investment policy. This will ensure that annually on June 30 the balances of all cash and investments would be reported to the Board. It put the responsibility on the Treasurer to make sure someone was looking and it was a good opportunity for the Board to see all the activity.

Mr. Hughes believed this was also something that came from the auditors every year.

Mr. Towne advised that the investment policy would be finalized and given to the auditing company.

Mr. Jennett asked if the Retirement Board could be tied into the annual report. Mr. Towne noted that every two years the Retirement Board did an actuarial study. The last one was January 1, 2013 and that was available to the public.

Mr. Ostroff pointed out that the Board could ask for its appointee to the Retirement Board to make a presentation. Mr. Jennett responded that the Chair of the Retirement Board contacted him and he would be happy to attend a Selectmen's meeting. Mr. Jennett said he would work with the Town Administrator on finding a time.

The Board unanimously voted to adopt the changes to the Financial Management Principles as proposed. The vote was taken on a motion by Mr. Hughes, seconded by Ms. Gloff.

Document - copy of Financial Management Principles with track changes

RELEASE OF EXECUTIVE SESSION MINUTES

On a motion by Mr. Hughes, seconded by Mr. Jennett, the Board unanimously voted to release the following executive session minutes:

- October 25, 1999 with redactions
- September 27, 1999 with redactions
- July 12, 1999 with redactions
- July 19, 1999 with redactions
- July 26, 1999 with redactions
- August 23, 1999 with redactions
- March 22, 1999 with redactions
- October 18, 1999 with redactions
- November 22, 1999 with redactions
- December 13, 1999 with redactions
- April 4, 2000 with redactions

POLICE CHIEF: AMEND REAPPOINTMENT DATE

Ms. White explained that in executive session the Board voted to modify the end date of the new contract with the Police Chief to June 30, 2017. Initially the end date was set at March 27, 2017.

This will set the end date to coincide with the end of the fiscal year and was allowed in that the Board was authorized by legislative act to enter into a contract with the Police Chief for a period up to five year. This contract was 3 years and approximately 3 months.

Document - Memo from Town Administrator Martha White

ACCEPTANCE OF RESIGNATION: NATICK CULTURAL COUNCIL: STEVEN BLOOMENTHAL

On a motion by Mr. Ostroff, seconded by Mr. Jennett, the Board unanimously voted to accept with thanks the resignation of Steven Bloomenthal from the Natick Cultural Council.

Document - email from Steven Bloomenthal

CONFIRMATION OF PLANNING BOARD APPOINTMENT TO STRATEGIC PLANNING REVIEW COMMITTEE: PETER NOTTONSON

The Board unanimously voted to confirm the appointment of Peter Nottonson as the Planning Board's representative to the Strategic Planning Review Committee. The vote was taken on a motion by Mr. Hughes, seconded by Mr. Ostroff.

Document - Memo from Planning Board

MINUTES

With a correction as noted, Mr. Ostroff moved approval of the minutes of the April 22, 2013 meeting. Seconded by Mr. Hughes and unanimously voted.

Mr. Ostroff, seconded by Mr. Hughes, moved approval of the minutes of the July 12, 2013 meeting.

DALE HENDERSON: REQUEST TO OCCUPY PUBLIC WAY

On a motion by Mr. Hughes, seconded by Mr. Jennett, the Board unanimously voted to approve Dale Henderson Masonry's request to erect scaffolding at the Clark's Block from Summer Street extending approximately 1/3 of the building for the period of mid April-June 30, 2014 subject to compliance with the recommendations of Lt. Brian Lauzon.

Document - Letter from Dale Henderson; email from Lt. Brian Lauzon

CARRY THE FALLEN: REQUEST PARADE PERMIT

The Board was in receipt of a request from Darren Bean of the non-profit Carry the Fallen requesting a permit for his organization to conduct a walk through the Town of Natick on March 29, 2014. The walk was to raise awareness for Veterans suicide due to PTSD.

Mr. Hughes moved approval subject to compliance with the recommendations of Lt. Brian Lauzon. Seconded by Mr. Jennett and unanimously voted.

Document - email from Darren Bean; email from Lt. Brian Lauzon

FIRST CONGREGATIONAL CHURCH IN NATICK: REQUEST FOR PERMIT TO HOLD VIGIL

The Board unanimously voted approval of the First Congregational Church in Natick's request to hold an Opiate Crisis Prayer vigil that included a candlelight walk around the Common on March 16, 2014. The vote was taken on a motion by Mr. Hughes, seconded by Mr. Jennett.

Mr. Ostroff offered to represent the Board.

Document - email from the First Congregational Church; email from Lt. Brian Lauzon

SELECTMEN'S CONCERNS

a. Narcom

Having had two overdoses in the past six months, Mr. Hughes asked the Town Administrator to explore having the Police and Fire carry Narcom.

b. Taxes

Mr. Mabardy didn't want to belabor the point but he was hearing more and more about the rise in taxes.

c. Kansas Street Utilities

In response to an inquiry from Mr. Ostroff, Ms. White advised that she was still trying to get information from the utility companies on the amounts they have accumulated for undergrounding utilities. She added that Representative Linsky had asked for items the Town would like included in the state budget and she asked about the underground service.

ADJOURNMENT

The meeting was adjourned at 9:40 p.m.



Nicholas S. Mabardy, Clerk