

BOARD OF SELECTMEN

Natick Town Hall

October 14, 2014

7:00 p.m.

The meeting was called to order by the Chair Joshua Ostroff at 7:10 p.m.

PRESENT: Joshua Ostroff, Charles M. Hughes, Nicholas S. Mabardy, Richard P. Jennett, Jr, John Connolly. Mr. Hughes left the meeting at 10:00 p.m.

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

ANNOUNCEMENTS

1. The MMA Fall conference was being held on October 25 in Franklin
2. This coming weekend was the Natick Artists Open Studio event
3. Ms. White announced the resignation of Community Development Director Patrick Reffett. Mr. Reffett was leaving after nine years with the Town to take a job much closer to his home.
4. Mr. Connolly thanked the citizens who participated in the Marion Street bridge public hearing. The project will be advertised in January with construction to begin in April 2015 and the bridge opened in the summer of 2016.
5. Natick Trails Day was scheduled for Saturday and all were invited to participate.
6. The deadline to register to vote for the November election was October 15.
7. A seminar conducted by the State Ethics Commission was being held in the Dlott Meeting room tomorrow evening at 7:00 p.m.

CITIZENS CONCERNS

a. Natick Service Council - Boston Marathon Charities; Telethon
Paul Joseph, a member of the Natick Service Council Board of Directors asked if the charity program for the Boston Marathon could be initiated before the end of the year to help the charities selected and runners raise more money.

Ms. White advised that it was on her agenda for November to get it rolling.

Mr. Joseph reminded everyone that the Natick Service Council was holding its annual telethon this Wednesday from 6:00-9:00 p.m.

b. Spark Kindness

The Board was invited to attend a forum sponsored by Spark Kindness on October 27, 2014 at the Community Senior Center. Spark was a non-profit organization to support families and youth. They began with bullying prevention and expanded to kindness and stress reduction.

POLICE CHIEF: APPOINTMENT OF PROVISIONAL SERGEANT: CHAD HOWARD

Police Chief James Hicks noted there were two vacancies for Sergeant and he had previously mentioned to the Board that he would seek to fill the positions when he thought it was appropriate given some staffing tasks. He was now ready to make an appointment of Sergeant. There was no active or certified list so he was asking the Board to appoint a provisional sergeant.

Chief Hicks explained that the provisional appointment would only be in place until such time as there was a certified list. He didn't know how long that would be but he anticipated it would be quite some time.

Chief Hicks recommended the provisional appointment of Officer Chad Howard. In making the recommendation Chief Hicks stated that Officer Howard had developed and earned the respect of the members of the department and the community. He was a thorough and proactive investigator and in 2013 was named Officer of the Year.

Mr. Hughes thought there was a Civil Service test right around now. Chief Hicks confirmed that was correct, but noted that Natick was not participating in this weekend's test due to negotiations with one of the unions on the process. He further confirmed that the next test would probably be a year from now and probably another six months after for a certified list.

After remarking that Officer Howard was not only one of his favorite police officers but a favorite citizen, Mr. Connolly asked if by making this promotion if a patrol officer would be sacrificed.

Chief Hicks responded that he believed there were enough patrol officers to do the job and he wouldn't come forward with this request if he didn't think there were enough patrol officers to cover the basic tasks.

Mr. Connolly noted that he hadn't seen any feedback from either union. Chief Hicks assumed there was nothing and pointed to the number of officers present in support of Officer Howard.

A motion was made by Mr. Hughes, seconded by Mr. Jennett, and unanimously voted to appoint Chad Howard as a provisional sergeant.

Officer Howard thanked the Board for the opportunity and particularly thanked his friends, co-workers, and parents for their support.

Document - Memo from Police Chief James Hicks

FIRE CHIEF SCREENING COMMITTEE: SUBMISSION OF 3-5 FINALIST CANDIDATE NAMES

Chair of the Fire Chief Screening Committee, Carol Gloff, distributed three documents: A memo outlining the selection process, an overview of the Fire Chief Assessment Center provided by Municipal Resources, Inc, and the Assessment Center test scores for the four finalists being put forward to the Board.

Ms. Gloff reviewed the process and recognized the members of the Committee:

Susan Salamoff representing the Personnel Board
Tass Fillides appointed by the Moderator
Tom Campbell representing the School Committee
Police Chief James Hicks
Wellesley Fire Chief Rick DeLorie
Patrick Hayes representing the Finance Committee
Captain Roy Mitchell of the Natick Fire Department
Town Administrator Martha White
Personnel Director Richard Tranfaglia
Carol Gloff representing the Board of Selectmen

She noted that the Bylaw required the Screening Committee to provide a list of 3-5 candidates within 180 days of the first meeting of the Committee.

Tonight's submission met that deadline.

In conclusion Ms. Gloff presented the Board with a list of four finalists in alphabetical order by last name.

Peter Blaich (Staten Island, NY) - currently the New York City FD
Corey Landry (Dover, NH) - currently the Chief in Durham
Michael Lentini (Natick)
Richard White (Natick)

Also present was Bob Craig from Municipal Resources, Inc., the consultant who conducted the assessment center.

Mr. Craig thanked the Board for selecting MRI and the Town Administrator, Personnel Director and the Screening Committee.

Mr. Jennett requested an overview of the assessment center and Ms. Gloff responded that there were six different exercises with scores on the scoring sheet. Mr. Tranfaglia and she viewed the Superior/Subordinate Exercise and Ms. Salamoff and Mr. Filledes viewed the Tactical Exercise.

Responding to questions from the members, Mr. Craig advised that most of the assessors were either current or former fire chiefs, one was a Town Administrator, and one served as a deputy. For the Leadership Group exercise the candidates were given a number of topics to discuss. They weren't assigned any specific roles. Some emerged as leaders, others offered to take the position of a scribe, and some were inclined to give a report at the end. Part of the exercise was to look at time management and their ability to bring a group to consensus.

Told there were 33 applicants, Mr. Mabardy inquired as to what made a person a qualified candidate. Ms. Gloff noted that MRI did an initial screening and provided 17 candidates they thought the Committee may be interested in based on things like experience, education.

Asked if the assessment center was taped, Ms. Gloff said no. There were things going on in two rooms and they would have had to spend the money to have two videographers and duplicate equipment.

Mr. Connolly inquired if this was the first public showing of the list of finalists. Ms. Gloff advised that it was, adding that the candidates were called by her in the last several hours to let them know they were on the list. The two who took the assessment center and were not on the list were also called but those names were not being disclosed. Each were told that the list would be presented to the Board of Selectmen tonight and it would become a public document.

Mr. Connolly asked about the total cost of the Screening Committee. It sounded to Mr. Connolly like everyone on the committee worked hard and he thanked everyone for their efforts.

Mr. Hughes too expressed his appreciation for the committee's efforts.

Mr. Ostroff asked about the rationale for giving all of the exercises an equal weight. Mr. Craig explained that these exercises were designed to assess a number of skills based on this community and what the Town was looking for in the fire chief. All of the exercises were designed to assess skills that a fire chief would utilize in the course of their duty. It could be a typical day of a fire chief.

Ms. Gloff added that the Committee discussed whether the exercises should be weighted and did not chose to do so although a couple of committee members thought the Tactical exercise should get more weight. The candidates were scored on each exercise so it could be seen where there were strong and where they were not so strong.

Mr. Mabardy questioned if some of this material could have been provided before this evening minus the actual names.

Ms. Gloff replied that the vast majority of the overview was done by MRI, but she put some finishing touches on it and she wrote the memo to the Board after that. Both documents had changes made today.

Ms. Gloff noted that the committee was not involved in the scoring but any member of the committee was willing to talk about their experience and what they observed.

Mr. Jennett inquired as to what materials would be available to the Board and was told the scores and resumes. It was Mr. Jennett's hope to see maybe some video or any type of written reports that gave more information about the individual activities and the responses. Mr. Craig asked if he was looking for more definition on the exercises or an analysis on each individual and Mr. Jennett said he would take anything - any information that would help him better understand the four candidates was an important piece of the process.

Mr. Ostroff noted that a number of assessors reduced a complex product and delivery to a single score and perhaps the question was what's behind that score and what led to one being eleven points higher than another. He wondered how much of that information was available.

Mr. Craig responded that he would have to go back to the lead consultant to find out what if anything could be shared with the Board. He also agreed to check to see if the Board could review the written questions.

Ms. Gloff clarified that if any of the information could be shared with the Board it would just be the information for the candidates on this list. The Board would not be entitled to anything from the other candidates.

Sue Salamoff, a member of the screening committee, noted that those who observed the assessment center had a sense of the criteria for someone to do a good job. She urged the Board to exercise the opportunity to ask questions of all members of the screening committee individually on how they observed the interview process or ask those who observed the various sections of the assessment process and ask the same question to MRI.

Mr. Mabardy reiterated that he thought videotaping the finalists should be part of the assessment process to afford the appointing authority the opportunity to see these candidates.

Documents - the three documents submitted by Ms. Gloff, mentioned above.

UPDATE ON TAX INCREMENT FINANCING NEGOTIATIONS WITH INFINIUM METALS

Mr. Ostroff gave a brief explanation of the State's Tax Incremental Financing (TIF) plan previously used by the Town. It allowed a municipality to designate an area and have a company apply for a special status to allow for

incentives based on improvements to the property and the hiring of employees. The idea was to attract a company through these incentives.

Mr. Ostroff acknowledged the work of Paul Joseph, former Selectman and Chair of the Economic Development Committee in bringing Infinium Metals forward.

Steve Deverzinski(sp?), CEO and co-founder of Infinium Metals noted that his company was founded in 2008 and developed a new process to produce rare earth metals in a clean and more efficient manner. Right now China had a lock on it, but Infinium's product was cleaner with the only bi-product being pure oxygen. Currently they had a facility on Huron Drive and were looking for places to expand. There were about 17 employees in a deeply scientific varied culture. He thanked Mr. Joseph for chasing them down and helping with the application.

Mr. Ostroff inquired as to their clients and Mr. Deverzinski responded that there was the US government and rare earth magnet companies, but a lot were overseas. They sold to other companies that eventually sold the product for the development of electric cars. Infinium's product was unique and they have been told they were the only company outside China that could do this.

Asked about the workforce being planned with the expansion, Mr. Deverzinski said he was looking for about 20 but could add more.

Mr. Ostroff noted there had been a staff meeting on Friday to discuss this proposal and there was a broad range of negotiations for what element of taxes might be forgiven, for what period of time, and the benchmarks.

A representative of the state agency involved, Mr. Anderson, was present and explained the State EDIP was between a municipality, the company, and the State. When a municipality stepped forward with a TIF, the state stepped forward with an investment tax credit. In determining the credit the state looked at the private investment and looked at the number of jobs created. The maximum was 10% but that was not guaranteed. They also looked at the type of industry, how much the jobs paid, and they liked to see a municipality with skin in the game.

There was no formula, but they liked to see manufacturing jobs for highly skilled people.

Mr. Ostroff asked why the Town would want to offer a discount on potential property taxes.

Paul Joseph, Chair of the Economic Development Committee, advised that the EDC unanimously voted to recommend that the Board of Selectmen negotiate up to the maximum TIF which was 100% tax increment up to 20 years. To give away taxes, the Town was encouraging companies like Infinium to stay in Natick and to expand locally and keep them from other towns that were competing aggressively. The TIF would forego the taxes that Infinium would invest in that property.

Mr. Joseph continued that there was significant data that showed the impact of local employment on the local economy. Infinium was a highly educated work force that would be inclined to buy houses in Natick, use the local restaurants, and frequent local shops. Attracting a company of this caliber was the exact type of business the EDC would like to see more of in the industrial zone.

Mr. Ostroff inquired if there would be an implicit obligation to anyone else coming into the industrial park.

In response Mr. Joseph said he saw the TIF as one tool. The more the community invests in companies like Infinium, the better. He looked at the TIF as an anchor and didn't think there was a need to offer one at this aggressive level to everyone.

Mr. Ostroff raised the scenario of a TIF being given in one area and the company wants to expand outside the area. Mr. Anderson responded that it was his impression Infinium would be purchasing their building so they probably weren't going anywhere. Companies have come forward multiple times for multiple facilities or the TIF could be amended.

Mr. Anderson emphasized that at no point did the TIF take tax revenue out of the Town. The base remained the same. The tax relief was from the additional investment.

Mr. Anderson acknowledged Mr. Connolly's point that potentially a company could improve their building and because of the TIF sell their building for

an extraordinary amount of money. However, the company purchased the building and the Town was not contributing to that. If a company had an assessment of \$100,000 and after the investment was assessed at \$120,000, the abatement on taxes was being offered on the \$20,000 increase so they would be paying a little less in property taxes each year. If the company sold the building, depending on how the TIF was written it could end up at full assessed value so the next property owner would be paying taxes on a better building and increased revenue.

In follow-up Mr. Connolly commented that the company stood to profit quite a bit. Mr. Anderson agreed, but noted that the reality was that paying a little less in property taxes allowed them to expand their research, add more employees, and generate more revenue for the municipality. There was always the possibility of a company selling the building at the end of the agreement. On the whole it was beneficial to everyone involved because of the job creation.

Mr. Ostroff expected to have a follow-up at the meeting of October 20.

STRATEGIC PLANNING REVIEW COMMITTEE: ACCEPTANCE OF REPORT & RECOMMENDATIONS
As Chair of the Strategic Planning Review Committee (SPRC, Mr. Ostroff said he was looking for the Board to consider accepting the report and recommendations of the SPRC:

1. Develop a Comprehensive Planning proposal to develop a unifying community vision
2. Continue to promote collaboration, and organize collaborative events while comprehensive plan development was in progress
3. Review the report including notes from the November 2013 all-boards conference
4. Actively participate in cross-board collaboration

The SPRC further recommended that the Committee continue. They would regroup and come back with a proposal in a few months.

A motion was made by Mr. Hughes to accept the report and recommendations of the SPRC. The vote was taken on a motion by Mr. Hughes, seconded by Mr. Jennett.

Speaking to the motion, Mr. Connolly noted that some of these things in the report wouldn't be high on his list and he wondered who attended the forum. Mr. Ostroff believed there was a list of attendees and he would try to get that. He noted that the 2008 plan represented the input from more than 1,300 residents through the combination of surveys and people who participated in one way or another.

Mr. Ostroff saw no harm in developing a proposal for discussion, adding that one of the things learned by the committee was that there needed to be a better job of working across the boards.

Mr. Connolly countered that sometimes groups were accused of being clicky and that was his concern. Before recommending the document he would like to see it tweaked and he would like to offer some suggestions, i.e. he would like to see the TIF work to keep seniors in their homes.

It was suggested that Mr. Connolly should be a candidate to represent the Board of Selectmen on this process. Mr. Connolly accepted the recommendation and asked to be notified of the SPRC's next meeting.

Documents - SPRC report; SPRC recommendations; memo from Joshua Ostroff

CONTINUED PUBLIC HEARING: GENERAL ON PREMISES RULES & REGULATIONS
On a motion by Mr. Hughes, seconded by Mr. Jennett, the Board unanimously voted to reopen the public hearing.

Mr. Hughes thanked the members for their patience in allowing him the time to review the draft and make some suggestions. As currently drafted he was in favor of the rules & regs.

Mr. Jennett inquired as to what was changed. Told that the rules now said alcohol could not be sold more than 15 minutes after the performance, Mr. Jennett questioned why a limiter was being put in when currently beer & wine could be served with no restrictions outside of the hours in place.

Mr. Hughes responded that TCAN was not in the business of selling alcohol.

Mr. Jennett was of the opinion that this was setting up something that was overly restrictive and who was going to monitor it. Why limit it and make it an issue so if a performer left, the bar would have to be shut down. He felt the Board was trying to be too specific. If TCAN was issued a license, they

had to follow the rules & regs like everyone else. He didn't believe they were planning on opening a bar with everyone there until midnight.

Mr. Mabardy asked if it was 15 minutes after the entertainer left or the performance.

Mr. Ostroff explained that it was after the end of the performance. If there was a concert and then a meet and greet. If it was a private function, they would have to get the Board's approval. However, there was nothing in the rules and regs that couldn't be changed.

Mr. Mabardy inquired if anybody could come in to obtain a drink or did they have to purchase a ticket for the event.

Mr. Ostroff noted that TCAN has said in their own regulations that they were only serving during performances and events.

Asked by Mr. Connolly if he had a suggestion for how to deal with going too late into the night, Mr. Jennett replied that TCAN was allowed to serve until a certain time and the issue he had was tying it to an individual being in a facility.

Mr. Ostroff suggested giving these rules & regs a try and if they needed to be revised that could be done.

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

Mr. Hughes moved to adopt the rules & regs as drafted. Seconded by Mr. Connolly. The motion passed on a 4-1-0 vote. Mr. Ostroff, Mr. Hughes, Mr. Mabardy, Mr. Connolly voted in favor of the motion. Mr. Jennett was opposed.

Speaking to the motion, Mr. Connolly thought the draft gave the Board something to work on as long as TCAN could come back if there was an issue.

Document - Draft rules & regs for General on Premises License

NATICK LIONS CLUB: REQUEST FOR ONE DAY ENTERTAINMENT LICENSE

Representing the Natick Lions Club was the Treasurer, Meg Humphries.

Mr. Hughes moved to grant the Natick Lions Club a one day entertainment license for a fund raiser to be held at the Natick Elks on October 17, 2014. Seconded by Mr. Mabardy and unanimously voted.

A motion was made by Mr. Hughes to waive the license fee. Seconded by Mr. Mabardy and unanimously voted.

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

FALL TOWN MEETING WARRANT ARTICLES

Article 10 - Amend By-Laws Article 55: Dog Park, Dog Exercise Area

Ms. White noted that the Town bylaws require dogs to be on a leash at all times and this amendment would allow dogs to be off leash when in a designated exercise area. There are no such areas at this time, but should a dog park be developed this was a requirement of the grant program.

Mr. Hughes inquired about cleanup of a dog park while people were using it, but Ms. White pointed out that this article was simply to change the bylaw. Mr. Hughes countered that this was the beginning of going down the road for a dog park and he wanted to know the rules before going that way.

Ms. White noted that this bylaw wouldn't define every rule for allowing a dog off leash. There was a non-profit organization with a group of committed volunteers that have indicated their commitment to help maintain the dog park should one be developed. Presently the Town was cleaning up dog excrement all over Town and establishing an authorized area would improve the situation.

Mr. Jennett moved to support favorable action of Article 10. Seconded by Mr. Connolly. The motion passed on a 4-1-0 vote. Mr. Ostroff, Mr. Mabardy, Mr. Jennett, Mr. Connolly voted in favor. Mr. Hughes was opposed.

Mr. Connolly advised that he received repeated phone calls from the only abutter of the property (being proposed for a dog park). She was angry and upset and some of her comments were contradictory to what was said by the proponents, but he promised to put forth her concerns.

Documents - copy of the warrant article; FIDO dog park report; Finance Committee standard questions

Article 34 - Amend Zoning by-Laws: Accessory Retail and/or Restaurants
Chair of the Economic Development Committee Paul Joseph informed the Board that both the Planning Board and Economic Development Committee voted to support favorable action on this article.

A motion was made by Mr. Hughes to support favorable action on Article 34. Seconded by Mr. Jennett and unanimously voted.

Mr. Ostroff felt the article was innovative and would attract new businesses.

Documents - Copy of the warrant article; power point slides; Finance Committee questionnaire; motion

Article 35 - Housing Overlay Option Plan (HOOP-II) District for Area in West Natick Along West Natick Commuter Rail (Map 39, Lots 27,28,29)

The Board was informed that the Planning Board recommended referral to the sponsor and the Planning Board.

Mr. Connolly moved to recommend Indefinite Postponement of Article 35. Seconded by Mr. Hughes. After some discussion the motion passed on a 4-1-0 vote. Mr. Hughes, Mr. Mabardy, Mr. Jennett, Mr. Connolly voted in favor of the motion. Mr. Ostroff was opposed.

Mr. Ostroff moved to recommend referral of Article 35 to the sponsor and Planning Board. Mr. Jennett seconded for discussion. No vote was taken as the motion for IP passed.

Stacy Street resident Joseph Carter told the Board that his property abuts one of the properties in question. Originally the HOOP was designated for the downtown and if moved to other parts of Town, the language would have to be changed. If this was approved in just these two sections, it would mean 38 units of housing in less than two acres. The concern was with the drainage and traffic and if it was approved for the corner of Stacy there was property across the street for sale.

He cited the Snap On Tools and OB Hill property and questioned how you could say no to them if you said yes to this article. A lot of housing would be generated which meant more children and the schools were already taxed. The proponents of these two articles (35,36) were trying to work around what the HOOP was designed for.

Mr. Ostroff asked if Mr. Carter had a sense that the neighborhood would prefer having the article go back to the sponsor and Planning or kill it. Mr. Carter reiterated that when the door was opened for one, it was opened for everyone.

One of the biggest things Mr. Connolly heard about was traffic and condos. Condos were everywhere. Adding more condos here would be a mess and would put a strain on the Police, Fire, DPW. It was literally flooding that area by creating drainage issues and these requests will continue until someone said no. Not one person that lives in that neighborhood says they like it. Traffic was out of control.

Mr. Hughes stated that he lived in West Natick and this proposal would make the densest part of Town denser. He didn't see what this did that was good for the Town and it made this area of Town worse than it used to be. The Town has met its 40B requirements until 2020. It was almost spot zoning.

Mr. Ostroff was of the opinion that West Natick urgently needed a more thoughtful approach to development and that was something that would happen. There was an MBTA station that will attract future development and it would be best to do it in the context of a comprehensive plan. To him it was immaterial whether it was IP or referral but referral had the benefit of sending a message to sponsors and Planning Board that said there was an opportunity here but not this. He didn't want to discourage people from investing.

Mr. Jennett commented that he has seen Natick evolve as a thriving mecca and everywhere you turn there was more housing. There were growth problems with traffic, density, services and if there was a choice he would put on a moratorium. People have a right to develop their property but there were so many issues with high density. He found it frustrating to hear people say there would be no impact on the schools or services. There were schools

busting at the seams and services were taxed to the max and it had to stop.

Mr. Jennett thought the Town needed to have a growth plan and the Planning Board needed to consider the issues as a community when they looked at plans coming before them. Things have gone too far and he thought people were taking advantage of a community that's been very permissive in growth. He encouraged everybody to vote IP.

Document - email from resident Joseph Carter; copy of the warrant article; HOOP II Option 5; HOOP II Option 6; West Natick Handout; HOOP II map; Motion 2; Finance Committee questionnaire

Article 36 - Housing Overlay Option Plan (HOOP-II) District for Area in West Natick Near West Natick Commuter Rail (Map 40, Lot 87)

Mr. Hughes moved to recommend Indefinite Postponement of Article 36. Seconded by Mr. Jennett. The motion passed on a 4-1-0 vote. Mr. Hughes, Mr. Mabardy, Mr. Jennett, Mr. Connolly voted in favor of the motion. Mr. Ostroff was opposed.

Mr. Ostroff moved to recommend referral of Article 36 to the sponsor and Planning Board. Mr. Connolly seconded for discussion. No vote was taken as the IP motion passed.

An abutter to the property Sandy Cincotta told the Board that neighbors planned to go to Town Meeting and asked if they would be able to speak.

Mr. Ostroff advised that everyone had the right to speak and explained that the Selectmen's recommendation did not have any legal force. It was advisory. The bar to change zoning was high, requiring a 2/3 vote.

Document; copy of warrant article; Finance Committee questionnaire; Possible site plan with green space; Natick Condo rendering C; Natick Condo rendering D; Natick Condo rendering E

Article 37 - Amend Zoning By-Laws: Facilitate istic Building Preservation in Natick

The Board was informed that the Finance Committee recommended referral of Article 37 but would be reconsidering the article on Thursday. The Planning Board was recommending Favorable Action.

Randy Johnson, a proponent of the article, noted that the first presentation to the Finance Committee was prior to the Planning Board finishing their deliberations. He didn't think the Board had received a copy of the motion that was hashed out by the Planning Board last Wednesday. Mr. Johnson distributed a copy.

Although he would be happy to consider the article, Mr. Hughes was not prepared to do so this evening having just been handed a three page document to amend a zoning bylaw.

Mr. Ostroff asked Mr. Johnson to give a summary of the goal and he responded that it was to do a change to the bylaws that would help facilitate reuse of historic properties. Currently it was problematic because the properties were in zoning districts that limit reuse options.

Planning Board member Julian Munnich added that it was borrowing from other sections of the Zoning Bylaw. These elements contained in this bylaw already exist under the cluster development. It creates a channel by which historic properties can be preserved.

The Board agreed to table discussion to October 20.

Documents - Copy of the warrant article; revised motion; Finance Committee questionnaire

Article 19 - Appropriate Funds to Audit Conservation Fund

Ms. White recalled that at the last meeting the members wanted to postpone making a recommendation. She asked what information members would like to see but hadn't gotten any requests.

If there were questions regarding the proper utilization of these funds, Ms. White thought a professional independent audit was the best way. She didn't see it interfering with the work of the proposed committee.

Mr. Mabardy asked about a member of the Conservation Commission being on the proposed committee, but Ms. White pointed out that related to Article 20.

She encouraged the proposed review committee to check in with the Conservation Commission frequently, but having a Conservation Commission member on the committee was not among the more important matters to her.

A motion was made by Mr. Hughes, seconded by Mr. Jennett, to support favorable action of Article 19 in the amount of \$20,000 with expenditure to be under the direction of the Board of Selectmen. Following a lengthy discussion, unanimously voted.

Speaking to the motion, Mr. Jennett thought the big issue was timing. It was his understanding that it would go to the committee, get lined up, and then given to the professional.

Ms. White didn't envision an audit, unless competitive quotes were sought, taking all that long. Mr. Towne agreed, adding that the preparation was important. There was a lot of paperwork and assembling that would need to be done and would depend on how far back it would go. Going back to 1998 would cost more. If the scope of work was independent from the other group, it would take less than a week to audit if the administration did all the work.

Mr. Towne further noted that Article 20 talked about the committee being discharged by the end of Spring Annual Town Meeting, but without an appropriation now, there wouldn't be an audit by the end of Spring Annual Town Meeting.

Ms. White thought the committee should be the consultant to help develop the duration for looking back.

Julian Munnich, sponsor of Article 20, was of the opinion that Article 19 was one of sequences and scope. The study committee could help recommend the scope and if an audit was needed. To apply an expense now was speculative at best. Comments from the Finance Committee was that more research should be done before engaging an auditor and that Article 20 would accomplish the same thing.

To the issue of independence, Mr. Munnich pointed out that not going out to bid wasn't independent. Some FinCom members felt it should not be the Town's auditing firm. Rather than asking staff to do things twice, Article 20 should occur first and if an audit was needed, it should happen after. If the study committee wasn't finished, it could be extended.

Mr. Mabardy inquired as to the funding of an audit and was told by Ms. White that it would be free cash.

Mr. Connolly raised the issue of independence if it didn't go out to bid and Mr. Towne explained that the annual audit was conducted by an independent auditor. He would anticipate using the same auditing firm as they were familiar with the Town's conservation fund. Auditing services did not have to go out to bid.

Asked if the Conservation fund had been audit, Mr. Towne responded that it was part of the Town's overall financials, but it wasn't looked at in the scope being talked about. This audit would be very specific and the Town will identify what the auditors should look at.

Documents - Copy of the warrant article

DISCUSSION OF FIRE CHIEF APPOINTMENT PROCESS

Having received the list of finalists from the Fire Chief Screening Committee, Mr. Ostroff advised that in accordance with the bylaw the Board had sixty days to make an appointment. He didn't want to use the whole sixty days, but wanted it to be thoughtful.

Mr. Ostroff suggested an agenda item for October 20 to discuss a timeframe. His hope was that all the members would have an opportunity for individual interviews, a public interview process with the candidates, and members would receive the information they were looking for on the work product from the assessment center.

Mr. Jennett thought it would be constructive to reach out to the screening committee and start the process immediately since he doubted the Board would get enough information from the assessment center.

Mr. Ostroff cautioned against reaching out to all nine members of the screening committee until there was a discussion of a process.

Mr. Hughes recommended establishing a timeline by working backward. Public interviews could be held the beginning of December and then gauge when to speak to each individual, when to speak to whomever on the screening committee, and get whatever information you want to make a decision on or before December 13.

Mr. Ostroff said he would draft a schedule for discussion on the 20th.

Following a ten minute recess, the meeting was reconvened at 10:10 a.m.

Mr. Hughes left during the recess.

FALL ANNUAL TOWN MEETING WARRANT ARTICLES

Article 24 - Fiscal 2015 Omnibus Budget

Ms. White noted that the Board received a presentation regarding the free cash certification and the plan for utilizing the resources. That plan tied into Articles 24-30.

Deputy Town Administrator/Finance Director Jeffrey Towne explained there were five components to the omnibus budget article:

Citizen Leadership Academy	\$5,000
Selectmen/Town Administrator - Site Survey	20,000
Fund Snow & Ice Deficit from 6/30/14	638,523
Sassamon Trace Fringe Benefits	17,783
Sassamon Trace Debt Service (interest)	3,983

Mr. Connolly recalled a meeting a while back where Community Services Director Jemma Lambert wanted to do something with land behind the Community Senior Center and it was said that it was supposed to be something else, but whatever was supposed to have been done wasn't done. Was the contractor paid to do those services?

Ms. White responded that the area was intended for a young people's soccer field. No payment was made, just a grass field. A number of ideas have been floated for that land, but nothing has been finalized.

Mr. Connolly thought it was supposed to go back to the pee wee soccer field, but Ms. White advised that the remaining area was not sufficient for that so other uses were being looked at.

Mr. Connolly was of the opinion that if it was said it was going to be one thing and now it wasn't, there should be an explanation.

As a member of the Community Senior Center Building Committee, Mr. Jennett noted that the CSC was a seven year project. Initially the idea was to keep the field as a soccer field, but the walking trail took a piece of it and the Recreation Department made a decision not to use it for soccer. There were now more fields available for soccer than there were seven years ago so it was not as critical and the discussion now was what to do with it.

Mr. Mabardy was concerned with the money being spent and Ms. White responded that Recreation & Parks was doing a master plan of what was needed for their facilities. She imagined out of that, combined with Ms. Lambert's community outreach, would come a recommendation. There was one acre of useable land and 6-7 acres of wetlands. This survey was just to develop what could be done there. The request for the survey was \$20,000.

Mr. Towne reviewed the request for snow & ice noting that last year \$892,023 was voted in overdraft. This year a shift in the approach was being proposed whereby snow and ice removal would be funded in the year in which it occurred. \$253,500 was already built into the Fiscal 2015 budget and the plan was to add \$638,573 from free cash.

On a motion by Mr. Jennett, seconded by Mr. Ostroff, the Board unanimously voted to recommend favorable action on Motion A of Article 24 in the amount of \$663,523.

On a motion by Mr. Jennett, seconded by Mr. Ostroff, the Board unanimously voted to recommend favorable action on Motion B of Article 24 in the amount of \$21,766.

Documents - spreadsheet prepared by Finance Director Jeffrey Towne; Memo from Community Services Director Jemma Lambert

Article 25 - Stabilization Fund

Mr. Towne advised that currently the Stabilization Fund was at about 70% of target. If the \$150,000 was approved, the fund would be just under 73% of target.

A motion was made by Mr. Jennett to support favorable action of Article 25 in the amount of \$150,000. Seconded by Mr. Connolly and unanimously voted.

Document - Finance Committee Standard Questionnaire

Article 26 - Stabilization Fund - Operating/Rainy Day

Mr. Towne advised that the target balance for the Operating/Rainy Day fund was \$5 million. Right now it was only 34% funded. There was a need to get it significantly higher so the proposal was to put in \$625,000. All of the stabilization funds factor into the Town's bond rating and keeps the long-term interest rate down.

The Board unanimously voted to approve favorable action of Article 26 in the amount of \$625,000. The vote was taken on a motion by Mr. Jennett, seconded by Mr. Mabardy.

Documents - Finance Committee standard questionnaire

Article 27 - Stabilization Fund - Capital

Mr. Towne recalled that when the meals and the extra hotel tax were voted, the decision was made to set aside \$1.3 million each year into the Capital Stabilization Fund and also have funds each year to try to supplement to provide some debt relief.

Currently there was \$5.5 million in the Capital Stabilization Fund, but money will be voted out at this Town Meeting. If Town Meeting approves everything, the balance will end up at \$4.4 million for future projects and debt relief. Between the spring and fall Town Meeting, over \$3 million will be expended out of this fund.

Ms. White added that this was the second year the local option taxes were being supplemented with free cash with the goal of building up the fund to help with debt relief.

Mr. Jennett moved to support favorable action of Article 27 in the amount of \$2,005,092. Seconded by Mr. Mabardy and unanimously voted.

Prior to the vote Planning Board member Julian Munnich expressed his support for what was being proposed. He pointed out that unlike the others where it was based on operating expenses, he believed it would be helpful for this one to be defined by a target on the depreciation of the assets and it would be helpful to know that dollar amount. He clarified that he was talking about depreciable capital assets with life spans, recognizing that things like the Town Common didn't depreciate.

Mr. Towne noted that there was a lot that went into it. He has been working on it and didn't know if he would have an exact number by Town Meeting, but there would be at least enough for a discussion.

Document - Finance Committee Standard Questionnaire

Article 28 - Stabilization Fund - I&I

Mr. Towne explained that these funds have always been segregated for this purpose but the DOR was requiring the Town to move the funds.

On a motion by Mr. Jennett, seconded by Mr. Connolly, the Board unanimously voted to support favorable action on Article 28 in the amount of \$1,126,405.50.

Document - Finance Committee Standard Questionnaire

Article 29 - Stabilization Fund - One-to-One Technology - School

Mr. Towne noted that this was the last piece to be discussed when looking at free cash and it was felt that \$100,000 could be allocated to the One-to-One Technology stabilization fund. He thought the Schools would be coming forward with their plan on how to fund the program, and this was a way to get the program started.

Mr. Jennett inquired as to why it said grades 9-12 and Ms. White explained that when the fund was established by Town Meeting, it specifically said grades 9-12.

With the program already expanding into the lower grades, Mr. Jennett questioned how those would be funded. Ms. White responded that a complex financing plan was being developed for technology, but this was strictly grades 9-12.

Mr. Ostroff inquired as to the earliest time a request for funding would be seen. Ms. White thought next fall, adding that absent a financing plan she was not inclined to put significant money into this fund.

Mr. Jennett thought the fund created a transparency.

On a motion by Mr. Jennett, seconded by Mr. Connolly, the Board unanimously voted to support favorable of Article 29 in the amount of \$100,000.

Document - Finance Committee Standard Questionnaire

Article 30 - Other Post Employment Benefits (OPEB) Fund

Mr. Towne noted that the Town had a \$127 million OPEB liability with \$455,000 funded. The Town was not required to fund the OPEB, but starting in Fiscal 2017, it will show up as a liability on the financial statements. OPEB funds retirees health and other benefits received when they retire.

Ms. White noted that in the past money was set aside through the Medicare Part D subsidy, but those weren't received this year. That money was used by the West Suburban Health Group to keep the rates stable.

On a motion by Mr. Jennett, seconded by Mr. Connolly, the Board unanimously voted to support Article 30 in the amount of \$250,000.

Documents - Finance Committee Standard Questionnaire

Article 3 - Appropriate Fed Ex Mitigation Funds for Traffic Engineering

Ms. White advised that \$75,000 of the mitigation money was in hand and intended to be distributed to Framingham - \$50,000 for design work on Speen Street and Route 30 and \$25,000 for Wayland for Route 27/30. This was the intended use of these funds under the special permit.

On a motion by Mr. Jennett, seconded by Mr. Connolly, the Board unanimously voted to support Favorable Action of Article 3 in the amount of \$75,000 in mitigation funds.

Document - Finance Committee Standard Questionnaire; Fed Ex site plan review decision; Fed Ex mitigation table

Article 6 - Amend Town Meeting Vote of Article 15 of the 2010 Fall Annual Town Meeting: Disposition of East School

Ms. White explained that this article asked Town Meeting to amend the vote of the 2010 Fall Annual Town Meeting regarding East School. The School Department Achieve Program was moved to East School and the intent was to offer classroom space at a competitive market rate to area non-profits through an RFP process.

Doing so would keep the Town in control of the property and the recreational facilities at that site. It would also provide needed space for area non-profits. A number of non-profits have reached out to her looking for space at East School and the hope was to create a symbiotic relationship between the Achieve Program and the non-profits.

This article would eliminate the requirement to sell the property.

Mr. Ostroff found the concept to be praiseworthy and asked if the veterans' programs would be considered in the mix. Ms. White's response was, "absolutely", noting there was a program the Veterans Services Officer works with in Framingham and they were on the list.

Mr. Ostroff inquired as to what would come back to the Board for approval and Ms. White responded that there would be a lease agreement for each of tenants. The procurement law applied because it was a disposition of public property and would be done through an RFP.

Mr. Ostroff then asked about convening the Real Property Disposition Committee. Ms. White acknowledged that she had not made good use of the committee. It has been about two years since their appointment and she wasn't sure the members were still interested. Mr. Ostroff didn't want the committee members to feel unappreciated and suggested that the status of the property be conveyed to them.

Mr. Jennett supported the article and pointed out that the \$30,000 in the School budget used to lease space for the Achieve program was a true savings. He would like to see the Town and School administrations come together and pull that \$30,000 from their budget. A good place to put that \$30,000 would be the One-to-One stabilization fund. The point was transparency.

Asked if he envisioned that happening at this Town Meeting, Mr. Jennett said yes.

Mr. Ostroff was concerned with Ms. White acting on that as a suggestion of the Board unless there was a vote.

Ms. White doubted there would be time for the School administration to evaluate the proposal and pass it by the School Committee in time for this Town Meeting.

Mr. Jennett just asked that she reach out, noting that he may reach out to School Committee members as well.

The other issue Mr. Jennett asked about was the hazardous materials mentioned in an email from former Selectman John Ciccariello.

Ms. White advised that those questions had been answered. There was asbestos in the front, but it had been evaluated as being safe.

On a motion by Mr. Jennett, seconded by Mr. Connolly, the Board unanimously voted to support favorable action on Article 6.

Documents - Finance Committee questionnaire; vote of the 2010 Fall Town Meeting; Memo from School Superintendent on Achieve Program Use; email from John Ciccariello

Article 23 - Study Committee: Municipal Non Union Personnel Policies, Practices and Procedures

Ms. White reported that the proponent had asked for No action.

Mr. Ostroff noted that he had some correspondence between the sponsor and the Personnel Board Chair that led him to believe things were moving along.

Mr. Jennett moved to recommend No Action on Article 23. As long as it was clear that it was Mr. Rourke's (sponsor of the article) recommendation, Mr. Connolly seconded. Unanimously voted.

Document - Finance Committee Standard Questionnaire

Article 31 - Personnel Board Classification & Pay Plan

Ms. White reviewed the proposed changes: The Council on Aging and Human Services Director position was being changed to just Council on Aging Director; Social Worker Coordinator position was a position upgrade of an existing position with a small stipend; the Golf Course Assistant Superintendent position was being eliminated.

She advised that the Finance Committee was taking up this article again on Thursday.

Mr. Jennett moved to support Favorable Action on Article 31. Seconded by Mr. Ostroff. Mr. Connolly's request that the Board wait until after the Finance Committee made a recommendation. No vote was taken.

Documents - Finance Committee Standard Questionnaire; copy of full-time Personnel Board pay plan; letter to Town Meeting from Personnel Board

Article 38 - Authorization for Selectmen to Enter into Tax Increment Financing Plan for Infinium, Inc. Expansion in Natick

As there was no proposal, Mr. Jennett moved to support No Action for Article 38. Seconded by Mr. Ostroff and unanimously voted.

Document - Finance Committee Standard Questionnaire; Infinium power point overview

FAMILY PROMISE: APPLICATION FOR ONE DAY ENTERTAINMENT LICENSE

The Board unanimously voted to approve a one day entertainment license for Family Promises to hold a fund raising event with a live band and dancing on November 1, 2014 at the Common Community Church on Common Street. The vote was taken on a motion by Mr. Jennett, seconded by Mr. Connolly.

Document - Letter from Carol Broderick, Family Promise; email from Lt. Brian Lauzon

ADJOURNMENT

The meeting was adjourned at 11:25 p.m.



Nicholas S. Mabardy, Clerk