

BOARD OF SELECTMEN

Natick Town Hall

July 29, 2013

6:00 p.m.

The meeting was called to order by the Chair Carol A. Gloff at 7:45 p.m.

PRESENT: Carol A. Gloff, Joshua Ostroff, Nicholas S. Mabardy, Charles M. Hughes, Richard P. Jennett, Jr.

ALSO PRESENT: Martha L. White, Town Administrator

WARRANTS: Payroll warrants were signed by the Board of Selectmen on July 29, 2013 in the amount of \$1,218,206.19. This figure was included in total warrants signed by the Board of Selectmen of \$5,446,092.19.

EXECUTIVE SESSION

Mr. Hughes, seconded by Mr. Ostroff, moved to enter into executive session to discuss matters pertaining to litigation, real property negotiations, and collective bargaining. By roll call vote the Board voted unanimously to enter into executive session. 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 litigation, collective bargaining and real property negotiations in open session would have a detrimental effect on the Board of Selectmen's negotiating position.

The open session was reconvened at 7:45 p.m.

CERTIFICATE OF MERIT: RYAN CHURCHILL

Acting Fire Chief Richard White presented eight year old Ryan Churchill with a Certificate of Merit for helping to save his three year old brother's life. On July 17 his brother began choking on a piece of apple and Ryan quickly alerted his mother and 911 was called.

Ryan was given a standing ovation.

INTERVIEW FOR APPOINTMENT TO CULTURAL COUNCIL

Mr. Hughes raised the issue of the Cultural Council having a meeting on July 23 that was not posted on time and subsequently was posted as an emergency meeting. Because Town Hall was closed Friday afternoon and the notice could not be posted was not a reason to declare a meeting an emergency. He moved to send a letter to the Chair of the Cultural Council advising him of the problem and notifying him that any votes taken at the July 23 meeting may not be valid. Seconded by Mr. Jennett and unanimously voted.

In discussion of the motion, Mr. Ostroff explained that the reason for the emergency was that due to so many resignations there was no Treasurer or Secretary and the Chair indicated a desire to cease being Chair. There was an emergency because the Council didn't have any officers and it was a case where certain grants hadn't been paid and they hadn't done any planning for grants coming up.

The maximum time a member can spend on the Council was 6 six years and Mr. Ostroff thought the Board needed to do a good job recruiting people. It was extremely unfortunate the meeting wasn't posted and the next agenda for that committee will include any and all items discussed on July 23.

Mr. Hughes felt it might have been justified, but pointed out that the posting said it was an emergency because Town Hall was closed on Friday. That didn't address the problem of taking votes with less than a quorum present.

Mr. Jennett inquired if the meeting was posted at all and was told that it was posted on Monday morning. Initially the Town Clerk refused the posting, but it was posted.

a. Joseph Keefe

Joseph Keefe highlighted his 57 years of serving Natick in various capacities which included 20 years as the Natick Schools Superintendent. Currently he was president of the Board of Trustees of the Library and a member of TCAN. He noted he was fully aware of the nuances of the Open Meeting Law and public records and would like the opportunity to be considered for this position. He had a lot of experience with grant writing and decision making.

Mr. Ostroff thanked Dr. Keefe for his long service and willingness to serve.

*b. Jeanne Cosmos*

Jeanne Cosmos stated that she has been on a number of committees in Natick including being a member of the Bacon Free Library Board of Trustees. After practicing law for about 27 years, she went back to graduate school for a Masters in Fine Art.

Some time ago she received a small grant from the Library for creative writing and it was a confidence boost and an affirmation that writers do matter.

Mr. Ostroff inquired as to whether Ms. Cosmos had a sense of the specific duties of the committee. In response Ms. Cosmos noted that she looked at the web site and 5-6 years ago she talked to some members but there were no vacancies at the time.

A motion was made by Mr. Hughes to appoint Joseph Keefe and Jeanne Cosmos to the Natick Cultural Council. Seconded by Mr. Ostroff and unanimously voted.

Documents - committee applications submitted by Joseph Keefe and Jeanne Cosmos

PUBLIC HEARING: DEDICATION OF SQUARE AT NORTH MAIN AND KANSAS STREETS IN HONOR OF DENNIS POTEAT, SSGT US ARMY

Following the reading of the public hearing notice, the Board unanimously voted to open the public hearing on a motion by Mr. Hughes, seconded by Mr. Jennett.

Veterans Services Officer Paul Carew noted that he, the President of the Veterans Council Edward Jolley, and Officer of the Day Patrick Young were here to request the square at North Main and Kansas Streets be named in honor of SSGT Dennis Poteat. SSGT Poteat was given orders to go to Vietnam while stationed at the Natick Army Base and was killed in action in March 1968.

Memos had been received from the Chair of the Historical Commission Steven Evers and Community Development Director Patrick Reffett stating they had no objection to the naming of this square.

Mr. Hughes moved to close the public hearing. Seconded by Mr. Jennett and unanimously voted.

On a motion by Mr. Ostroff, seconded by Mr. Hughes, the Board unanimously voted to dedicate the square at North Main Street and Kansas Streets in honor of Dennis Poteat, SSGT US Army.

Documents - Memo from Natick Veterans Council; email from Steve Evers, Chair of the Historical Commission; memo from Patrick Reffett, Community Development Director

Mr. Ostroff thanked Dennis Poteat and his family for their service. He noted that of the 11 men from Natick who lost their lives this was the 8<sup>th</sup> square dedication.

FAMILY PROMISE METROWEST

*a. Application for One Day Beer & Wine License*

Representing Family Promise MetroWest was the Executive Director Beth Cooper.

She explained that Family Promise MetroWest was centered in the Common Street Church. The organization provides shelter, food, clothing, and job training for families. It was a private non-profit with most funding coming from grants and private donations. Fund raising was a big part of raising their budget and they had two fund raising events planned.

One was an adult evening of mini golf at the energy Fitness Gymnastic Academy of Natick on November 2, 2013 and they would like to include beer & wine. There would be a TIPS certified bartender serving.

A motion was made by Mr. Hughes to grant Beth Cooper on behalf of Family Promise MetroWest a one day beer & wine license for a fund raising event to be held at the energy Fitness Gymnastic Academy of Natick on November 2, 2013. Seconded by Mr. Jennett and unanimously voted.

Mr. Ostroff acknowledged the good work of the organization.

Documents - letter from Carole Brodrick of Family Promise MetroWest

b. Request Permit for Fund Raising Walk

Mr. Hughes moved approval of Family Promise Metrowest's request to hold a fund raising walkathon on April 12, 2014 with the start and finish line being on the Common subject to the recommendations of Lt. Brian Lauzon and the Recreation & Parks Commission. Seconded by Mr. Ostroff and unanimously voted.

In the letter of request, Ms. Cooper advised that they would like to use the gazebo and that electricity would be required for announcements and the DJ. In his memo, Jon Marshall, Recreation & Parks Director, recommended approval but stipulated that there be no music until after 12:00 noon.

Why no music until after 12:00 noon was questioned and the suggestion was made that Ms. Cooper contact Mr. Marshall.

Ms. Gloff asked if there was going to be food. Told there would be coffee, fruit, and water, Ms. Gloff suggested that Ms. Cooper speak with the Board of Health.

Document - Letter from Beth Cooper, Executive Director Family Promise MetroWest; memo from Jon Marshall, Director of Recreation; email from Lt. Brian Lauzon

PUBLIC HEARING: KENSINGTON SPEEN, LLC, NORTH MAIN STREET: APPLICATION FOR LICENSE TO STORE FLAMMABLE MATERIALS - CARS IN PARKING GARAGE

Mr. Mabardy moved to open the public hearing, seconded by Mr. Hughes; however, before the vote was taken it was noticed that the address in the hearing notice was for 182 North Main Street, but the application said 82 North Main Street. That called into doubt that the hearing was properly noticed.

Ms. White pointed out that the letter from Barberry Homes cites 182 North Main which probably accounted for the error in the ad.

It appeared as though the list of abutters was compiled using the correct address and Mr. Ostroff asked if the abutters had been notified. James Williamson representing Barberry Homes, the developer of the North Main Street project, advised that abutters had been notified. He added that Kensington Speen, LLC was owned by Barberry Homes. Because there would be a parking garage a flammable storage license was required. The only thing that would be stored there were automobiles and the only material would be in the gas tanks.

Ms. Gloff extended her apologies but told Mr. Williamson that the hearing could not be opened because the notice said 182 North Main Street and should have said 82 North Main Street.

Ms. White didn't think there was a sense of urgency, but Mr. Williamson didn't want it to slide too long because this permit was needed for their financing. He preferred rescheduling the hearing to August 12, but Ms. White suggested with the staff being short-handed the August 26 meeting would be better.

The Board agreed to schedule the hearing for August 26.

Documents - Application for flammable storage license; site plan showing location of garage; letter from James Williamson of Barberry Homes

CONTINUED PUBLIC HEARING: NEIMAN MARCUS GROUP, INC.: APPLICATION FOR BEER & WINE LICENSE

Representing Neiman Marcus was the store manager Michael Gonsalves.

The hearing for the beer & wine license was continued from the prior meeting pending receipt of proof of advertising and abutter notification. Ms. White noted that at the time she thought some materials were missing but they were not. The application was all set for the Board's consideration.

A motion was made by Mr. Hughes to close the public hearing, seconded by Mr. Jennett and unanimously voted.

Mr. Hughes moved to grant the Neiman Marcus Group, Inc. a beer & wine license for premises at 310 Speen Street. Seconded by Mr. Jennett and unanimously voted.

Documents - Application filed by Neiman Marcus

FRENCH FRY HEAVEN

Representing Lexi & Meek Holdings, LLC d/b/a French Fry Heaven in the application for a common victualer's license for the Natick Mall was the owner Aaron Jordan.

Mr. Jordan told the Board that this French Fry Heaven would be the first franchise in Massachusetts. The expectation was to have 110 franchises in New England. They serve French fries with toppings.

On a motion by Mr. Hughes, seconded by Mr. Mabardy, the Board unanimously voted to grant Lexi & Meek Holdings, LLC a common victualer's license for premises at the Natick Mall, 1245 Worcester Street.

Documents - Application submitted by French Fry Heaven; recommendation from the Board of Health

TESLA MOTORS MA, INC.: APPLICATION FOR CLASS I LICENSE - NATICK MALL

Representing Tesla Motors MA, Inc. in an application to sell Tesla vehicles at the Natick Mall were James Chen and Diamuid O'Connell.

Mr. Chen reminded the Board that Tesla Motors MA had been here before to request a license to operate a store in the Natick Mall, but zoning issues led to the opening of a satellite location in West Central Street. The Natick Mall location currently operates as a showroom and the activities of conducting sales and accepting deposits was done on West Central Street. The Planning Board has now found a modification of the site plan to allow sales to be conducted at the Natick Mall was appropriate and Tesla was before the Board to request approval of the license to sell at the Natick Mall.

During the lengthy question and answer period that followed, Mr. Hughes noted that he spoke to someone a week and a half ago and they were ready to sell him a car. The person said they were permitted to sell at the Mall because they won the lawsuits, but today they said they couldn't sell cars there. Mr. Hughes was concerned with Mr. Chen's saying they don't sell cars at the Natick Mall. A week and a half ago it was clear from one person's view that it was OK.

Mr. Chen assured the Board that was not their policy (to sell cars at the Natick Mall) and it troubled him to hear Mr. Hughes' comments. They have sent folks in occasionally to refresh the training of all of the product specialists. Tesla was very serious about it and if an employee were caught there would disciplinary action up to and including loss of their job.

To Mr. Hughes it looked pretty clear that everybody was operating on the same thoughts, but after sending out an email to Counsel and Community Development, this weekend it became clear cars couldn't be sold there.

Mr. O'Connell responded that Tesla was doing its best about educating consumers. If someone indicated an interest in purchasing, it would be entertained in the sales satellite office. No one would take any contractual evidence to solidify the purchase unless it was from the satellite office. Mr. Hughes made the point that Tesla could sell vehicles, just not at the Mall without a modification of the Class I license. Mr. O'Connell assured Mr. Hughes that Tesla understood and suggested there may have been some confusion and the product specialist was referring to West Central Street. Mr. Hughes didn't believe that was the case.

Mr. Mabardy stated that he didn't support selling cars at Natick Mall and questioned why not open a dealership. Mr. Chen explained that Tesla was producing and selling a unique vehicle and traditional sales didn't work. New technology was involved and a different approach to selling these vehicles was needed.

Asked why the Natick Mall, Mr. Chen responded that Tesla was committed to bringing about the market for electric vehicles and looking at a different high technology and they were looking at high traffic areas like malls where customers could come and learn more about the cars without the pressure to buy. Natick Mall was identified as an ideal location.

In follow-up Mr. Mabardy questioned what would stop other dealers from opening at the Mall. Mr. Chen reiterated that Tesla was not a traditional vehicle and was introducing a whole new technology. If someone else wanted to do it they would have to go through the same process.

Mr. Ostroff noted that the Planning Board modification was until March 14, 2014 or until Town Meeting voted to amend the underlying zoning and the Board

could grant a license subject to those conditions. The car buying environment was very different than years ago, and if another automobile manufacturer or dealer wanted a boutique showroom in the Mall he was not opposed. Natick was somewhat unique with the underlining zoning.

Mr. Ostroff asked if Tesla Motors MA would continue to maintain the West Central Street location or just the Watertown repair facility and the showroom at the Mall. Mr. Chen said he would have to check with his business unit. If the license was amended, they would have to take a look at the West Central Street site. Later during discussion of the motion, Mr. Chen was again asked if the intent would be to turn in the West Central Street license if this one were granted. At that time Mr. Chen responded that most likely the intention would be to turn in that license.

If the license for the Mall was not granted, Mr. Ostroff asked if Mr. Chen had any indication of Tesla's plans in Natick. Mr. Chen did not, noting he would have to check with his business unit.

Mr. Chen had previously stated that dealerships didn't work for Tesla's product and Mr. Jennett inquired if that was because Tesla Motors MA was a direct outlet for the product.

Mr. Chen responded that it had more to do with the technology itself. On average Tesla produced 20,000 vehicles a year. For a dealer to make a profit they would have to sell other vehicles as well and that creates a conflict of interest in trying to educate someone on the new technology. There may come a time when it made sense to move to the franchise model but for now with the limited number of vehicles, they believed this was the way to go.

If they weren't in the Natick Mall, Mr. Jennett asked if Mr. Chen didn't think customers would go to West Central Street. Mr. Chen noted that they were seeing that now. The carry over to West Central Street has been low compared to other malls.

Mr. Jennett asked if there were other Tesla facilities in New England and was told there were not.

Mr. Jennett then inquired as to why the maintenance facility wouldn't be in Natick. Mr. O'Connell said he would have to refer the question to the business unit.

Mr. Mabardy wondered if one reason people didn't go to the West Central Street location was because of the price of the vehicle. Looking at the comparable return rates, Mr. Chen didn't believe it was the cost vs learning about the new technology. At other locations the return rates were far above those for Natick Mall.

Noting that the Planning Board decision expired in March 2014, Mr. Hughes asked if the intent was to file a modification in the fall.

Attorney for Tesla Motors MA, John Burke responded that at the last Planning Board meeting it was decided that it would be better to go back to the Planning Board. The understanding was that if an article couldn't make the Fall Town Meeting, the Planning Board would extend their vote to August so it could go to Spring Town Meeting. The discussion today was that either the Planning Board would file an article or it would be a citizen's petition without going to the Zoning By-Law Review Committee because that committee had a very full agenda.

Mr. Jennett inquired if the proposed zoning change would allow other automobile dealers to open showrooms in Natick Mall. Mr. Hughes noted that the Zoning By-law at the moment would permit any car dealership upon modification of the special permit.

Mr. Burke agreed, and added that Tesla was not seeking to have the by-law amended so it became a matter of right to have a dealership at the Mall. They were looking for a special permit process, with presumably the Planning Board being the permit granting authority. Cars at the Mall weren't anything new. There have been cars on display there for a long time.

Mr. Mabardy believed cars at the Mall have been there as fund raisers. He didn't recall any car being sold other than a promotion for a non-profit.

Mr. Burke thought he had seen cars on display at the Mall on numerous occasions. He added that the belief was that this was a matter for Town Meeting to weigh in on and if Town Meeting said no, that was the end of it.

Mr. Hughes pointed out it wasn't the end of it. Right now there was a special permit through the end of March 2014. Mr. Burke agreed but said he wouldn't expect the Planning Board to extend the permit beyond that date.

A motion was made by Mr. Ostroff to grant Tesla Motors MA, Inc. a Class I license for premises at Natick Mall, 1245 Worcester Street, subject to the conditions voted by the Planning Board in their modification of the special permit. Seconded by Mr. Hughes for discussion. After a lengthy discussion the motion passed on a 3-2-0 vote. Ms. Gloff, Mr. Ostroff, Mr. Hughes voted in favor of the motion. Mr. Mabardy and Mr. Jennett were opposed.

Speaking to his motion Mr. Ostroff felt the Planning Board had done its due diligence and decided to modify the permit and he believed it was Town Meeting's call.

Whether it was another innovative automobile fuel system or a traditional, Mr. Ostroff wanted those businesses to be in Natick. He wanted to see the \$14 million received in property taxes (from the Mall) be driven from a healthy mix of businesses that Natick was so fortunate to have and he would hate to see any vacancies. His concern was that Tesla would not remain in Natick if they could not do business in accordance with what they see as their best business plan. He hoped the Board would support the motion and let it go to Town Meeting in the fall.

Mr. Jennett had a real issue with the automobile dealership in the Natick Mall. He understood the technology and the belief that Tesla felt their sales model was more effective in a high end mall, but he was concerned that it would end up as the Golden Auto Mile at the Natick mall. Tesla agreed to two locations and felt it was comfortable enough. With Tesla doing sales at the Mall it was only a matter of time before there were other dealerships. He felt Town Meeting should make the change as it was a major decision for the community and he encouraged the members to be patient.

Mr. Jennett continued that he didn't necessarily agree with the Planning Board decision. Tesla currently had a license to sell cars in the community and he didn't see a reason to change it until Town Meeting weighed in. He would not support this application today.

To Mr. Mabardy it was a change in variance and would encourage other people to go for a change variance. He didn't think the Mall was the place for an automobile dealership and he wouldn't support it.

Mr. Ostroff thought the license should be granted. To do otherwise was being hostile to business. Tesla has a business decision to make. If the Board can't see its way clear to allowing this change over the next four months and then let Town Meeting have a debate on the character of the Natick Mall, there were other communities. It was now or never to consider Natick's reputation and where we want to stand.

Mr. Jennett did not feel he was being anti-business. He understood the issues and understood Tesla had a sales model they wanted to put in place, but Tesla accepted a certain level of capability when they moved into the Natick Mall. This was making a change to a location that was a major focal point in the community and he believed Town meeting should weigh in on this decision. If Town Meeting passed the article, he was fully supportive. This was the first time he ever heard of anybody making a zoning change and its being implemented before it passed Town meeting.

Mr. Hughes explained that Tesla petitioned the Planning Board for a change in the special permit to permit the sale of vehicles and the Planning Board granted the change in the permit under the limited decision.

Mr. Burke added that no zoning change was being made. There was some confusion of the Planning Board being able to grant a waiver of strict compliance. It was not clear what the Planning Board's authority was to grant a special permit and there was confusion over whether a temporary permit could be granted. Town Meeting can clear up the confusion and Tesla went along to clear up the ambiguity. It was a compromise. Laura Burns spoke of her experience when she bought a Tesla vehicle. As a former Selectman from Hingham she understood the concerns, but pointed out there were dealers that sell 20,000 vehicles in a year where Tesla was going to sell a total of 20,000 in the country. If they left the Natick Mall there were other places such as Hingham where they could sell cars by right.

Ms. Burns urged the Board to grant the license because Tesla was one of the Town's local businesses. She suspected that when Tesla accepted doing sales

at a different location they didn't know if it would work or not and they discovered it doesn't work for them.

Mr. Jennett noted there was a non-compete clause in the lease. Mr. Chen advised that it was for electric car vehicle sales.

Having listened to all the discussion, Ms. Gloff said she had some concerns about changing the character of the Mall but she would vote yes on the motion. The permit had some limitations and it was one of the future things coming Natick's way.

Documents - application for Class I license from Tesla Motors MA, Inc.; copy of Planning Board modification of permit

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

DPW DIRECTOR:

a. Water Ban

In a memo to the Board DPW Director William Chenard provided an update on the Town's water usage for the past three months. He explained that he was not asking the Board to institute a water ban at this time but to vote to allow the Town Administrator to do it when use gets up there and then come back at the next meeting to give the Board the details.

Mr. Hughes inquired if the institution of a water ban would mean the closing of Elm Bank and it couldn't be turned back on until September. Mr. Chenard advised that Elm Bank could be turned back on with 7-10 days above the stipulated level but typically that wasn't until September.

On a motion by Mr. Hughes, seconded by Mr. Ostroff, the Board unanimously voted to authorize the Town Administrator to institute a water ban upon advice and consent of the DPW Director.

Documents - Memo from DPW Director William Chenard

b. Sewer Connection Fee Waiver for 40R North Main Street Project

Mr. Chenard noted that the Board voted a policy in 2007 on sewer entrance fees, but it never was applied to a property of this significant size and it was significant money. The money was to address I&I that will increase because of increased sewer. Historically fees have not been charged to projects where sewer was not being added, and Barberry Homes is requesting a waiver of the fee.

When Natick Paperboard was in operation they used about 33,000 gallons per day and the new use for housing will pump around 25,000. If the housing development is considered a new use without a previous sewer connection, the fee would be \$299,539.20.

Mr. Hughes inquired if 40R payments had been received and Ms. White advised that the initial payment for having passed the zoning by-law was inhouse.

James Williamson of Barberry Homes added that the Town has received \$200,000 for rezoning the land and received \$800,000 because it was now a Smart Growth. An additional \$414,000 will be received when the building permits were issued plus Barberry Homes was required to pay another \$200,000 in mitigation payments - \$1.614 million just as the result of the 40R being approved. The building permits were estimated to be \$317,000 and the estimated tax will be over \$300,000.

In making the decision to waive the fee, Mr. Williamson felt the following should be taken into consideration: Barberry was putting in new sidewalks, donating land to the Town, drainage, reconstruction of drainage on Lake Street, and a new drain lie on Bigelow Avenue. Between the financial returns and the infrastructure Barberry was being required to do, Mr. Williamson thought the Board in good conscious should not impose this fee because it hasn't been done historically. He also noted that in addition to the 33,000 Natick Paperboard also generated another 29,000 from their own well.

Mr. Chenard advised that the policy allowed the DPW and Town Administrator to waive the fee. He just wanted to make the Board aware.

Document - Memo from DPW Director William Chenard

REAPPOINTMENTS

a. Matthew Gardner - Conservation Commission

On a motion by Mr. Mabardy, seconded by Mr. Ostroff, the Board unanimously voted to reappoint Matthew Gardner to the Conservation Commission.

Document - email from Matthew Gardner

b. William Schoenig - Cochituate Rail Trail Advisory Committee

On a motion by Mr. Hughes, seconded by Mr. Ostroff, the Board unanimously voted to reappoint William Schoenig to the Cocitutate Rail Trail Advisory Committee.

Document - email from William Schoenig

c. Town Counsel

Ms. White recalled that the Board had adopted a pattern of doing an evaluation of Town Counsel services every other year and this is the oft year. It would be done around January this coming year.

On a motion by Mr. Hughes, seconded by Mr. Ostroff, the Board unanimously voted to reappoint Murphy, Hesse, Toomey & Lehane as Town Counsel for a term to expire 6/30/14.

d. Special Counsel

On a motion by Mr. Jennett, seconded by Mr. Ostroff, the Board unanimously voted to appoint Brobrowksi & Mead as special counsel for 40B applications.

FALL ANNUAL TOWN MEETING WARRANT ARTICLES

Ms. White provided the Board with an update list of potential articles.

New to the list since the last meeting was an article to rescind unauthorized debt. Ms. White explained that the intent was to have it a standard article on both Fall and Spring Town Meeting.

The second article added to the list was to amend the Charter regarding the appointment of the Comptroller. There was some language in the Charter that would hinder a long-term contract as opposed to an employee. The administration was completely satisfied with Ms. Cahill's work.

Since the Comptroller was the Board of Selectmen's appointment, Mr. Ostroff wondered if the Board should consider sponsoring the article. Mr. Hughes first wanted to see the language.

The third new article was a report from the Zoning By-Law Review Committee. Ms. Gloff suggested doing the Natick 360 and Zoning By-Law reports under the committee article.

Ms. White advised that she has been contemplating another article. The state procurement law has been amended such that the previous cap for purchases under \$5,000 required sound business sense. Under state law that threshold was now \$10,000. With a Town By-Law, Selectmen policies, and state law there were multiple layers to grapple with and she would like Town meeting to consider just adhering to state law.

Ms. White said she would also like to revisit the Selectmen's policies on procurement. Ms. Gloff suggested that she identify the policies for the Board's review on August 12.

Ms. White informed the Board of a recent notification from the Attorney General that some Charter changes under Article 30, Spring Town Meeting were rejected. Ms. Gloff thought there was some misunderstanding. She thought the intent was to give people the typographical errors.

Document - List of potential warrant articles; list of standard articles

REVIEW/APPROVAL OF FISCAL 2014 GOALS

After two special meetings to discuss Fiscal 2014 goals, on a motion by Mr. Ostroff, seconded by Mr. Hughes, the Board unanimously voted to adopt the following Town Administrator goals for Fiscal 2014:

**Human Resources:**

- Strive to enhance employee performance and satisfaction.
- Ensure that new positions are integrated and used to full potential
- Succession planning for key personnel

**Communication**

- Improve internal and external communication.
- Address telecom issues for satisfaction and ease of use
- Improve internal and external communication, i.e. better inter-board

And inter-department collaboration  
 Enhanced training and use of technology for operations  
 Collaboration in upgrades to public safety dispatch  
 Centralized and coordinated information for applicants and constituents  
 Master centralized calendar, centralized room booking  
 Citizen survey

**Transportation**

Continue progress and reporting on transportation projects  
 Make progress on parking solutions

**Real Property**

Address Main Street easements so that overdue safety improvements may  
 Be pursued  
 Make progress on real property disposition, and address concerns with  
 Distressed private property

**Other**

Evaluate use and performance of Town Counsel  
 Continue progress on Community Choice Aggregation (electricity  
 services)

Ms. White thought this was a solid set of goals which the administration could achieve and was reflective of what we aim to do.

Before approving the Fiscal 2014 goals for the Board of Selectmen, Ms. Gloff commented that certain of the goals were both Town Administrator and Board of Selectmen, but the roles may be different.

A motion was made by Mr. Hughes to approve the following Fiscal 2014 goals for the Board of Selectmen. Seconded by Mr. Ostroff and unanimously voted:

**Real Property**

Address Main Street easements so that overdue safety improvements may  
 be pursued  
 Make progress on real property disposition, and address concerns with  
 distressed private property

**Governance**

Enhance and update documents that guide and inform our actions.  
 Continue to update Board of Selectmen policies  
 Update bylaws/charter/parking regs/zoning bylaws  
 Make progress with Board meeting minutes  
 Review financial management policies and principles  
 Assess status of various committees of the town and improve training  
 and reporting for town volunteers  
 Consider ways to encourage civic engagement

**Transportation**

Continue progress and reporting on transportation projects  
 Make progress on parking solutions

**Other**

Complete timely review of the Town Administrator  
 Evaluate use and performance of Town Counsel  
 Continue progress on Community Choice Aggregation

MINUTES

Mr. Jennett moved to approve the minutes of the July 23, 2013 meeting with the inclusion of the attachment of the Town Administrator's summary of proposed goals. Seconded by Mr. Ostroff and unanimously voted.

The Board further agreed to make the document summarizing department goals part of the July 2, 2013 goals.

KEEFE TECH REGIONAL VOCATIONAL SCHOOL: REQUEST BANNER

On a motion by Mr. Hughes, seconded by Mr. Jennett, the Board unanimously voted to approve Keefe Tech Regional Vocational School's request to hang a banner across Main Street for the period of November 16-23, 2013 in advertisement of their open house.

Document - email from Faith Chrisom, Keefe Tech

FOOD TRUCK FESTIVALS OF NEW ENGLAND: REQUEST BANNER

Before the Board was a request from Food Truck Festivals of New England to hang a banner over Main Street for the period of September 2-September 8, 2013 in advertisement of the food truck festival.

It was noted by Ms. Gloff that the Board had a policy to allow banners to be hung by not-for-profit organizations associated with Natick. An email had been received from Food Truck Festivals advising that their organization was for profit, but they partner with the American Red Cross and they give \$1.00 for every wrist band purchased at the event to the Red Cross. They also

offer an optional donation for their online ticket sales.

Mr. Mabardy stated that he would like to see them make a donation to a worthy Natick established not-for-profit.

Mr. Ostroff advised that he spoke with the company and asked about what Mr. Mabardy was suggesting. They have an exclusive arrangement with the Red Cross but would love to come back to Natick and would be open to doing something like that at that time. They also advised that they were partnering with Boston.Com and Boston.Com may come before the Board to request a beer & wine license to have a beer garden. 8,000-10,000 visitors were expected and the company was in discussion with Natick Center Associates and Lt. Brian Lauzon on traffic and safety issues.

Mr. Jennett commented that Food Truck Festivals of New England had a great reputation and he was sure the event would be successful.

Mr. Hughes moved approval of the banner as requested. Seconded by Mr. Ostroff and unanimously voted.

Documents - Letter from Food Truck Festivals of New England; copy of Board of Selectmen policy; email from Food Truck Festivals of New England

OAK HILL, ANDREW CIRCLE, PONDVIEW CIRCLE: BLOCK PARTY

Mr. Hughes, seconded by Mr. Ostroff, moved to approve Jessica Long's and Stacy Glickman's request to close off Andrew Circle on September 21, 2013 (rain date September 28) for a block party subject to compliance with conditions recommended by Lt. Brian Lauzon.

It was noted that the petitioners should be made aware that this was the same date as Natick Days so if they wished to use Police Department traffic cones they would need to be picked up the day before.

Documents - Letter from Jessica Long and Stacy Glickman; email from Lt. Brian Lauzon

NATICK TOGETHER FOR YOUTH: REQUEST (2) BANNERS

On a motion by Mr. Hughes, seconded by Mr. Jennett, the Board unanimously voted to approve Natick Together for Youth's request to hang a banner across Main Street for the period of October 23-31, 2013 or Red Ribbon Week and for March 31-April 6, 2013 for Alcohol Awareness Month.

Document - Letter from Erica Dinerman, Director Natick Together for Youth

DALE HENDERSON'S MASONRY: REQUEST TO OCCUPY PUBLIC WAY

On a motion by Mr. Hughes, seconded by Mr. Jennett, the Board unanimously voted to approve Dale Henderson's Masonry's request to erect scaffolding at the Summer Street end of the Clarks Block for a six week period in August-September 2013 to make repairs to the roof. The Board's approval was subject to compliance with Lt. Brian Lauzon's recommendations.

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

TOWN ADMINISTRATOR NOTES

a. Natick House Fire

Ms. White thanked the Natick Fire Department and the surrounding towns that assisted them on a significant house fire. A few firefighters suffered from heat exhaustion, but all were safe now. She noted that it took Nstar almost an hour to shut off the power which hampered the firefighters from doing their work.

b. Fall Annual Town Meeting

Fall Annual Town Meeting was scheduled to fall on the date of the primary for the election to fill the congressional seat vacated by Edward Markey's election to the Senate. Ms. White advised that a determination was received from Town Counsel that the Board did not have the authority to change the date of Town Meeting. A couple of people will need to gather at the designated time, wait a half hour, open Town Meeting, and adjourn to Thursday, October 17.

SELECTMEN'S CONCERNS

a. PERAC Report

The annual PERAC report showed a contribution from the Town of \$6.2 million. Mr. Hughes inquired as to how much of that was for pay-as-you-go and how much was for catch up.

b. North Main Street Environmental Testing

The Board was in receipt of a copy of the environmental testing report for property on North Main Street (by the Shell station and Laundromat). Mr. Hughes asked for an interpretation of the report, and Ms. White said she would have Environmental Compliance Officer Robert Bois put together a memo.

*c. Bicycle Ride*

Mr. Ostroff noted that a resident had expressed a concern about a bicycle ride on a week day that slowed down traffic. He didn't think this was something approved by the Board. The Police Department said they were aware of it, but he would like to find out who did the ride and correspond with them that they don't have the authority to shut down streets without getting a permit from the Board.

*d. Aqueduct Trails*

Mr. Ostroff reported that he participated in a wonderful meeting with Environmental Compliance Officer Robert Bois and Conservation Commission Chair Matthew Gardner on the status of aqueduct trails being proposed. More would be learned in the coming months.

ADJOURNMENT

The meeting was adjourned at 10:20 p.m.



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Nicholas S. Mabardy, Clerk