

## BOARD OF SELECTMEN

Natick Town Hall

March 2, 2015

6:15 p.m.

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

**ALSO PRESENT:** Town Administrator Martha White and Executive Assistant Donna Donovan

### **Executive Session**

Mr. Ostroff, seconded by Mr. Hughes, moved to enter into executive session to discuss matters pertaining to litigation and real property. By roll call vote the Board voted to enter into executive session. Mr. Ostroff, Mr. Mabardy, Mr. Hughes and Mr. Jennett all voted in favor of the motion. At 6:15 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 in open session would have a detrimental effect on the Board of Selectmen's negotiating position.

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

### **Announcements**

1. Massport has informed the Board of Selectmen that Logan Express will be opening at their new location in Framingham on April 15<sup>th</sup>. A ribbon cutting ceremony will take place at the new Site.
2. Ms. White announced that the Park and Field Study Committee and Recreation and Park Commission are seeking input from residents regarding the Towns' fields and parks. Interested residents are encouraged to attend one of six community meetings scheduled to address this. Meeting schedules and locations may be found on the Town web site or by calling the recreation and parks department.
3. Chairman Ostroff announced that a Trails Planning Conference is scheduled for March 14<sup>th</sup> and all Board members are invited to attend.

### **Citizen's Concerns**

4. Resident John Ciccariello addressed the Board with questions regarding uncollected taxes and West Suburban health care costs. Mr. Ciccariello also asked the Board to not consider using excess hotel and meal tax funds to support the FY 2016 budget. Deputy Town Administrator Jeff Town responded that the tax title process is up to date and the health care costs are \$345K less than originally estimated which helped reduce the budget gap from \$3.5M to just under \$2M.
5. Resident Julie McDonough addressed the Board regarding the FY 2016 Budget and the impact on the schools. Chairman Ostroff asked Ms. McDonough to defer speaking until budget discussions later in the meeting.

### **What's New**

6. Director of Counsel on Aging Susan Ramsey gave an overview of the updated financial assistance guide which is a listing of services available to residents throughout the year. The revised pamphlet will be mailed to every resident in Town and will be available at various public locations in Town. Mr. Connolly commended Ms. Ramsey and stated that it was a good tool for people in need of assistance. Mr. Connolly also reiterated that the program is confidential. Ms. White acknowledged that the program was initiated by Chairman Ostroff.

### **Appointments with the Board of Selectmen**

**7. Marcia Ewing Current – Request Abatement of Water and Sewer Bill**

Chairman Ostroff stated that it was suggested that Ms. Ewing Current’s water bill be adjusted to the second highest tier rather than the highest tier that it is currently being billed at. Chairman Ostroff expressed concern with this setting a precedent. Changing the tier would reduce the bill from approximately \$8,000 to \$3,600. The Board deferred discussion.

**8. Review Q2 Reports**

Town Comptroller Ginny Cahill addressed the Board. Ms. Cahill gave an overview of the General Fund and the Water/Sewer Enterprise and Sassamon Trace Enterprise fund operations as of the end of the fiscal year 2015. Ms. Cahill stated the following:

- a. General Fund Revenues closed at 51.5% of budget for December 31, 2014.
- b. General Fund Expenditures closed at 46.96% of the budget as of December 31, 2014.
- c. Water/Sewer Fund Revenues closed at 60.8% of budget as of December 31, 2014.
- d. Water/Sewer Fund Expenditures closed at 51% of budget as of December 31, 2014.
- e. Gold Enterprise Fund Revenues closed at 70.2% of budget as of December 31, 2014.

Ms. Cahill further explained each revenue and expenditure budget item line by line. Mr. Towne provided new growth revenues from FY 2012 to FY 2015 as well as estimated revenues for FY 2016.

Mr. Jennett asked Ms. Cahill if office operations were improving. Ms. Cahill responded that they were and that the recent hiring of a new assistant comptroller will help stabilize operations in the department. Mr. Mabardy inquired about this stating that he was not informed until now that a new person was hired. Ms. White stated that there were personnel changes within the department to better suit skill sets and a current employee moved to another position leaving the assistant comptroller position vacant. In response to Board questions, Ms. Cahill stated that the 2014 audit was near completion.

**9. Public Hearing - Lookout Hard Cider, LLC**

Mr. Mabardy read the public hearing notice into the record. On a motion by Mr. Hughes, seconded by Mr. Jennett, the hearing was opened at 7:40 p.m. Manager of Lookout Farm (“The Farm”), Mr. John Burns and Attorney Thomas Grassia appeared before the Board to discuss the petition. Mr. Burns stated that Lookout Hard Cider, LLC is requesting a farmer’s series pouring permit for the sale of hard cider which will be produced on Site. The licensed premise will consist of approximately 1,600 square feet containing retail space, lounge/sitting area and 2 handicapped accessible bathrooms. Mr. Burns further stated that the intent is to sell the cider by the glass to be consumed on the premises and to sell packaged 12 ounce bottles for off premise use. Mr. Hughes expressed concern with this use complying with the Town’s rules and regulations. Attorney Grassia responded that they understand there are many steps in the process and they are at the beginning stage requesting the pouring permit. Attorney Grassia further stated that production of cider was a permitted agricultural use and will not derogate from the purposes set out in the agricultural preservation restriction imposed on the Farm. Ms. White concurred that zoning was not applicable in this case. Discussion followed concerning the need for a common victualer’s license. Attorney Grassia informed the Board that they are aware they will need this and intend to come back before the Board at a later date. Considering all the questions and concerns raised by the Board, Ms. White recommended seeking the opinion of Town Counsel.

Chairman of the Lookout Farm Advisory Committee, Ken Soderholm informed the Board that this proposal was presented to their Committee and they voted favorably to support the concept. Resident Ed Doherty spoke in support of the proposal however he did express concern with increased traffic. Resident Garo Stone-DerHagopian spoke in support of the proposal however he expressed concern with it developing more into a “pub” type atmosphere.

**On a motion by Mr. Jennett and seconded by Mr. Hughes, the public hearing was continued to March 16, 2015 at 7:00.p.m. to allow the Board to seek Town Counsel opinion.**

**10. Zaftig’s Delicatessen – Request to Amend Common Victualer’s License**

Owner Bob Shuman appeared before the Board to request amending the hours allowed to serve alcohol. Mr. Hughes did not participate in discussions. Mr. Shuman stated that he is requesting that the restaurant be allowed to serve alcohol beginning at 10:00 a.m. 7 days per week. The current license

allows for 10:00 a.m. on Sunday and 11:00 a.m. Monday through Saturday. Mr. Shuman stated the revised license would allow them to service their patrons better and enhance their business. Mr. Shuman further stated that all servers are TIP certified and he will continue to conduct training on a regular basis. **On a motion by Mr. Connolly, seconded by Mr. Mabardy, the Board voted 4-0 in favor of amending the sale of alcohol hours to 10:00 a.m. to 12:00 a.m. 7 days per week with Mr. Hughes abstaining.**

**11. Impak Auto Application for a Class II License**

Hamed Habid appeared before the Board to request a Class II License for the sale of used automobiles. Mr. Habid informed the Board that he had a prior license from 2007-2013 which he did not renew for 2014 because he closed the business. Mr. Habid further stated that he is seeking to re-open the business with the intent of purchasing vehicles from auction sites where they will be shipped directly to New York and New Jersey and then exported to the Middle East. There will be no storing of vehicles on site. **On a motion by Mr. Jennett, seconded by Mr. Hughes the Board voted unanimously to grant a Class II License.**

**12. Parking Management Recommendations**

Chairman Paul McKinley, Police Chief Jim Hicks and Lt. Brian Lauzon appeared before the Board to present the Parking Advisory Committee recommendations for an overall parking management plan. Chief Hicks stated that the recommendations pertained to meter costs, permit requirements/guidelines, and parking space utilization in the downtown area. Chief Hicks discussed 34 items of Appendix E of the Parking Committee Report adding that it was broken down into three parts; 1) items requiring general policy decisions, 2) informational items requiring no action and 3) items requiring a public hearing and Board vote. Chief Hicks further stated they are seeking guidance from the Board so that recommendations and changes are properly advertised and residents are properly educated. Lt. Lauzon addressed the Board to discuss meter change recommendations. Lt. Lauzon provided the Board with new parking sign templates. Mr. Hughes asked if the current meters could accommodate the changes. Lt. Lauzon responded that although they could, the intent was to not implement changes until the new meters were installed. Lt. Lauzon explained each recommendation in further detail referring to Appendix E and the proposed meter rate and permit zones map. Discussion followed regarding employee parking in the Town Hall lot and making parking more readily available for the public. In response to Mr. Connolly’s question about input from the Natick Center Associates, Lt. Lauzon stated that they were involved in implementing these recommendations and Mr. Fair is a member of the Parking Advisory Committee. Mr. Jennett asked for clarification on what they were requesting from the Board. Chief Hicks responded that with the exception of meters they are requesting that the Board give them approval to move forward with the recommendations. **On a motion by Mr. Jennett, seconded by Mr. Hughes, the Board unanimously voted to approve the recommendation of the Parking Advisory Committee outlined in Chief Hicks’ memorandum and any pertinent signage with the exception of meter rates and times which need to be voted at a separate hearing.**

**13. Lions Club - Application for a One Day Entertainment License**

Marjorie Simeone appeared before the Board on behalf of the Lions Club to request a one day entertainment license. Ms. Simeone stated that they are requesting the license to hold a fundraising event called Legends Night with Las Vegas. The event is being held Friday, March 13, 2015 from 8:00 pm – 11:00 PM. Tickets to the event will be sold at the door for \$20 and they anticipate 100 – 150 attendees. **On a motion by Mr. Hughes, seconded by Mr. Jennett, the Board unanimously voted to grant a one day entertainment license.**

**14. Susan Signori – Application for a One Day Entertainment License**

Susan Signori appeared before the Board to request a one day entertainment license for a charity event being held at The Natick Crown Plaza on April 2, 2015 from 7:00 pm to 11:00 pm. Tickets will be sold in advance and at the door and they anticipate 100 – 150 attendees. **On a motion by Mr. Hughes, seconded by Mr. Jennett, the Board unanimously voted to grant a one day entertainment license.**  
**Discussion and Decision**

**15. Town Meeting Warrant Articles**

**Article 19 - Establish Revolving Fund: Pay for Performance Program**

Sustainability Coordinator, Jillian Wilson-Martin appeared before the Board to explain the Pay for Performance Program. Ms. Wilson-Martin identified some capital investment energy conservation projects. This Article would establish a revolving fund in order to utilize monies received through the Town's Pay for Performance energy rewards program to fund future energy conservation and renewable energy projects; and would authorize the Sustainability Coordinator, under the supervision of the Town Administrator, to expend money from this fund and to limit the total amount which may be expended from such fund up to and including \$25,000 during the fiscal year beginning July 1, 2015. **On a motion by Mr. Hughes, seconded by Mr. Connolly, the Board unanimously voted favorable action.**

**Article 13 - Personnel Board Classification and Pay Plan**

Director of Human Resources, Richard Tranfaglia stated that there were no changes in the pay plan from Fiscal year 2015 because the current pay structure remains competitive. The position title "Director of Community Development" is being retitled to "Director of Community & Economic Development" to allow for the realigning of resources and responsibilities. The result was the combining of duties in the Director of Community & Economic Development and the focusing of responsibilities in the Transportation Planner. Discussion followed on the need of a Transportation Planner. Ms. White explained to the Board that this would be a crucial position for overseeing current and future roadway projects. Mr. Ostroff supported the need for this position. Mr. Mabardy asked if it was more feasible to contract out these projects however Ms. White stated that it would be at a much higher cost. Ms. White also stated that there was no cost impact on this proposal. Resident John Ciccariello expressed concern with the position of Transportation Planner. Mr. Mabardy recommended postponing hiring an additional Planner until the new Director could evaluate the needs of the department. Ms. White responded that without the additional Planner the work load would be too much for the Director. Mr. Tranfaglia summarized other personnel classification changes and part time pay plan. Under the new part-time pay plan, no employee will earn less pay than they are currently making with the exception of those employees falling below the minimum wage (roughly 20 employees) and no employee will receive an automatic pay increase. **On a motion by Mr. Jennett, seconded by Mr. Hughes, the Board voted 3-2 for favorable action with Mr. Mabardy and Mr. Connolly opposing.**

Resident Rich Sydney appeared before the Board to provide a presentation on Articles 24, 25, and 26.

**Article 24 - Amend By-Law Article 3 to Authorize Use of Electronic Voting Technology**

**On a motion by Mr. Hughes, seconded by Mr. Jennett, the Board voted unanimously for favorable action**

**Article 25 - Appropriate Funds to Acquire Electronic Voting Technology and/or Equipment**

**On a motion by Mr. Hughes, seconded by Mr. Jennett, the Board voted unanimously for favorable action**

**Article 26 - Extend the Term of the Electronic Voting Study Committee**

**On a motion by Mr. Hughes, seconded by Mr. Jennett, the Board voted unanimously for favorable action**

**Article 36 - Sawin House Study Committee: Hear Report and Extend Term**

**On a motion by Mr. Hughes, seconded by Mr. Jennett, the Board voted unanimously for favorable action**

**Article 1 - Appropriate Funds for the Family of Michael McDaniel Jr.**

**On a motion by Mr. Hughes, seconded by Mr. Jennett, the Board voted unanimously for favorable action**

**Article 2 - Authorize Board of Selectmen to Accept, Obtain, Abandon or Relocate Utility Easements**

**On a motion by Mr. Hughes, seconded by Mr. Jennett, the Board voted unanimously for favorable action.**

**Article 20 - Re-authorization of Revolving Funds**

**On a motion by Mr. Hughes, seconded by Mr. Jennett, the Board voted unanimously for favorable action.**

**Article 8 - Amend Town By-Laws: Article 21**

**On a motion by Mr. Hughes, seconded by Mr. Jennett, the Board voted 3-2 for favorable action with Mr. Mabardy and Mr. Connolly opposing.**

**Article 9 - Amend Town By-Laws: Change All References to "Community Development Director" to read "Director of Community and Economic Development"**

**On a motion by Mr. Hughes, seconded by Mr. Jennett, the Board voted 3-2 for favorable action with Mr. Mabardy and Mr. Connolly opposing.**

**Article 18 - School Bus Transportation Subsidy**

**On a motion by Mr. Hughes, seconded by Mr. Jennett, the Board voted unanimously for favorable action.**

**16. FY 2016 Budget**

Chairman Ostroff provided an update from the Financial Planning Committee including recommendations for short term budget gap solutions. Deputy Town Administrator, Jeff Towne presented a revised expenditure summary stating that the budget gap has decreased from \$3.5M to \$1.98M. Changes in the school budget, proposed health care increases and proposed increases in Ch. 70 funding were contributing factors to closing the gap further. Mr. Towne cautioned the Board from using the reserves fund stating that those funds should be used for one time expenditures. Mr. Towne further stated that a budget recommendation could not be made until Governor Baker's State budget was announced on March 4<sup>th</sup>. Deputy Town Administrator, Bill Chenard stated that the budget gap could be closed but only by cutting Town wide services. Board members discussed the challenging fiscal year ahead stating that sacrifices would need to be made and residents need to know what actual cuts would be taken if the budget gap was not closed. The following persons spoke in support of the schools requesting that cuts in services to the schools not be made: Kim Aliprantis, David Mangan, Julie McDonough, Mark Erikson, Rich Sydney and School Committee members Amy Mistroff and Firkins Reed. John Ciccariello stated that the hotel meal tax should not be used to offset the operating budget. Chairman Ostroff suggested scheduling an additional Board meeting to further discuss the FY 2016 budget. Discussion will continue on March 9, 2015.

**17. Town Administrator Review**

Chairman Ostroff stated that a performance evaluation would be provided the following week.

**18. Cider Mill Lane Street Acceptance**

**On a motion by Mr. Hughes, seconded by Mr. Jennett, the Board unanimously voted to make a new layout for Cider Mill Lane. On a motion by Mr. Hughes, seconded by Mr. Jennett, the Board unanimously voted to hold a public hearing on March 16, 2015 at 7:00 p.m. for the acceptance of Cider Mill Lane.**

**Requested Action**

19. Mr. Jennett stated that given the late hour he would like to delay discussing the proposed complete streets policy to a later date. **On a motion by Mr. Hughes, seconded by Mr. Jennett, the Board unanimously voted to continue this to March 16, 2015.**
20. **On a motion by Mr. Jennett, seconded by Mr. Hughes, the Board voted to approve the minutes of February 10, 2015 as written.**
21. **On a motion by Mr. Hughes, seconded by Mr. Jennett, the Board unanimously voted to accept the resignation of Jason Makofsky from the Conservation Committee.**
22. Ms. White announced that the winner of the fire hydrant challenge was Dimitri Tramboulakis.

**Selectmen's Concerns**

Mr. Mabardy again requested that the hiring of a new Planner be postponed until the new Director of Community and Economic Development has the opportunity to evaluate the needs of the department and make a recommendation.

**On a motion by Mr. Hughes, seconded by Mr. Jennett, and by unanimous vote, the meeting adjourned at 11:40 p.m.**



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Nicholas S. Mabardy, Clerk

A list of all documents used at this Board of Selectmen meeting are available at:

<http://naticktown.novusagenda.com/agendapublic/MeetingView.aspx?MeetingID=141&MinutesMeetingID=-1&doctype=Agenda>