

BOARD OF SELECTMEN

Natick Town Hall

July 6, 2015

6:30 p.m.

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

ALSO PRESENT: Deputy Town Administrator William Chenard and Executive Assistant Donna Donovan

Executive Session

Mr. Ostroff, seconded by Mr. Jennett, moved to enter into executive session to discuss matters pertaining to real estate negotiations and executive session minutes. 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 6:30 p.m. the Board entered into executive session after announcing that the meeting would return to open session. The Chair further announced that discussion of real estate negotiations and executive session minutes 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. Mr. Ostroff announced that the General Greene Dedication will take place on Friday, July 10, 2015.
2. Mr. Chenard announced that the Natick Center Cultural District will be holding their annual ArtWalk on July 16, 2015 from 5:00 to 8:30 p.m. and restaurant week will run from July 12 – July 18, 2015. Mr. Chenard also thanked Mutual Bank for sponsoring both events.
3. Mr. Hughes congratulated Mr. Connolly's granddaughter for being the winner of the 4th of July bike decorating contest.

What's New

1. Director of Land Facilities and Natural Resources, Art Goodhine announced that Natick received the Tree City USA designation. Mr. Goodhine stated that Natick was recognized for having a tree department, a tree care ordinance, a community forestry program with an annual budget of at least \$2 per capita and an Arbor Day observance and proclamation. Mr. Goodhine also stated that he continues to research grant opportunities. Mr. Ostroff asked Mr. Goodhine when trees would be planted to replace trees that

have been removed. Mr. Goodhine responded that he is trying to plant as many as he can and that he hopes to make the public more aware of the planting program.

Citizen's Concerns

1. Chairman of the 4th of July Committee, Pete Mundy spoke regarding the successful events of the 4th of July holiday week. Mr. Mundy also stated that the new location of the start of the parade at Wilson School worked out well and they hope to use that route going forward. Mr. Mundy thanked Ms. White for facilitating the new route. Mr. Mundy further stated that videos and photos of the event can be viewed on their website at natick4th.org

Appointments with the Board of Selectmen

1. Interview for Appointment to the Conservation Commission

Jeff Richards was the final candidate to be interviewed for the Commission. Other candidates were interviewed on June 22, 2015. Mr. Richards is seeking reappointment. Mr. Richards stated that he joined the Commission in 2010 as an associate member and became a full member in 2012. Mr. Richards summarized his relevant education and work experience. Mr. Mabardy inquired about Mr. Richards's attendance at meetings and Mr. Richards responded that he has missed only 1-2 meetings since joining the Board due to vacation and attendance was not a concern. Mr. Ostroff asked Mr. Richards to elaborate on how his skill set helped address challenges of the Commission. Mr. Richards cited different projects he has been involved in and stated that the long term effect of any decisions are important to him as a resident as well.

By paper ballot, the Board voted to reappoint George Bain and Jeff Richards as full time members with a term expiring on June 30, 2018. Mr. Ostroff, Mr. Jennett and Mr. Hughes voted for Mr. Bain and Mr. Richards. Mr. Mabardy voted for Mr. Bain and Mr. Downey. Mr. Connolly voted for Mr. Richards and Mr. Downey.

By paper ballot and for a term expiring June 30, 2017, Mr. Connolly and Mr. Mabardy voted for Mr. Downey. Mr. Hughes and Mr. Ostroff voted for Mr. Colleran. Mr. Jennett voted for Mr. Lucot.

By another paper ballot, the Board voted to appoint Michael Downey as a full time member with a term expiring June 30, 2017. Mr. Connolly, Mr. Mabardy and Mr. Jennett voted for Mr. Downey. Mr. Hughes and Mr. Ostroff voted for Mr. Colleran.

2. Interviews for Nominations to the Leonard Morse Grant Panel

- a. Christopher Banthin, Esq. - Mr. Banthin is seeking reappointment to the Panel for a second term. Mr. Banthin stated that as an attorney his focus is on public health law issues. Mr. Banthin also stated that his philosophy is that the Panel should provide innovation for candidates with important public health proposals the innovations and ability to grow new ideas. Mr. Banthin cited a Wellesley College professor's new treatment plan for depression amongst adolescents as an example. Mr. Ostroff asked about Mr. Banthin's experience with awarding grants. Mr. Banthin replied that he has been on many grant review panels including the Natick Board of Health.

- b. Carol Gloff - Ms. Gloff stated that she has been involved in the community for many years. Ms. Gloff also stated that her educational background, her healthcare experience and her grant writing and reviewing experience makes her a strong candidate for this Panel. Ms. Gloff also stressed the importance of communicating the availability of grants to potential candidates adding that many people are not aware that they are available. In response to Mr. Jennett's question about the time commitment, Ms. Gloff replied that she now has the time to become more involved in the community.
- c. Marijane Norris Geary - Ms. Geary had previously served on the Board for the maximum consecutive term of nine years and is asking to be considered again. Ms. Geary stressed the importance of having a link to the Foundation through the Town web site and Community Center. Ms. Geary further stated that she would like to see the Panel help potential candidates apply for the grants because it was her understanding that for the first time since the inception of the Foundation there were no new grant applications submitted by the Natick community.

On a motion by Mr. Ostroff, seconded by Mr. Mabardy, the Board unanimously voted to nominate all three candidates to the Leonard Morse Grant Panel of the Metro West Health Foundation. Mr. Ostroff asked if there is a grant staffing report available and Mr. Chenard responded that he would work with Ms. White to provide one. President and CEO of the Metro West Health Foundation Martin Cohen was present for the interviews and Mr. Mabardy thanked him for the Foundation funding automatic external defibrillators.

3. **Interviews for Democratic Member to the Board of Registrars**

- a. Bob Awkward – Mr. Awkward is seeking reappointment to the Board of Registrars. Mr. Awkward stated that he is interested because he believes this role is the essential work of democracy. Mr. Awkward added that their role is to oversee work of the Town Clerk through the election process. Mr. Ostroff asked Mr. Awkward how he thought on-line voter registration would affect future elections. Mr. Awkward replied that registration was not the issue but participation was. Mr. Connolly expressed concern with voter turnout.
- b. Julie Gordon - Ms. Gordon informed the Board that she is very involved in voter registration stating that she attends newly sworn in citizen ceremonies to register new citizens. Mr. Ostroff asked what her understanding of the role was. Ms. Gordon replied that she thinks it is important to have a fair election process and that people need to be educated on the importance of voting. Mr. Ostroff asked about her availability to work all day on election days. Mr. Gordon replied that she makes herself available all day.
- c. Ross Cigna – Mr. Cigna was not in attendance.

By paper ballot, the Board unanimously voted to appoint Bob Awkward as the democratic member to the Board of Registrars

4. **P.F. Chang's China Bistro - Petition for Change of Owners/Directors**

Attorney Andrew Upton was present on behalf of P.F. Chang's. Attorney Upton stated that they were submitting a new officers/directors application to the ABCC for the approval of a new CEO, Michael Osanloo. Chairman Hughes asked for clarification of Wok Holding's, Inc. and Wok Parent, LLC. It was brought to Attorney Upton's attention that there was a discrepancy with the manager on record on the

application and the manager on record on file and Attorney Upton stated he would be in contact with Ms. Donovan to resolve.

On a motion by Mr. Ostroff, seconded by Mr. Jennett, the Board unanimously voted to approve the new Owners/Directors application.

Discussion and Decision

1. Committee/Commission/Board Vacancies

- a. Affordable Housing Trust** - On a motion by Mr. Jennett, seconded by Mr. Ostroff, the Board unanimously voted to appoint Laura Duncan as the banking representative, Randy Johnson as the construction representative and Barbara DePasquale as the real estate representative for a two year term expiring 6/30/2017. On a motion by Mr. Ostroff, seconded by Mr. Mabardy, the Board unanimously voted to affirm the Planning Board's reappointment of Glen Glater for a two year term expiring 6/30 2017. On a motion by Mr. Jennett, seconded by Mr. Ostroff, the Board unanimously voted to appoint citizens-at-large Katie Turcot and Carolyn Love Scalise West for a two year term expiring 6/30/2017. A vacancy for an attorney representative remains open with a term expiring 6/30/2016.
- b. AUDIT ADVISORY COMMITTEE – 3 Year Term**
On a motion by Mr. Ostroff, seconded by Mr. Connolly, the Board unanimously voted to reappoint Saul Berlowitz for a three year term expiring 6/30/2018.
- c. Bacon Free Library Maintenance Committee** – On a motion by Mr. Ostroff, seconded by Mr. Connolly the Board unanimously voted to appoint John Donovan for a three year term expiring 6/30/2018. It was noted that Steve Wilson was not seeking reappointment. Two vacancies remain.
- d. Bicycle & Pedestrian Advisory Committee** – On a motion by Mr. Jennett, seconded by Mr. Ostroff, the Board unanimously voted to reappoint Michael Sullivan for a three year term expiring 6/30/2018. On a motion by Mr. Jennett, seconded by Mr. Ostroff, the Board unanimously voted to appoint Carolyn Love Scalise West to a three year term expiring 6/30/2018. It was noted that Chris Thayer did not respond to the correspondence inquiring if he would like to be reappointed. 2 vacancies remain.
- e. Cable Advisory Board** - On a motion by Mr. Ostroff, seconded by Mr. Connolly, the Board unanimously voted to reappoint Arnold Pinsley and Han Szretter ti a three year term expiring 6/30/2018. On a motion by Mr. Connolly, seconded by Mr. Jennett, the Board unanimously voted to appoint Paul Gorman to a three year term effective 6/30/2018. It was noted that Martha Jones was not seeking reappointment. 3 Vacancies remain.
- f. Cochituate Rail Trail Advisory Committee** – On a motion by Mr. Ostroff, seconded by Mr. Jennett, the Board unanimously voted to confirm the appointment of John McGee as the Bicycle & Pedestrian Reprehensive for a three year term expiring 6/30/2018. On a motion by Mr. Ostroff, seconded by Chairman Hughes, the Board unanimously confirmed Community and Economic Development Director Jamie Errickson as the Town Administrator's designee for a three year term expiring 6/30/2013. The Board will conduct interviews with interested applicants at a later date. There is currently 2 vacancies and 1 reappointment open.
- g. Contributory Retirement Board** – On a motion by Mr. Hughes, seconded by Mr. Mabardy, the Board unanimously voted to reappoint David Given for a three year term expiring 6/30/2018.

- h. Council on Aging** – The Board will conduct interviews at a later date with Helen Anzick, Joan Hill, Karen Oakley and Sue Salamoff who have all requested reappointment and new applicant Patricia St.Martin
- i. Cultural Council** – On a motion by Mr. Hughes, seconded by Mr. Jennett, the Board unanimously voted to reappoint Dave Swati, Joseph Keefe and Barbara Shenker to a two year term expiring on 6/30/2017. One vacancy remains.
- j. Economic Development Committee** – The Board will conduct interviews at a later date with Joseph Attia and Douglas Landry who have requested reappointment and new applicants Eric Jones, Greg Cohen and Peter Wellman.
- k. Historic District Commission** – On a motion by Mr. Hughes, seconded by Mr. Jennett, the Board unanimously voted to reappoint Matthew Labrie, Christopher Milford and Jean Pierre Parnas as regular members to a three year term expiring 6/30/2018. It was noted that Adam Subber did not seek reappointment. There remains one vacancy for a regular member and two vacancies for alternate members.
- l. Historical Commission** – On a motion by Mr. Jennett, seconded by Mr. Ostroff, the Board unanimously voted to reappoint Stephen Evers to a three year term expiring 6/30/2018. On a motion by Mr. Connolly, seconded by Mr. Jennett, the Board unanimously voted to appoint Patti Sheinmen and Margarita Balcom to a three year term as regular members expiring 6/30/2018.
- m. Information Systems Advisory Board** - The Board will conduct interviews at a later date Todd Gillenwater and Hank Szretter who have requested reappointment and new applicants Matt Brand, Paul Gorman and Randy Gruber.
- n. Lookout Farm Advisory Committee** – On a motion by Mr. Ostroff, seconded by Mr. Connolly, the Board unanimously voted to reappoint Sarah Shoemaker Ott and James Yannes to a three year term expiring 6/30/2018. Five vacancies remain.
- o. Open Space Advisory Committee** – On a motion by Mr. Hughes, seconded by Mr. Jennett, the Board unanimously voted to reappoint Martin Kessel to a three year term expiring 6/30/2018.
- p. Recreation and Parks Commission** - Mr. Hughes stated that he recently received an email from an interested resident therefore interviews will be conducted at a later date.
- q. Recycling Advisory Committee** - On a motion by Mr. Jennett, seconded by Mr. Connolly, the Board unanimously voted to reappoint Scott Davis and Terry Miller to a three year term expiring 6/30/2018. It was noted that Michael Linihan is not requesting reappointment. On a motion by Mr. Hughes, seconded by Mr. Connolly, the Board unanimously voted to appoint Paul Lucot to fill a term expiring 6/30/2017. Two vacancies remain.

2. Board/Committee/Town Official Reappointments

Town counsel – Mr. Jennett inquired about a survey which was distributed to department heads regarding current Town Counsel Murphy, Hess, Tooney & Lehane, LLP. Mr. Chenard replied that they received minimal response to the survey. On a motion by Mr. Jennett, seconded by Mr. Ostroff, the Board voted 4 -1 to reappoint Murphy, Hess, Tooney & Lehane, LLP as Town Counsel for a one year term expiring 6/30/2016. Mr. Connolly was opposed

3. Authorize a Letter to MassDot to Award a Design Contract Relative to the CRT Route 9 Bridge

Mr. Ostroff recommended submitting a letter to the MassDOT stating the following: “ For purposes of the Town of Natick final design and construction oversight of the Cochituate Rail Trail project, it is the Town’s understanding that MassDOT will contract with BETA specifically for the Route 9 bridge. This letter is to confirm that the Town assumes responsibility for final design and construction oversight,

including through its engineering and consulting firms, for the balance of the project, which is subject to construction funding through the TIP process. The Town is very grateful to your department for assuming the design cost of the bridge, and for your ongoing assistance with this regionally significant project. “ Mr. Ostroff further stated that this will save \$75,000 in the design portion of the bridge. On a motion by Mr. Jennett, seconded by Mr. Connolly, the Board authorized Chairman Hughes to submit the letter.

4. **Authorize a Letter to the MBTA Requesting a Quiet Zone Overnight in West Natick**

Mr. Ostroff stated that in response to a complaint about the train horns by a West Natick resident he recommends submitting a letter to the MBTA requesting a “quiet zone”. Mr. Hughes responded that the horns were being blown in Framingham and that they would need to make upgrades to their crossings in order for the Federal Railroad Administration to grant this request. Mr. Ostroff agreed with this however he felt submitting a letter show that the Board is being responsive to residents. On a motion by Mr. Hughes, seconded by Mr. Jennett, the Board authorized Chairman Hughes to submit a letter to the MBTA requesting a quiet zone. Mr. Connolly stated that he would support the letter however he was not in opposition of the train horns if it would save a life.

5. **Affirm Town Administrator’s Appointment of James Kane as Director of Facilities Management**

Mr. Chenard cited Mr. Kane’s education and work experience stating that he was a very qualified appointment for this position. Mr. Ostroff thanked Mr. Chenard for acting as interim director during this transition. Mr. Mabardy expressed disappointment that a person with a facilities management background was not on the selection panel. On a motion by Mr. Jennett, seconded by Mr. Mabardy, the Board unanimously voted to affirm the Town Administrator’s Appointment of James Kane as Director of Facilities Management.

6. **Authorize the Town Administrator to Submit Community Compact Cabinet Application**

Mr. Chenard stated that being a member of the Cabinet would allow the Town to work more closely with the Governor’s office giving Natick a “voice at the table”. Mr. Ostroff asked if there were particular areas that Mr. Chenard would like to see best practices promoted. Mr. Chenard replied that this was open for discussion however he thought the school department and school committee should be involved. On a motion by Mr. Ostroff, seconded by Mr. Jennett, the Board unanimously voted to authorize the Town Administrator to submit Community Compact Cabinet application

7. **Amend Building Permit Fee Waiver Policy**

Mr. Ostroff submitted a draft policy for the waiver of fees for public and non-profit projects. Mr. Hughes stated that although the policy does not set a monetary limit the waiver of the fee in part or whole is up to the discretion of the Board. Mr. Ostroff stated that a crucial component of the policy is that the Board will determine if there is a public benefit to the project. On a motion by Mr. Jennett, seconded by Mr. Connolly, the Board unanimously voted to adopt the amended building permit fee waiver policy.

Requested Action

1. On a motion by Mr. Jennett, seconded by Mr. Ostroff, the Board voted to approve the minutes of June 22, 2015 with amendments.
2. On a motion by Mr. Jennett, seconded by Mr. Connolly, the Board voted to approve the minutes of November 3, 2014 with amendments.

3. On a motion by Mr. Connolly, seconded by Mr. Ostroff, the Board voted to approve the minutes of November 17, 2014 with amendments.
4. On a motion by Mr. Ostroff, seconded by Mr. Connolly, the Board unanimously voted to accept the resignation of Vasavi Vora from the Zoning Board of Appeals.
5. On a motion by Mr. Jennett, seconded by Mr. Connolly the Board unanimously voted to accept the resignation of James Varnum from the Information Systems Advisory Board.
6. On a motion by Mr. Jennett, seconded by Mr. Connolly, the Board unanimously voted to approve the Natick Artists Open Studio request to hang a banner from October 12 – October 18, 2015.
7. On a motion by Mr. Mabardy, seconded by Mr. Connolly, the Board unanimously voted to approve the Doug Flutie Jr. Foundation for Autism's request to hang a banner from September 12 – September 26, 2015.

Selectmen's Concerns

Mr. Connolly expressed frustration with the lack of response from utility companies with regards to downed wires and poles. Mr. Hughes responded that he will make an effort to have them respond quicker.

Mr. Connolly suggest that the Board of Selectmen, School Committee and Planning Board communicate better regarding development in Town. Mr. Connolly further stated that he did not understand why taxes were increasing with so much development going on. Mr. Hughes will obtain a list of building projects for the Board.

Mr. Ostroff suggested a home rule petition giving the Town authority to fine utility companies that do not comply timely to double poles or moving wires. Mr. Hughes will confer with Town Counsel.

Mr. Mabardy requested feedback from appointed committees updating the Board on their accomplishments.

Mr. Mabardy informed the Board that he heard some parents will be starting a campaign for an FY 2017 override.

On a motion by Mr. Connolly, seconded by Mr. Jennett, the Board unanimously voted to adjourn at 9:15 p.m.



Nicholas S. Mabardy, Clerk

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

July 6, 2015

<http://naticktown.novusagenda.com/agendapublic/MeetingView.aspx?MeetingID=166&MinutesMeetingID=-1&doctype=Agenda>