

# BOARD OF SELECTMEN – TOWN OF NATICK

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## **MEETING MINUTES**

**EDWARD H. DLOTT MEETING ROOM – NATICK TOWN HALL**

**October 1, 2018**

**6:00 PM**

**PRESENT:** Chair Amy K. Mistrot, Vice Chair Susan G. Salamoff, Clerk Michael J. Hickey, Jr., and Richard P. Jennett, Jr.

**ALSO PRESENT:** Town Administrator Melissa A. Malone and Executive Assistant Trish O'Neil

**ABSENT:** Jonathan Freedman

**NOTES:** No public hearing was opened prior to the advertised time of 7:00 p.m. Executive Session was scheduled at the conclusion of Open Session.

The Chairman called the meeting to order at 6:03 p.m., noting that a quorum was present, the meeting had been duly posted, and the meeting was being recorded by Natick Pegasus and Wellesley resident Ron Alexander. The Pledge of Allegiance was recited and a moment of silence was observed for those protecting our country.

**PRESENTATION OF RESOLUTION IN HONOR OF LYNDIA SIMKINS, FORMER EXECUTIVE DIRECTOR OF THE NATICK COMMUNITY ORGANIC FARM:** Ms. Salamoff invited Ms. Simkins to the podium, where Ms. Salamoff read aloud a Resolution from the Board of Selectmen in recognition of Ms. Simkins' 38 years of devoted service, first as Director, then Executive Director, of the Farm. Ms. Salamoff announced the Resolution would be read into the official record of Town Meeting as well. The Board and Ms. Simkins exchanged thanks and good wishes.

## **ANNOUNCEMENTS**

Ms. Malone announced that a resident notified the Selectmen's Office of receipt of an email from Invoice Cloud, a vendor previously used by the Town, requesting credit card information. Ms. Malone advised the public not to respond since that company is no longer a contracted vendor with the Town, which now uses UniPay.

Ms. Mistrot announced that Paul Carew, Natick's Veterans' Services Officer, would be attending the next Selectmen's Meeting on October 15<sup>th</sup> to inform residents about upcoming activities related to the 100<sup>th</sup> anniversary of Veterans' Day.

## **CITIZEN'S CONCERNS**

None.

## **APPOINTMENTS:**

1. Vincent Vittoria – Interview for Appointment to the Design Review Board (Term Expiration 6/30/2020): After interviewing the applicant, a six-year Natick resident with an interest in retaining and enhancing the character of the Town Center buildings, the Board voted 4-0-0 to appoint Mr. Vittoria to the Design Review Board on a motion by Mr. Hickey, seconded by Mr. Jennett.
2. Interviews for Appointment to the Zoning Board of Appeals (Associate Member, Term Expiration 5/1/2021): Interviews will be held at the October 15<sup>th</sup> meeting since the only application submitted was received very late last evening.
3. Connie Pitt – Interview for Appointment to the Council on Aging (Term Expiration 6/30/2021): Ms. Pitt arrived later in the evening. With a 40-year work history in information technology, this applicant, who lives in downtown Natick and volunteers at the Community-Senior Center, was appointed to the Council by a vote of 4-0-0 on a motion by Mr. Jennett, seconded by Ms. Salamoff.
4. Beverly Klau – Interview for Appointment to the Cultural Council (Term Expiration 6/30/2020): This eight-year Natick resident with a background in art history who is involved in the "Help Us Greet" (HUG) Program, which welcomes all new students and parents to the Brown School, and who wishes

to be more civically focused, was appointed to the Council by a vote of 4-0-0 on a motion by Ms. Salamoff, seconded by Mr. Jennett.

## **REQUESTED ACTION**

1. Nordstrom's – Application for a Change in Officers: Attorney Trish Farnsworth noted that Vincent Rossetti and Anne Bramman are to be the new Vice President of Restaurant Operations and the new CFO, respectively. Moved by Mr. Jennett and seconded by Ms. Salamoff, the Board voted 4-0-0 to approve the change.
2. Natick Service Council – Application for One-Day Alcohol License: Lauren Mann, Director of the Council, requested a one-day license to serve alcohol at the annual fall fundraiser at Walnut Hill School. Moved by Mr. Jennett and seconded by Mr. Hickey, the Board voted 4-0-0 to approve the license and to waive the \$50 fee for this nonprofit.
3. Public Hearing – Morse Tavern Application for Alteration of Premises: Mr. Hickey read the Public Hearing Notice aloud. Moved by Mr. Jennett and seconded by Mr. Hickey, the Board voted 4-0-0 to open the Public Hearing. Attorney George Piandes presented with the owners, John and Sharon Stournaras, to explain that the alteration in premises consists of transferring 14 seats from high-top tables to the bar area, increasing seating at the bar from 11 to 25 seats, but with no increase in the restaurant's overall seating capacity. The goal is to make service to patrons more efficient. Ms. Mistrot expressed concern that expansion of the bar will lead to less emphasis on food consumption. Mr. Stournaras noted that their establishment is a restaurant first, with food the priority, noting that all patrons are given a menu regardless of where they sit. Mr. Hickey asked that the owners be very cognizant of and courteous to their neighbors, especially relating to late night activities and conversations in the parking lot, and Mr. Stournaras promised to take any measures necessary to address any concerns whatsoever. Ms. Mistrot asked that the balance between food and alcohol be watched very closely so as to avoid a dangerous situation. With no comments or questions from the public, Ms. Salamoff, seconded by Mr. Hickey, moved to close the Public Hearing and the Board voted 4-0-0 in favor. Moved by Ms. Salamoff and seconded by Mr. Jennett, the Board voted 4-0-0 to approve the alteration in premises.
4. Public Hearing – Dave & Buster's Application for S. 12 Restaurant All-Alcohol License: Mr. Hickey read the Public Hearing Notice aloud. On a motion by Mr. Jennett, seconded by Mr. Hickey, the Board voted 4-0-0 to open the Public Hearing. Attorney Joseph Tarby of Murtha Law, representing Dave & Buster's, introduced Jill Valachovic, corporate officer, and Jason Patton, proposed manager of record, to discuss licenses required for their full-service restaurant and video arcade at Natick Mall in the space formerly occupied by Sears, some of the final steps needed prior to opening. After much discussion among the Board Members and the representatives for Dave & Buster's, Josh Ostroff spoke as a member of the public and a previous member of the Board, stating it might be beneficial to review Natick's alcohol rules and regulations to ensure that the alcohol license issued is the appropriate one, consistent with the practices of the establishment. Ms. Salamoff suggested perhaps putting off the decision until the next meeting to do a little more research. Attorney Tarby reminded the Board that planning has been ongoing for well over a year, beginning initially with a meeting with Town Officials, including the Director of Community & Economic Development, Lt. Lauzon, Selectman Freedman, Deputy Town Administrator Chenard, the Planning Board, et al., followed by substantial input from residents in the area and a great deal of time ensuring compliance with Town regulations. Ken Labarre of General Growth Properties (Natick Mall) also reminded the Board that a lease has been signed and construction is underway. Seeing no other public comment, the Board voted 4-0-0 to close the Public Hearing on a motion by Mr. Jennett, seconded by Mr. Hickey. Moved by Mr. Jennett and seconded by Mr. Hickey, the Board voted 4-0-0 to approve the requested license.
5. Dave & Buster's
  - a. Common Victualer's Application: Moved by Mr. Jennett and seconded by Mr. Hickey, the Board voted 4-0-0 to issue a common victualer's license.
  - b. Entertainment Application for Weekdays and Sundays: Moved by Mr. Jennett and seconded by Mr. Hickey, the Board voted 4-0-0 to approve issuance of weekday and Sunday entertainment licenses as presented on the application.
  - c. Automatic Amusement Application: Moved by Mr. Jennett and seconded by Mr. Hickey, the Board voted 4-0-0 to issue an automatic amusement device license for 152 devices.
6. Economic Development Committee – Revise Composition: Postponed to 10/15/18 meeting.
7. Procurement Officer – Approve Contracts:
  - a. Parking Ticket Collection Contract Extension: Moved by Mr. Jennett and seconded by Mr. Hickey, the Board voted 4-0-0 to exercise the second extension of the Town's current

- contract with Municipal Citation Solutions, LLC at a rate of \$14,000/year. Term expiration date: 11/27/19. Funding: \$14,000-Police Department Operating Budget.
- b. Evergreen Well No. 3 Rehabilitation: Moved by Mr. Jennett and seconded by Ms. Salamoff, the Board voted 4-0-0 to award the contract to Denis L. Maher Co., LLC in the amount of \$13,240 for the main bid work. Funding: \$13,240-DPW/Water/Sewer Operating Budget.
  - c. North Main Street/Route 27 Appraisal Services: Moved by Mr. Jennett and seconded by Ms. Salamoff, the Board voted 4-0-0 to award the contract to Guidry & Platt Real Estate Analysts for \$1,053 per property to appraise Route 27 properties with temporary easements only and \$1,328 per property to appraise Route 27 properties with temporary easements, permanent easements, and takings. Funding: 2018 Spring Annual Town Meeting, Article 25-\$285,000-Free Cash.

**DISCUSSION AND DECISION**

- 8. Custodial Cleaning Contract:
  - a. Terminate for Convenience, Effective 10/1/2018, with Last Date of Service 11/1/2018, Greenlife Janitorial: Ms. Malone noted the current custodial cleaning contract’s provision that allows the Town to terminate for convenience. Moved by Ms. Salamoff and seconded by Mr. Hickey, the Board voted 4-0-0 to terminate the contract for convenience. Funding: Facilities Department Operating Budget.
  - b. Award Contract, Effective 11/2/2018, to SJ Services: This vendor was obtained from the State’s procurement list. Moved by Ms. Salamoff and seconded by Mr. Hickey, the Board voted 4-0-0, the Board voted 4-0-0 to award the custodial cleaning services contract to S.J. Services, Inc. at a rate of \$19.23/hour. The term of the contract shall begin on 11/2/18 and last through 1/31/2019. Funding: Facilities Department Operating Budget.
- 9. Public Hearing – 2019 Licensing Fees: After some discussion, the Board voted to continue the Public Hearing to the 10/15/18 meeting, at which time decisions regarding fee increases will be made.
- 10. Review of 2018 Fall Annual Town Meeting Warrant Articles: Discussion ensued among the Board Members and the following votes were made.

<u>Article No.</u>	<u>Motion</u>	<u>1<sup>st</sup></u>	<u>2<sup>nd</sup></u>	<u>Action</u>	<u>Vote</u>
17		Mr. Jennett	Ms. Mistrot	Referral to Sponsor	3-0-1
				Mr. Hickey abstained	
32		Ms. Salamoff	Mr. Jennett	Favorable Action	4-0-0
35		Mr. Jennett	Mr. Hickey	Referral to Sponsor	4-0-0
38		Mr. Jennett	Mr. Hickey	Referral to Sponsor	4-0-0
39		Ms. Salamoff	Mr. Jennett	Referral to BOS	4-0-0
41		Mr. Hickey	Ms. Salamoff	Favorable Action	1-2-1
				Mr. Jennett & Ms. Mistrot cast dissenting votes	
				Ms. Salamoff abstained	

Regarding Article 17: Ms. Mistrot read a memo into the record from Bob Awkward stating the sponsors would like to allow the BOS to continue its process to acquire the property at 22 Pleasant Street and refer the Article back to its sponsor.

Regarding Article 35: Tony Lista, the sponsor of this Article, stated he will likely withdraw his Citizen’s Petition given the legal opinion provided by Town Counsel that the Town has no authority to regulate elections, but wanted the Board to understand his reasons for the petition. With immigrant parents who worked very, very hard to make their way in this country and to become United States citizens, Mr. Lista places great value on citizenship and feels that voting should be a privilege granted only to citizens.

**CONSENT AGENDA**

The Chair asked if any members of the public or the Board would like to discuss any item on the Consent Agenda and no discussion was requested. Moved by Mr. Jennett and seconded by Ms. Salamoff, the Board voted 4-0-0 to approve the Consent Agenda conditional upon the fulfillment of all recommendations from Town Agencies and/or Departments. The following items were approved:

- a. Reappointment of Avigail Shimshoni as the Natick Center Associates Designee to the Design Review Board (term expiration: 6/30/2021)
- b. Resignation of Rick White from the West Natick Fire Station Building Committee

- c. Banner Requests for Sustainability and DPW
  - DPW-Recycling Banner 11/7-11/18/18
  - DPW-Textiles Banner 11/19-11/25/18
  - Sustainability-Water Conservation Banner 3/27-4/7/19
  - Sustainability-Earth Day Banner 4/22-4/28/19
  - Sustainability-Water Conservation Banner 5/6-5/12/19
- d. Small Business Saturday Proclamation
- e. November 6, 2018 State Election Warrant
- f. Meeting minutes for 7/23/18, 8/6/18, 8/14/18, 8/20/18, 8/27/18, 9/6/18, 9/13/18, 9/17/18, 9/24/18
- g. Carry the Fallen Ruck March 11/10/18

**ADJOURNMENT:** At 10:37 p.m., the Chair asked for a motion to enter Executive Session. Moved by Mr. Jennett and seconded by Ms. Salamoff, the Board voted 4-0-0, confirmed by a roll call vote, to enter Executive Session. The Chair noted that the Board would not return to Open Session.

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Michael J. Hickey, Jr., Clerk

Submitted by Trish O'Neil

October 1, 2018 Board of Selectmen Meeting Minutes Approved by the Board of Selectmen on October 15, 2018

**All documents used at this Board of Selectmen meeting are available at:**

<https://naticktown.novusagenda.com/agendapublic/MeetingView.aspx?MeetingID=561&MinutesMeetingID=-1&doctype=Agenda>