

SELECT BOARD  
TOWN OF NATICK

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MEETING MINUTES

Meeting Conducted in the Edward H. Dlott  
Meeting Room and via Zoom  
July 14, 2022  
6:30PM

PRESENT: Paul R. Joseph, Chair, Michael J. Hickey, Jr., Vice-Chair, Bruce T. Evans, Clerk; Kathryn M. Coughlin

ALSO PRESENT: Town Administrator, James Errickson, Deputy Town Administrator – Finance, John Townsend; Deputy Town Administrator- Operations, Jon Marshall; Police Chief, James Hicks; Fire Chief Jason Ferschke; Diane Packer, Town Clerk; Executive Assistant, Joan McNamara

ABSENT: None

Chair Joseph called the meeting to order at 6:32PM

Chair Joseph stated that he will read the 3 items for Executive Session this evening and read the following:

- A. Pursuant to M.G.L. c. 30A, section 21(a)(3) - To discuss strategy with respect to litigation if an open meeting may have a detrimental effect on the litigating position of the public body and the chair so declares - Keri Norris v. Town of Natick, MCAD Docket No. 21BEM02366
- B. Pursuant to M.G.L. c. 30A, section 21(a)(1), to discuss the reputation, character, physical condition or mental health, rather than professional competence, of an individual, or to discuss the discipline or dismissal of, or complaints or charges brought against, a public officer, employee, staff member or individual - receipt of an Open Meeting Law Complaint against the Select Board
- C. Pursuant to M.G.L. c. 30A, section 21(a)(2) - To conduct strategy sessions in preparation for negotiations with nonunion personnel or to conduct collective bargaining sessions or contract negotiations with nonunion personnel – Massachusetts Laborers' District Council Public Employees Local 1116 – Facility Management Employees; Natick Patrol Officers' Association - Police Patrol Officers; New England Police Benevolent Association Local 82- Police Superior Officers; New England Police Benevolent Association Local 182 - Dispatchers; Deputy Fire Chiefs' Association; Local 1707, International Association of Firefighters, AFL-CIO;

On a motion by Mr. Evans, seconded by Mr. Hickey, the Board, by Roll Call vote, voted 4-0-0, to enter into Executive Session. The Roll Call vote was as follows:

Mr. Evans.	Yes
Ms. Coughlin	Yes
Mr. Hickey	Yes
Mr. Joseph	Yes

**Open session reconvened at 7:05PM**

The Pledge of Allegiance was recited and a Moment of Silence was observed all that serve in public service and our military and a special remembrance for Brigadier General, Brett Conaway.

### **ANNOUNCEMENTS**

A. Remote meetings through March 2023

The State House and Senate have approved tentatively to extend remote meeting participation through March of 2023.

B. Jason Ferschke, Fire Chief - welcome and swearing in ceremony

Ms. Packer, Town Clerk, was present this evening and did the swearing-in ceremony for our new Fire Chief, Jason Ferschke. The Board welcomed the Fire Chief and Chief Ferschke gave a small speech.

C. Approve Proclamation for Officer Ronald Richardson upon his retirement

On a motion by Mr. Hickey, seconded by Mr. Evans, the Board voted 4-0-0 to approve the Proclamation for Officer Ronald Richardson upon his retirement.

Officer Ronald Richardson was also present this evening to receive the Proclamation that had been prepared by the Select Board which outlined Officer Richardson's career. Chief Hick's gave a speech honoring Officer Richardson and Ronald also gave a short speech.

Officer Richardson then passed his Badge #1 to Detective John Haswell.

D. Presentation to Detective John Haswell

Detective John Haswell was present before the Board this evening. Officer Richardson passed on Badge #1 (the badge for the most senior officer) to Detective Haswell.

Chief Hicks congratulated Detective Haswell and gave a short speech. The Board wished congratulations to all.

E. Announce 2022 Fall Annual Town Meeting

Mr. Evans, Clerk, read the Intention to Call, notice, which is attached to this evening's agenda. The 2022 Fall Annual Town Meeting will take place on Tuesday, October 19, 2022, at the Natick High School, at 7:30PM.

### **APPOINTMENTS**

A. Interview for the Leonard Morse Grants Panel

1. Interview with Kathy Eld

Ms. Kathy Eld was present this evening to interview for a volunteer position on the Leonard Morse Grants Panel. Ms. Eld's application and resume are attached to this evening's agenda. She was interviewed by the Board and the Board took a vote.

On a motion by Mr. Evans, seconded by Mr. Hickey, the Board voted 4-0-0 to approve Kathy Eld as a member of the Leonard Morse Grants Panel.

### **PUBLIC SPEAK**

Ms. Diane Packer, Town Clerk, made an announcement this evening concerning the Fall election.

### **DISCUSSION and DECISION**

- A. Approve request from the Town Clerk to change polling hours for the September 13, 2022, Special Election  
Ms. Packer spoke to the change of polling hours as detailed in her memorandum which is attached to this evening's agenda.

On a motion by Mr. Evans, seconded by Ms. Coughlin, the Board voted 4-0-0 to approve the change to polling hours for the Sept. 13, 2022, Special Election.

- B. ARPA Spending Plan update  
Mr. Erickson made a presentation entitled Original ARPA spending Plan. The presentation is attached to this evening's agenda. Mr. Townsend was also present and addressed the need for getting numbers by July 20, 2022, for revenue and recovery, so those numbers could be submitted to the Federal Government.
- C. Continuation of Public Hearing: MASFannon, LLC d/b/a Austin's Liquors Too for a change of location and a d/b/a change from Austin's Liquors Too to Fannon's.

Tom Miller, counsel for MASFannon, LLC d/b/a Austin's Liquors, was present once again before the Select Board this evening for a continuation of the public hearing for a change of location and a d/b/a change from Austin's Liquors Too to Fannon's.

There were three new documents added to the agenda today for this topic:

- 1. Memorandum from David Gusmini, Building Inspector
- 2. Variance 61 Worcester St. (1965 Scan)
- 3. Floor Plan

Mr. Hickey noted that the memorandum from Mr. Gusmini which states that, in his opinion, the proposed Use is considered to be Retail, is consistent with the current use of the property and a Change of Use approval is not required, was received very late today. Mr. Hickey stated that he had concerns that given we have been

continuing this hearing for at least 4-5 of our last meetings, we owe it to the general public to give them the opportunity to see very late breaking information contained within these documents.

The Board inquired of Mr. Miller whether or not the interior floor plan which was submitted to the Board today had been submitted to the ABCC as part of their packet. Mr. Miller stated that given he had taken over the file from a previous partner in his firm, he was unable to locate the original packet of information. He could only say that he assumed it had been included in the packet but could not confirm that it had.

The Board recessed at that time (8:40PM) to review documents 1-3 listed above.

Ms. Coughlin noted that the floor plan did not match the data provided to the ABCC in the application. Recognizing that counsel did take over the file from a previous attorney, she also noted that the Board had spent so much time on this application and is still finding the application to be incomplete after six weeks.

Attorney Miller did note that a CORI report and Proof of citizenship document were not required as part of the application process for the Change of Location and d/b/a.

Mr. Hickey noted that this Board, over the course of many weeks, has taken in as much information about the business plan and how the business would work as well as a statement from the Building Dept. which we have. He also noted that there did not seem to be a "public want" or "appropriateness" given that there is another establishment just a "stone's throw away".

On a motion by Mr. Hickey, seconded by Ms. Coughlin, the Board voted 4-0-0 to deny the application of MASFannon, LLC d/b/a Austin's Liquors Too, for a change of location and a d/b/a change from Austin's Liquors Too to Fannon's.

### **SELECT BOARD UPDATES**

A. Select Board Goals update for 2022 – This item was taken off the agenda for this evening

### **CONSENT AGENDA**

- A. Approve Meeting Minutes 1. March 23, 2022
  - 2. March 30, 2022
  - 3. April 6, 2022
  - 4. April 20, 2022
- B. Approve request to occupy a public way from Natick Track and Field Booster Club while hosting the Jingle Bell Run on December 4th at 10:00am
- C. Weekly Warrant Review 1. July 5, 2022
  - 2. July 11, 2022
- D. Approve list of election workers for fiscal year 2023
- E. Approve Massachusetts Fine Wines & Spirits, LLC, d/b/a Total Wine Spirits Beer & More, Request to Change Officers/Directors/LLC Managers and Change of Manager

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- F. Approve BAYLEEBLLC's Request to hang a Banner for a community fashion show from August 14th through August 28, 2022 Approve three one day liquor license requests from Holly Chin, Holly Chin Vocal Studios, at the Mezzanine Performance Hall, 11 South Main Street, 3rd Floor
  - 2. Request for Friday July 29, 2022 from 6-9:00pm
  - 3. Request for Saturday, July 30, 2022 from 1-3pm, and 6-9:00pm
  - 4. Request for Sunday, July 31, 2022, from 1-3:00pmApprove Common Victualer License for Emely Orellana Inc. for the Pizza Shop at South Natick

On a motion by Mr. Evans, seconded by Mr. Hickey, the Board, voted 4-0-0 to approve all items on the Consent Agenda.

On a motion by Mr. Evans, seconded by Mr. Hickey, the Board, by Roll Call vote, voted 4-0-0 to adjourn the meeting at 9:20PM

Mr. Evans.	Yes
Ms. Coughlin	Yes
Mr. Hickey	Yes

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Bruce T. Evans, Clerk

July 14, 2022, Select Board Meeting Minutes Approved by the Select Board on \_\_\_\_\_.

All documents used at this Select Board meeting are available at:  
<https://naticktown.novusagenda.com/agendapublic/MeetingView.aspx?MeetingID=1052&MinutesMeetingID=-1&doctype=Agend>