



FOR THE  
CITY OF WALTHAM  
ZONING BOARD OF APPEALS

GENERAL HEARING

October 3, 2018

7:00 P.M.

at

Public Meeting Room, First Floor  
Arthur Clark Government Center  
119 School Street  
Waltham, Massachusetts 02451

John Sergi, Acting Chair  
Mark Hickernell, Clerk  
Glenna Gelineau  
Marc Rudnick

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Waltham Zoning Board of Appeals/10-3-18/2

**I N D E X**

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**A T T A C H M E N T S**

Legal Notice: Case No. 2015-25

1 P R O C E E D I N G S

2  
3 **Case Number 2015-25: Alliance Realty Partners LLC**  
4 **d/b/s Broadstone Watch City.**

5 ACTING CHAIR JOHN SERGI: Good  
6 evening. The Zoning Board of Appeals of Waltham is  
7 open for a hearing tonight, October 3<sup>rd</sup>. The case  
8 will be 341 Second Ave., the 40B project that's been  
9 ongoing. That's the only case we have tonight.

10 Sitting tonight is Glenna Gelineau,  
11 Marc Rudnick, Mark Hickernell, and I'm -- I'm just  
12 substituting for Barbara Rando who is the Chair.

13 MARK HICKERNELL: I'll make a motion  
14 that John Sergi be Acting Chair for tonight's  
15 meeting.

16 MARC RUDNICK: Second.

17 ACTING CHAIR JOHN SERGI: All in  
18 favor?

19 ALL BOARD MEMBERS: Aye.

20 ACTING CHAIR JOHN SERGI: So Barbara  
21 is out for health issues for tonight's meeting. So  
22 we're going to proceed with four. And we'd like to  
23 hear from the two different parties, the Waltham city  
24 attorney and also the Petitioner as well, and see

1 what type of progress you guys made at your meetings.

2 It sounds like you did.

3 MICHELLE LEARNED: Hi, members of the  
4 Board. It's Michelle Learned, counsel for the Zoning  
5 Board.

6 STENOGRAPHER: Can you speak up,  
7 please, so I can get you on the record?

8 MICHELLE LEARNED: Sure. Counsel for  
9 the Zoning Board.

10 I think it might be easiest if we go  
11 through the last highlighted decision that was  
12 provided to you on September 21<sup>st</sup>. This is after we  
13 held and had a very good, at least in my estimation  
14 it was a good meeting with Alliance's counsel on  
15 9/20.

16 GREGG COSIMI: Michelle, not to  
17 interrupt, but could I just make a request?

18 MICHELLE LEARNED: Sure.

19 GREGG COSIMI: Gregg Cosimi, counsel  
20 to the Applicant, K&L Gates, One Lincoln Street,  
21 Boston, MA.

22 We sent a letter on Friday. Our  
23 principal is absent tonight. Our 40B consultant is  
24 absent tonight. We know the Board's 40B consultant

1 is absent tonight. And we're working through a  
2 response to the last draft that was circulated, but  
3 there's still some open items in there that you had  
4 requested input from us. And our proposal would be a  
5 continuance until next Tuesday if that works for the  
6 Board. And what we'd like to prepare in the meantime  
7 would be a draft, be it a redline against Michelle's  
8 last draft or a redline against our last draft, which  
9 explains each of the changes made, why it was made,  
10 or why it was located elsewhere. And we felt like  
11 that might be, for all parties, sort of a better use  
12 of time. And, also, if we could give it to the Board  
13 ahead of time, it would give the Board I think some  
14 time to reflect on the changes and sort of digest it  
15 rather than try to work through it in real time.

16 So, our request is that between now  
17 and Tuesday night, assuming that that date does work  
18 for the Board, that we do submit that draft to the  
19 Board. And then I know our principal will be back,  
20 our 40B consultant will be back. I'm not sure about  
21 the Board's 40B consultant. But it would be nice if  
22 we could try to have everybody here so we could sort  
23 of try to get through it and come to agreement rather  
24 than -- I know there have been multiple drafts in the

1 interim. And I know, just going through it myself,  
2 it can be confusing. Some things show up as  
3 redlines. Some things don't show up as redlines  
4 anymore because there's sort of redlines upon  
5 redlines. But this would be sort of a roadmap we  
6 could all walk through and look at every change, see  
7 where it was moved, or accept it, or modify it and  
8 why, and try to come to agreement.

9 ACTING CHAIR JOHN SERGI: Okay. So  
10 the goal would be then, on October 9<sup>th</sup> we'd have at  
11 least a finalized draft? Is that the goal?

12 GREGG COSIMI: Ideally, yes. And, you  
13 know, we obviously could have a clean draft, but we  
14 could show -- we did make progress at the meetings.  
15 We could show the items that were acceptable. We  
16 could show where there's still -- where we think  
17 something was accomplished by language that was  
18 already in there or moved somewhere else, or if there  
19 are issues that we still disagree on, we can identify  
20 those. But at least this way, the Board can have a  
21 period of time beforehand to digest and see what  
22 those handful of issues are. And then I think it's  
23 just a more effective use of the Board's time.

24 ACTING CHAIR JOHN SERGI: When would

1 you be able to get us a copy of your --

2 MICHELLE LEARNED: And counsel.

3 GREGG COSIMI: Absolutely. Going to  
4 everybody. I mean end of this week at the latest.

5 ACTING CHAIR JOHN SERGI: The end of  
6 this week. Okay.

7 GREGG COSIMI: Yes.

8 ACTING CHAIR JOHN SERGI: All right.  
9 It will be good --

10 GREGG COSIMI: So, you'd at least have  
11 three days to --

12 ACTING CHAIR JOHN SERGI: Monday is a  
13 holiday, right? I mean --

14 MICHELLE LEARNED: Respectfully, I  
15 don't -- listening to your proposal, I think that an  
16 extension would have to be longer than --

17 ACTING CHAIR JOHN SERGI: The 40.

18 MARC RUDNICK: So that's what I was  
19 just going to suggest. You know, pressuring the  
20 Board to --

21 GREGG COSIMI: Fair enough.

22 MARC RUDNICK: -- show up the day  
23 after a holiday, just to have the holiday weekend to  
24 review what I'm starting to suspect is going to sound

1 like two drafts, or at least a common part of the  
2 draft and two sections where you won't have come to  
3 agreement with our law department. So, I'd be way  
4 more comfortable making sure that we had two nights  
5 that the Board could make -- you know, if we can do  
6 it through next Friday instead of next Tuesday,  
7 assuming that we can poll the Board members now and  
8 find out that we're all available, just so if it  
9 doesn't -- I mean, you know, we just had our Chairman  
10 --

11 GREGG COSIMI: So, extend the deadline  
12 through next Friday?

13 MARC RUDNICK: Exactly. Extend the 40  
14 days' deadline through next Friday, and commensurate  
15 deadline for the Clerk work.

16 GREGG COSIMI: No, that makes sense.

17 MARC RUDNICK: And then let's, before  
18 we vote on that, poll the Board and see that we all  
19 have availability, at least on Tuesday, and a  
20 fallback night next week. I know I don't have  
21 Wednesday, but I can do Tuesday.

22 ACTING CHAIR JOHN SERGI: I would have  
23 to look and --

24 MARK HICKERNELL: Yeah, I'll be happy



1 to check that. The other aspect in making sure that  
2 the Board is available is that Chairwoman Rando is  
3 not available, not this week, and I'd be surprised if  
4 she was back on the 9<sup>th</sup> as well. So, you know, a more  
5 generous enlargement, if we're going to have the full  
6 Board hear this, would be in order.

7 Well, let me check my calendar.

8 And none of that is to say that I  
9 don't want to hear from our attorney tonight about  
10 the progress that was made.

11 ACTING CHAIR JOHN SERGI: We'll open  
12 it up for questions.

13 MARC RUDNICK: Well, one of my  
14 concerns is that the more we have testimony tonight,  
15 the more we're acting in a way that Barbara might not  
16 be able to continue to serve. This issue came up at  
17 the last hearing that I was at that substantive  
18 matters before the Zoning Board, I mean we just had  
19 it about this night, but you didn't give me a sense  
20 that you were confident that -- so, the Zoning Board  
21 doesn't have the ability to take external, you know,  
22 to have dial-in or have members miss a hearing and  
23 come back. Our Board doesn't have that. This is an  
24 unusual case because of 40B, so our Board is also

1 acting as the City Council, and they do have that  
2 authority.

3 MICHELLE LEARNED: And they do have  
4 the -- other boards have the authority, but just the  
5 Zoning Board does not.

6 MARC RUDNICK: So, I'm a little  
7 confused about where that leaves us. I'd hate to,  
8 you know, start legal action around that question.  
9 But, and I'm also unaware, and maybe we could ask  
10 Attorney McCourt if he's aware, when Barbara might be  
11 out of rehab and have the opportunity to attend  
12 again.

13 PHILIP MCCOURT: In a discussion with  
14 a family member, she's currently in rehab. However,  
15 she has a fractured pelvis. And, frankly, well,  
16 she's optimistic herself, I understand -- I haven't  
17 seen her or spoken to her -- that she'll be out in  
18 two or three weeks. I think that her confinement is  
19 going to be more like six weeks. So, I would think  
20 that it would be up, of course, obviously, to our  
21 clients perhaps electing to go forward with four  
22 people because I don't see that Mrs. Rando would be  
23 back in any conceivable time to address this. She  
24 can't drive for two months.

1                   MARC RUDNICK:           Did you have  
2 information otherwise?

3                   MICHELLE LEARNED:   She did phone Pam  
4 Doucette, who is the secretary to your Board. And  
5 she had relayed that she thought it would be two to  
6 three weeks before she was able. She also relayed  
7 her desire to be able to sit and vote on the  
8 petition, the application.

9                   ACTING CHAIR JOHN SERGI:   She called  
10 me as well tonight. So, I can -- I can speak to her  
11 again and see what or if, whatever she can do. You  
12 know, reviewing paperwork there, I'm not sure. You  
13 know, but I can ask her if she's up to doing that.

14                   I was hoping tonight, not getting into  
15 details, as Mr. Rudnick mentioned, but maybe to have  
16 like a quick summary as to where you were when you  
17 first began the dialogue and where you ended up, like  
18 say just to get an idea of the scope of items we're  
19 going to look at. You maybe started with 20. Where  
20 did you end up, with five that are still alive and  
21 kicking or, you know, are you still at 20, you know?  
22 And I just took those numbers out of the air.

23                   GREGG COSIMI:   One of the challenges  
24 we're dealing with is our principal, as you know, has

1       been away the same period that Mr. Rudnick's been  
2       away. So, it's hard for us to -- we've been trying  
3       to stay out of his way while he's away, so it's hard  
4       for us to quantify. You know, he'll be back I think  
5       Monday.

6                   A.J. ALEVIZOS: Friday.

7                   GREGG COSIMI: Friday.

8                   A.J. ALEVIZOS: Friday night. So, I  
9       think we'd be in a lot better position on Tuesday  
10      night, if that works for the Board, to have that sort  
11      of discussion. But, at this point, I just don't know  
12      if we're ready to really get into --

13                  MARC RUDNICK: The difficulty is that  
14      we're going to have to agree tonight on an extension  
15      date. We can't meet without -- or we can meet again  
16      tomorrow and do it since we have a hearing scheduled  
17      tomorrow, but both of those seem ridiculous to me.

18                  Having heard what others have said  
19      here, I would propose that we -- you know, that you  
20      ask for a continuance through the last Tuesday in  
21      October, that is Tuesday, October 30<sup>th</sup>. We don't know  
22      that Chairman Rando can return at that point, but at  
23      least it gives her the greatest opportunity to do  
24      that. I think it's to your advantage as well as ours

1 to have all the members here, but --

2 MICHELLE LEARNED: And I would be  
3 happy to meet with counsel again should that prove  
4 productive.

5 MARC RUDNICK: Again, I'm not trying  
6 to delay this, Gregg. I'm just trying to make it as  
7 far as possible to Barbara, and recognize that we all  
8 caused the delays this time.

9 GREGG COSIMI: No, fair enough. My  
10 preference would be to extend through the end of next  
11 week, meet on Tuesday night when our principal is  
12 here to answer when he's comfortable extending to  
13 because I'm not really in a position to say when he  
14 may be comfortable extending to, if that works for  
15 the Board members to meet on Tuesday night to make  
16 that determination. That's if I understand what  
17 you're saying. I think we all want to do this in a  
18 time-efficient and effective way.

19 ACTING CHAIR JOHN SERGI: What do we  
20 have on Tuesday night? What other cases are on?

21 MARC RUDNICK: No cases.

22 MARK HICKERNELL: There's no cases on  
23 Tuesday because of the holiday.

24 ACTING CHAIR JOHN SERGI: Okay.

1 MARK HICKERNELL: We're not meeting.

2 ACTING CHAIR JOHN SERGI: So you just  
3 simply want to meet to do what?

4 GREGG COSIMI: Well, it's at the  
5 discretion of the Board. If your preference -- I  
6 think the primary item is to determine when it makes  
7 sense to extend to when our principal is back to  
8 answer that question. If it pleases the Board, we  
9 could go through substantive issues at that point.  
10 But it sounds like there's a little bit of -- a  
11 little more due diligence as to whether or not Ms.  
12 Rando will be available and when that people want to  
13 get to the bottom to -- or at the bottom of. And  
14 maybe that determination could be made. I think the  
15 two have to work in conjunction to when the extension  
16 would be granted to. But the primary purpose would  
17 be to determine the extension date. And then, with  
18 our principal back and the 40B consultant here, I  
19 think if you wanted to get into the substance, then  
20 absolutely we could do that.

21 ACTING CHAIR JOHN SERGI: So, you  
22 would want to extend this hearing until Tuesday, and  
23 then --

24 GREGG COSIMI: Well, I'm comfortable

1 extending it to the end of next week if that is  
2 easier, or until Tuesday, whichever is easier. We  
3 have an extension drafted till Tuesday.

4 MARC RUDNICK: Mark, can you broach  
5 this?

6 MARK HICKERNELL: Well, I mean we can  
7 only extend it as far as the Applicant wants to  
8 extend it. If you're not willing to extend it past  
9 next Friday, the 12<sup>th</sup>, then that's what we can work  
10 with. But it may be that when we meet again next  
11 week it makes sense to extend it further to make sure  
12 Chairwoman Rando can participate --

13 GREGG COSIMI: I think that's fine.

14 MARK HICKERNELL: -- and that we've  
15 had time to digest whatever it is that you come up  
16 with.

17 MICHELLE LEARNED: And you have  
18 authority to extend to the 12<sup>th</sup>?

19 GREGG COSIMI: We have authority to --  
20 well --

21 A.J. ALEVIZOS: Yes. Yes. Yes. Yes.

22 MICHELLE LEARNED: So you can fill out  
23 the written authorization today?

24 A.J. ALEVIZOS: Yes, we already filled

1 it out.

2 GREGG COSIMI: We have it right here.  
3 We can cross it out and put the 12<sup>th</sup>. We had it until  
4 the 9<sup>th</sup>. It was submitted with a letter last Friday.  
5 So, we can all sign it right here.

6 ACTING CHAIR JOHN SERGI: Okay.

7 STENOGRAPHER: Can you remind me of  
8 your name?

9 A.J. ALEVIZOS: Alexander Alevizos.

10 MARC RUDNICK: So, what's our notice  
11 period? Let's say we met on Tuesday and decided to  
12 have another hearing.

13 MICHELLE LEARNED: Forty-eight hours.

14 MARC RUDNICK: Forty-eight hours. So,  
15 theoretically, we can stick to next Tuesday, assuming  
16 we do it this way, cancel tomorrow, stick to next  
17 Tuesday, but extend the 40 days through next Friday,  
18 and fight it out next Tuesday about whether we're  
19 going to extend to a date that would give Mrs. Rando  
20 the opportunity to return to the case.

21 GREGG COSIMI: That's right.

22 MICHELLE LEARNED: Are you -- sorry --  
23 are you all available on the 8<sup>th</sup>?

24 MARK HICKERNELL: On the 9<sup>th</sup>.



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1 MICHELLE LEARNED: On the 9<sup>th</sup>.  
2 MARC RUDNICK: So the first question  
3 is the 9<sup>th</sup>.  
4 GLENNA GELINEAU: Yes.  
5 MARC RUDNICK: Yes. Yes.  
6 MARK HICKERNELL: Yes.  
7 MARC RUDNICK: Yes. John?  
8 ACTING CHAIR JOHN SERGI: I'm  
9 available.  
10 MARC RUDNICK: Okay. I know that I'm  
11 not available on Wednesday. So if this would go  
12 beyond Tuesday --  
13 ACTING CHAIR JOHN SERGI: I can't go  
14 Wednesday either. I can do Thursday.  
15 MARC RUDNICK: But still be limited to  
16 Friday --  
17 ACTING CHAIR JOHN SERGI: Thursday,  
18 I'm available.  
19 MARC RUDNICK: -- I could meet  
20 Thursday.  
21 ACTING CHAIR JOHN SERGI: Yeah,  
22 Thursday would be good.  
23 GLENNA GELINEAU: Not Wednesday, but  
24 Thursday is good.

1                   MARC RUDNICK: Mr. Hickernell?

2                   MARK HICKERNELL: Oh, yeah. Yeah.

3                   MARC RUDNICK: Okay. So there would  
4 be the opportunity to have a robust discussion on  
5 Tuesday leading to a final decision on Thursday and  
6 still make the 40 days.

7                   MARK HICKERNELL: We'd have to notice  
8 both of those.

9                   ACTING CHAIR JOHN SERGI: We'd have to  
10 -- yes, right.

11                  MARC RUDNICK: So, I'm suggesting that  
12 we notice now a Tuesday and a Thursday.

13                   Is something going on out there?

14                  MICHELLE LEARNED: No, just --

15                  MARC RUDNICK: I thought you were --

16                  MICHELLE LEARNED: Just asked if you  
17 have to notice both.

18                  ACTING CHAIR JOHN SERGI: Yeah, we'd  
19 have to notice both days, please.

20                  MARC RUDNICK: Yeah.

21                  MICHELLE LEARNED: And the time?

22                  ACTING CHAIR JOHN SERGI: And the time  
23 would be 7:00. Is that okay with everyone?

24                  MARC RUDNICK: Works for me.

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1 MARK HICKERNELL: Yeah.

2 GLENN GELINEAU: Yeah.

3 ACTING CHAIR JOHN SERGI: Seven  
4 o'clock, both days.

5 MARC RUDNICK: Wait. Tuesday, good.  
6 Thursday, good.

7 MICHELLE LEARNED: I also believe  
8 someone for the meeting that's held on the 4<sup>th</sup>,  
9 someone might --

10 MARK HICKERNELL: Yeah, we can't  
11 cancel it here.

12 MARC RUDNICK: Yeah, we'll have to  
13 show up here.

14 MARK HICKERNELL: Hammer it open and  
15 closed.

16 MARC RUDNICK: We need three of us  
17 here to --

18 MARK HICKERNELL: Pam thought two.

19 ACTING CHAIR JOHN SERGI: Oh, two?

20 MARK HICKERNELL: But I can be one of  
21 them.

22 ACTING CHAIR JOHN SERGI: Okay. I can  
23 come tomorrow.

24 MARC RUDNICK: Great.

1                   ACTING CHAIR JOHN SERGI: All right.  
2                   So I'll come tomorrow, too.

3                   CAROL OLIVERI: Tuesday, the 9<sup>th</sup>, and  
4                   Thursday, the 11<sup>th</sup>, 7:00 p.m.

5                   ACTING CHAIR JOHN SERGI: Right.

6                   MARC RUDNICK: So, the Applicant is  
7                   requesting an extension of the 40-day decision period  
8                   in the case through Friday, October 12<sup>th</sup>. And the  
9                   Board, if it's to approve that, will schedule  
10                  hearings for Tuesday, October 9<sup>th</sup>, at 7:00 p.m., and  
11                  for Thursday, October 11<sup>th</sup>, at 7:00 p.m.

12                  ACTING CHAIR JOHN SERGI: So, could I  
13                  have a motion? Are you making a motion?

14                  MARC RUDNICK: I move that, what I  
15                  just said, as a motion.

16                  ACTING CHAIR JOHN SERGI: Okay.  
17                  Second?

18                  MARK HICKERNELL: I'll second it.

19                  ACTING CHAIR JOHN SERGI: All in  
20                  favor?

21                  ALL BOARD MEMBERS: Aye.

22                  ACTING CHAIR JOHN SERGI: Okay.

23                  MARC RUDNICK: Are we good with that,  
24                  counselor? Okay.

1                   ACTING CHAIR JOHN SERGI:    Any other  
2                   questions of the Board?

3                   MARK HICKERNELL:            Yeah, Attorney  
4                   Learned, did you want to then hold off until next  
5                   week, the next meeting, to go through whatever  
6                   progress has been made?

7                   MICHELLE LEARNED:    Line-by-line.    I  
8                   did want to just give counsel a heads up as to I just  
9                   had two more questions, which we could do here or we  
10                  could do by telephone tomorrow.

11                  GREGG COSIMI:    Here is fine.

12                  A.J. ALEVIZOS:    Yeah.

13                  MICHELLE LEARNED:    Unless the Board --

14                  ACTING CHAIR JOHN SERGI:    No, I'm fine  
15                  with that.

16                  MARC RUDNICK:    Take it away.

17                  MICHELLE LEARNED:    So we're not -- I  
18                  just want to make sure Barbara could still  
19                  participate.

20                  GREGG COSIMI:    That's my only concern.

21                  MICHELLE LEARNED:    Let's do it by  
22                  telephone, if that's okay.

23                  MARC RUDNICK:    Okay.

24                  MICHELLE LEARNED:    So then this is for

1 the Board members.

2 ACTING CHAIR JOHN SERGI: Okay.

3 MARC RUDNICK: So, I have been in  
4 touch with our consultant, who can be here on  
5 Tuesday, the 9<sup>th</sup>. And I invited her to be here. That  
6 would be both Warren and Judi.

7 MICHELLE LEARNED: And, respectfully,  
8 to make the process smoother, I really do think that  
9 we should use the last draft proposed by the City,  
10 and that any edits thereto should be made into that  
11 without reference back to the previous drafts.  
12 They're just really unwieldy right now.

13 MARC RUDNICK: So, I'd like to request  
14 that we do have only one draft, the draft prepared by  
15 the law department. If the Applicant would like to  
16 submit a letter about anything in the draft that they  
17 feel they need to expound on at greater length than  
18 can be done in the redline draft, we'd appreciate  
19 getting that letter.

20 GREGG COSIMI: Right. So there have  
21 been a couple of drafts. So, the last draft that you  
22 submitted following the meeting?

23 MICHELLE LEARNED: Correct.

24 GREGG COSIMI: Yeah. Okay.

1                   ACTING CHAIR JOHN SERGI: I mean to  
2 get to my initial question though, I mean I'm reading  
3 your letter of it looks like September 28<sup>th</sup>. In the  
4 body of your letter, it seems like you guys have made  
5 some progress and that --

6                   GREGG COSIMI: I think that's  
7 accurate.

8                   ACTING CHAIR JOHN SERGI: Yeah, it  
9 made me feel like you've kind of condensed the items  
10 down to ten maybe, or -- I'm just trying to get an  
11 idea as to the scope of what we're looking at.

12                   MICHELLE LEARNED: It's less than ten.

13                   ACTING CHAIR JOHN SERGI: Less than  
14 ten. That's what I thought. I mean reading the  
15 letter, I thought it was a handful.

16                   GREGG COSIMI: Yeah. I mean all I can  
17 say is we've made progress. But until I receive --  
18 talk to our principal on -- he wasn't here even  
19 during that meeting. That's the problem now. He's  
20 been gone -- he's been in Italy for a while.

21                   ACTING CHAIR JOHN SERGI: Yeah, okay.  
22 So you negotiated this without --

23                   GREGG COSIMI: No, what we did is we  
24 tried to come in and find common ground. You know,

1 if you think about the iterative process it took to  
2 get the permit to where we got it over the last five  
3 months with all the Board members and all of the  
4 different -- this is a minicosm of that. And that  
5 process sort of winnows issues down where you find  
6 common ground on the issues. So, I think we found  
7 common ground on a lot of the issues. I think we've  
8 identified things where it may be thought of as an  
9 issue, but it's addressed somewhere else.

10 ACTING CHAIR JOHN SERGI: Okay. All  
11 right. That's what I wanted to hear. Okay. Thank  
12 you.

13 PHILIP MCCOURT: I have one other  
14 suggestion, nothing to do with drafts or anything.  
15 Perhaps the law department, Michelle or Dan, could  
16 reach out to Barbara to see how realistic it would be  
17 for her return in any foreseeable future so that both  
18 the Applicant and the Board can decide whether or not  
19 they proceed with just the four members.

20 MICHELLE LEARNED: Certainly.

21 MARC RUDNICK: Could you ask Pam to --

22 ACTING CHAIR JOHN SERGI: That's fair.

23 PHILIP MCCOURT: But I don't think we  
24 should be making -- reaching out to find that out,



1 you know.

2 MICHELLE LEARNED: That's a good  
3 suggestion. I will do that.

4 MARC RUDNICK: Thank you.

5 ACTING CHAIR JOHN SERGI: Okay. All  
6 right. Any other questions that the Board may have?  
7 Glenna?

8 GLENNA GELINEAU: No, no questions.

9 MARK HICKERNELL: No, no questions.

10 Pam Doucette indicated they needed two  
11 copies of the agreement. So, I pulled out a second  
12 one and had -- and we've all signed it. Could you  
13 sign the second one as well?

14 ACTING CHAIR JOHN SERGI: I guess  
15 we're all set then.

16 One more motion is in order here.

17 MARC RUDNICK: Motion to adjourn.

18 MARK HICKERNELL: Second.

19 ACTING CHAIR JOHN SERGI: All in  
20 favor?

21 ALL BOARD MEMBERS: Aye.

22 ACTING CHAIR JOHN SERGI: We are  
23 adjourned at 8:22.

24 (Whereupon, the hearing was adjourned at 8:22 p.m.)

C E R T I F I C A T E

I, Judith Luciano, do hereby certify that the foregoing record is a true and accurate transcription of the proceedings in the above-captioned matter to the best of my skill and ability.

*Judith Luciano*

Judith Luciano