

# BOARD OF SELECTMEN – TOWN OF NATICK

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## **MEETING MINUTES**

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

**October 16, 2017**

**5:30 PM**

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

**ALSO PRESENT:** Town Administrator Martha L. White and Executive Assistant Trish O'Neil

The Chairman called the meeting to order at 5:36 p.m., noting that a quorum was present and that the meeting had been duly posted, and requested a motion to enter into Executive Session to discuss matters pertaining to Real Property, Collective Bargaining, and Discussion of Trade Secrets or Confidential or Proprietary Information Regarding Activities by a Governmental Body as Energy Supplier, with the Chair announcing that discussion of Executive Session matters in Open Session would have a detrimental effect on the Board of Selectmen's negotiating position and the Town's interests. Mr. Jennett, seconded by Ms. Mistrot, moved to enter into Executive Session and, by a roll call vote, all Board Members voted in favor of the motion. The Board entered into Executive Session at 5:40 p.m., the Chair announcing that the meeting would return to Open Session at approximately 7:00 p.m.

Open Session reconvened at 7:42 p.m. The Pledge of Allegiance was recited and a moment of silence was observed for those protecting our country.

## **ANNOUNCEMENTS:**

Town Assessor Jan D'Angelo announced two fall projects for residents to be aware of: 1) inspection of all personal properties, including home businesses (appraisers will have photo IDs on their persons), and 2) update of photographs of all properties in Town (a van going from property to property will be clearly marked).

## **WHAT'S NEW**

Police Chief Hicks talked about the Natick Freedom Team (one of several grass roots efforts that sprung up last fall in response to incidents involving hate mail and speech), the purpose of which is to provide support for victims of hate crimes and preserve community unity. Chief Hicks introduced Jamele Adams, an active member of the group that consists of students, parents, community members, and clergy, among others. The Chief reported that a new hotline, 508-647-9548, has been established to report hate incidents and this will be published on the organization's webpage as well as that of the Town's. Ms. Salamoff noted that programs are available to educate, to invite inclusion, and to assist when people are having difficulty.

## **CITIZEN'S CONCERNS**

None.

## **APPOINTMENTS WITH THE BOARD OF SELECTMEN**

1. **Superintendent of Schools: Approve Debt Exclusion Question for Kennedy Middle School to be Added to the March 27, 2018 Ballot:** All School Committee Members were present as were Anna Nolin, Assistant Superintendent, and Peter Gray, the School Department Finance Director. Dr. Sanchioni requested the Selectmen's approval to place a question on the upcoming March ballot seeking community support for the building of a new Kennedy School, indicating that the question had been vetted and approved by the Massachusetts School Building Authority (MSBA) and Bond Counsel. Moved by Ms. Mistrot and seconded by Mr. Hickey, the Board voted 5-0-0 to add the following question to the March 27, 2018 town-wide election ballot: "Should the Town of Natick be allowed to exempt from the provisions of Proposition two-and-one-half, so called, the amounts required to pay for the bonds issued in order to construct a new John F. Kennedy Middle School?"

2. **Public Hearing: Petition to Rename East School Playground to Connor Heffler Park:** Mr. Jennett read the Public Hearing Notice aloud and then moved, seconded by Ms. Salamoff, to open the Public Hearing, which motion carried by a vote of 5-0-0. Mr. Freedman read aloud the Selectmen's Policy regarding the Naming of Public Places and reported that, as per the Policy, the Community and Economic Development Office and the Historical Commission had offered opinions, both of which were favorable. Mr. Freedman asked for public input and comments. Martin Kessel, Chair of the Open Space Advisory Committee, asked if a Fall Town Meeting Warrant Article referencing East School would make any difference in terms of the renaming and was advised it would not. Ms. Salamoff proposed renaming the East School Playground to Connor Heffler Park. Ms. Mistrot seconded the motion. Much discussion ensued among the Selectmen that highlighted Connor's spirit, tenacity, joy, and positivity and expressed their desire to celebrate the special young boy who touched the community in so many ways. Moved by Ms. Mistrot and seconded by Mr. Jennett, the Board voted 5-0-0 to close the Public Hearing. The Board then voted 5-0-0 in favor of Ms. Salamoff's motion to rename the park. Ms. White thought the renaming would best wait for completion of the new park, with then a nice dedication ceremony to which Connor's family and friends would be invited.
  
3. **Sustainability Coordinator – Aggregation:** Sustainability Coordinator Jillian Wilson Martin provided a public recap of the Executive Session discussion from earlier in the evening. Community aggregation allows the Town to select a supplier for the Town's ratepayers that will offer a lower rate than the Eversource market rate. According to the Town's consultants, electricity rates in Massachusetts are likely to increase and indicative pricing indicates the Town may be able to secure a better than market rate. The consensus of the Board was to continue with a six-month aggregation program effective from January through June 2018. The Town Administrator has historically managed the process by reviewing the bids and making a decision to accept a bid with rates lower than Eversource's basic service rates and including an additional 5% renewable energy over the state requirement. The proposal presented tonight offers no change from previous, including the requirement to "opt out" of aggregation rather than to "opt in." Ms. Wilson Martin stated that after receipt of bids and execution of a contract, the Town will follow the same process as in the past to notify residents, including disseminating information via public meetings, the Town website, the local newspaper, etc. On a motion by Ms. Mistrot, seconded by Mr. Hickey, the Board voted 5-0-0 to authorize the Town Administrator to review bids and select an electricity supplier with a contract of six months in duration.
  
4. **Procurement Officer – Contracts:**
  - a. Parking Garage Planning Designer Services: Moved by Ms. Mistrot and seconded by Ms. Salamoff, the Board voted 5-0-0 in favor of awarding the contract for conceptual design of a new parking garage to Walker Parking Consultants/Engineers, Inc. in the amount of \$200,000.
    - Funding: Article 1, Fall 2016 Special Town Meeting #2, Account #00020340-580130 - \$200,000
  - b. Custodial Cleaning Services Contract Renewal: Moved by Ms. Mistrot and seconded by Mr. Jennett, the Board voted 5-0-0 in favor of exercising its first extension of the current contract for the year beginning December 1, 2017 and ending November 30, 2018 at a rate of \$13 per hour with an estimated rate of 145.5 hours per week in Town buildings.
  - c. JV Field Irrigation System: The Land Facilities & Natural Resources Division (LFNR) is partnering with Natick Public Schools to provide certain services to help maintain school fields, with the LFNR Supervisor managing the project. Moved by Mr. Jennett and seconded by Ms. Salamoff, the Board voted 5-0-0 in favor of awarding the contract to install the JV soccer field irrigation system to Irrigation by H2O in the amount of \$19,500.
    - Funding: Capital Account for FY 2018 Field Renovations 508012 584000 (\$19,500). Article 13, Item 12 Spring Town Meeting (\$175,000 total appropriation).
  - d. Fence Installation – JV Field, West Hill Park, Johnson School: Moved by Ms. Mistrot and seconded by Ms. Salamoff, the Board voted 5-0-0 in favor of awarding the contract to Green Acres Landscaping in the amount of \$21,518.
    - Funding: Capital Account for FY 2018 Field Renovations 508012 584000 (\$21,518). Article 13, Item 12 Spring Town Meeting (\$175,000 total appropriation).

5. **Sonia Shah: Interview for Appointment to the Community Services Advisory Board:** Ms. Shah provided pertinent information, including information about her involvement in nonprofit organizations and as development director in a local legal aid office. Moved by Ms. Mistrot and seconded by Ms. Salamoff, the Board voted 5-0-0 to appoint Ms. Shah to the Community Services Advisory Board.
6. **Interviews for Appointment to the Recreation & Parks Commission:** The Board interviewed Kelly McPherson, a 23-year resident of Natick and co-founder of FIDO (Fun, Informed Dog Owners); Ken Van Blarcom, a resident with a previous interest in protecting Shaw Park; and Margaret Waters, a resident with an interest in attracting 30-40 year olds to the downtown area for an opening on the Recreation & Parks Commission. On a ballot vote, Mr. Jennett and Mr. Hickey voted for Ms. Waters (2), Ms. Mistrot and Mr. Freedman voted for Mr. Van Blarcom (2), and Ms. Salamoff voted for Ms. McPherson (1), necessitating a runoff vote between Ms. Waters and Mr. Van Blarcom. On a second ballot vote, Mr. Jennett, Mr. Hickey, and Ms. Salamoff voted for Ms. Waters (3) and Mr. Freedman and Ms. Mistrot voted for Mr. Van Blarcom (2), thereby appointing Ms. Waters to the Commission.
7. **Barbara & William McGrath, 7 Jennings Pond Road: Sewer Main Backup Claim:** Mr. McGrath provided details of a sewer main backup determined to have been caused by flushable wipes that occurred in the basement of his home on April 8, 2017. The Town's insurance company did not cover the claim. The McGrath's own insurance company paid out \$2,000, the maximum allowed for water damage, toward their loss. The McGraths submitted a request to the Selectmen for payment of damages in the amount of \$6,635.30. Mr. Chenard, Deputy Town Administrator for Operations, explained that a policy decision was made by the Board many years ago to pay these types of claims but that claims like this are few and far between, so precedent-setting is really not an issue – most homes in Natick do not have toilets in the basement, which is where this type of incident occurs. However, payment is at the Board's discretion. Ms. White pointed out that for payment to be made, the homeowner must sign a form stipulating that such payment would constitute a full and final settlement. Mr. Chenard also stated that the homeowner would be instructed to install a backflow check valve since the Town would not cover another incident without its installation. No proof of repairs is required since the Town would simply be paying for damages, not repairs. Moved by Mr. Jennett and seconded by Ms. Mistrot, the Board voted 5-0-0 to award the McGraths payment in the amount of \$6,635.30.
8. **Michelle Roose, Hope for the Children of Haiti – Application for a One-Day Liquor License:** David Rhee, Treasurer for Hope for the Children of Haiti, presented on behalf of Michelle Roose requesting a one-day liquor license to serve beer and wine at a catered-dinner, annual fundraiser to be held at the Community-Senior Center. Moved by Ms. Salamoff and seconded by Ms. Mistrot, the Board voted 5-0-0 in favor, noting that the Police Department will require a detail officer at the event.
9. **Crown Plaza – Request to Extend Alcohol Serving Hours on New Year's Eve:** The General Manager of Crown Plaza, Lynne Luongo, presented to request a one-hour extension of serving hours on New Year's Eve. The Police Department recommended that the Board deny the request. The consensus of the Board was to have the request resubmitted for reevaluation by the Police Department, clarifying that the request would only affect the ballroom (the bar and restaurant keeping their regular hours) to accommodate a wedding reception since that was not made clear in the original request. This request will be taken up again at the next Selectmen's Meeting.
10. **Distinctive Hospitality Group/Hampton Inn: Application for a Change in Manager:** Mr. Ryan Burkart introduced himself as the new manager for approximately the past two weeks and was questioned by the Board, providing relevant work history. Moved by Mr. Jennett and seconded by Ms. Salamoff, the Board voted 5-0-0 to approve Mr. Burkart's appointment.

Ms. Mistrot left the meeting at 9:45 to attend to her ill husband.

11. **Continued Public Hearing – 2018 Licensing Fees:** Ms. White recommended lowering the fee for a wine, malt, and cordials license from \$2,250 to \$1,750, making it equivalent to the wine & malt fee. Mr. Jennett disagreed, saying that a cordials license is more valuable to a business than a license for just wine & malt. No change was made. The Board discussed raising the package store license fee but ultimately decided to leave it as is. Moved by Mr. Freedman and seconded by Mr. Jennett, the Board voted 4-0-0 to increase the fee for a common victualer's license from \$50 to \$75. Fees for automatic amusement devices can only be changed via a Town Meeting vote. Mr. Hickey moved to reduce the Sunday entertainment license fee from \$250 to \$125. Ms. Salamoff seconded the motion with a friendly amendment to decrease the fee to \$150 rather than \$125. The Board voted

3-1-0 to reduce the fee to \$150 with Mr. Jennett casting the dissenting vote. Moved by Mr. Jennett and seconded by Mr. Hickey, the Board voted 4-0-0 to increase the daily entertainment fee from \$50 to \$75. Moved by Mr. Jennett and seconded by Mr. Freedman, the Board voted 3-1-0 to raise the billiards fee to \$20 per table. Ms. White recommended increase the junk dealer's license fee from \$35 to \$50. Moved by Mr. Jennett and seconded by Mr. Freedman, the Board voted 4-0-0 to raise the fee. Moved by Mr. Jennett and seconded by Mr. Hickey, the Board voted 4-0-0 in favor of increase the fee for a hawker/peddler/transient license from \$50 to \$125. Ms. White recommended no change in taxi/livery license fees due to the impact Uber and Lyft have had on the taxi industry and no change was made.

## **DISCUSSION AND DECISION**

### **2017 Fall Annual Town Meeting Articles: 1, 11, 21, 27, 56:**

- a. Article 1 – Fiscal Year 2018 Omnibus Budget: Mr. Freedman noted that the Board had voted favorable action at its last meeting. However, because FinCom suggested modifications, the Board is asked to reconsider its previous vote. The modifications included a decrease in a FinCom funding request from \$20,000 to \$10,000 for more timely development of meeting minutes as well as a recommendation to add \$54,150 to the Selectmen's expenses budget as opposed to the Administration's request to add \$30,000 to the Selectmen's salary budget and \$14,150 to the Selectmen's expenses budget (both to fund a new position that would provide support for the Town's opioid initiatives), the objective being to retain a short-term consultant rather than to hire a full-time employee with all of its associated obligations until such time as the scope and responsibilities of a new position are better identified. Ms. Salamoff, seconded by Mr. Jennett, moved to reconsider the Board's previous vote, which motion passed 4-0-0. Moved by Mr. Jennett and seconded by Mr. Hickey, the Board voted 4-0-0 to recommend favorable action.
- b. Article 11 – Collective Bargaining: This Article was deemed unready for public discussion.
- c. Article 21 – West Natick Fire Station Project – Rezoning: Ms. White stated that both FinCom and the Planning Board had voted favorable action on this rezoning Article. Moved by Mr. Jennett and seconded by Mr. Hickey, the Board voted 4-0-0 to recommend favorable action.
- d. Article 27 – Amend Prior Town Meeting Votes and Appropriate Additional Funds Regarding Acquisition of 22 Pleasant Street: Mr. Jennett summarized the extensive discussion held in Executive Session earlier this evening and the Board's decision to vote in Open Session. Regarding Motion B, which relates to acquiring the property without the building and removing language that refers to the original Letter of Intent, Mr. Jennett, seconded by Mr. Freedman for discussion, moved to recommend favorable action to Town Meeting. The motion passed on a vote of 2-1-1 with Mr. Hickey voting no and Ms. Salamoff abstaining. (Ms. Mistrot had voted in favor in Executive Session but was absent for this vote.) Regarding Motion A, relating to appropriation of an additional \$200,000 to the purchase price, Mr. Jennett, seconded by Mr. Freedman for discussion, moved to recommend favorable action and the motion failed on a vote of 1-3-0, with Mr. Jennett voting in favor. (Ms. Mistrot had voted against the motion in Executive Session.)
- e. Article 56 – Registered Marijuana Dispensaries Bylaw: Tara Hopper Zeltner, one of the Article Sponsors, and Susan Moran, owner of Nine East Wine Emporium, both addressed the Board about this article related to amending zoning bylaws which would allow Nine East Wine Emporium the opportunity to operate as a medical marijuana dispensary rather than a package store. Some Board Members thought referring the Article back to the Planning Board would provide the Sponsors with the opportunity to obtain additional direction and feedback. Mr. Hickey stated his preference would be to allow the Article to go to Town Meeting without making a recommendation. Mr. Freedman felt he could not recommend favorable action since he considered the Article flawed/inaccurate. Moved by Mr. Jennett and seconded by Mr. Hickey, the Board voted 2-1-1 in favor of recommending favorable action with a vote of nay by Mr. Freedman and Mr. Hickey abstaining. (Ms. Mistrot was absent for the vote.)

## **CONSENT AGENDA**

The Chair asked if any members of the public would like to discuss any item on the consent agenda and no discussion was requested. Moved by Ms. Salamoff and seconded by Mr. Hickey, 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. Parade permit for Boston Marathon/Boston Athletic Association on 4/16/18
- b. Block party on Whittier Road on 10/21/17

- c. Rotary Club banner from 10/23-10/29/17 and 4/9-4/15/18
- d. After Prom Party banner from 5/14-5/27/18
- e. Request to occupy a public way by the Natick Historical Society
- f. Request for exemption from Town By-Laws Ch. 41, Sec. 4 for Emily McGonigle (paraprofessional and ASAP instructor)
- g. Resignation of Eric Jones from the Cochituate Rail Trail Committee
- h. Weekly Warrant Reviews for 9/29 and 10/5/17

**COMMITTEE/PROJECT UPDATES**

- 1. **Registered Medical Marijuana Dispensary Update:** Ms. White shared with the Board that the Director of Community and Economic Development attended a workshop regarding state regulation updates pertinent to what municipalities may and may not regulate, items that will require a ballot vote, things to consider in crafting local bylaws, and questions that are still open ended.
- 2. **Camp Arrowhead Update:** Ms. White stated that an agreement between the Town and the DCR is imminent. There has been no movement on the MOA between the Town and AmVets.
- 3. **West Natick Fire Station Update:** Ms. White stated that the three Warrant Articles are all buttoned up.

**TOWN ADMINISTRATOR NOTES**

None.

**SELECTMEN’S CONCERNS**

Ms. Salamoff inquired about perambulation and Ms. White informed her that scheduling is in process. Ms. Salamoff also asked about the Fire Chief and Mr. Freedman stated an update regarding whether someone will be in place by the end of December would be useful.

**ADJOURNMENT**

On a motion by Mr. Jennett, seconded by Mr. Hickey, the Board voted 4-0-0 on a roll call vote to adjourn the Board of Selectmen’s Meeting at 12:20 a.m.

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Richard P. Jennett, Jr., Clerk

October 16, 2017 Board of Selectmen Meeting Minutes Approved by the Board of Selectmen on November 13, 2017

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**All documents used at this Board of Selectmen meeting are available at:**  
<https://naticktown.novusagenda.com/agendapublic/MeetingView.aspx?MeetingID=442&MinutesMeetingID=-1&doctype=Agenda>