

BOARD OF SELECTMEN – TOWN OF NATICK

MEETING MINUTES

EDWARD H. DLOTT MEETING ROOM – NATICK TOWN HALL

November 28, 2016

6:00 PM

PRESENT: Chairman Richard P. Jennett, Jr., Vice Chair Nicholas S. Mabardy, Clerk Jonathan Freedman, John Connolly, and Susan G. Salamoff

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

After calling the public meeting to order at 6:03 p.m., the Chair requested a motion to enter into Executive Session to discuss matters pertaining to Executive Session Minutes and Litigation, 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. Freedman, seconded by Ms. Salamoff, 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 6:10 p.m., the Chair announcing that the meeting would return to Open Session at approximately 7:00 p.m.

Open Session reconvened at 7:08 p.m. The Pledge of Allegiance was recited and a moment of silence was observed for those protecting our country.

ANNOUNCEMENTS:

Mr. Freedman provided an update on the Kennedy Middle School Project. The Building Committee is in the process of selecting an Owner's Project Manager. Twenty-seven firms have submitted responses to the Request for Services, which a subcommittee will narrow down to three finalists that will then be presented to the full committee.

Ms. Salamoff announced an information session regarding the Natick Master Plan process will take place at the Wilson School tomorrow at 6:30. Pearl Harbor Day Ceremonies are scheduled for December 7th at 6:30 at the Community-Senior Center.

WHAT'S NEW: Chief White announced that through a grant from the Local Emergency Planning Committee, two engine companies tested a new technology -- mobile data terminal software on tablets. The purpose of the software is to allow engine and ladder companies to go to commercial properties to inspect businesses for fire hazards with the ability to then pull up that information when responding to a call. Town Meeting approved funding of the program and the plan is to purchase four additional tablets so that every piece of apparatus will have one. There are over 600 commercial buildings that will undergo inspection.

CITIZEN'S CONCERNS

Ann Fremault of 4 Arlington Circle requested that the Town take action with regard to low-hanging wires in the vicinity of her home. She described an incident in which a trash truck hit the wires, which came down and caused a fire on her property, and is worried that the lines are going to come down again. Though Eversource and Verizon have been out to her property multiple times, neither will take responsibility for the wires and Ms. Fremault is requesting the Selectmen's help. Ms. White stated that staff will contact the utility companies tomorrow. Mr. Chenard stated a good portion of the poles in Town are owned by Eversource. Mr. Connolly expressed frustration with Eversource, suggesting the possibility of imposing fines, but noted that state law requires the Town to allow Eversource to put poles in. Ms. Salamoff noted that there is currently legislation in the State House regarding the removal of double poles in Town.

CONSENT AGENDA

The Chair asked if any members of the public or the Board would like to discuss any item on the consent agenda. Mr. Freedman asked to remove the Verizon request for a utility pole attachment from the Consent Agenda since the matter needs to be referred back to the Building Commissioner. Moved by Mr. Freedman and

seconded by Mr. Mabardy, the Board voted 5-0-0 to refer the Verizon request back to the Building Commissioner. Moved by Mr. Connolly and seconded by Mr. Mabardy, the Board voted 5-0-0 to approve the employee exemption for Brian Ridge.

APPOINTMENTS WITH THE BOARD OF SELECTMEN

1. **Maurice Kaufman – Request for Water & Sewer Abatement:** Mr. Kaufman presented to appeal the decision regarding a request he made for an abatement to his water/sewer bill. Over the summer, Mr. Kaufman filled a swimming pool he had installed, contending that the water used stays in the pool because the pool has no drain and thus cannot enter the sewer. Mr. Chenard explained that if a property owner can demonstrate that the water in question did not go into the sewer system, then the policy of the Board is to allow an abatement of the sewer portion of the bill. However, the Board's policy does not apply to filling a swimming pool, a nonessential use of water. In the case of a pool, the homeowner is advised to install an irrigation meter. If Mr. Kaufman had an irrigation meter, the water use would have been calculated at the irrigation rate. An irrigation meter is intended to incentivize water conservation. Since the filling of a pool is considered "nonessential" water use, an abatement cannot be granted based on the Board's policy. Mr. Kaufman is not willing to install an irrigation meter. Ms. Salamoff inquired about the cost of such a meter. Mr. Chenard stated that they can run between \$450-\$900 depending on the type of meter. Mr. Chenard further explained that the reason for this policy is so that abatements are not processed over and over again every time a pool is filled. Mr. Connolly supported an abatement for Mr. Kaufman in the amount of \$365.28, but also noted that a water ban had been in effect over the past summer. Moved by Mr. Connolly and seconded by Mr. Mabardy, the Board voted 5-0-0 to approve the abatement.
2. **Michael Brum – Interview for Appointment to the Community Services Advisory Committee:** Mr. Brum, a recent graduate of the Leadership Academy, was invited by Ms. Lambert, Director of Community Services, to serve on this committee. After he provided background information, Mr. Connolly, seconded by Ms. Salamoff, moved to approve his appointment to the Committee for the period of a year. The Board voted 5-0-0 in favor.
3. **Savin Burger, LLC, d/b/a Smashburger – Application for a Change in Manager and Approval of 2017 Liquor License Renewal:** Adam Fletcher, the current manager of Smashburger, stated that with his recent promotion, he will not be able to spend as much time at the location and Paul Aube is proposed to be the new manager. Mr. Aube offered pertinent background information. Moved by Mr. Connolly and seconded by Mr. Freedman, the Board voted 5-0-0 to approve the change in manager. Moved by Mr. Connolly and seconded by Mr. Freedman, the Board voted 5-0-0 to approve the renewal of the restaurant's 2017 liquor license.
4. **Natick Lodge #1425 BPOE of USA, Inc. (Natick Elks):**
 - a. Application for a Change in Manager and Approval of 2017 Liquor License Renewal: Mr. Paul Sanford provided pertinent background information and requested approval to become the new manager. Moved by Mr. Connolly and seconded by Mr. Mabardy, the Board voted 5-0-0 in favor of approving the change in manager. Moved by Mr. Connolly and seconded by Ms. Salamoff, the Board voted 5-0-0 to approve the renewal of the 2017 liquor license.
 - b. Request to Serve Alcohol Outside the Described Premises on Saturday, 12/3/16: Ms. White requested that this matter be approved as an emergency item since the required information was unknown at the time the agenda was posted. On December 3rd, the Elks are sponsoring the Connor Heffler Collation in memory of the recently deceased boy and would like to serve alcohol outside the lodge, beginning at 10:00 a.m. (a change to their regular serving hours), for those attending the event. Moved by Ms. Salamoff and seconded by Mr. Connolly, the Board voted 5-0-0 to approve consideration of the emergency item. Mr. Freedman requested assurances that all alcohol rules and regulations would be followed, including TIPS certification, age verification, etc. As the impetus for the event, the Police Department will manage the traffic flow. Moved by Mr. Connolly and seconded by Mr. Mabardy, the Board voted 5-0-0 to approve the request to serve alcohol outside the lodge. Moved by Mr. Connolly and seconded by Mr. Mabardy, the Board voted 5-0-0 to approve a change in serving hours from noon to 10:00 a.m. for both interior and outdoor locations. Ms. White noted that the Elks would need approval for the tent they intend to use from the Building Department.

Mr. Connolly discussed the request of the Department of Public Works to repaint the street dividing lines from yellow to orange and blue in memory of Connor from December 1st to December 4th, at which time the lines will be repainted yellow. There will be no cost to the Town and Lt. Lauzon has expressed his support. Moved by Mr. Mabardy and seconded by Mr. Connolly, the Board voted 5-0-0 in favor of the motion.

5. **DDH Hotel/Crowne Plaza – Application for a Change in Manager and Approval of 2017 Liquor License Renewal:** Ms. Lynne Luongo, a Natick resident and newly appointed General Manager of Crowne Plaza, provided relevant background information pertinent to her new position. Moved by Ms. Salamoff and seconded by Mr. Connolly, the Board voted 5-0-0 in favor of the change in manager. Moved by Mr. Freedman and seconded by Mr. Connolly, the Board voted 5-0-0 to approve renewal of the 2017 liquor license.
6. **Robert Bird, Envirotrac Environmental Services – Request to Install Monitoring Well at 0 Cleveland Circle (Town-Owned Land):** Robert Byrd, the owner of Speedway LLC at 207 Worcester Road requested to install a monitoring well on town-owned property at 0 Cleveland Circle for the purpose of groundwater sampling and other activity required by the Department of Environmental Protection. After Mr. Byrd answered multiple questions regarding safety and insurance, Mr. Freedman, seconded by Mr. Connolly, moved to allow Speedway LLC to install a monitoring well on the aforementioned property. The Board voted 5-0-0 to approve the motion.
7. **Procurement Officer:**
 - a. **Declaration of Surplus Equipment – School Department:** Mr. LeBlanc stated that there are several pieces of old School Department equipment, all in various states of used condition, that no one has claimed and that Facilities has in temporary storage at a cost of \$220 per month. The total value of the items is approximately \$500. The request is for the Board to declare these items as surplus property, at which time they will be listed on publicsurplus.com for bids. If there is no interest, the items will be sold to a salvage company for scrap metal. Moved by Mr. Freedman and seconded by Mr. Connolly, the Board voted 5-0-0 in favor.
 - b. **Award of Contracts:**
 - i. **East School and Fire Station No. 3 Roofs** – Moved by Ms. Salamoff and seconded by Mr. Connolly, the Board voted 5-0-0 in favor of awarding the contract to Gibson Roofs, Inc. in the amount of \$338,400.
 - ii. **Parking Ticket Collection System** – The new tracking system will consist of hardware and software that will allow police officers to scan license plates for parking ticket violations and/or warrants and interface with the RMV and the Treasurer's Office, providing greater efficiency, better enforcement, and enhanced collection rates. Moved by Ms. Salamoff and seconded by Mr. Connolly, the Board voted 5-0-0 to award the contract to Municipal Citation Solutions, LLC in the amount of \$16,500 (\$14,000 for services and \$2,500 for hardware) for the first year. The Town has sole discretion to award one or two options for renewal at a rate of \$14,000 per year (with no charge for hardware in either option year).
8. **Council on Aging Director – Request to Accept Donation from Needham Bank for the Council on Aging and Human Services:** Ms. Ramsey requested the Board approve acceptance of a \$2,750 donation from the Needham Bank that will be used for the purchase of lanterns (useful for power outages and extended storms) that are to be given out at the annual holiday party for seniors. Moved by Mr. Mabardy and seconded by Ms. Salamoff, the Board voted 5-0-0 in favor of accepting the donation.
9. **Police Chief – Dive Team Memoranda of Understanding – Natick/Patrol Officers and Natick/Superior Officers:** Chief Hicks stated that the Police and Fire Departments have been working together on a dive team. Any patrol or superior officer who performs dive team duties will be compensated an additional \$5 per hour while engaged in such duties. The total annual cost for the two officers involved would be \$1,000. Moved by Mr. Freedman and seconded by Mr. Mabardy, the Board voted 5-0-0 in favor of approving the two MOUs.

DISCUSSION AND DECISION

10. **Discussion Regarding Community Unity:** Ms. Salamoff read aloud the revised Board of Selectmen's community unity statement. Though supportive of the ideas expressed in the statement, Mr. Mabardy felt that the majority of townspeople do not fall into the category of prejudice, bias, or racism. Mr. Connolly, again supportive of the statement's sentiments, felt that a document to express those sentiments was unnecessary. Mr. Freedman felt that speaking as a Board is more powerful than speaking as an individual and that the message simply affirms that Natick is a community that cares. Mr. Jennett felt it was the Board's responsibility to make a statement since the townspeople are looking to the Board for leadership. Ms. Salamoff stated that the Police Chief and the Superintendent of Schools issued a statement and the Board of Selectmen should follow suit. Ms. White, acknowledging that the decision was the Board's, said she wanted to reinforce the thought that silence in the face of witnessed acts of hatred amounts to complicity, especially when certain segments of the population have felt emboldened of late to advance bigoted thoughts and opinions.

Mr. Jennett offered to wordsmith the statement a bit and Ms. Salamoff agreed. Moved by Ms. Salamoff and seconded by Mr. Freedman, the Board voted 5-0-0 in favor of issuing a statement.

11. **Dolphin Restaurant – Alleged Alcohol License Violation**: Ms. White stated that the Board needs to decide whether or not to hold a public hearing regarding an alleged alcohol license violation at which Attorney DeLuca and Lt. Lauzon would be present. Moved by Mr. Connolly and seconded by Ms. Salamoff, the Board voted 5-0-0 in favor of scheduling a public hearing. The Dolphin will be notified when the hearing is scheduled.
12. **Certification of CSX Land Acquisition Bonds**: Present were John Townsend, Deputy Town Administrator/Finance Director, and Steve Price, Collector/Treasurer. As a formality from Bond Counsel, a certification is needed from the Board of Selectmen regarding anticipated use of the property, i.e., that it will not be leased, rented, sold, etc. to a third party as long as the bonds are outstanding. Mr. Townsend stated that the maximum term of the note would be 10 years but it is planned to be paid in a year. Moved by Mr. Freedman and seconded by Ms. Salamoff, the Board voted 5-0-0 to sign a certification letter to be provided by Ms. White.

TOWN ADMINISTRATOR NOTES

None.

SELECTMEN’S CONCERNS

Ms. Salamoff stated she will not be available to attend the next meeting, and Mr. Jennett stated he would be unable to attend the meeting following that.

Mr. Connolly asked about the possibility of scheduling a meeting regarding Camp Arrowhead. Ms. White stated she has not yet heard from the State and explained that the situation is difficult since nobody has a right of access to the property because no license or lease has been executed; thus, construction on the property is being held up.

ADJOURNMENT

On a motion by Mr. Connolly, seconded by Ms. Salamoff, the Board unanimously voted on a roll call vote to adjourn the Board of Selectmen’s Meeting at 10:18 p.m.

Michael J. Hickey, Jr., Clerk

November 28, 2016 Board of Selectmen Meeting Minutes Approved by the Board of Selectmen on April 17, 2018

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All documents used at this Board of Selectmen meeting are available at:
<https://naticktown.novusagenda.com/agendapublic/MeetingView.aspx?MeetingID=317&MinutesMeetingID=-1&doctype=Agenda>