

MEETING MINUTES
EDWARD H. DLOTT MEETING ROOM-NATICK TOWN HALL
JUNE 25, 2018
5:30 PM

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

ALSO PRESENT: Town Administrator Melissa Malone and Senior Executive Assistant Donna Donovan

After calling the public meeting to order at 5:30 p.m., noting that a quorum was present and that the meeting had been duly posted, the Chair requested a motion to enter into Executive Session to discuss matters pertaining to Labor and Litigation, 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 Mr. Freedman, 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 5:35 p.m., the Chair announcing that the meeting would return to Open Session at approximately 7:00 p.m.

The Pledge of Allegiance was recited and a moment of silence was observed for those protecting our country.

ANNOUNCEMENTS

Mr. Hickey announced a joint open house with the Town of Framingham on June 26, 2018 to discuss the Golden Triangle Study. The open house is scheduled from 6:30 to 8:30 p.m. at the Kennedy Middle School.

CITIZENS CONCERNS

Chair of the Natick Friends of the 4th Committee, Peter Mundy addressed the Board to update them on the upcoming Fourth of July events. Mr. Mundy also stated that more funding and volunteers were needed going forward. Mr. Mundy specifically mentioned the need for a Parade Planning Committee Chair as current Chair, Pat Destino is stepping down.

REQUESTED ACTION

1. Ron Myrick of Tetra Tech: Request to Install Monitoring Wells at 226 North Main Street

Mr. Myrick is seeking the Board's approval to install three 2-inch diameter monitoring wells to assess the groundwater flow and the possible presence of PCP. The assessment is being performed to meet the requirements of the Massachusetts Contingency Plan. Mr. Myrick states that Digsafe and the DPW will be notified prior to the installation. On a motion by Mr. Jennett, seconded by Mr. Hickey, the Board unanimously voted to approve the installation of the monitoring wells contingent upon the submittal of a Site Access Agreement between Tetra Tech and the Town of Natick which will be reviewed by Attorney Karis North.

2. Continued Public Hearing: Alteration of Premises for an All Alcohol Off Premises License – Total Wine and More

The hearing was continued from May 29, 2018. Present was Vice President of Public Affairs and Community Relations, Ed Cooper, General Counsel for Total Wine, Robert Shaffer, Counsel for Total Wine, Trish Farnsworth, Bob Michaud of MDM Transportation Consultants, Inc and Property Owner, Josh Katzen, At the May 29th meeting the Board requested that the applicants work with the police department

and community development office to address their concerns. Atty. Trish Farnsworth stated that they had spoken with the concerned parties and will continue to work with them going forward. Lt. Lauzon submitted a positive recommendation via email. The applicants are proposing to expand their current premises from 23,200 square feet to 33,174 square feet. The expansion will take over some of the current Burlington Coat Factory retail store. The expansion will be 3,500 square feet of additional retail space with the remainder space being for inventory storage.

On a different matter, Mr. Cooper addressed concerns with a public event that was held in the parking lot on a recent Saturday prior to the store opening. It was brought to their attention that they did not receive the appropriate permits. Mr. Cooper took responsibility for this and stated that they would no longer be holding such events but if they did, they would seek the necessary permits.

On a motion by Mr. Hickey, seconded by Mr. Jennett, the Board unanimously voted to close the public hearing. On a motion by Mr. Jennett, seconded by Mr. Hickey, the Board unanimously voted to approve the alteration of premises as proposed.

3. Procurement Officer Contracts

a. Police Station Radio Room Uninterrupted Power Supply Contract

Procurement Officer Bryan LeBlanc recommended that the Board award the contract to Hub Electric, Inc. for the complete main bid work in the amount of \$15,300.00. Hub Electric, Inc. was the lowest, eligible bidder of three responders. On a motion by Mr. Jennett, seconded by Mr. Freedman, the Board unanimously voted to award the contract to Hub Electric, Inc. in the amount of \$15,300.00.

b. Prescriptions Medication-Contract Extension Recommendation

Mr. LeBlanc stated that the Town of Natick entered into a contract with Family Pharmacy, Inc. in the summer of 2017 to supply prescriptions medications to veterans receiving services through Natick Community Services. The term of the contract, dated August 29, 2017, was for one year, with two one-year options for renewals at the discretion of the Town. The rate was \$18,500.00 per month, however, it can vary. Mr. LeBlanc recommends that the Board grant a one year extension. On a motion by Mr. Jennett, seconded by Ms. Salamoff, the Board unanimously voted to grant a one year extension to expire on August 28, 2019, with a rate not to exceed \$25,000.00 per month.

c. Guardrails-Contract Award Recommendation

Mr. Leblanc recommended that the Board award the guardrails installation contract to Premier Fence, Inc. for the complete main bid work in the amount of \$25.05 per linear foot for the current calendar year and exercise the present option to renew for the years 1/1/19-12/31/19 and 1/1/20 -12/31/20. Mr. LeBlanc stated that Premier Fence, Inc was the lowest, eligible bidder of two bids. On a motion by Mr. Freedman, seconded by Mr. Jennett, the Board unanimously voted to award the guardrail contract to Premiere Fence, Inc. in the amount of \$25.05 per linear foot through 12/31/2018 and exercise the option to renew two one-year extensions with funding of \$10,000 for the current year being provided through the Natick DPW Highway Division.

DISCUSSION AND DECISION

1. Collector/Treasurer: Approve Issue of \$4,487,000 General Obligation Bond Anticipation Notes Municipal Purpose Loan and Sign Associated Loan Documents

June 25, 2018

Treasurer/Collector, Stephen Price and Town Clerk, Diane Packer were present. Mr. Price presented the \$4,487,000 general obligation bond anticipation note and related closing documents. Mr. Price stated that they received 4 bids and that Eastern Bank was the most competitive. Ms. Salamoff asked who prepared all the documents, Mr. Price replied that it was done by Bond Counsel Locke Lord, LLP

On a motion by Mr. Jennett, seconded by Mr. Freedman, the Board unanimously voted the following:

- a. To approve the sale of a \$4,487,000 2.75 percent General Obligation Bond Anticipation Note (the "Note") of the Town dated June 29, 2018 and payable December 7, 2018 to Eastern Bank at par and accrued interest, if any, plus a premium of \$21,307.77
- b. That in conjunction with the marketing and sale of the Note, the preparation and distribution of a Notice of Sale and Preliminary Official Statement dated June 13, 2018, and a final Official Statement dated June 20, 2018, each in such form as may be approved by the Town Treasurer, be and hereby are ratified, confirmed, approved and adopted.
- c. That the Town Treasurer and the Board of Selectmen be, and hereby are, authorized to execute and deliver a significant events disclosure undertaking in compliance with SEC Rule 15c2-12 in such form as may be approved by bond counsel to the Town, which undertaking shall be incorporated by reference in the Note for the benefit of the holders of the Note from time to time.
- d. That we authorize and direct the Treasurer to establish post issuance federal tax compliance procedures in such form as the Treasurer and bond counsel deem sufficient, or if such procedures are currently in place, to review and update said procedures, in order to monitor and maintain the tax-exempt status of the Note.
- e. That each member of the Board of Selectmen, the Town Clerk, and the Town Treasurer be and hereby are, authorized to take any and all such actions, and execute and deliver such certificates, receipts or other documents as may be determined by them, or any of them, to be necessary or convenient to carry into effect the provisions of the foregoing votes.

The Board signed the associated documents and Ms. Packer attested to their signatures.

2. Deputy Town Administrator/Finance Director: Year-End Transfers

John Townsend was present to address any questions from the Board. On a motion by Mr. Jennett, seconded by Mr. Hickey, the Board unanimously voted to approve the following two year-end transfers:

- a. Transfer \$18,128.72 from account # 0191001517010 Insurance Group Health/Life to 0112301511100 Board of Selectmen/Town Administrator-Personnel for additional compensation paid for FY2018.
- b. Transfer \$1,500.00 from account # 0191001517010 Insurance Group Health/Life to 0116201511100 Clerk-Board of Registrars-Personnel for a stipend increase.

3. Director of Community & Economic Development – CRT

a. Status of Easement and Related Land Issues

Community and Economic Development Director, Jamie Errickson explained to the Board that a number of actions needed to be executed to secure the Right of Way (ROW) necessary for the Cochituate Rail Trail compliant with MassDOT and federal standards and requirements. Mr. Errickson further stated that all of the documents needed to be submitted to MassDOT by July 19, 2018

Ms. Salamoff asked how much funding was appropriated to secure the ROW. Mr. Errickson replied that \$200,000 was appropriated in 2018 Spring Town Meeting for the purchase of some easements and legal and appraisal costs related to this and that not all of the funds were used so they would be returned at Fall Town Meeting. Ms. Mistrot also expressed appreciation for all the hard work put in to this.

Ms. Salamoff expressed her appreciation to Mr. Errickson and Josh Ostroff for all of their work. Mr. Errickson explained that Mark Coviello played a large role in the process. Mr. Hickey seconded Ms. Salamoff's appreciation.

Mr. Hickey moved that for the property located at 329 Speen Street, Natick, MA, in connection with the Town's Cochituate Rail Trail project and under the authority granted to the Board of Selectmen under Article 26 of the 2018 Spring Annual Town Meeting, the Board of Selectmen:

1. Vote to accept and sign the Grant of Permanent and Temporary Easements from Team Speen LLC to the Town of Natick; and,
2. Vote to accept and allow the Chair of the Board of Selectmen to sign the Certificate of Donation from Team Speen LLC to the Town of Natick

Mr. Jennett seconded the motion and the Board unanimously voted in favor of the motion.

Mr. Hickey moved that for the property located at 5 Commonwealth Road, Natick, MA, in connection with the Town's Cochituate Rail Trail project and under the authority granted to the Board of Selectmen under Article 26 of the 2018 Spring Annual Town Meeting, the Board of Selectmen:

1. Vote to accept and sign the Grant of Permanent and Temporary Easements from Omni Realty Trust to the Town of Natick; and,
2. Vote to pay Omni Realty Trust the appraised value for such Grant, of \$22,700.00.

Mr. Freedman seconded the motion and the Board unanimously voted in favor of the motion.

Mr. Hickey moved that for the property located at 1065 Worcester Road, Natick, MA, in connection with the Town's Cochituate Rail Trail project and under the authority granted to the Board of Selectmen under Article 26 of the 2018 Spring Annual Town Meeting, the Board of Selectmen:

1. Vote to accept and sign the Grant of Permanent and Temporary Easements from Exponent, Inc. to the Town of Natick; and,
2. Vote to accept and allow the Chair of the Board of Selectmen to sign the Certificate of Donation from Exponent, Inc. to the Town of Natick

Mr. Jennett seconded the motion and the Board unanimously voted in favor of the motion.

Mr. Hickey moved that for the property located at 1 Superior Drive, Natick, MA, in connection with the Town's Cochituate Rail Trail project and under the authority granted to the Board of Selectmen under Article 26 of the 2018 Spring Annual Town Meeting, the Board of Selectmen:

1. Vote to accept and sign the Grant of Permanent and Temporary Easements from AmVets Post #79, Natick, Inc. to the Town of Natick; and,
2. Vote to accept and allow the Chair of the Board of Selectmen to sign the Certificate of Donation from AmVets Post #79, Natick, Inc. to the Town of Natick

Mr. Freedman seconded the motion and the Board unanimously voted in favor of the motion.

Mr. Jennett moved that for the property located at 324 Bacon Street, Natick, MA, owned by the Town of Natick, in connection with the Town's Cochituate Rail Trail project and under the authority granted to the Board of Selectmen under Article 26 of the 2018 Spring Annual Town Meeting, the Board of Selectmen:

1. Vote to declare and dedicate portions of the Town-owned parcel for construction purposes and for perpetual public access, public ways and public sidewalks.

Mr. Freedman seconded the motion and the Board unanimously voted in favor of the motion.

Mr. Hickey moved that for the property located at 322 Bacon Street, Natick, MA, owned by the Town of Natick, in connection with the Town's Cochituate Rail Trail project and under the authority granted to the Board of Selectmen under Article 26 of the 2018 Spring Annual Town Meeting, the Board of Selectmen:

1. Vote to declare and dedicate portions of the Town-owned Parcel for construction purposes and for perpetual public access, public ways and public sidewalks.

Mr. Freedman seconded the motion and the Board unanimously voted in favor of the motion.

Mr. Hickey moved that for the property located at 1076 Worcester Street, Natick, MA, owned by the Town of Natick, in connection with the Town's Cochituate Rail Trail project and under the authority granted to the Board of Selectmen under Article 26 of the 2018 Spring Annual Town Meeting, the Board of Selectmen, as the Water Commissioners of the Town of Natick:

1. Vote to grant a Right of Entry to the Town of Natick for temporary construction easements, and accept such grant on behalf of the Town of Natick.

Mr. Jennett seconded the motion and the Board unanimously voted in favor of the motion.

Mr. Hickey moved that for the property located at 330 Speen Street, Natick, MA, owned by GGP Natick Residence, LLC, in connection with the Town's Cochituate Rail Trail project and under the authority granted to the Board of Selectmen under Article 26 of the 2018 Spring Annual Town Meeting, the Board of Selectmen:

1. Vote to accept the Right of Entry for temporary construction easements granted by GGP Natick Residence, LLC to the Town of Natick.

Mr. Freedman seconded the motion and the Board unanimously voted in favor of the motion.

Mr. Hickey moved that for the property located at 82 North Main Street, Natick, MA, owned by the Town of Natick, in connection with the Town's Cochituate Rail Trail project and under the authority granted to the Board of Selectmen under Article 26 of the 2018 Spring Annual Town Meeting, the Board of Selectmen:

1. Vote to declare and dedicate portions of the Town-owned parcel for construction purposes and for perpetual public access, public ways and public sidewalks.

Mr. Jennett seconded the motion and the Board unanimously voted in favor of the motion.

Mr. Hickey moved that for the property located at 84 North Main Street, Natick, MA, owned by MCREF Natick Development LLC, in connection with the Town's Cochituate Rail Trail project and under the authority granted to the Board of Selectmen under Article 26 of the 2018 Spring Annual Town Meeting, the Board of Selectmen:

1. Vote to accept the Right of Entry for temporary construction easements granted by MCREF Natick Development LLC to the Town of Natick.

Mr. Freedman seconded the motion and the Board unanimously voted in favor of the motion.

b. CRT Advisory Committee Composition Status Update

Ms. Mistrot stated that there was no change in the composition of the committee proposed. Ms. Mistrot will attend the meeting, however, Josh Ostroff will remain as the Board of Selectmen representative.

c. Bridge Naming Rights Legislation

Mr. Ostroff explained to the Board that a naming rights proposal was submitted to MassDOT a few years ago but MassDOT's legal counsel had concerns about the applicability for a sponsor program for a project receiving federal funds. Mr. Ostroff proposed reaching back out to MassDOT to see if this can be resolved. Mr. Ostroff will work with Ms. Malone to arrange a meeting.

Mr. Jennett asked why state roads are allowed to have sponsors. Mr. Ostroff replied that money received from the sponsors are deposited into a fund utilized to clean the roads.

BOARD OF SELECTMEN UPDATES

1. Marijuana Update

Mr. Errickson informed the Board that the Attorney General is allowing moratoriums to extend beyond December 31, 2018.

An adult use marijuana community forum was held on June 21, 2018. The presentation can be found on the Town web site.

Potential Town Meeting articles pertaining to medical marijuana are an extension of the moratorium, mapping changes, proposed overlay districts and local option tax to allow taxing the retail industry

Discussion followed regarding a Special Town Meeting. Mr. Errickson is proposing a Special Town Meeting at the start of Fall Town Meeting but will submit articles for Fall in the event that a Special Town Meeting does not take place.

Ms. Salamoff spoke of concern with the process of finding out what the community wants. Ms. Salamoff recommended the following:

1. Continue to prepare regulations and re-review zoning changes considered previously.
2. . Support the concept of requesting an extension of the moratorium.
3. Have a question on the November ballot giving residents the opportunity to vote for the ban of recreational sales in Natick.

Discussion followed regarding Ms. Salamoff's recommendations.

Mr. Hickey, Mr. Freedman and Mr. Jennett did not support Ms. Salamoff's suggestion of a ballot question, stating that the Town already voted against a ban.

CONSENT AGENDA

Item #8 – Approve Entertainment License for Piped-In Music for Chipolte was removed from the consent agenda as no supporting material was provided.

Item #15 – Appoint Town Counsel was removed from the consent agenda. Ms. Malone stated she is requesting that Town Counsel be appointed for a six month period rather than a one year period to give her time to see what the departments needs are. At the close of the six month period, Ms. Malone can re-evaluate what is best for the Town. On a motion by Mr. Freedman, seconded by Mr. Jennett, the Board unanimously voted to appoint Murphy, Hesse, Toomey and Lehane, LLP as Town Counsel through December 31, 2018.

Item #14 – Accept Donation form Wegmans Food Markets, Inc. to the Recreation and Parks Department was removed from the consent agenda. On a motion by Mr. Hickey, seconded by Mr. Jennett, the Board unanimously voted to accept the donation in the amount of \$900. The Board expressed gratitude for Wegmens generosity.

On a motion by Mr. Hickey, seconded by Mr. Jennett, the Board unanimously voted to approve the Consent Agenda conditional upon the fulfillment of all recommendations from Town Agencies and/or Departments. The following items were approved.

1. . Re-appointments to Boards & Committees
 - a. Audit Advisory Committee
 1. Saul Berkowitz - Term expires 6/30/21
 - b. Bacon Free Library Maintenance Committee
 2. John Donovan – Term expires 6/30/21
 - c. Cable Advisory Board – Term Expires 6/30/21
 1. Todd Gillenwater
 2. Hank Szretter
 3. Arnold Pinsley
 4. Paul Gorman
 - d. Information Systems Advisory Board – Term Expires 6/30/21
 1. Todd Gillenwater
 2. Hank Szretter
 3. Paul Gorman
 - e. Cochrute Rail Trail Advisory Committee – Term Expires 6/30/21
 1. David Camacho
 2. Jamie Errickson
 3. Barb Coco
 - f. Community Services Advisory Committee – Term Expires 6/30/21
 1. James Brennaman
 - g. Conservation Commission – Term Expires 6/30/21
 1. George Bain
 2. Jeffrey Richards
 - h. Cultural Council – Term Expires 6/30/20
 1. Joe Idzal
 2. Rachella Torcha
 - i. Historical Commission – Term Expires 6/30/21
 1. Salvatore Alessi

2. Steve Evers
- j. Historic District Commission – Term Expires 6/30/21
 1. Christopher Milford
- k. Lookout Farm Advisory Committee – Term Expires 6/30/21
 1. James Yannes
 2. Sarah Ott Shoemaker
- l. Mathworks Scholarship Committee – Term Expires 6/30/21
 1. Greg Cohen
- m. Open Space Advisory Committee – Term Expires 6/30/21
 1. Martin Kessel
- n. Recreation and Parks Commission – Term Expires 6/30/21
 1. Wayne Szretter
- o. Affordable Housing Trust Fund – Term Expires 6/30/20
 1. Jay Ball
- p. Contributory Retirement Board – Term Expires 6/30/21
 1. Mark Bergin
2. Confirm the Town Administrator's Re-Appointment of Art Goodhind as Tree Warden
3. Approve Board of Selectmen Meeting Dates
4. Authorize Chair to Sign MWRTA/Town of Natick Contract Extension for Elderly & Disabled Transportation Services
5. Weekly Warrant Review 6/12/18
6. Accept the Resignation of Linda Vitagliano from the Community Services Advisory Committee
7. Confirm the Town Administrator's Re-Appointment of Bob Healey to the Golf Course Oversight Committee

SELECTMEN'S CONCERNS

1. Ms. Salamoff inquired about a donation of a vehicle the Fire Department received from the Metrowest Regional Transit Authority. Mr. Jennett stated that the donation was accepted at a prior meeting.
2. Ms. Salamoff attended a Metrowest Regional Collaborative meeting. Discussion was concerning the intent to link rail trails throughout the Metrowest communities.
3. Ms. Mistrot informed the Board that she, Ms. Malone, Mr. Fields and Mr. Errickson were meeting on 6/26 to discuss the downtown parking garage project.

ADJOURNMENT

On a motion by Ms. Freedman, seconded by Mr. Hickey, the Board unanimously voted on a roll call vote to adjourn the Board of Selectmen's Meeting at 10:04 p.m.

Michael J. Hickey, Jr., Clerk

A list of all documents used at this Board of Selectmen meeting are available at:

<https://naticktown.novusagenda.com/AGENDAPUBLIC/MeetingView.aspx?MeetingID=527&MinutesMeetingID=47&doctype=Agenda>