

# BOARD OF SELECTMEN – TOWN OF NATICK

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## **MEETING MINUTES**

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

**JANUARY 22, 2019**

**6:30 PM**

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

**ALSO PRESENT:** Town Administrator Melissa A. Malone and Executive Assistant Trish O'Neil

After calling the public meeting to order at 6:35 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 Purpose 6 – To consider the purchase, exchange, lease, or value of real property if the Chair declares that an open meeting may have a detrimental effect on the negotiating position of the public body – Mechanic Street; Purpose 2 – To conduct strategy sessions in preparation for negotiations with nonunion personnel or to conduct collective bargaining sessions or contract negotiations with nonunion personnel – Deputy Fire Chief's Association and Local 1707, International Association of Firefighters; and Purpose 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 – E.L. Harvey. Moved by Mr. Hickey and seconded by Mr. Freedman, the Board voted 4-0-0 (Mr. Jennett arrived to the meeting shortly after Executive Session convened) in favor of the motion, confirmed by a roll call vote as follows:

|              |     |
|--------------|-----|
| Ms. Mistrot  | Yes |
| Ms. Salamoff | Yes |
| Mr. Hickey   | Yes |
| Mr. Freedman | Yes |

The Chair announced that the meeting would return to Open Session at approximately 7:30 p.m. The Board entered into Executive Session at 6:45 p.m.

Open Session reconvened at 7:50 p.m. The Pledge of Allegiance was recited and a moment of silence was observed for those protecting our country.

## **ANNOUNCEMENTS**

Ms. Mistrot thanked all of the Safety and DPW personnel for all their work during the past weekend's storm.

Noting that the Town has had a contract with the same law firm for 40 years, Ms. Salamoff stated there is an interest in ensuring that the Town is receiving the best price and the best advice from its legal counsel given the complexity of issues the Town needs help with. To that end, the Town is seeking members for a screening committee to assist in the process of interviewing potential candidates, including the Town's current firm.

Mr. Hickey announced that the Friends of the 4<sup>th</sup> are seeking volunteers to spearhead the parade and other 4<sup>th</sup> of July activities this summer. Further information can be found on the committee's website: [www.natick4th.org](http://www.natick4th.org).

A Proclamation from the Board of Selectmen was presented to Jan Dangelo, former assessor who recently retired, in recognition of her many years of service to the Town.

## **CITIZEN'S CONCERNS**

Donna McKenzie of Precinct 3, as well as School Committee and Town Meeting Member, invited the Board and the general public to a reception to be held in honor of the new School Superintendent, Dr. Anna Nolin, on February 1<sup>st</sup> from 5:00-7:00 p.m. at the Community-Senior Center. Ms. McKenzie asked that responses be made to a Google Docs invitation.

## **APPOINTMENTS:**

Judith Sabol – Interview for Appointment to the Council on Aging, Term Ending 6/3/2021: Ms. Sabol provided background information, including that she is a nurse (retired) by training who has specialized in mental health and elder care. Moved by Ms. Salamoff and seconded by Mr. Jennett, the Board voted 5-0-0 to appoint Ms. Sabol to the Council on Aging.

## **REQUESTED ACTION**

1. Approve change in Manager for P.F. Chang's: With Attorney Upton representing P.F. Chang's, the Board voted 5-0-0 to approve the change in manager to Nicholas Weider on a motion by Mr. Jennett that was seconded by Mr. Freedman.
2. Approve Change in Manager for GSH CY Natick LLC Courtyard by Marriott: Postponed.
3. Approve Safety Committee Recommendations – October 2018-January 2019: Moved by Mr. Jennett and seconded by Ms. Salamoff, the Board voted 5-0-0 to schedule a public hearing regarding an address change from 4A and 4B Morse Street to 2 and 4 Morse Street. Moved by Mr. Jennett and seconded by Ms. Salamoff, the Board voted 5-0-0 to schedule a public hearing regarding an address change for a remodeled two-unit building at 16 Cottage Street from 16 Cottage Street to 16 Cottage Street and 0 Jefferson Street. Moved by Mr. Jennett and seconded by Ms. Salamoff, the Board voted 5-0-0 to schedule a public hearing regarding an address change from 114 Glen Street to 118 Glen Street. Moved by Ms. Salamoff and seconded by Mr. Jennett, the Board voted 5-0-0 in favor of erecting a STOP sign on Plain Street at Floral Avenue, erecting MUTCD Intersection Ahead signage on Pleasant Street prior to the intersection of North and South of Dover Road, and erecting DEER CROSSING signage on Bacon Street at the east and west approach rear of Walnut Hill School.
4. Review and Vote on Proposed Trash Bag Fee Increase: Mr. Hickey stated he would not vote for a fee increase since he did not feel as if his questions from the previous meeting had been answered, i.e., how an increase would fit into the larger issues of the changing recycling market, and because he felt there should be a more involved public discussion about the curbside program. Mr. Jennett agreed that the quality of the bags, the design of the program, associated costs, etc., need to be evaluated moving forward. Moved by Ms. Salamoff and seconded by Mr. Jennett, the Board voted 4-0-1 (Mr. Hickey's the dissenting vote) to increase bag fees to \$1.25 per small bag and \$2.25 per large bag effective April 1<sup>st</sup>.

## **DISCUSSION AND DECISION**

1. Discussion Regarding Zoning for Registered Medical Marijuana Dispensary: Discussion ensued regarding the zoning amendment process specific to connecting/integrating Registered Marijuana Dispensaries with recently adopted Adult Use Marijuana zoning. This would ensure consistency of zoning for locations allowing marijuana-related commercial uses throughout the Town and protect the Town if the state were to amend legislation regarding RMD facilities to allow for automatic conversion of such facilities to Adult Use facilities, which was a concern expressed by members of the local business community. Multiple representatives from the business community were present,

all with reservations about the RMD begin located in their park. Gary Kaufman, an owner of a new life sciences building that is being constructed, expressed concern about how sales of medical marijuana would affect the future of the park. William Foley, a developer who owns 6 Strathmore Road, stated that a tenant of his who runs a day care center has indicated that they would not renew because they do not want to be known as the day care next to the marijuana clinic, and another firm that expressed interest in renting 1 Mercer Road is no longer interested since finding out the medical marijuana clinic would be sited in the park. Ms. Mistrot asked Mr. Barton of Bountiful Farms what his position would be if the Town were to consider rezoning. Mr. Barton stated he would have to look elsewhere to open his business since he had a timeframe in which to work. After further discussion, during which the concerns of the business community were acknowledged, each Board Member stated he or she had no interest in rezoning.

2. Host Community Agreement (HCA) Between Natick and Bountiful Farms, Registered Medical Marijuana Dispensary: Ms. Mistrot noted that nothing would be done with the HCA this evening since it was not ready to be acted on and would not be until the February 4<sup>th</sup> meeting.

### **BOARD OF SELECTMEN UPDATES**

Memorial School Power Outage and Plan for Remediation: Ms. Malone explained that a tree limb fell on an active live wire, causing a fire and a power outage at the school. She stated that she, Dr. Nolin, the Fire Chief, and the Police Chief were in constant contact during the event. Questions were raised about an appropriation made at Town Meeting for an emergency generator. Ms. Malone stated that in the course of the fall, the best use of Town funds relative to the capital plan were being assessed and quotes for a new generator were obtained but came in very high at more than \$90,000. Mr. Chenard has been working with our contractor to get the current generator up and running on a temporary basis by replacing generator plugs, which is anticipated to cost about \$20,000. Ms. Mistrot reminded Mr. Chenard and Ms. Malone that an emergency generator was promised at the December 17<sup>th</sup> Selectmen's Meeting and she felt that today's occurrence was avoidable. When asked if quotes had been obtained for the temporary fix, Mr. Chenard stated that the procurement process, which the Town is bound by, could take as long as four to five months. Mr. Chenard did not know if that wait time had been communicated to the School Department. Lisa Tabenkin, School Committee Chair, stated that the school had a history of power outages, noting that several requests have been made back to last July to replace the generator to no avail. School Superintendent Anna Nolin noted that the Town is still without a facilities director and emphasized the importance of the School Department and the Town Administrator sharing governance of this position for reasons like this, feeling that the School Department would have been updated had it the benefit of a facilities director to share this information. Ms. Mistrot asked if the position had been posted as yet and, if not, when it would be. Ms. Malone stated it had not, but could be posted as soon as tomorrow. David Mangan of the School Committee suggested reconvening the Joint Facilities Committee

Deputy Town Administrator/Finance Director – Comptroller's Quarterly Report: Postponed.

School Superintendent – Review of 2020 Preliminary Budget: Please use the following link to see the Superintendent's budget presentation.

<https://naticktown.novusagenda.com/agendapublic/CoverSheet.aspx?ItemID=6353&MeetingID=596>

Town Administrator – Discussion Regarding FY 2020 Municipal Initiatives: Please use the following link to see the Town Administrator's budget presentation.

<https://naticktown.novusagenda.com/agendapublic/CoverSheet.aspx?ItemID=6364&MeetingID=596>

Ms. Mistrot felt that the Town Administrator's budget presentation did not satisfy the questions of the Board and that the public transparency piece was absent given that the presentation was not available until very late in the day and did not identify the asks of the department heads or which of those asks were excluded from the budget. Mr. Jennett noted that the School Department had put together three budget scenarios and

stated he would like to see the same on the Town side, and stressed that there needs to be 100 percent communication between the Town Administrator and the School Superintendent given how far apart their budgets are. School Committee member Dave Mangan stated that it is important that the amount of money put into stabilization funds be disclosed as well. Frank Foss, the Town Moderator, worried that the budget would not be ready for Town Meeting.

### **CONSENT AGENDA**

The Chair asked if any members of the public or the Board would like to discuss any item on the consent agenda and no discussion was requested, except that Mr. Jennett asked that the thank you letter written to Tass Filledes be signed by the entire Board. Moved by Ms. Salamoff and seconded by Mr. Hickey, the Board voted unanimously to approve the Consent Agenda conditional upon the fulfillment of all recommendations from Town Agencies and/or Departments. The following items were approved:

- Appointment of Matt Lebré as an associate member to the Historic District Commission, term ending 6/30/2021
- Parade permit for the 2019 Multiple Sclerosis Charity Walk on 5/11/2019
- Resignation of Tass Filledes from the South Middlesex Regional Vocational/Technical School Committee
- Common Victualer's license for the Marval, d/b/a Dunkin Donuts, new location
- Donation to the Police Department from Spark Kindness
- Donations to the Recreation & Parks Department from Mr. Ed Russo and Ms. Linda Emerson
- Requests for exemption from Town By-Laws, Chapter 41, Section 4 for Jason Richardo (Paraprofessional Educator/ASAP Instructor) and Elena Babson (Arrowhead Staff Leader/Substitute Paraprofessional)
- Authorization for Chair to sign letters to MassDOT regarding the Route 9 path and to the MBTA regarding West Natick parking

### **TOWN ADMINISTRATOR NOTES**

None.

### **SELECTMEN'S CONCERNS**

None.

### **ADJOURNMENT**

On a motion by Mr. Hickey, seconded by Mr. Freedman, the Board voted unanimously to adjourn the Board of Selectmen's Meeting at 12:10 a.m.

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Michael J. Hickey, Jr., Clerk

Submitted by Trish O'Neil, Executive Assistant

January 22, 2019 Board of Selectmen Meeting Minutes Approved by the Board of Selectmen on \_\_\_\_\_.

**All documents used at this Board of Selectmen meeting are available at:**

<https://naticktown.novusagenda.com/agendapublic/MeetingView.aspx?MeetingID=596&MinutesMeetingID=-1&dctype=Agenda>