

BOARD OF SELECTMEN – TOWN OF NATICK

MEETING MINUTES

EDWARD H. DLOTT MEETING ROOM – NATICK TOWN HALL

DECEMBER 10, 2018

5:30 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 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 1) 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 (Sawin House and Winona Farm) and 2) the deployment of security personnel or devices, or strategies with respect thereto (U.S. Army Natick Soldier Systems/Army Labs); as well as to review and approve Executive Session Minutes. Mr. Freedman, seconded by Mr. Hickey, moved to enter into Executive Session and, by a roll call vote, the Board voted 4-0-0 in favor of the motion (Ms. Salamoff arrived after the vote at 5:32). The Chair announced that the meeting would return to Open Session at approximately 7:00 p.m. Executive Session convened at 5:34 p.m.

Open Session reconvened at 8:06 p.m. The Pledge of Allegiance was recited and a moment of silence was observed for those protecting our country.

ANNOUNCEMENTS

Ms. Mistrot announced that she will not finish her three-year term as a Selectmen but will continue on until the election in March. Come the election, her withdrawal will create a one-year opening on the Board.

Mr. Hickey provided an update on the coyote issue, noting that there have been more coyote sightings. Mr. Hickey referred people to the Town's website for tips and pointers about how to behave in an encounter with a coyote.

Ms. Malone announcement that the Attorney General's Office has rejected the extended moratorium approved at Town Meeting on the basis that Natick has enacted the necessary zoning to enable recreational, adult use marijuana. Ms. Malone stated that the Town would continue to work with KP Law and on licensing procedures over the next several months, coming back before the Board with what can be expected of the process.

An announcement was made about the Partnership for Drug-Free Kids and the Natick Service Council holding a family communications workshop on January 8th to provide support for parents and caregivers who have been affected by the opioid crisis.

CITIZEN'S CONCERNS

None.

REQUESTED ACTION

1. Chair, Affordable Housing Trust Fund: Transfer 69R Bacon Street to the AHTF: Randy Johnson, Chair of the Affordable Housing Trust Fund, stated that the AHTF voted to request that the Board of

Selectmen deed this tax title property to the Trust. Moved by Ms. Salamoff and seconded by Mr. Jennett, the Board voted 5-0-0 in favor of deeding the property to the Affordable Housing Trust Fund.

2. Review Request to Increase Overnight Parking Fine: A resident has submitted a request to increase the overnight parking fine and for greater enforcement of the overnight parking ban. Chief Hicks stated he has spoken to the petitioner and explained that this is the first full season employing new regulations banning overnight parking on public ways between 1:00-6:00 a.m. However, enforcement is tempered with a certain level of discretion and the Chief felt that his officers do a good job of exercising that discretion. First, an attempt is made to identify a car and a request is made for it to be moved. Second, a warning is issued. With continued offenses, or if there is a snowstorm, violations are handed out. Fines were increased in 2015 on the advice of the Parking Advisory Committee. The Safety Committee will do a regional review of fines at its next meeting and, if needed, the matter will be brought back to the Board. The petitioner was informed of this. New recommendations for scofflaws will be made in the spring. The Board indicated understanding of the petitioner's frustration but felt that, in general, the system the Police Department uses works and saw no need to make any changes.
3. Appoint Lisa Mead as Special Counsel: Ms. Malone, noting that the Town is growing and creativity will be required as it grows in terms of how to finance capital projects, stated that there is a unique opportunity to partner with the U.S. Natick Soldier Systems (Natick Army Labs) which may help with that process. Ms. Malone requested that Lisa Mead be appointed as special counsel to assist in the creation of a strategic capital partnership that would benefit both the Town and Natick Army Labs. Referring to the proposed client fee agreement, Mr. Freedman asked if there would be a ceiling on this spend and where the funding would come from. Ms. Malone stated it would come from the BOS budget for legal fees and the cap would be between \$10,000-\$15,000. Moved by Mr. Hickey and seconded by Mr. Jennett, the Board voted 5-0-0 to appoint the law firm of Mead, Talerman and Costa, LLC in accordance with the client fee agreement as presented with the stipulations that the Town Administrator keep the Board apprised of the monthly billing schedule and where the spend is headed, and that the initial cap for fees and expenses be set at \$7,500.

BOARD OF SELECTMEN UPDATES

Response to Attorney General Regarding Open Meeting Law Complaints: Reminding the public that previous OML complaints against the Board of Selectmen were shared with the public, Ms. Mistrot stated that the response to those complaints from Town Counsel to the Attorney General's Office can be found in the agenda materials. She stressed that the Board tries to be compliant and is committed to continuing to do so.

DISCUSSION AND DECISION

1. Review and Approve South Main Street Design Contract Revision: Having had questions about this at the last meeting, discussion was postponed until tonight. Ms. Mistrot stated that she and Mr. Hickey met with the DPW Director and the Town Engineer seeking answers to those questions. The bottom line is that the original design contract from 2017 was very rudimentary. The additional money requested will fund a much more complex design. Moved by Mr. Freedman and seconded by Mr. Hickey, the Board voted 5-0-0 to amend the contract with Green Internal Affiliates, Inc. to expand the design service by adding an additional \$81,224.63 for a total contract amount not to exceed \$344,276.73, with the funding source being Chapter 90.
2. Request for Address Change – 377 Bishop Street: Daniel Green of 377 Bishop Street, Framingham is requesting that his address be changed to a Natick address, stating that 84% of his property and 75% of his home rest in Natick. The home was purchased in 2016. The Greens send their children to Natick schools and have looked into how else their family might benefit since they pay Natick

taxes. With a Framingham address, Mr. Green feels he will constantly have to make a case to be allowed to participate in the offerings Natick has. The Greens are registered to vote in Natick and their mail goes to 377 Bishop Street, Natick. Ms. Malone, on behalf of the administration, the DPW, and public safety, recommended the Board deny this request, noting that there are 40 other properties that share borders and that address changes have historically been related to public safety issues and should continue that way. Ms. Malone offered to work with the family to ensure that they benefit from Natick services. Chief Hicks stated that this matter has come to the Safety Committee on two occasions. All requests of this nature are reviewed in light of any public safety needs, but this request is unique in that the petitioner is asking to go from Framingham to Natick. Every community, the Chief explained, has a public safety answer point, or PSAP, to which 911 calls are routed. Framingham is the current PSAP for this address. Fire and EMS services in Framingham are about a half mile from Mr. Green's home; with the switch to Natick, notice would have to be made to switch to the Natick PSAP, and Fire services would then be a mile-and-a-half from the home and Police almost three miles from the home. The Chief described this as a public safety concern and, from that perspective, emergency response times and services are better as they currently are than if a change were to be made. In addition, it would be necessary to have a discussion with the City of Framingham before allowing a change of this nature. Following several different motions by various Board Members, the final motion by Mr. Hickey, seconded by Ms. Salamoff, to take no further action on the matter of 377 Bishop Street in Framingham was approved by the Board of Selectmen by a 5-0-0 vote.

3. Director of Public Works: Unaccepted Private Roadways & Street Acceptance Update: DPW Director Jeremy Marsette stated that Natick has 24.89 miles of unaccepted paved roads and 1.09 mile of unaccepted gravel roads. Requests have been received by residents of Windsor, Wheeler, and Morse Streets to have those streets accepted by the Town. Requests like this tend to come in as roads deteriorate. There are 128 miles of accepted roadways in Natick and the Town's pavement consultant is recommending increased funding for maintenance of accepted roads. The Town Engineer has put together an estimate of how much it would cost to bring all unaccepted roads to subdivision standards: \$35 million. After further review of the PowerPoint presentation provided by Mr. Marsette, and further extensive, in-depth discussion, Mr. Hickey moved to advance the actions required by the first three bullets in the "What's Next" section of the Powerpoint: Adopt MGL Chapter 40 Section 6N – Temporary Repairs to Private Ways; Adopt Town Bylaw for Maintenance of Unaccepted Roadways; and Create Board of Selectmen Policy for Maintenance of Unaccepted Roadways. Ms. Salamoff seconded the motion. Mr. Marsette stated he would like to come back in a month or so with perhaps a bylaw that may be ready for Spring Annual Town Meeting. The Board approved Mr. Hickey's motion by a vote of 5-0-0.
4. Review and Establish Business Parking Permit Fees and Approve Senior Citizen Parking Permit Fee: This item is postponed to the next meeting.

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 Mr. Jennett 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:

- Meeting minutes for 10/30/18
- After Prom Party banner for 5/13-5/24/18
- Grant of Location for Eversource to relocate a pole on Richmond Road
- Letter of support for TCAN's grant proposal to the Massachusetts Cultural Facilities Fund for \$50,000 in matching funds for repairs to the historic firehouse facility

TOWN ADMINISTRATOR NOTES

Ms. Malone acknowledged all the great personnel who work for the Town, noting that the Administration is in the midst of budget negotiations, reviewing everything to ensure the best for employees and residents.

Ms. Malone outlined her approach to use of the 22 Boston Marathon bibs supplied to Natick, noting that Natick nonprofits that serve Natick families and residents will be chosen as charities from which runners can choose. Runners will be asked to raise \$6,000 (up from the previous (\$4,000). If more than 22 requests are received for bibs, the selection process will be done by lotter. Preference will be given to Natick residents and employees.

SELECTMEN'S CONCERNS

Mr. Jennett informed the Board that he will not be present at the January 7th meeting.

ADJOURNMENT

On a motion by Mr. Hickey, seconded by Mr. Jennett, the Board voted unanimously to adjourn the Board of Selectmen's Meeting at 11:10 p.m. as confirmed by the following roll call vote:

Ms. Mistrot	Yes
Ms. Salamoff	Yes
Mr. Hickey	Yes
Mr. Freedman	Yes
Mr. Jennett	Yes

Michael J. Hickey, Jr., Clerk

Submitted by Trish O'Neil, Executive Assistant

December 10, 2018 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=591&MinutesMeetingID=-1&doctype=Agenda>