

BOARD OF SELECTMEN – TOWN OF NATICK

MEETING MINUTES

EDWARD H. DLOTT MEETING ROOM – NATICK TOWN HALL

FEBRUARY 4, 2019

6:00 PM

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

ALSO PRESENT: Town Administrator Melissa A. Malone and Executive Assistant Trish O'Neil. Town Counsel Karis North participated via speaker phone.

After calling the public meeting to order at 6:03 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 Approval of Executive Session Minutes for December 10, 2018; 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; 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 and Opioid Litigation/Scott + Scott. Mr. Freedman, seconded by Mr. Jennett, moved to enter into Executive Session and, by a roll call vote, all Board Members voted in favor of the motion. The roll call vote was as follows:

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

The Chair announced that the meeting would return to Open Session at approximately 7:00 p.m. The Board entered into Executive Session at 6:07 p.m.

Open Session reconvened at 7:16 p.m. The Pledge of Allegiance was recited and a moment of silence was observed for those protecting our country.

ANNOUNCEMENTS

Mr. Hickey announced that a public information session regarding the Natick Center Station Accessibility Improvements would be held on February 13, 2019 at the Morse Institute Library at 7:00 p.m.

Mr. Hickey announced that the Friends of the Natick Senior Center have recently received two large grants, one from the Mutual One Charitable Foundation in the amount of \$10,000 and the other from the Middlesex Saving Bank Charitable Foundation in the amount of \$15,000. The funds will be used to enrich the lives of Natick's senior citizens by sponsoring programs, events, trips, etc.

Ms. Malone, advising caution, stated there was a bobcat sighting this weekend and referred residents to the Town's web page regarding interaction with wildlife.

CITIZEN'S CONCERNS

Corey Spaulding, a Framingham resident, requested to be placed on a Selectmen's Agenda to discuss allegations of bullying directed at her disabled daughter by Natick School Department officials as well as allegations of embezzlement in the Natick School Department. Ms. Mistrot advised that the Board would follow up on this request at its next meeting.

Mike Linehan of 14 Milford Avenue raised concerns about short-term rental properties in Natick, contending that they are eliminating opportunities for first-time homebuyers, having an impact on affordable housing, and taking away the Town's control as notated in Chapter 337 of the Acts of 2018. He asked that the Board review the proposed amendments to Chapter 337 of the Acts of 2018 and perhaps contact state representatives and senators in an effort to ensure that the Town maintains the control it has over such properties. Ms. Mistrot advised that the Board would follow up on this request at its next meeting.

REQUESTED ACTION

1. Approve Change in Manager for GSH CY Natick LLC Courtyard by Marriott: Moved by Mr. Freedman and seconded by Ms. Salamoff, the Board voted 5-0-0 to approve the appointment of Edward Wiles as the new manager of record.
2. Director of Public Health – Approve Request to Accept Donation from the Natick Lodge of Elks #1425 to the Board of Health for Use in Substance Use Disorder Prevention and Outreach: Jim White, Director of Public Health, acknowledged the Natick Elks for their generation donation of \$3,500. Richard Donovan, the presiding officer at the Elks, read a short statement offering the donation for the Board of Health's substance use and prevention program. Moved by Mr. Freedman and seconded by Ms. Salamoff, the Board voted 5-0-0 in favor of Mr. White's request to accept the donation.
3. Approve One-Day Alcohol License – Mass Brewers Guild at Lookout Farm – 3/2/19: Katie Stinchon, Executive Director of the Mass Brewers Guild, was present to request a one-day alcohol license for a fundraiser at Lookout Farm for the benefit of the Mass Brewers Guild. Moved by Mr. Jennett and seconded by Mr. Hickey, the Board voted 5-0-0 to grant the license.
4. Approve One-Day Alcohol License – Exhibit 'A' Brewing Company at Morse Institute Library – 3/1/19: Linda Stetson, Library Director, and Kelsey Roth, General Manager of the Exhibit 'A' Brewing Company described a 21+ fundraising event in which all three floors of the library would be turned into a mini golf course, the goal being to fundraise for the library's Bookmobile. Moved by Mr. Jennett and seconded by Mr. Freedman, the Board voted 5-0-0 to grant the license.
5. Public Hearings – The following public hearings regarding grants of location (initially scheduled for this evening) have been rescheduled to the Tuesday, 2/19/19 Board of Selectmen's Meeting at 7:00 p.m.: Rockland Street for McHugh Farms Subdivision; Rockland Street for Cider Mill Lane; and Sunshine Ave/Oak Street for St. Mark Coptic Church, Rectory, and School.

BOARD OF SELECTMEN UPDATES

1. Director of Community & Economic Development – North Main Street Update: Mr. Erickson stated that there have been a lot of new developments, including right-of-way work and appraisals of all properties. The Town is seeking donations from property owners but some could receive compensation. There will need to be a comprehensive taking vote on rights-of-way, likely in March. The design, which is nearing 100% completion, and right-of-way work will meet deadlines for this year. The intent is for construction to begin in the spring. A number of community outreach meetings have been held and another meeting is to be scheduled with MassDOT.
2. Town Engineer:
 - a. Washington Ave Roadway Reconstruction Update: Primarily a resurfacing project that will realign curb lines and heights and provide sidewalk access, Mr. McDowell explained that the survey has been completed, the engineers have finished their field survey work, and the curb lines have been marked out. The project will tie in with the North Main Street Project. An open public forum was held with another planned with the consultant for mid-March, when preliminary plans will be complete. 100% plans should be done around May and the project is slated to begin in the fall.
 - b. Complete Streets Tier 3 Improvements Update – Newfield Drive and West St/Campus St: West Street and Campus Street where sidewalks need improvement will be given priority. The project will

- include sidewalk surface repair, sidewalk extensions, and signalization. A bike [path is proposed for Campus Drive. These are all Tier 3, lower priority items that will be funded by a Complete Streets grant. Newfield Drive is slated for improvements to the sidewalk surface and pedestrian level lighting across the length (approximately 3,500 feet) of the sidewalk. The survey work has been completed by the engineer.
- c. South Main Street Reconstruction Update: Initial draining analysis has been done and preliminary traffic markings and signage have been provided by the design consultant. A full set of preliminary plans will be ready by mid-February.
 3. Potential Screening Committee for Town Counsel: An advertisement has been placed on the Town's website seeking applicants interested in serving on a Natick Town Counsel Screening Committee. Interested parties should apply by February 13, 2019. The Selectmen plan to interview candidates at their February 19th meeting.
 4. Memorial School Generator Update: Mr. Chenard stated that the required work will be completed this week and the generator will be tested when school is not in session. He stated that the generator was installed in 1968 and should have been on the capital plan a long time ago. The scope of the directive from Town Meeting was to get the current portable generator up to date and he noted that it would take additional engineering to provide additional lighting for the classrooms and bathrooms. At one time, the generator powered the heating system as well but it was disconnected some time ago, though is it impossible to know when. Lisa Tabenkin, School Committee Chair, shared ongoing concerns about this temporary fix and was puzzled as to why a replacement generator could not be installed, that being the School Committee's original ask back in July. Mr. Chenard explained that replacing the current generator with a new one would not solve for the heating problems or the lack of light in the classrooms and bathrooms during an outage because it would provide the same generator capacity as before, and that the money appropriated by Town Meeting would not cover the costs of what would be a major upgrade that would include all electrical panels. Mr. Chenard stated he would have assumed the generator in place would have powered all of the lighting, the refrigeration systems, and the heating but it never did. Ms. Mistrot commented that there has been some communication piece missing throughout this process since the intention was for the school to be able to stay open in the event of a power outage. Ms. Malone stated that the administration is committed to working with the schools on their growth plan so that appropriate plans can be made for all of the schools, not just the Memorial School, to ensure that the Town's investments are made with longevity in mind.
 5. Deputy Town Administrator/Finance Director – Comptroller's Quarterly Report: Mr. Townsend presented the Comptroller's Quarterly Report, including FY 2018 revenue and expenditures, fund balance to free cash, FY 2019 year-to-date expenditures and revenue, and a four-year revenue comparison report.
 6. Town Administrator – Discussion Regarding FY 2020 Municipal Initiatives: Ms. Malone provided a PowerPoint with a list of initiatives requested by various departments that have not been included in the FY 2020 budget. Further discussion ensued about the School Department and the Town reaching an agreement on the budget, anticipated health insurance rate increases, the use of reserve funds, and the Municipal Modernization Act which changed the structure of how communities across the Commonwealth use free cash.
 7. MMA Recap – S. Salamoff: Postponed.

DISCUSSION AND DECISION

1. Host Community Agreement Between Natick and Bountiful Farms, Registered Medical Marijuana Dispensary: Mr. Errickson stated that some clarifying adjustments have been made to the proposed HCA. In addition, KP Law has crafted a Development Agreement, separate from the Host Community Agreement, to allow for the Town to receive an additional community benefit payment of \$20,000 from Bountiful Farms (over and above the community impact fee of 3% of gross sales as outlined in the HCA) to be used for educational purposes. Mr. Hickey asked some clarifying questions about both agreements, noting that he felt the process to be rushed and that he needed more time for review. Special Counsel Laughman suggested a subcommittee or working group, or designating a single point person from the

Board of Selectmen to work with Town staff, the administration, and legal counsel to finalize these documents. Mr. Hickey volunteered his services and asked for Mr. Barton's patience for two more weeks, until the next Selectmen's meeting on February 19th.

2. Review and Take Action on Request for Letter of Non-Opposition from Bountiful Farms, Registered Medical Marijuana Dispensary: Mr. Barton requested that the Board vote in favor of a Letter of Non-Opposition tonight with signatures conditioned upon a Host Community Agreement being finalized, signed, and executed as a sign of intent and good faith by the Town, which would be valuable to his board and investors, noting that uncertainty is difficult when trying to run a business. Attorney Laughman noted that if an HCA is not executed, the letter would not be provided. Moved by Mr. Freedman and seconded by Mr. Jennett, the Board voted 4-0-1 to approved the Letter of Non-Opposition contingent upon execution of a Host Community Agreement. Ms. Mistrot abstained.
3. Affordable Housing Trust Fund – Proposal to Develop Veterans' Housing on the Henry Wilson Site: Randy Johnson, Chair of the AHTF, stated that a presentation was made at the last AHTF meeting by two citizens regarding housing for veterans on the Henry Wilson site. The design could mesh housing and a memorial site on behalf of Mr. Wilson, who was a regiment commander during the Civil War. While there are many questions yet to be answered (for example, the deed to the property needs to be located and the Trust would require the assistance of Town Counsel), it was Mr. Johnson's intent to see if there might be support of the project from the Board. He introduced Bill Verner, who stated that the property in question is surrounded mainly by commercial property. The Board Members did indicate their support of the project and suggested the topic be included on the next agenda in the hopes that some of Mr. Johnson's legal questions would be answered by then.
4. Spring Annual Town Meeting – Review BOS-Sponsored Warrant Articles:
 - a. Fox Hill Drive Betterment: Mr. Marsette stated that Fox Hill Drive residents (all of whom currently have septic systems, many of which are very old and in danger of failing in the not-too-distant future), are interested in extending public sewer to their street and a majority (13 of 23) have signed a petition for a betterment to make that happen. Residents may not opt out of the betterment but do not have to connect to the public sewer. Multiple residents of the street were in attendance, some of whom felt it would be a significant financial hardship to pay the \$40,000 cost to extend the sewer, then an additional \$20,000-\$30,000 to actually connect to the sewer. The cost of the betterment may be financed up to 20 years, paid all at once, or the balance paid at the sale of the property. Ms. Salamoff wondered if there were any programs available to help offset the costs for residents. When asked about next steps, Ms. Mistrot explained that if the Board were to sponsor the Article, the matter would then go to FinCom for a recommendation, and then to Town Meeting, where any resident would have a right to speak to the Warrant Article. After extensive discussion, the Board voted 5-0-0 to sponsor the Warrant Article following a motion by Mr. Jennett that was seconded by Mr. Freedman. Moved by Mr. Freedman and seconded by Ms. Salamoff, the Board voted 5-0-0 to approve the language of the Article, including administrative changes to the language that may be made by Town Counsel.
 - b. Town Counsel By-Law Change: Ms. Salamoff explained that the purpose of this Article is to allow the Town to be in a position to retain Town Counsel as either an independent contractor or as a Town employee. Moved by Mr. Hickey and seconded by Mr. Freedman, the Board voted 5-0-0 to sponsor the Article with any administrative changes Town Counsel may make to the language.
 - c. Means-Tested Senior Property Tax Exemption: Ms. Salamoff suggested not making this a Warrant Article and instead establishing a study committee to research the proposal more thoroughly. Mr. Ostroff discouraged this, noting that if it is not acted on at the upcoming Town Meeting, it would take another year-and-a-half before it would benefit anyone. Mr. Jennett agreed, noting that if it is not included on the upcoming Warrant, there will be no opportunity to address it at Town Meeting. Moved by Mr. Jennett and seconded by Mr. Freedman, the Board voted 5-0-0 to sponsor the Article.
 - d. Miscellaneous: No discussion.

SELECTMEN SUBCOMMITTEE/LIAISON UPDATES

West Natick Fire Station Update: Postponed.

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. Moved by Mr. Jennett and seconded by Ms. Salamoff, 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:

- Banner request: American Cancer Society Relay for Life (5/28-6/9/19)
- Banner request: The Elizabeth Schickel Foundation Maverick 5K (4/8-4/21/19)
- Banner request: Natick Artists Open Studios (10/14-10/20/19)
- Resignation of Janice Henderson from the Cochituate Rail Trail Advisory Committee

TOWN ADMINISTRATOR NOTES

None.

SELECTMEN'S CONCERNS

None.

ADJOURNMENT

On a motion by Mr. Jennett, seconded by Mr. Hickey, the Board voted 5-0-0 to adjourn the Board of Selectmen's Meeting at 12:12 a.m.

Michael J. Hickey, Jr., Clerk

Submitted by Trish O'Neil, Executive Assistant

February 4, 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=619&MinutesMeetingID=-1&doctype=Agenda>