

## BOARD OF SELECTMEN

Natick Town Hall

February 10, 2015

6:15 p.m.

**PRESENT:** Chairman Joshua Ostroff, Nicholas S. Mabardy, Richard P. Jennett, Jr., Charles M. Hughes

**ALSO PRESENT:** Town Administrator Martha White and Executive Assistant Donna Donovan

**ABSENT:** John Connolly

**WARRANTS:** Payroll warrants were signed by the Board of Selectmen on February 10, 2015 in the amount of \$1,386,075.07. This figure was included in total warrants signed by the Board of Selectmen of \$2,265,157.86.

Chairman Ostroff called the meeting to order on a motion by Mr. Hughes, seconded by Mr. Connolly.

### **Executive Session**

Mr. Ostroff, seconded by Mr. Hughes, moved to enter into executive session to discuss matters pertaining to litigation, collective bargaining and real property. By roll call vote the Board voted to enter into executive session. Mr. Ostroff, Mr. Mabardy, Mr. Hughes and Mr. Jennett all voted in favor of the motion. At 6:30 p.m. the Board entered into executive session after announcing that the meeting would return to open session. The Chair further announced that discussion of litigation, collective bargaining and real property in open session would have a detrimental effect on the Board of Selectmen's negotiating position.

The open session was reconvened at 7:20 p.m.

### **Announcements**

1. Ms. White announced that Natick Center Associates will be holding their annual fundraiser dinner and silent auction on March 22, 2015 at the Dolphin restaurant. At that time the "Heart of the Community" award will be presented to the Morse Institute and Bacon Free Libraries. This award is given out annually by the NCA Board of Directors to recognize an individual's or organization's outstanding service to the Natick community.
2. Ms. White announced that Governor Baker recently instituted 9C budget cuts which are mid-year budget cuts to the State's operating budget. All funding for the Natick Veterans' Oral History Project has been eliminated. State Legislators are working towards trying to restore the funds and the library is seeking alternative funding.

### **What's New**

1. A new Town web site was rolled out on January 23<sup>rd</sup>. Communication and Information Officer Kathy Lentini gave an overview of the new site highlighting the improvements and changes.

2. Deputy Town Administrator Jeff Towne stated that Donations to The Elderly and Disabled Fund may now be done on line through the Town Web Site. Mr. Towne added that receipts will still be printed for tax deductibility purposes. Mr. Towne stated that he is in the process of scheduling the first meeting of this year to review applications. Mr. Towne also stated that this fund is available to offset tax obligations.

### **Citizen's Concerns**

Resident Kathy Coughlin stated that she sent an email to the Selectmen on January 26<sup>th</sup> on behalf of Mary Brown requesting that she be on this Evening's agenda. Neither Ms. Coughlin nor Ms. Brown received a response. It was determined that the only person who received the email was Ms. White. Ms. White acknowledged that it was an oversight on her part and apologized to Ms. Brown. Ms. Coughlin expressed concern with communication. Currently emails sent to [Selectmen@natickma.org](mailto:Selectmen@natickma.org) are placed in Board Members packets for their next meeting. Ms. White stated that going forward emails would be sent to the Selectmen upon receipt rather than holding on to them for packets.

1. Resident Mary Brown stated that it is her understanding that the Chairman and Town Administrator determine what will be on the agenda and that she did not think this was right. Chairman Ostroff pointed out that he has never refused anyone who has wanted to speak. Ms. Brown further stated that she will be filing a citizen's petition for Spring Town Meeting requesting a moratorium on the development and erection of multi-family residential dwellings within the Town of Natick for a period of two years. Ms. Brown asked for the Selectmen's support on this Article.
2. Resident John Ciccariello raised concerns with the FY 16 budget process. Mr. Ciccariello suggested the following:
  - a. Financial Planning Committee should meet consistently and not just during budget preparations.
  - b. More focus should be put on the so called cadillac health care tax associated with the Affordable Care Act.
  - c. School enrollment and growth is a concern. Mr. Ciccariello recommended that the Board of Selectmen support a two year moratorium on land use changes to limit housing development.
  - d. The Town of Natick and the School Department should have a consolidated energy budget.
  - e. Any pending large projects should be put on hold to prevent any borrowing for at least one year.
  - f. School transportation budget should be reviewed. Mr. Ciccariello suggested reviewing other Town's policies to see what restrictions are in place.

### **Appointments**

1. **Continued Public Hearing – Amend Taxicab and Livery Rules & Regulations**

Lt. Brian Luazon addressed the Board summarizing the final changes made to the rules and regulations. Lt. Luazon also stated that he notified the two taxi companies in Town of the new changes. Lt. Luazon also stated that language pertaining to surcharges which had inadvertently been omitted from the

previous draft was added back in. Lt. Lauzon stated that he hoped the revised rules and regulations would accommodate the community for at least ten years, however, he felt this was not feasible with the changes in “ride sharing” and other emerging trends in transportation. **On a motion by Mr. Hughes, seconded by Mr. Mabardy, the Board unanimously voted to approve the amendments to the Town of Natick Taxicab and Livery Regulations** Mr. Hughes thanked Lt. Lauzon for his hard work and for addressing the concerns raised in the last meeting.

## **2. Proposed Increase in Golf Course and Field User Fees**

Sassamon Trace Golf Course Manager Peter Meagher presented a proposed golf course fee increase. Mr. Meagher informed the Board that the Sassamon Trace Golf Course Oversight Committee recommended increasing 9 hole daily fees by \$1.00 and increasing season passes by \$25.00 to \$50.00 depending on the type of pass. Proposed increases would be effective at the commencement of the 2015 golf season. Mr. Meagher informed the Board that market surveys were conducted and it was found that the current weekday fees were below average and weekend fees were above average. Mr. Meagher also noted that many other area golf courses do not allow 9 hole rounds on the weekends. Responding to questions from Board Members. Mr. Meagher stated that revenues are up and there has been continuous growth. He also commented that even though in general golf has declined due to the expense and time commitment Sassamon continues to attract new golfers. Approximately 45% of transient golfers are Natick residents. Also, 77% of season pass holders are Natick residents. Season pass holders increased from 217 to 254 last year and consisted of 96 senior, 80 adult and 78 junior passes. Mr. Jennett commended the staff and attributed the increase in activity to the quality of the Course. **On a motion by Mr. Hughes, seconded by Mr. Jennett, the Board unanimously voted to approve the recommended fee increases.**

Superintendent of Land, Facility and Natural Resources Art Goodhind presented proposed field use fee increases. Mr. Goodhind stated that the Recreation and Parks Commission voted unanimously to support a \$5.00 increase for individuals utilizing artificial turf fields. Mr. Goodhind further stated that the fees would be deposited into a separate account used for the sole purpose of field turf replacement. Ms. White added that an existing recreation and park revolving fund would be utilized for this purpose. Discussion followed regarding field users. Mr. Goodhind commented that most users were residents and that the fields did not have the capacity to support non-resident groups. Ms. White complimented Mr. Goodhind, Recreation and Park Director, Jon Marshall and Athletic Director Tim Collins on their collaboration and resourcefulness stating that their work together was unprecedented. **On a motion by Mr. Jennett, seconded by Mr. Hughes, the Board unanimously voted to approve the recommended fee increases.**

## **3. Proposed Investment Policy and OPEB Trust Fund Investment Policy**

Deputy Town Administrator, Jeff Towne and Treasurer, Stephen Price presented the proposed Investment Policies. Mr. Price stated that the purpose of the policies is to ensure that the Town of Natick’s funds are invested with careful consideration to safety, liquidity and yield. This is done by the following:

- Safety - General funds must be invested in banks that offer FDIC coverage up to \$250,000.00, Depositors Insurance Fund for amounts exceeding the FDIC limits or Collateralization agreements. The Veribanc Rating Agency is used to review the solvency of Banks.
- Yield - The Treasurer will require competitive banks to pay interest at the highest rate reasonably available.
- Liquidity - Excess General Fund cash investments in Certificates of Deposit may not exceed 1 year in maturity from the date of purchase.

Mr. Price stated the following: "In fiscal 2014, Out of a budgeted \$150,000.00 the Town of Natick earned \$104,083.52 in General Fund Investment Income. In Fiscal 2015, out of a budgeted \$190,245.00, The Town of Natick earned to date \$141,351.57. The Town of Natick's Stabilization Funds, Special Revenue Funds, Trust Funds and OPEB Funds are mainly managed by Professional Investment Firms. Trust funds include Stabilization Funds (Governmental Funds), Perpetual Care Cemetery Funds( Trust Funds), Conservation Funds ( Special Revenue Funds) and Scholarships ( Trust Funds). Other Post Employment Funds are invested prudently for the purpose of reducing the future liability of current retirees and future retiree's health insurance costs. These funds are able to be invested with longer yields similarly to pension funds."

When asked how this impacts the budget, Mr. Towne responded that the policy does not impact the budget but it helps maximize investment earnings and helps limit losses.

Mr. Towne summarized restrictions that were put into the policies. Mr. Towne added that the OPEC trust funds are being treated through the prudent investment rules where it is intended for long term investment with the hope of having maximum returns in the future.

Mr. Hughes and Mr. Jennett commended Mr. Price and Mr. Towne on a job well done.

**On a motion by Mr. Hughes, seconded by Mr. Jennett, the Board unanimously voted to approve the Investment Policy and OPEB Trust Fund Investment Policy.**

#### **4. Department of Public Works Citation**

A Citation was presented to the Department of Public Works (DPW) acknowledging their extraordinary work under challenging conditions associated with recent snow events.. Chairman Ostroff stated that The Board values the emergency services provided by the DPW, as well as the daily maintenance and improvement to town infrastructure and assets adding that DPW work is vital but is often dangerous or unrecognized. The DPW was thanked for their efforts in service to the community.

#### **5. Overdraft for Snow and Ice Removal**

DPW Director Jeremey Marsette was present to request ta FY15 snow and ice overdraft. Mr. Marsette stated that the budget appropriation was \$150,000 and that snow and ice removal expenditures as of February 5, 2015 were \$378,813.58 leaving a deficit of \$228,813.58. Mr. Marsette also stated there is an

additional expense of \$180K for fuel costs and future salt orders. Mr. Marsette requested an additional \$850K to cover snow and ice removal operations over the next few weeks. Discussion followed regarding the best way to handle problems with the unprecedented winter conditions. Mr. Marsette encouraged residents to contact the DPW with any issues or concerns. **On a motion by Mr. Hughes, seconded by Mr. Jennett, the Board unanimously voted to approve an overdraft of \$850K for 2015 snow and ice removal.**

6. The review of the FY15 Q2 financial reports was moved to a later date due to the unavailability of Town Comptroller, Ginny Cahill.

### **Discussions and Decisions**

The appointment of an associate member to the Zoning Board of Appeals was postponed to 2/17/2015 due to the absence of Mr. Connolly.

#### **1. FY16 Budget Discussions**

DPW – Mr. Marsette summarized the proposed level service budget stating that personnel services were up slightly due to newer staff being eligible for step increases and a longer pay period. Mr. Marsette also stated that savings in the budget are seen in the sanitation division with respect to the solid waste program. Tipping fees have been reduced from \$76 to \$60 per ton under a new contract and solid waste is reduced due to more recyclable collection capture. There is also a significant savings in the street lighting and energy budget due to the Town wide conversion to LED lighting. Mr. Marsette commented that in his short time here he has observed that the DPW is very efficient. Mr. Marsette stated the DPW budget is 5.3% of the general fund budget which has decreased from previous years. Mr. Jennett commented that the decrease in the share of the budget is due to the school's share increasing. Mr. Jennett asked Mr. Marsette if the proposed budget was putting any safety issues at risk. Mr. Marsette responded that he intends to conduct a self-assessment and analyze other Town's procedures to see how well his DPW is providing services. Ms. White added that there is an immediate need for an additional person in the front office. Although it is not in the budget it is a program improvement request. **On a motion by Mr. Mabardy seconded by Mr. Jennett, the Board unanimously voted to approve the FY16 DPW Budget.**

Police – Police Chief James Hicks presented a level service budget. Chief Hicks stated that salaries are funded at the FY15 rate and personnel services have decreased due to several senior officers retiring. Chief Hicks also stated that \$36K was added to operating expenses for an assessment process which is required every two years and therefore it was not reflected in the FY15 budget. Noting that there was a decrease in the additional compensation line, Chief Hicks stated this was due to officers who were receiving longevity pay retiring. Ms. White stated that Chief Hicks was not pursuing the need of a deputy chief to be respectful of the budget constraints. Chief Hicks added that he would also like an additional patrol officer and school resource officer but he understands the financial position of the Town. **On a motion by Mr. Hughes seconded by Mr. Mabardy, the Board unanimously voted to approve the FY16 Police Budget.**

Emergency Management – Chief Hicks presented a level service budget. **On a motion by Mr. Hughes seconded by Mr. Jennett, the Board unanimously voted to approve the FY16 Emergency Management Budget.**

Parking Enforcement Budget - Chief Hicks presented the parking enforcement budget stating there is slight increase in personnel services due to employees earning step increases. Chief Hicks also stated that additional funding has been added to operating expenses in anticipation of kiosks being installed in Town for people to pay parking tickets. **On a motion by Mr. Jennett seconded by Mr. Ostroff, The Board unanimously voted to approve the FY16 Parking Enforcement Budget.**

Fire Department – Fire Chief Richard White presented a level funded budget with the exception of salaries due to contractual obligations. Chief White stated that the department is currently understaffed by 3 firefighters. Chief White is in the process of hiring 2 new employees and the 3<sup>rd</sup> position will be his position of Deputy Chief after he is sworn in as Fire Chief. Discussion followed regarding the strategy of creating an Assistant Chief position. Members advised that the Chief should work with Ms. White to advance this strategy. The Fire Chief publically thanked the DPW for all their hard work during the last few week's snow storms. Chairman Ostroff stated that a swearing in ceremony would be scheduled soon. **On a motion by Mr. Hughes seconded by Mr. Jennett, the Board unanimously voted to approve the FY16 Fire Department Budget.**

Program Improvement Requests - Ms. White stated that this request is for funding for the Natick Center Cultural District's Initiative. Ms. White further stated that since the cultural district designation was issued in 2012 there have been many accomplishments such as the Installation of public art at the MWRTA bus shelter on Natick Common; development of a self-guided Natick Center Walking Tour, available in an audio format from a mobile device; development of a five-year Strategic Plan for the Cultural District, and more. Although funding is not being requested at this time the request is included in the PIR if funds should become available. Ms. White also stated that the 2013 Spring Annual Town Meeting appropriated \$30,000 in support of initiatives such as this. However, the success of the Natick Center Cultural District, and Natick Center itself, demands a sustained commitment by the Town. The overall budget of \$228,816 envisions support from Natick Center Associates and private sources (50%), Grants (11%) and Town funds (39%). The requested Town funding is \$90,000. Chairman Ostroff reiterated that funding requests were not being done at this time.

Financial Planning Committee - Chairman Ostroff stated there have been two meetings recently; 1/21/15 and 2/10/15; and another meeting is scheduled for 2/12/15 to continue discussions on closing the budget gap. Chairman Ostroff added that they continue to work collaboratively with Town Boards.

## 2. **Spring Annual Town Meeting Warrant Articles**

Ms. White submitted a list of standard articles for the Spring Annual Town Meeting as well as the following three potential articles:

- a. Additional appropriation for the McDaniel Family - \$50,000 in addition to the \$100,000 appropriated in the 2014 Spring Town Meeting. **On a motion by Mr. Hughes and seconded by Mr. Jennett, the Board unanimously voted to support favorable action.**

- b. Amend General By-Law Article 21 to change the name of Community Development Department to Department of Community and Economic Development, and Directors title to Director of Community and Economic Development.
- c. Establish revolving fund for Pay for Performance Program to utilize funds received through the Town's Pay for Performance energy rewards program. Currently funds are being received by NStar/Eversource for energy efficient improvements. Funds will be spent on finding other savings.

Chairman Ostroff asked the Board to sponsor a draft Article for a senior property tax exemption program. It is a program that Sudbury currently offers to qualified senior citizens. Ms. White expressed concerns regarding this Article stating that the program shifts the burden to other residents who may already be financially struggling. Ms. White further stated that the distinction between Natick and Sudbury needs to be considered. Property values in Sudbury are higher than Natick. Additionally, income levels for eligibility is \$51K for a single person and \$77K for married persons means numerous people could meet eligibility. Another concern of Ms. White's is that State Law mandates that tax burdens can only be reduced by 50% though cumulative programs and Natick may already be near that threshold with many existing program participants.

Chairman Ostroff summarized the program stating that .5% to 1% of taxes are put into a fund to help pay up to 10% of taxes for qualified people who have been in their owner occupied homes for at least ten years. The intent of the program is to allow people to stay in their homes who might otherwise have to sell. Chairman Ostroff opined that it is financially more strategic for the Town to subsidize the tax than to have homes be sold to families with school aged children since the cost to the Town would be much more significant.

After some discussion Board members agreed to sponsor this Article, and after more research if they were not in favor of it, recommend that no action be taken at Town Meeting. **On a motion by Mr. Mabardy and seconded by Mr. Jennett, the Board unanimously voted to sponsor the means tested senior property tax exemption Article.**

**On a motion by Mr. Jennett, seconded by Mr. Hughes, the Board unanimously voted to sponsor the home rule petition to allow a lease of former Middlesex Avenue Parking Garage Site Article.**

**On a motion by Mr. Hughes, seconded by Mr. Jennett, the Board unanimously voted to sponsor an Article authorizing the Board of Selectmen to accept, obtain, abandon or relocate utility easements.**

**On a motion by Mr. Jennett, seconded by Mr. Hughes, the Board unanimously voted to sponsor the home rule petition to allow a lease of South Avenue Parking Lot Site Article.**

**On a motion by Mr. Hughes seconded by Mr. Jennett, the Board unanimously voted to sponsor the acquisition of easement over 22 Pleasant Street Article.**

Ms. White informed the Board of anticipated citizens' petitions pertaining to 22 Pleasant Street, the Conservation Commission Fund Study Committee and electronic voting technology.

**3. Town Administrator's Review**

Chairman Ostroff reminded those Board members who have not already done so to complete their individual reviews so that Ms. White's annual job performance review could be completed.

**4. License Renewal Update**

The Board was informed by Ms. White that all 2014 alcohol licenses have been renewed.

**5. Voluntary Snow Removal Program**

Chairman Ostroff requested that the Board ask Town Counsel to review the draft voluntary snow removal policy. Mr. Jennett recommended postponing this to another meeting so further discussions could take place. Mr. Hughes stated that the sidewalks are in the Town's right-of-way and the homeowners are not responsible for snow removal. However, if the homeowner is negligent in removing the snow they become liable. Chairman Ostroff responded that currently it is unsafe to walk in Town and that other towns have adopted similar policies. The Board was in agreement to have Town Counsel review the draft.

**6. Letter to Legislators and Governor requesting additional local aid**

**On a motion made by Mr. Hughes, seconded by Mr. Jennett, the Board authorized Chairman Ostroff to draft a letter to Legislators and the Governor requesting additional local aid by a unanimous vote.**

**Requested Action**

The General Green Avenue dedication will be held on July 10, 2015. **On a motion by Mr. Jennett, seconded by Mr. Hughes, The Board unanimously voted to authorize Chairman Ostroff to send invitation letters to family members.**

**On a motion by Mr. Jennett, seconded by Mr. Hughes, the Board unanimously voted to confirm the Town Administrator's appointment of Charles Alan Grady to the Safety Committee.**

**On a motion by Mr., Hughes, seconded by Mr. Jennett, the Board unanimously voted to approve a request for an exemption from Town By-Laws Ch. 41, S. 4 for Brendan Blaney.**

**On a motion by Mr. Jennett, seconded by Mr. Mabardy, the Board unanimously voted to approve a request for an exemption from Town By-Laws Ch. 41, S. 4 for Robyn Spinazola.**

**On a motion by Mr. Jennett, seconded by Mr. Hughes, the Board unanimously voted to accept the resignation of Joel Barrera from the Cochituate Rail Trail Advisory Committee.** It was noted that Mr. Barrera has accepted the position of Deputy Chief of Cabinet Affairs for Governor Baker.

**On a motion by Mr. Jennett, seconded by Mr. Hughes, the Board unanimously voted to approve the local initiative Certificate for 26 Walden Drive.**



**On a motion by Mr. Jennett, seconded by Mr. Hughes, the Board unanimously voted to approve the meeting minutes of June 17, 2013.**

**On a motion by Mr. Hughes, seconded by Mr. Mabardy, the Board unanimously voted to approve the Farmer's Market use of the Common from May 2– October 10, 2015.** The request for the use of parking spaces on Common Street, Park Street and South Main Street was postponed to a later date to be determined for further discussion.

**On a motion by Mr. Hughes, seconded by Mr. Jennett, the Board unanimously voted to approve the American Liver Foundation's request for the use of the Common on February 14, 2015.**

**On a motion by Mr. Mabardy, seconded by Mr. Hughes, the Board unanimously voted to approve the Strivers Running Club's request to hang a banner along Main Street from April 18 to April 25, 2015 or April 25 – May 2, 2015 or May 2, 2015- May 9, 2015.**

**On a motion by Mr. Jennett, seconded by Mr. Hughes, the Board unanimously voted to approve the American Cancer Society's request to hang a banner along Main Street from May 18 – June 1, 2015.** The Board agreed that if another request was made for the same time period the American Cancer Society would be limited to one week.

**On a motion by Mr. Jennett, seconded by Mr. Mabardy, the Board unanimously voted to approve the American Cancer Society's request to waive a tent fee.** After the vote was taken Ms. White noted that the request to waive a tent fee does not fall under the jurisdiction of the Board.

**On a motion by Mr. Hughes, seconded by Mr. Jennett, the Board unanimously voted to sign the March 31, 2015 Town Election Warrant.**

#### **Selectmen's Concerns**

Mr. Mabardy asked Ms. White if the department head and selectmen contact list could be put on the web site. Ms. White responded that it could not because it included confidential information such as home and cell phone numbers.

Chairman Ostroff informed the Board of a new product recently developed which attaches to a water meter and alerts the homeowner if there is a water leak and the Town may be offered some of these devices for a trial period.

Ms. White informed the Board that Facilities Management Director Paul Comerford is resigning effective February 23<sup>rd</sup>. Ms. White will be meeting with the Superintendent to outline a plan for an interim director as well as a plan to fill the position on a permanent basis.

**On a motion by Mr. Hughes, seconded by Mr. Jennett, and by a unanimous vote, the meeting adjourned at 10:45 p.m.**



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*Nicholas S. Mabardy, Clerk*

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

**<http://naticktown.novusagenda.com/agendapublic/MeetingView.aspx?MeetingID=133&MinutesMeetingID=13&doctype=Agenda>**