

BOARD OF SELECTMEN

Natick Town Hall

March 18, 2013

5:00 p.m.

The meeting was called to order by the Chair Paul R. Joseph at 5:10 p.m.

PRESENT: Paul R. Joseph, Carol A. Gloff, Charles M. Hughes, Joshua Ostroff, Nicholas S. Mabardy.

ALSO PRESENT: Martha L. White, Town Administrator; Donna Challis, Secretary

WARRANTS: Payroll warrants were signed by the Board of Selectmen on March 18, 2013 in the amount of \$1,719,606.15. This figure was included in total warrants signed by the Board of Selectmen of \$3,267,244.65.

EXECUTIVE SESSION

Mr. Ostroff, seconded by Mr. Hughes, moved to enter into executive session to discuss non-union personnel negotiations, collective bargaining and to discuss the discipline or dismissal of, or complaints, or charges against, a public officer, employee, staff member or individual. By roll call vote the Board voted unanimously to enter into executive session. At 5:10 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 collective bargaining and non-union personnel negotiations in open session would have a detrimental effect on the Board of Selectmen's negotiating position.

The open session was reconvened at 7:05 p.m.

ANNOUNCEMENTS

1. Town Clerk Diane Packer gave a reminder that the Town Election was April 9. The last day to register was March 20.
2. Ms. White introduced the community to Jemma Lambert, the newly hired Community Services Director, subject to the Board's affirmation of the appointment. She noted that Ms. Lambert came with a wealth of relevant and closely tied experience and a visionary outlook.

Ms. Lambert thanked Ms. White and noted that she was already impressed with what she had seen. This was a very special community and she was really excited to be part of it. Her start date was planned for April 15.

As the confirmation of Ms. Lambert's appointment was not a listed item on the agenda, the Board was unable to vote confirmation. From the time of the Town Administrator's appointment, the Board had 15 days to object or confirm or it became effective. Although the 15 days 'would have expired by the next meeting the Board wanted to vote a confirmation and asked that it be scheduled at that time.

CITIZENS CONCERNS

- a. POW/MIA Chair

Veterans Services Officer Paul Carew distributed a packet received last week from the Rolling Thunder. They were looking for a place for the Chair honoring the POW/MIAs.

- b. Friends of July 4th Committee

Peter Mundy and Diane Sinanian reported that the Friends of the July 4th Committee met last Thursday with 23 people present. The parade was going forward full force with a theme that did Natick proud - Natick tradition was spirit of grand traditions. Rex Trailer would be the grand marshal.

Anyone wishing to volunteer was welcome to attend the meetings.

INTERVIEWS FOR NOMINATION FOR LEONARD MORSE GRANTS PANEL

- a. Kerry Conley

Kerry Conley was not available due to a death in her family.

- b. Cynthia Kroue

Cynthia Kroue told the Board she was a 20 year resident of Natick. She had worked as a non-profit consultant and was currently the Director of Development for the Homeless Women of Boston. She was grateful to the Town for the opportunities offered to her family and she couldn't think of any better area to apply her expertise than with a non-profit for the residents of the community. She knew what people were looking for in the application for funding and how to see the application process through for a successful program. From the Drug Free Community program she was able to secure a \$625,000 grant for the Natick Public Schools.

Asked how she felt her skills would be a good fit for the Foundation, Ms. Kroue responded that she learned that grant writing wasn't just about writing. It was about evaluating and prioritizing and seeing how people would actually implement what they say they were going to do.

In response to a Mr. Mabardy's inquiry, Ms. Kroue said she would be delighted to help other departments with grant writing.

Ms. Gloff pointed out that this would be the opposite side. It would be evaluating grants and could restrict her (Ms. Kroue's) ability to work with the Schools or Town departments.

Ms. Kroue responded that she would totally work within the guidelines and parameters of the Foundation. She was very much a team player and realized she would be one of five voices.

Document - Application submitted by Cynthia Kroue

PUBLIC HEARING: DEDICATION OF SQUARE AT WOODLAND & COTTAGE STREETS IN HONOR OF PFC JOHN MARTIN MADDEN, JR.

On a motion by Mr. Hughes, seconded by Ms. Gloff, the Board unanimously voted to open the public hearing.

Appearing before the Board on behalf of the petition was Veterans Services Officer Paul Carew and Natick Veterans' Council member Patrick Young.

Mr. Carew noted that PFC Madden was killed in action on April 25, 1969. After the moving wall was brought to Natick, a promise was made to have a square for every name on the wall which was 11. PFC Madden will make the 7th square.

There ceremony was scheduled to take place at noon on April 27.

The Board was in receipt of recommendations from the Community Development Director and the Historical Commission.

Mr. Ostroff acknowledged members of the Madden family who were in the audience.

On a motion by Mr. Hughes, seconded by Ms. Gloff, the Board unanimously voted to close the public hearing.

A motion was made by Mr. Hughes to dedicate the square at Woodland & Cottage Streets in honor of PFC John Martin Madden, Jr. Seconded by Mr. Ostroff and unanimously voted.

Documents - Letter from the Veterans Council President Edward Jolley; email from Steve Evers, Chair of the Historical Commission; memo from Patrick Reffett, Community Development Director

WHITE DOG PRODUCTIONS, LLC: REQUEST TO FILM

Joshua Youman, Assistant Location Manager of White Dog Productions, LLC, appeared before the Board to request permission to film in Natick on March 21, 2013 from 6:00 a.m.-2:00 p.m. at three different locations - Reliable Cleaners, the florist next door to the cleaners, and the strip mall at 179 West Central Street.

They have worked closely with the Police Department and businesses in the area. The formal request was for intermittent traffic control.

The Board unanimously voted to approve White Dog Productions, LLC request to film in the public way of Natick on March 21, 2013 subject to compliance with Lt. Lauzon's recommendations. The vote was taken on a motion by Mr. Hughes, seconded by Ms. Gloff.

Document - Letter from Joshua Youman; email from Lt. Brian Lauzon

DPW DIRECTOR: AWARD CONTRACT FOR LED STREET LIGHTING INSTALLATION

DPW Director William Chenard explained that this contract was slightly different than a typical award. The Metropolitan Area Planning Council (MAPC) went out to bid in December 2012 for the procurement of energy management services on behalf of participating municipalities. Two proposals were received, the lowest from Siemens Industries, Inc. and MAPC has signed a memorandum of understanding with them.

The Board was being requested to authorize Natick's participation in this agreement to obtain LED streetlights via a long-term lease purchase agreement. It was authorized by the 2012 Fall Town Meeting. Siemens had an excellent reputation for this type of work and the Town's dealings with them in the past have been very satisfactory.

Mr. Chenard advised that the contracts were reviewed by Town Counsel and the request was to award a contract in an amount not to exceed \$700,000. It covered most of the Town except where there was LED or energy conserving lighting and included lights along School driveways and municipal parking lots. The payback was huge. There was a 50-75% reduction. The streetlighting budget has actually been reduced and he may come back for further reduction in the Fall.

Ms. White thanked Mr. Chenard for his extensive work. He was very instrumental in the award of this and has been leading the charge in working with the utility companies to find a different rate to charge communities that had LED lights.

Mr. Chenard noted that when this first started there were concrete estimates of \$1,200 per fixture. The original plan was to spend \$40,000-\$80,000 per year over a 10 year period, but this far exceeds anything expected.

Mr. Ostroff doubted any of them would have the opportunity to save as much energy as Mr. Chenard, Ms. White, and Ms. Bois and he applauded their efforts.

The Board unanimously voted to award the contract for the purchase/installation of LED streetlights to Siemens Industries, Inc. in an amount not to exceed \$700,000. Seconded by Mr. Ostroff and unanimously voted.

Document - Memo from Peter Roche, Procurement Officer, and DPW Director William Chenard

POLICE CHIEF: SUPPORT FOR GRANT APPLICATION - NATICK JAIL DIVERSION PROJECT

Police Chief James Hicks requested approval to submit a grant application for the Jail Diversion Program. He noted that studies have shown that a lot of the individuals encountered by the Police suffer some mental health issues. In the past these individuals have ended up in the criminal justice system when they didn't need criminal justice. They need mental health services and this program did that. A mental health specialist would be available to officers to make that judgment at the time the incident occurred. Framingham was one of the other departments that had a similar program.

Chief Hicks advised that this would be a collaborative grant and the proposal was to collaborate with Advocates, Inc. to make a mental health professional available on a full-time basis with access to clinics in off times. The grant was approximately \$200,000. It was a matching grant, but there would be in-kind services, no cash.

On a motion by Ms. Gloff, seconded by Mr. Hughes, the Board unanimously voted to approve the application to obtain a grant under the Jail Diversion Program.

Speaking to the motion, Mr. Ostroff applauded the initiative and took the opportunity to congratulate the Chief on his appointment to a task force to evaluate gun control.

Mr. Hughes commented that this program worked wonders in Framingham and it was to the advantage of the Town to go forward.

Chief Hicks credited Sgt. Mark St. Hilaire for bringing this forward and working on it.

Mr. Mabardy asked about the possibility of the Police Department and Veterans Services working together and Chief Hicks responded that part of the proposal was to include not only the Police but other services in Town such as Fire, Human Services, Schools, Board of Health, and Veterans. All were in support of the grant.

Documents - Memo from Police Chief James Hicks

METROWEST REGIONAL TRANSIT AUTHORITY: REQUEST LETTER OF SUPPORT FOR BLANDIN AVENUE

As the Board's representative and Chair of the MetroWest Regional Transit Authority, Mr. Hughes informed the Board that the MWRTA was in the process of purchasing Blandin Avenue offices and they were soliciting letters of support from all member communities to support the purchase.

There was some discussion that the building had more space than necessary for the RTA and there was some support to maybe bringing the Registry of Motor Vehicles back. However, at the moment he didn't think that was high on the State's list.

The Board unanimously voted to authorize the Chair to sign a letter of support. The vote was taken on a motion by Mr. Ostroff, seconded by Ms. Gloff.

SPRING ANNUAL TOWN MEETING WARRANT ARTICLES

Article 7 - Personnel Board Pay Plan

Chair of the Personnel Board, Steve Levinsky, explained that the Personnel Board was charged by Charter and Bylaws to present each spring a classification and pay plan to Town Meeting. The pay plan covered roughly 60 non-union employees and provided a structure for their pay. The individual pay was determined by the department heads and Town Administrator.

Two years ago a new plan was put into place and a commitment was made to do a comprehensive market survey every other year. Thanks to the efforts of the Personnel Director, 17 towns were surveyed on 32 positions. The Personnel Board wanted to make sure the pay plan was competitive to maintain the quality employees and to make sure key employees were paid consistent with their classification.

Mr. Levinsky reviewed the proposed changes, noting the part-time pay plan was exactly as approved by Town Meeting with no changes. Under the full-time pay plan:

- 1) Grade 6 was added with a minimum of \$100,000 and maximum of \$145,000
- 2) No salary changes were recommended for grades 1-5. Those grades appear to be competitive and no existing employees were pressing the top of the range.
- 3) Grade 5 added a new position of Deputy Police Chief, added the Director of Facilities, and moved the IT Director from 4 to 5.

- 4) The Assistant Council on Aging Director went from Grade 2 to 3.
- 5) The Economic Development Officer was added to the pay plan
- 6) A Personnel Coordinator was added under Grade 2.

On a motion by Mr. Ostroff, seconded by Mr. Hughes, the Board unanimously voted to support favorable action of Article 7.

Document - Memo from Town Administrator Martha White; copy of Personnel Board Pay Plan

Article 19 - Amend By-Laws Article 24: Personnel Board

In a memo to the Board, Ms. White outlined the proposed changes to the Personnel By-Law. She noted the changes were consistent with the changes instituted with the unions, notably the elimination of the sick leave buy back. The exact by-law changes have not yet been developed, but include:

The elimination of the sick leave buy-back program with the grandfathering of employees who currently have accumulated enough sick time to be eligible for buy-back and who stipulate their intent to retire within five years

Employees who do not meet the above criteria will no longer be eligible for sick leave buy-back. For those employees, a Town-funded long-term disability program will be provided. The total cost of this program for eligible employees was estimated at \$18,000 per year. The cost has been included in the FY2014 budget.

For employees no longer eligible for sick leave buy-back, the maximum accumulation of sick leave will be 100 days.

Chair of the Personnel Board, Steven Levinsky, noted there had been two meetings within the non-union employees and at the last meeting there appeared to be pretty good support. The administration worked hard to keep parity between the union and non-union. One reason to carry over a lot of sick leave was in the event of a catastrophic illness, and the long-term disability policy still protects the employees.

On a motion by Mr. Hughes, seconded by Ms. Gloff, the Board unanimously voted to table Article 19 until April 1.

Ms. White inquired if the Board was on board with the concept, and Mr. Ostroff responded that he wanted to make sure the Town was doing right by the non-union folks. As long as what was being brought forward had widespread support, he would support.

Ms. White noted that the recent proposal was based on input from the non-union employees and she believed the modification made it palatable to them.

Document - Copy of the article; memo from Town Administrator Martha White

Article 9 - Morse Institute Library

Typically the Board would not review the Morse Institute Library budget, but Ms. White said she asked the Director to attend since there was a change. A couple of years ago a position was restored to part-time that had been lost due to attrition, but the Director and the Trustees have consistently advocated for the position to be full-time. For the FY14 budget she (Ms. White) was recommending the position be full-time and that has been favorably acted upon by the Finance Committee.

Mr. Hughes inquired if the budget was still out of balance by \$1.8 million. Ms. White advised that it was and this was included in the \$1.8 million.

Linda Stetson, Library Director, told the Board that the utilization of the Young Adult Library has been very busy and more attention could be paid to the teens if the librarian was there more than 18 hours a week. The incremental cost would be an additional \$29,000.

Library Trustee Joseph Keefe thanked the Town Administrator and Finance Committee for the recognition of this request. The reason this position was lost was purely arbitrary. The person who was in the job got married and left the community and at the time the community was facing dire financial issues and the position wasn't filled. A number of statistics have been presented to the Town Administrator verifying there was a need.

For instance in FY2011, 3,570 young people attended a variety of programs. A part-time person was brought on and that number rose to 5,903. Since January there have already been 4,730 participants.

Mr. Ostroff suggested that more information be provided to justify the expansion of the position - the more the better.

Ms. Gloff stated that she did not have a financial benefit, but was a long-term member of the Friends of the Library and Chair of the Steering Committee. The Director has requested that some of the money given to the library be shifted to programs for teens and those have been very attended. There was clearly a need for it and it was a particular vulnerable age for children.

Mr. Joseph noted that he was at the Finance Committee meeting the night the Morse Institute Library budget was heard both as a parent and the Board appointee to Natick Together for Youth. What was

important to consider was the cost of not taking action. This was an opportunity to support the youth in the community and an alternative to making bad choices. There was a perception of not much to do for that age and the comments were consistent for providing an opportunity for the youth to have a place to go where there was none.

It was made clear to him how valuable this individual and the program she put in place has been. In his (Mr. Joseph's) opinion this was a wise choice and an opportunity to invest in this part of the population.

On a motion by Mr. Ostroff, seconded by Mr. Mabardy, the Board unanimously voted to support favorable action of Article 9 with the inclusion of a full-time Young Adult Librarian.

Document - Memo from Town Administrator Martha White

Article 8 - Elected Officials Salary

Ms. White advised that the recommendation from the Personnel Board and Town Administrator was to set the salary for the Town Clerk at \$75,000. Her present salary was \$70,000.

Steve Levinsky, Chair of the Personnel Board, noted that the Personnel Board had no official role in setting this salary but was asked to look at market data and compare positions. Those things were done and everyone involved in the process - Town Administrator, Personnel Board, Personnel Director - agreed on a \$75,000 salary for next year.

A motion was made by Mr. Hughes to support favorable action of Article 8 in the amount of \$75,000.

Document - Memo from Town Administrator Martha White

Article 10 - Bacon Free Library

Ms. White noted that the Bacon Free Library submitted three program improvement requests - to increase hours for the Director, to increase hours for the Assistant Director, and to increase the book budget. The FY14 Town Administrator's budget includes funding for increased hours for the Director in the amount of \$6,500 and an increase in the book budget of \$3,000.

Ms. White confirmed as correct, Mr. Hughes' assumption that the \$9,500 was included in the budget as currently constituted with the \$1.8 million deficit.

John Brisbin, the Bacon Free Library Director, told the Board that a lot of things were happening at the library. Last year what he termed as the hop scotch hours were done away with. There were two people present at all times and with just 2.1 full-time equivalents it was difficult. The proposal would move him to 34.6 hours.

Even with half the book budget the circulation has doubled and people get discouraged when they run out of things to read. He was very pleased the Town Administrator and Finance Committee approved more hours for himself and an increase in the book budget.

Mr. Ostroff commented on the back and forth of the library's budget for years and the great service to the community it provides.

A motion was made by Ms. Gloff to support the Bacon Free Library budget including the \$6,500 for the Director and the \$3,000 for the book budget. Seconded by Mr. Ostroff and unanimously voted.

Article 17 - Appropriation for Natick Center Cultural District

Ms. White explained that this article seeks to appropriate \$238,000 in support of this designation. The Cultural District designation presents an opportunity and a guide to further advance Natick Center as a major draw and asset within the community and the region and the Selectmen have committed their support.

There was a power point presentation by the Chair of the Natick Center Cultural District Council, Steve Levinsky who noted that he also ran a business in Natick, had a art production studio in Natick, and was the chair of TCAN.

In the presentation Mr. Levinsky advocated for taking a small portion of the meals and additional hotel tax and putting it into the development of a Cultural District in Natick Center. The proposed budget would be \$238,000 which would go toward an information center, branding and marketing, use as a catalyst, and staff.

The information center would establish a traditional brick & mortar information center for Natick residents and visitors. It would be a focal point for what's going on and what to do in Natick and would be staffed 20 hours each week. In addition there would be a new residents "Welcome to Natick" evening plus a prototype kiosk in Natick.

The cost was estimated at \$14,400 for the center; \$4,720 for expenses; \$8,000 for shelving, racks, hanging system, desk, etc; \$12,480 for 20 hours of staffing/week at \$12/hour; \$5,400 for 4 monitors, 2 tablets, network; \$14,000 to develop and deploy a kiosk in Natick Mall.

Branding and marketing would consist of developing a brand and marketing plan, establishment of a virtual presence, create collateral material and signage, and conduct training and education.

The cost associated with the branding & marketing: \$15,000 for a consultant to develop brand and marketing approach; \$15,000 for website, social media, outreach, Adwords; \$20,000 for maps, brochures; \$12,000 for signage within the cultural district; \$6,000 for seminars and training for individuals and organizations.

The catalyst part would consist of lump start investment in public art by providing seed monies for programming and professionally developing 5 tours. The proposal was to use \$30,000 following the Natick Cultural Council grant process and \$20,000 to design and produce 5 tours (2 historical, 1 architectural, 1 arts, 1 bike).

For staffing, the proposal was to have an executive director who reports to Natick Center Cultural District Counsel at a cost of \$50,000 per year plus \$10,000 in payroll taxes and stipend in lieu of benefits. This would be someone dedicated full time to NCCD. First year funding would be through this warrant article and payroll would be processed through Natick Center Associates.

The first year goals was to create an inventory of existing resources; develop a brand and marketing plan, create a public information center, develop a master plan.

The power point presentation identified the members of the NCCD Council with an organization chart. Also provided was a map of the area designated as a cultural district.

Mr. Hughes inquired as to why the Town should pay businesses to market themselves as opposed to the business doing that. Mr. Levinsky responded that it was marketing Natick as a place to come. This was not marketing a business - that was their responsibility. It was the sole responsibility of a restaurant or other business in the downtown to market themselves, but they should benefit because of the increased exposure.

Mr. Joseph noted that one element was that it creates a tangible place where marketing could start. To the extent of making it an appealing destination, the Town benefits plus there would be additional meals and hotel taxes.

To Mr. Hughes' question as to how the \$30,000 in artists' grants programs was arrived at, Mr. Levinsky advised that it was a judgment call. It would use an existing program and start to invest in some programming - maybe develop a festival. The feeling was if 6-8 investments can be stimulated, it will pay off.

Noting that it was \$238,000 this year, Mr. Hughes asked if Mr. Levinsky foresaw the Town funding the executive director through Natick Center Associates going forward. Mr. Levinsky explained that the idea was for a weaning off process. This was an investment to give everybody some time to find additional sources. Grants without a jump start will just sit there.

Looking at the proposal it didn't look to Mr. Hughes like there would be a weaning off for the executive director over time. The money from the Town seems to be reducing substantially but part will go to pay for the executive director. Mr. Levinsky hoped over time it would be self-sustaining.

Mr. Ostroff inquired as to what private fund raising Mr. Levinsky had in mind, he responded that he was looking to make this a single year ask and if they didn't produce, they wouldn't ask next year. Many towns around the state do this in different ways.

Mr. Mabardy inquired if there was any way to measure if these expenses become cost effective. Mr. Levinsky believed there could be a measurement if more people were coming to Natick this year than last. The traffic could be counted and receipts looked at to see if tax revenues went up. If the open spaces in the downtown become occupied.

Mr. Hughes asked how the Cultural District Board got appointed and how the membership was determined. Mr. Levinsky advised it was a joint effort between the Town Administrator and the Natick Center Associates Board. Mr. Joseph added that it was a partnership between the local government and Natick businesses.

In follow-up Mr. Hughes asked who the money was being given to and was told by Mr. Levinsky that it would go to Natick Center Associates for disbursement from them.

Mr. Ostroff thought this was consistent with what the Board originally voted - to dedicate the revenues from the local options taxes to the long-term interest of the Town and this was a long-term effort underway.

Asked about the impact of using these funds for FY14, FY15, FY16, Ms. White responded that there was not enough money to meet all compelling needs whether it was within the additional local option tax or funds for the operating budget sitting at a \$1.8 million deficit. She noted that she was torn by this request. She very much believed in the Cultural District and what it could do for Natick Center and the community as a whole.

It was her belief that Natick Center had a lot of untested potential that can't be fully realized by already busy volunteers. Could we afford it out of the hotel taxes, probably, but it would impact other opportunities down the road. The five year capital plan had to be carefully budgeted and this could impact

that continued funding plan but if the Town was serious about the designation, then a commitment was needed to invest in the Cultural District.

Mr. Ostroff interpreted Ms. White to be saying it probably could be done, but there would be a need to revisit the capital plan and the use of those funds.

If the Board wanted, Ms. White offered to do a three year forecast on the utilization of the local tax for the capital plan as it exists and plugging in these numbers.

Mr. Ostroff said he would be more comfortable seeing that.

Mr. Hughes stated that he was not unsupportive; however, when discussing the overrides and the possibility of a parking garage, everybody was of the mind that a substantial amount of debt payments would go down in Fiscal 2014 and that was the time to talk about big capital investments. A lot of people heard this money (local option taxes) was going to go into capital investment and he would like to see some of the numbers before going forward.

Ms. Gloff added that the Board took a vote that the money from the local meals tax would go into capital investment.

Mr. Joseph supported the plan. He believed the Board already endorsed it when the Cultural District was voted.

Mr. Ostroff clarified that the motion referred to by Ms. Gloff was to support the adoption of the local option taxes with a recommendation to Town Meeting that it be spent on the long-term interest of the Town in reserves and capital projects. Nothing the Board voted was binding today and philosophically this was consistent.

Mr. Joseph recalled that the people concerned about the local option taxes were the major hotel and restaurant owners and they supported it with the plea that a portion be turned back to generating new business. This plan proposes growing the pie and this was a stimulus to tip the pie from the status quo. This tax was not on the residents. It was on the hotels and restaurants.

This was a new tax and Mr. Hughes wanted to see the data before making a decision.

There was a capital plan and Mr. Ostroff agreed the Board should see how the use of those revenues on the Cultural District would affect the plan.

Ms. Gloff inquired as to who else was putting money into this plan for year one. Mr. Levinsky's response was that every hotel and business that put up their own money to build and operate a business was making an investment. The Town gets \$1.3 million because people decided to put a business in Town and invest here. Because of those businesses, this revenue was coming in.

Ms. Gloff countered that this was a big chunk of change that proposes to hire 1-1/2 people with Town money but not under the control of the Town. It proposes to rent space from a location in downtown and she would like to understand if anybody else or group was talking about chipping in. Would other groups be asked to chip in and were there ways to bring the amount of money being requested down.

Mr. Levinsky noted that if less money was given, the amount used would come down, but this was an investment. This said that the Town wanted to take the first step and it gave the ability to talk to organizations with success.

Ms. Gloff inquired if Ms. White had any thoughts about ways the commitment of money could be brought down. Ms. White responded that some of these ideas may diminish depending on what could be afforded. Maybe the center could be put within the library, but the question was if the hours of the library accommodated the needs.

Mr. Levinsky said that he too hoped the visitors center could be moved into the library, but when the library was open wasn't necessarily when visitors were here. He encouraged taking the time to do this right.

Continuing, Ms. White thought the street signs could be manufactured at the DPW and people for the arts grants and programs could possibly apply to the Natick Cultural Council. There were also some volunteer opportunities throughout the proposal that have their risks and rewards. She didn't disagree that a full-time staff person could be utilized but there was a proposal to create an Economic Development Planner position and that person could devote a portion of their time to the Cultural District.

Mr. Levinsky stressed that this was an opportunity and there was some momentum. He would be happy to come back with a revised proposal, but this was a proposal that said, "let's go". If anyone had an alternate proposal, he asked that they speak with the proponents.

Mr. Ostroff felt the Board was supportive in theory.

Ms. Gloff supported the concept but thought there had to be a way to bring the dollars down.

On a motion by Mr. Hughes, seconded by Mr. Mabardy, the Board unanimously voted to table to April 1.

Documents - Copy of the article; power point presentation

Following a 10 minute recess, the meeting was reconvened at 9:30 p.m.

Article 2 - Stabilization Fund

On a motion by Mr. Ostroff, seconded by Ms. Gloff, the Board unanimously voted to support No Action on Article 2.

Article 3 - Capital Stabilization Fund

On a motion by Mr. Ostroff, seconded by Ms. Gloff, the Board unanimously voted to support No Action on Article 3.

Article 4 - Operational/Rainy Day Stabilization Fund

On a motion by Mr. Ostroff, seconded by Ms. Gloff, the Board unanimously voted to support No Action on Article 4.

Article 18 - Unpaid Bills

On a motion by Mr. Ostroff, seconded by Ms. Gloff, the Board unanimously voted to support No Action on Article 18.

Article 29 - Revoke Adoption of Strong Chief Status for Position of Fire Chief; Article 30 - Acceptance of Statute for Operation of Fire Department

Ms. White explained that the revocation of the strong chief law was intended to restrict the Fire Chief's extensive independent authority. At present the Fire Chief had complete authority for all personnel actions as well as operational and budgetary decisions subject to Town Meeting appropriation. This autonomy was unique within the Town's governing structure and was effectively contrary to the terms of the Town Charter which provides that the Town Administrator shall supervise, direct and be responsible for the efficiency. This effectively prevents the Town Administrator from fulfilling his/her authority under the Charter.

Revocation of the strong chief law essentially puts the Fire Department under the control of the Board of Selectmen, subject to delegation to the Town Administrator, as was the case with other municipal departments.

Mr. Ostroff stated that he had given this article a lot of thought with the motivation to do the best he could for the men and women of the department. He was struggling how to address the management structure of the department that protects the interest of the Town and the firefighters. He didn't relish bringing something to Town Meeting that was overwhelmingly opposed by the men and women of the department.

The issue was one of process. Do we take a system that may not be optimal today and set it aside and have something under the control of the Board of Selectmen and Town Administrator without knowing who was going to be in these seats in a few years? He had great confidence in the Board and the Town Administrator in providing the direction for the Fire Department but there were no guarantees.

He was comfortable with a referral back to see if something could be crafted over the next few months. Not knowing the exact structure may seem to some like a blank check and he understood the argument behind this and making sure there was a uniform command structure in the Town. He didn't want to kill this article.

Mr. Mabardy believed he had previously made his position known. He was opposed regardless of whether the chief was Civil Service or non Civil Service. The strong chief pertained to the operation of the Fire Department and who better to administer and operate the fire service than somebody who has been trained and had the experience to deliver the kind of service the fire personnel were accustomed to doing.

He didn't believe a non-fire person should be the one to administer the department or how the fire service operates. That didn't mean the person in charge of the Fire Department shouldn't come under some supervision of the Town Administrator, but not the delivery of the fire service. In his (Mr. Mabardy's) opinion this would be a substantial change in the way the fire service was delivered. The strong chief law was enacted for a reason.

Mr. Ostroff recalled years ago the debate on Town Meeting around taking the chief's position out of Civil Service and what would replace it. What came forward was a fairly comprehensive hiring process. If a by-law was developed with very clear lines of authority over different aspects of the Chief, Mr. Ostroff asked if Mr. Mabardy could see there being a way to improve on the current position as opposed to their being a strong chief or not.

Mr. Mabardy believed there was always room for discussion and questioned if Mr. Ostroff's inference was that there were areas that need to be improved upon.

Mr. Ostroff responded that anything could be improved upon.

Mr. Joseph inquired as to the management of the Police Chief, and Ms. White replied that in the case of the Police Department and the Chief's leadership she had a lot of trust in both his leadership and management. She met with him on an as needed basis. He displayed good judgment of when to bring an

issue to her and she was not all involved in the day-to-day operation of the Police Department.

In follow-up Mr. Joseph asked about the management of the Board of Health, and Ms. White responded that she probably had an even greater distance with the Board of Health because of Jim White's tenure with the Town.

Presuming this article was to move forward, Mr. Joseph inquired as to how Ms. White would oversee the Fire Department. Ms. White stated that she would look forward to the day where there would be a relationship such as there was with the Police Department. There were some things in the Fire Department she would like to see done differently, but they had very little to do with the means of firefighting or the work of the paramedics.

She believed the Town would benefit from the Town of Administrator or Board of Selectmen coordinating the activities of that department as they relate to other departments. It interferes with the ability of a Town Administrator to achieve the goals set forth when the administrator cannot direct a department head. Living in a community where there the chief administrator didn't have much authority, she knew the difficulties of trying to achieve a vision. Natick wasn't like that with this one exception.

Asked if this was independent of personality, Ms. White said yes and added that it was an organizational structure.

Mr. Joseph supported favorable action for better management practice but not day-to-day operations. He saw the job of the administration as overseeing the operation. They did not have the expertise, the capacity, or the time to get involved in the day-to-day operation. He did not intend to change the outcome of anything the Fire Department did.

Mr. Joseph expressed his frustration after three years of being on the Board of Selectmen and being no wiser for how to improve this department (Fire). It was not a matter of having someone without the expertise running the department. That was not the intent and he believed Ms. White had provided multiple examples of how she manages other department. It was to get above the department and be able to manage things at a holistic level. Right now Ms. White was ham strung to do that because of the strong chief law.

Aside from personalities, Mr. Mabardy noted the article said the Town Administrator shall supervise, direct and be responsible for the essential administration of all departments and coordinate activities of all Town agencies. The argument was that the strong chief law effectively prevents the Town Administrator from fulfilling her charge under the Charter. To him it was pretty broad.

From his public safety background he would be reluctant to have someone from outside that service administering and controlling the functions within the department. He believed there was a certain amount of supervision needed and that's happened. He knew the Town Administrator and his predecessor worked well together. He felt with the same supervision of the Town Administrator, the Fire Department could operate with a fire person running the Fire Department.

Ms. Gloff didn't feel the Board should be in a position of telling the Fire Department how to fight a fire, but she thought it would be appropriate for the Board to play a similar role as in the Police - the appointment of Police and involvement with certain levels of discipline. To Mr. Ostroff's comment about more definition being needed, Ms. Gloff hadn't thought of it in a way that people may think the Board was going to run everything. It may be good to define that and she was leaning toward a referral recommendation and spend some more time on it.

On a motion by Mr. Hughes, seconded by Ms. Gloff, the Board voted 4-1-0 to support referral of Articles 29 & 30 to the Board of Selectmen. Mr. Ostroff, Ms. Gloff, Mr. Hughes, Mr. Mabardy voted in favor of the motion. Mr. Joseph was opposed. The vote was taken after some discussion of this motion and a subsequent motion by Mr. Joseph, seconded by Mr. Ostroff for discussion, to support favorable action of Article 29 & 30. No vote was taken on the favorable action motion.

In discussion of the motion, Mr. Ostroff questioned if the referral motion should be to both the Board of Selectmen and Town Administrator. As maker of the motion, Mr. Hughes said no, the Town Administrator works for the Board. Ms. Gloff noted that the Board could ask other people for advice both inside and outside of Natick.

Speaking to his motion for favorable action, Mr. Joseph stressed that this was not a criticism of the Fire Department. It was his belief that government should be a structure that served the taxpayers. Organizations with structure do more with less and continuing to invest in the quality of life was independent of people and the way things used to be done. Natick wasn't the same as in 1924.

The firefighters were given the opportunity to speak, and the President of the Firefighter's union Daniel Hartwell told the Board that the firefighters were blindsided and they were here to defend the position of strong chief. This article had a direct impact on the members that deliver the service. Nobody did any research nor did anybody contact any of the 84 members of the department to see the impact on the citizens and the members of the Fire Department.

Mr. Joseph interjected that Firefighter Hartwell was making assertions that were not true. Outside research was done and individuals consulted.

Firefighter Hartwell countered that he would love to know who. Since 1924 the strong chief has proven to work. Chief Fredette brought the department from an average department to one of the best in the Commonwealth and did so by standing his ground. The department needs to be run by someone with fire experience familiar with the apparatus. It couldn't be run by somebody with no background.

When the fire chief position was removed from Civil Service one argument was that it would give a greater pool of candidates. Taking away the strong chief would reduce that pool. Highly qualified candidates won't come in and be anybody's puppets. A weak chief provides an environment for politics to be involved.

Firefighter Hartwell continued that it has been made to sound like the chief had a full reign to do whatever he wanted in the department, but the Fire Chief put the budget together with the Town Administrator, approval of the Board of Selectmen, and approval of the Finance Committee before going to Town Meeting.

Ms. White responded that she said the Chief had full authority over the budget subject to Town Meeting appropriation. What Firefighter Hartwell described leading up to the passage of the budget was correct, but once passed by Town Meeting the Fire Chief had full authority.

Mr. Joseph responded that all he was trying to do was to be consistent across all departments. In his opinion how things were done would not change substantially and probably wouldn't be noticeable. His concern was one department with autonomy.

Firefighter Hartwell questioned if it had ever been abused and Mr. Joseph replied that he hadn't seen every decision and couldn't speak to that question. There could be concern about future abuse if the Town Administrator had no authority. His (Mr. Joseph's) concern was one of management and being able to do complicated things in a complicated time. It was looking at the Town holistically.

Fire Chief James Sheridan stated that he loved being the Fire Chief. He took great pride in the men and women in the Fire Department and constantly strove to improve the service he worked with the Town Administrator. He believed in a strong chief, but he would in the end comply with the will of the people.

Article 33 - Long-Term Lease & Management Contract: Natick Community Organic Farm

Ms. White explained that the objective under this article was to allow a long-term lease and management contract for the property presently managed by the non-profit Natick Community Organic Farm. It was anticipated that this action would further the efforts to make the farm more self-sufficient. With a longer term contract, farm management will be better positioned to obtain grants and other funds to sustain their operations.

The contract for lease and management of the organic farm operations can only be awarded after a competitive procurement process. There was no assurance that the non-profit organization that currently managed the farm would be the successful bidder, although certainly they have an extensive and successful track record.

Kathy Rehl, the Conservation Commission's representative to the committee that oversees farm management pursuant to the agreement between the Commission and the Farm, is recommending a 30 year lease to the Conservation Commission.

In attendance were Kathy Rehl of the Conservation Commission; Lynda Simkins, Farm Manager; Robert Bois, Environmental Compliance Officer.

Ms. White noted that Ms. Rehl, Mr. Bois and she met last week and one condition being considered to put in the RFP would be that community plots must be available.

Mr. Ostroff inquired as to where things stood with procurement, and Ms. White responded that up to a 99 year lease was permitted because it was conservation.

Lynda Simkins, the Director of the farm for 32 years, told the Board that she had been waiting for a lease from the Town forever so the farm could fundraise and get money from donors. Even planting apple trees or blueberry bushes takes a ten year investment. It would be beneficial for the non-profit to have a 30 year lease.

Mr. Ostroff congratulated everyone for getting to this process.

Mr. Hughes was in favor as long as there was a commitment to restoring the amenity of community plots.

Ms. Simkins responded that there were a lot of other spots in Natick that were being looked at for community plots.

In some give and take between Mr. Hughes and Ms. Simkins, Mr. Hughes expressed his dismay at the community plots being eliminated and the deplorable way in which they were taken away. Ms. Simkins explained there were a lot of reasons and she would be happy to have a private conversation with Mr. Hughes.

Mr. Bois added that the landlord was the Conservation Commission and the Commission stated its plan to bring back community gardens through negotiation with the successful bidder.

Mr. Mabardy supported the article, but he wanted to see the Conservation Commission have an area for community gardens.

Mr. Joseph believed the Commission was making that commitment.

A motion was made by Mr. Gloff to support Article 33 to put out an RFP and enter into a 30 year lease. Seconded by Mr. Ostroff and unanimously voted.

Article 15 - School Bus Transportation

Representing the School Department was William Hurley, Director of Fiscal Affairs.

Mr. Hurley explained that this has been on the books for over 10 years and subsidized the cost for Natick parents. The cost associated with buses was first paid from the appropriation, then fees, and then the Town subsidy. The request for FY14 was \$350,243 which reflects a 3% increase from Fiscal 2013. That was the standard increase used for a number of years.

It was Mr. Hughes understanding that if the money was not spent, it went back to free cash. Mr. Hurley confirmed that as correct and added that the last two years money had been turned back.

On a motion by Mr. Hughes, seconded by Mr. Ostroff, the Board unanimously voted to support favorable action of Article 15.

Article 16 - Feasibility Study of the Kennedy Middle School

Ms. White advised that the recommendation for this article was referral and the School administration was going to make a presentation at Town Meeting summarizing the three school master study.

Mr. Hurley stated that was correct. Funding was not being sought at this time.

A motion was made by Mr. Hughes to refer Article 16 to the School Committee and Superintendent. Seconded by Ms. Gloff and unanimously voted.

Article 34 - Home Rule Petition: Alcohol License for The Center for Arts in Natick

Appearing before the Board on behalf of the article were Richard Jennett, member of the TCAN Board of Directors, candidate for Board of Selectmen, and Town Meeting member; Steven Levinsky, Chair of the TCAN Board of Directors; David Lavalley, TCAN Executive Director.

Mr. Jennett explained that the article was a home rule petition for TCAN to acquire an alcohol license. This was a new category; hence the need for a home rule petition. There were snacks at performances, but it was an arts center and did not have any food service. The statute allowed for 30 one day licenses and TCAN has been coming before the Board for over seven years requesting the maximum just about every year.

In response to Mr. Hughes' question concerning Section 2 of the draft home rule petition, Mr. Jennett advised that if TCAN moved they would need to come back and apply for another license. The other thing that could take place was that if TCAN were to go out of business the license was not transferable. They couldn't just sell the license.

Mr. Ostroff noted that he had independently worked with Mr. Jennett and Town Counsel to make sure the proposed legislation went to the appropriate staff person to make certain it was correct. He was a volunteer at TCAN and kind of got the ball rolling to allow TCAN to have a special permit. Mr. Ostroff said he was comfortable with the draft and would allow the Board to set conditions assuming there was approval from Town meeting and the legislature.

Mr. Ostroff added that the fourth point of the draft was to ensure this was not a license that would count toward the quota of downtown licenses.

Ms. Gloff inquired as to why a full alcohol license, and Mr. Jennett responded that the belief was that it would better serve the patrons. It was an amenity and a revenue generator. He gave assurance that TCAN was not going to be a bar. The alcohol would be sold before shows and after shows, but not at every show.

A motion was made by Mr. Ostroff to support favorable action on Article 34. Seconded by Ms. Gloff and unanimously voted.

Article 22 - Appropriation of Mitigation Funds - Chrysler Road

Ms. White explained that in approving the Chrysler Road apartment complex, the Zoning Board of Appeals negotiated a total of \$1,750,000 in mitigation funds, most of which was dedicated for specific purposes. This article would appropriate a portion of the total for the dedicated purposes that were ready to be implemented: the northbound turning lane from West Central Street onto Speen Street, bike route design and development, and improvements to the Prime Parkway sewerage pump stations. These projects total \$516,200.

On a motion by Mr. Hughes, seconded by Mr. Ostroff, the Board unanimously voted to support favorable action of Article 22.

Article 23 - Appropriation of Mitigation Funds - MathWorks

Ms. White noted that through the development review process for the MathWorks expansion project, the Planning Board negotiated mitigation funds for certain projects, most of which involve roadway improvements to mitigate traffic impacts. The proposal was to appropriate a total of \$1,227,000 to fund those purposes that were ready to be implemented.

Ms. White apologized for the attachment showing the specific projects not being included, but thought most of them had been talked about before. The affordable housing was for the relocation of the historic home at Route 27 and Bacon Street. The others were neighborhood improvements some of which have been implemented or started and the Chapter 90 funds will be reimbursed by this money.

Mr. Hughes wanted to see the list of items covered by the \$1,227,000 and moved to support favorable action of Article 23 subject to the Board receiving the list at the April 1 meeting. Seconded by Ms. Gloff and unanimously voted.

Article 24 - Board of Assessors: Increase Personal Property Exemptions

The Board unanimously voted to support favorable action of Article 24. The vote was taken on a motion by Mr. Hughes, seconded by Ms. Gloff.

SPRING TOWN MEETING ARTICLE 41 - ACCEPTANCE OF MAIN STREET

Ms. White explained that this portion of Main Street was accepted by Town Meeting last fall, but during the debate there was concern about language using the word "taking". Because of the concerns that the word "taking" would give the Town authority to take the land not in the Town's right-of-way, it was taken out. The elimination of that word is problematic so the article was being put forth again.

The right-of-way the Town was looking to take was the portion owned by the Town.

A motion was made by Mr. Hughes of the intention to make a layout for Main Street. Seconded by Ms. Gloff and unanimously voted.

Mr. Hughes then moved to hold a public hearing on Article 41 on April 1. Seconded by Ms. Gloff and unanimously voted.

Document - copy of the article; memo from Town Engineer Mark Coviello

DISCUSSION OF TOWN GOVERNANCE

Mr. Joseph reviewed his memo to the Board in which he asked the Board's consideration in establishing a task force to undertake a comprehensive study of at least three governance structures options, including: maintaining the status quo - Town Administrator model; moving from a Town Administrator to a Town Manager model; becoming a city with a mayoral/council form of government.

A study would likely take, at minimum, several months, and any subsequent action should a change be recommended, would involve a change to the Town Charter and that would likely be a year's long process. He believed the outcome would have significant impact shaping the Town's ability to grow and to compete regionally. More and more towns were aggressively working to attract new businesses and grow their commercial tax bases.

As a member of the Board and having served as a representative to Town Meeting and on several other local committees, boards, and task forces, Mr. Joseph noted that he had observed some trends that left him feeling a sense of urgency about undertaking this study sooner, rather than later. For example:

- Challenges attracting more candidates to Town Meeting and other boards and committees
- Challenges establishing committee quorums and conducting timely deliberations and taking effective action
- Complexity and confusion about which committee was responsible for what and how should an individual or group pursue an issue
- Current and upcoming challenges faced by the Town, including many large scale, concurrent changes such as: downtown parking, major roadway improvements, automating town systems and streamlining processes, changing zoning bylaws, addressing school system growth from a town services impact perspective
- Anecdotal feedback he has received from very well qualified prospective, and former, committee/board Town Meeting members who cite lack of time or lack of patience with how it works
- Personal experience

It was Mr. Joseph's belief that a study of how the local government works and how a new, or better-defined, approach would both objectively identify and assess these systemic challenges and spawn a community-wide dialog about how improvement could be made to how the Town operates moving forward to thrive in an increasing competitive and resource constrained environment.

Mr. Joseph stressed that this request was not motivated by any negative feelings about the current Town Administration, this Board, or any other local board or committee. It was a matter of the system and not any specific individual or group. It was because of his admiration and trust for what the professional municipal leaders, employees, and volunteers have done to date and what they can continue to accomplish with the appropriate levels of empowerment, structure, and guidance that inspired him to ask this important question.

Given the lateness of the hour, the Board decided to delay any discussion to a future agenda.

Document - Memo from Paul Joseph

MINUTES

On a motion by Mr. Ostroff, seconded by Ms. Gloff, the Board unanimously voted to approve the minutes of the December 5, 2011 meeting.

PEDIATRIC BRAIN TUMOR FOUNDATION WALK: REQUEST PERMIT

On a motion by Ms. Gloff, seconded by Mr. Hughes, the Board unanimously voted to approve the Pediatric Brain Tumor Foundation's request to hold the Miles for Cure Walk in Natick on June 8, 2013 subject to compliance with Lt. Brian Lauzon's recommendations.

Document - Letter from Zack Tesler, Event Coordinator for Pediatric Brain Tumor Foundation dated 2/20/13; email from Lt. Brian Lauzon

ADJOURNMENT

The meeting was adjourned at 11:20 p.m.



Charles M. Hughes, Clerk