

# BOARD OF SELECTMEN – TOWN OF NATICK

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**OPEN SESSION MEETING MINUTES**  
**EDWARD H. DLOTT MEETING ROOM – NATICK TOWN HALL**  
**January 19, 2016**  
**6:00 PM**

**PRESENT:** Chairman Charles M. Hughes, Vice Chair J. Richard P. Jennett, Jr., Clerk Nicholas S. Mabardy, Member Joshua Ostroff, and Member John J. Connolly

**ALSO PRESENT:** Town Administrator Martha White and Executive Assistant Trish O’Neil

Chairman Charles Hughes called the meeting to order at 6:00 p.m.

Mr. Ostroff, seconded by Mr. Mabardy, moved to enter into Executive Session to discuss matters pertaining to Real Property and Litigation, with the Chair announcing that discussion of Executive Session matters in Open Session would have a detrimental effect on the Board of Selectmen’s negotiating position and the Town’s interests. By a roll call vote, Mr. Hughes, Mr. Jennett, Mr. Ostroff, and Mr. Connolly all voted in favor of the motion (Mr. Mabardy arrived late, after Executive Session convened, at 6:07 p.m.). The Board entered into Executive Session at 6:05 p.m. after announcing that the meeting would return to Open Session at approximately 7:00 p.m.

Open Session reconvened at 7:04 p.m. The Pledge of Allegiance was recited and a moment of silence was observed in honor of those protecting our country.

## **ANNOUNCEMENTS**

Mr. Ostroff announced a public meeting regarding proposed MBTA Commuter Rail Schedule Changes to be held at Walnut Hill School on February 3<sup>rd</sup> from 6:00-8:00 p.m. Mr. Ostroff intends to have an agenda item at that meeting to ensure that Natick receives the best possible service.

Ms. White announced that she received a very complimentary email from a resident of Purington Ave regarding the DPW’s response to a burst pipe with an eight-hour turnaround time for repair. Mr. Hughes asked that this thank you be conveyed to the DPW crew that performed the work.

Ms. White announced the establishment of a voluntary Sidewalk Snow Removal Program whereby residents and business owners are asked to maintain a clear path for safe use of sidewalks and crosswalks and to keep fire hydrants clear following snowfall in an effort to promote public safety and convenience for pedestrians.

## **CITIZEN’S CONCERNS**

Ery Magasanik of Eliot Hill Road presented with two concerns, the first of which being that one of the Selectmen was not present during his regularly scheduled office hours when he went to see him. He did speak on the phone today with that Selectman. His second concern related to the street acceptance process in Natick (part of Eliot Hill Road is unaccepted) and whether or not a bond was ever posted and/or released for the Eliot Acres subdivision and, if so, what happened to that money. He requested to know whether there was neglect by Town staff in failing to accept a street that is part of a subdivision that was built decades ago. Mr. Hughes requested that Mr. Coviello follow up on this question. Mr. Ostroff stated that a meeting is going to be scheduled for the petitioners requesting street acceptance and the DPW at some point in the future.

## **WHAT’S NEW**

Marg Balcom, the President of the Natick Historical Society, presented as one of the nine writers of a new publication called “Have you ever wondered...? Natick Explained,” to discuss the 75-page, illustrated, softcover book that highlights many of Natick’s landmarks and history. This is the first new publication by the Historical Society in 15+ years.

**APPOINTMENTS WITH THE BOARD OF SELECTMEN**

**1. Director, Department of Public Works**

- a. **Five-Year Roadway Improvement Plan:** Mr. Marsette provided an update on the Town's five-year plan to maintain and rehab the Town's roads. He explained that there are 128 miles of accepted road and 26 miles of unaccepted road. The five-year plan involves determining target funding levels, funding sources, upgrades, coordination with future Town capital projects, etc. Mr. Marsette explained that any road that is paved will have a five-year moratorium on digging it up and Ms. White suggested reaching out to residents a year or so before paving is scheduled in case underground work might be required. The Town Engineer, Mark Coviello, gave the presentation on the Five-Year Roadway Improvement Plan, stating that the majority of work will be done over the summer months. Mr. Connolly asked if Lake and LaGrange Streets could be dealt with first and all of the Selectmen concurred. Mr. Hughes reiterated this point, stating that Mill Creek and the Town's contractor would need to coordinate their schedules to make this happen. Mr. Connolly requested information about Elm Street regarding its condition and about Pond Street in relation to whether the work that had to be redone cost the Town additional money. Mr. Coviello agreed to look into Elm Street and Mr. Marsette stated that the entire Pond Street project was completed for \$50,000 under the projected price. Mr. Ostroff moved, seconded by Mr. Jennett, to approve the Five-Year Roadway Improvement Plan subject to funding and prioritizing Lake and LaGrange Streets in coordination with Mill Creek and the Town Contractor. The Board voted unanimously to approve the plan.
- b. **Update on Cottage Street Roadway Improvements:** Mr. Coviello reminded the Board that Green International Affiliates, Inc. has been selected to provide survey, design, and bid phase services for improvements to approximately 6,000 feet of Cottage Street (an accepted road) and that the Town intends to implement their Complete Streets Policy to maximize accommodations for pedestrians and bicycles. Per Mr. Coviello, everything is still in the conceptual stages. A public meeting to discuss improvements is scheduled for Wednesday, January 20<sup>th</sup>. No design can go forward without a public hearing and an affirmative vote by the Board of Selectmen.

**DISCUSSION AND DECISION**

**1. Review of Fiscal Year 2017 Budgets:**

- a. **Department of Public Works:** Following a short presentation, Mr. Marsette requested a 2.49% increase to \$7,484,832 from \$7,303,248 for Fiscal Year 2017. On a motion by Mr. Jennett, seconded by Mr. Mabardy, the Board voted unanimously to support the DPW budget. Three of the Selectmen commended Mr. Marsette and their department for their excellent work.
- b. **Water and Sewer Enterprise Fund:** Following a short presentation, Mr. Marsette requested a 1.11% increase to 12,571,875 from 12,434,212 for Fiscal Year 2017. On a motion by Mr. Ostroff, seconded by Mr. Jennett, the Board voted unanimously to support the Water & Sewer Enterprise Fund Budget.
- c. **Community Services:** Following a brief presentation, Ms. Jemma Lambert, Director of Community Services, requested a 1.49% increase to \$1,757,212 from \$1,731,376 for Fiscal Year 2017. On a motion by Mr. Ostroff, seconded by Mr. Connolly, the Board voted unanimously to support the Community Services budget.
- d. **Sassamon Trace Golf Course Enterprise Fund:** Curt McDowell, the new golf course manager, was introduced by Ms. White. Following a brief presentation, Mr. Jon Marshall, Director of Recreation and Parks, requested at 1.87% increase to \$926,893 from \$909,910 for Fiscal Year 2017. On a motion by Mr. Ostroff, seconded by Mr. Connolly, the Board voted unanimously to support the Sassamon Trace Golf Course Enterprise Fund Budget.

The Selectmen thanked Ms. Lambert and Mr. Marshall profusely, and their departments as a whole, for all of their hard work.

**2. Requests to Accept Donations to Police and Fire Departments:**

- a. **To the Police Department from Dr. and Mrs. Peter Mueller:** On a motion by Mr. Connolly, seconded by Mr. Jennett, the Board voted unanimously to approve Chief Hicks' request to accept a \$10,000 donation to the Police Department from Dr. and Mrs. Peter Mueller, to be expended as determined by the Chief.
- b. **To the Police Department from the Somerville Police Auxiliary:** On a motion by Mr. Connolly, seconded by Mr. Jennett, the Board voted unanimously to approve Chief Hicks' request to accept a donation to the Police Department from the Somerville Police Auxiliary, to be expended as determined by the Chief.
- a. **To the Fire Department from a Client of Saul Ostroff, a Framingham Attorney:** On a motion by Mr. Connolly, seconded by Mr. Jennett, the Board voted unanimously to approve the donation of a new Scott Air Pack (rebreathing equipment) to the Fire Department. Attorney Ostroff's client preferred to remain anonymous.

**3. 2016 Spring Annual Town Meeting Potential Warrant Articles:** Mr. Hughes read the list of potential Warrant Articles aloud. Per Ms. White, Article 12 – School Bus Transportation Subsidy (Superintendent of Schools) – is to be incorporated into an operating budget with FAR as a funding source and will not be its own Article. Mr. Hughes reminded the Board Members that the Warrant will close on February 12<sup>th</sup> and all suggested Articles should be submitted by 5:00 p.m. The last day for the Board to consider an Article that is to be sponsored by the Board is February 1<sup>st</sup>. Mr. Ostroff asked if an Article to explore putting street lights on Newfield Drive could be considered. Ms. White stated she would like to explore the magnitude of this first since it could open a Pandora's Box where multiple streets would request street lights. Mr. Ostroff also mentioned an Article regarding maintaining trees on unaccepted streets. These two items will be discussed at the next Selectmen's Meeting.

**4. Staffing Update –Town Administrator:** Ms. White responded to a previous request from Board Members regarding staff vacancies. As of January 6<sup>th</sup>, there were six vacancies. Mr. Mabardy asked if Ms. White had given any consideration to leaving these positions vacant until the Fiscal Year 2017 budget is finalized. Ms. White answered that she had conferred with the Human Resources Director and some department heads and all of the vacancies are considered essential – all are funded and have been approved by FinCom and most have been funded for a number of years but for two – a DPW administrative assistant and a Water & Sewer Regulatory Compliance Officer.

Also in response to previous requests, Ms. White informed the Board that a spreadsheet of performance raises is being compiled since Town Counsel has determined that performance raises are for public knowledge, contrary to what Ms. White had thought since performance raises are directly related to performance evaluations. Mr. Hughes stated that individual performance raises should be provided. Mr. Connolly asked why Ms. White was not aware that this information was for public knowledge and she stated no one had ever requested this information before so she had never contemplated the question previously.

Ms. White's final staffing update related to the need for a custodial supervisor in the Department of Public Works. The Director of the department is currently supervising the custodial staff and this is not an effective management structure. The Personnel Board is going to take this up at their next meeting. A job description is being developed and funding is available but for a shortfall of \$10-15,000. This supervisory position would be paid at a lower level than that of the previous manager and there is a vacant position that will not be filled in order to cover this position.

**5. Friends of Natick Trails – Outline for Proposed Memorandum of Agreement:** Along with Mr. Ostroff, Michael Balcom, President of the Friends of Natick Trails, presented to discuss the formation of this nonprofit, which would assist in the Town's acquisition of the Cochituate Rail Trail Corridor, and a proposed Memorandum of Agreement between the Friends and the Town. The total purchase price of the rail trail is \$6.3 million, due in November, with Natick providing \$2.5 million of non-taxpayer funds for the purchase of the 2.5 miles of rail bed and. Some state funding is also anticipated. The MOA would allow the Friends to accept charitable donations for acquisition of the rail trail corridor, offer sponsorships on behalf of the Town, and allow right of way access for clean-up and tours. Mr. Hughes suggested that Town Counsel weigh in on the MOA and Mr. Ostroff agreed to this. Ms. White requested that the Selectmen's Office be notified when the Friends' website is up and running so that the Town website can link to it.

6. **2016 License Renewal Update:** All alcohol license renewals have been completed. Several common victualler and class II license holders have not submitted their renewal information and the Board's permission was requested to send these license holders second notices. In reorganizing the licensing filing system, it was found that five establishments had not been sent renewal notices for their common victualler's license and those renewal notices were sent out on January 13<sup>th</sup>. On a motion by Mr. Jennett, seconded by Mr. Ostroff, the Board voted unanimously to have second notices sent to the common victuallers whose renewal information was not received.
7. **Proposed Transportation Advisory Committee:** Mr. Ostroff proposed discharging the Bicycle & Pedestrian Advisory Committee and the MBTA Station Advisory Committee and establishing a Transportation Advisory Committee whose charge would be to advise the Town on transportation projects and policies, with members of the BPAC and MBTA Committees, as well as members from several other transportation-related committees, invited to apply for membership on the new committee. Mr. Ostroff provided a proposed Charge for the Board's review. This request and the proposed charge will be added to the February 1<sup>st</sup> Selectmen's agenda for further discussion.

### **REQUESTED ACTION**

The following items were approved unanimously by the Board:

- a. **Striver's Running Club – Request to Hang Banner:** On a motion by Mr. Mabardy, seconded by Mr. Jennett.
- b. **American Liver Foundation: Request Use of Common on Saturday, 2/13/16:** On a motion by Mr. Jennett, seconded by Mr. Mabardy.
- c. **Town Clerk – Request to Hang Election Banners:** On a motion by Mr. Ostroff, seconded by Mr. Jennett.
- d. **Brown Bear Family Run/Walk – Request for Road Race Permit:** On a motion by Mr. Jennett, seconded by Mr. Connolly.
- e. **Katie V. Race – Request for Road Race Permit:** On a motion by Mr. Jennett, seconded by Mr. Connolly.
- f. **James McKenna & Sons – Request to Occupy a Public Way:** On a motion by Mr. Jennett, seconded by Mr. Ostroff.

### **TOWN ADMINISTRATOR NOTES**

None.

### **SELECTMEN'S CONCERNS**

Mr. Connolly passed out copies of emails to the Board Members that he received after making a public records request for emails that passed back and forth over the holidays regarding the health insurance issue. Mr. Connolly mentioned that some Town employees had attended the last Selectmen's Meeting, where a topic during the Citizen's Concerns portion of the agenda was health insurance and how that matter had been handled by the Administration, and asked why those employees were called in to the Town Administrator's office the Wednesday following the meeting. Ms. White stated that she requested a meeting with reps from the Clerical and DPW Unions out of curiosity since she wondered what had driven their attendance at the meeting where the matter had been settled so long ago. Mr. Connolly stated he felt it was intimidating for the employees and a bully tactic. Ms. White stated that it was a very friendly meeting and that no intimidation or bully tactics had been used or intended. Her intention was to see what had driven their attendance and nothing else.

Mr. Ostroff stated that the legislature will shortly approve home rule petitions for long-term RFPs for the South Ave and Middlesex Parking sites. He stated that in the coming months, there will also be a hearing on utility pole legislation and that he would be honored to represent the Town there. He urged the Board to attend the upcoming MMA Conference on Friday and Saturday.

Mr. Mabardy stated that he had also heard from some Town employees that they felt they had been brought to task by the Town Administrator when they were asked to come to her office, and that they were upset about how the health insurance issue had been handled. Mr. Mabardy confirmed with Ms. White that an email had been sent to the Facilities Management Committee regarding the proposed new position of custodial supervisor. Mr. Mabardy would like to get information from the DPW regarding what the standards are for having a street accepted and Ms. White stated that they had already committed to that.

**ADJOURNMENT**

On a motion by Mr. Connolly, seconded by Mr. Jennett, the Board voted unanimously on a roll call vote to adjourn the Board of Selectmen's Meeting at 11:40 p.m.



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Nicholas S. Mabardy, Clerk

January 19, 2016 Board of Selectmen Meeting Minutes Approved by the Board of Selectmen on July 25, 2016

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

<http://naticktown.novusagenda.com/agendapublic/MeetingView.aspx?MeetingID=209&MinutesMeetingID=-1&doctype=Agenda>