

BOARD OF SELECTMEN – TOWN OF NATICK

MEETING MINUTES

EDWARD H. DLOTT MEETING ROOM – NATICK TOWN HALL

August 7, 2017

6:00 PM

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

ALSO PRESENT: Town Administrator Martha L. White and Executive Assistant Trish O'Neil

The Chairman called the meeting to order at 6:03 p.m., noting that a quorum was present and that the meeting had been duly posted, and requested a motion to enter into Executive Session to discuss matters pertaining to Real Property, Negotiations with Non-Union Personnel, and Executive Session Minutes, 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. Mr. Jennett, seconded by Ms. Salamoff, moved to enter into Executive Session and, by a roll call vote, all Board Members voted in favor of the motion. The Board entered into Executive Session at 6:06 p.m., the Chair announcing that the meeting would return to Open Session at approximately 7:00 p.m.

Open Session reconvened at 7:10 p.m. The Pledge of Allegiance was recited and a moment of silence was observed for those protecting our country.

ANNOUNCEMENTS:

Mr. Freedman announced that neither the Safety Committee Recommendations nor the Sustainability Coordinator's items would be addressed this evening due to the length of the agenda but would be addressed at the next Selectmen's Meeting.

Ms. White announced that thanks to the good work of the Recreation & Parks Department, Memorial Beach will remain open past its usual closing date in mid-August through Labor Day weekend with two lifeguards and a beach manager on duty. The swim area will be reduced, as will the fee to swim. Ms. White spoke about the near tragedy in Auburn where a police officer lost consciousness due to carbon monoxide in his vehicle. Lt. Lauzon and Ken Fisher, Supervisor of the Equipment Maintenance Division, indicated that they had been tracking this issue for some time after receiving notice of problems with certain vehicles. All vehicles have been tested and found to have no carbon monoxide fumes and carbon monoxide detectors have been mounted in all of the vehicles. Mr. Fisher stated that Natick's proactive stance has made it one of the first of the surrounding towns to have these detectors. Ms. White announced that the Warrant for the 2017 Fall Annual Town Meeting will close on Thursday, August 17th at 5:00 p.m., a break from the Town's long-running practice of closing on Friday at 5:00 p.m.

WHAT'S NEW

Jan D'Angelo, the Director of Assessing, was congratulated for receiving the 2017 Wilson Award for Outstanding Leadership and Compassion from the Massachusetts Association of Assessing Officers.

CITIZEN'S CONCERNS

Peter Mundy, Chair of Natick Friends of the Fourth, thanked the Board, the Police Department, and the businesses that sponsored activities for making the 4th of July parade a tremendous success. Mr. Mundy thanked Bruce Weisberg, the parade's fundraising chair for many years, who will be stepping down. Next year's parade will be the 62nd. The parade typically costs about \$25,000 and all of that is derived from businesses and individual donations.

As a homeowner, Mr. Mundy expressed concern that his most recent water bill was based on the new MWRA rates that took effect on July 1st rather than on both the old and the new rates for the 90-day period reflected on his most recent bill. Mr. Freedman asked Ms. White to look into this.

CONSENT AGENDA

The Chair asked if any members of the public would like to discuss any item on the consent agenda and, seeing none, asked for a motion to approve the remainder of the Consent Agenda. Moved by Ms. Mistrot, with gratitude to those seeking appointment to committees and boards, and seconded by Mr. Jennett, the Board voted unanimously to approve the Consent Agenda as follows, conditional upon the fulfillment of all recommendations from Town Agencies and/or Departments:

- a. Appointment of Mary Stuart to the Open Space Advisory Committee (term expires 6/30/2020)
- b. Reappointment of Michael Byrum to the Community Services Advisory Board (term expires 6/30/2020)
- c. Request to Occupy a Public Way at 22 Church Street by the Facilities Department on 8/26/2017 (Rain Date: 9/2/2017)
- d. Town Common Use by America Needs Fatima on 10/14/2017
- e. Banner Request by Natick Community Organic Farm 8/21-8/27/2017 and 9/18-9/24/2017
- f. Block Party on Circular Ave on 9/16/2017
- g. Block Party in the Sherwood Neighborhood on 9/16/2017
- h. Weekly Warrant Reviews for 7/24/2017 and 7/31/2017
- i. Meeting Minutes for 7/10/2017

APPOINTMENTS WITH THE BOARD OF SELECTMEN

1. **Public Hearing: Dedication of the Square at High and Pond Streets in Honor of Joseph and James Keating:** After reading the public hearing notice aloud, Mr. Jennett moved, seconded by Ms. Salamoff, to open the public hearing and the motion was carried by a vote of 5-0-0. Paul Carew, the Veterans' Services Officer, provided some background history for the Keating brothers, both of whom were veterans, and requested approval for a dedication to take place at High and Pond Streets at noon on September 23rd. Noting no objections, Mr. Jennett moved, seconded by Mr. Hickey, to close the public hearing and the motion was carried by a vote of 5-0-0. The square dedication was approved by a vote of 5-0-0 on a motion by Mr. Jennett that was seconded by Ms. Salamoff.
2. **Meghann Clark: Request to Waive Street Opening Moratorium at 48 Travis Road for Conversion from Oil to Gas:** Ms. Clark requested a waiver of the moratorium so that her very old, outdated oil heating system can be replaced, citing concern about her three children being continually exposed to significant odor and fumes emitting from the oil tank. With an impending large scale renovation of her home over the summer, this would be a convenient time to perform the upgrade. Since the Selectmen's Street Opening Moratorium is currently being revised by the DPW Director, Mr. Hickey suggested that any approval be conditioned upon the substance of the new policy. Ms. Mistrot, Mr. Hickey, and Mr. Freedman all saw this as a justified request from this homeowner with a safety issue. Ms. Salamoff moved to grant the waiver contingent on the street reconstruction standards we currently have in place. Mr. Jennett seconded the motion, and Mr. Hickey made a friendly amendment to approve the request subject to street restoration conditions to be imposed by the DPW Director as outlined in the Draft Policy discussed at the July 24th Selectmen's Meeting, which Ms. Salamoff accepted. On a vote of 5-0-0, the motion was passed.
3. **Police Lieutenant: Safety Committee Recommendations:** This item was not taken up at this meeting due to this evening's very full agenda. Discussion will be postponed to the next meeting.
4. **Sustainability Coordinator: Morse Library Green Communities Contracts for Energy Efficiency Projects:** This item was not taken up at this meeting due to this evening's very full agenda. Discussion will be postponed to the next meeting.
5. **Fire Chief Screening Committee: Award Contract for the Fire Chief Assessment Center:** The Committee Chair, James Everett, stated that five proposals were received, one of which was disqualified because it was sent in late and two of which were voted out, one for lack of experience and the other for submitting a poorly written document. The remaining two were then ranked by the Committee Members, with Municipal Resources, Inc. the unanimous choice of the Committee. On a motion by Ms. Mistrot, seconded by Mr. Jennett, the Board voted 5-0-0 to award the contract to Municipal Resources, Inc. in the amount of \$15,295 from the Selectmen's Budget, plus meeting costs (out of \$25,000 from the Town Administrator's and Fire Chief Recruitment Budget).

6. **Personnel Board: Town Administrator's Job Description Update:** Steve Levinsky, the Chair of the Personnel Board, again reviewed the Charter and By-Laws relating to the search for a new Town Administrator to fill the position that will be vacated by Ms. White in June of 2018. In an effort to explain the consistent use of the word "he," as opposed to the more inclusive "he or she," throughout the job description, Mr. Levinsky stated that it was a direct cut and paste from the Charter. Mr. Levinsky explained that the Search Committee must adhere to Open Meeting Laws, noting that candidates can be interviewed in Executive Session. Candidates' names will become public once chosen as finalists. A search firm is not being recommended by the Personnel Board at the moment. Mr. Hickey inquired about the scope of advertising for the position and Mr. Levinsky stated that the Personnel Board is recommending keeping it to job boards within the state, but that it is likely that applications will come in from all over the country. The Search Committee will present the Board with not less than two nor more than five candidates and the final decision as to who is appointed as the next Town Administrator is entirely at the discretion of the Board of Selectmen.

7. **Interviews for Town Administrator Screening Committee:** All of the potential candidates for the Screening Committee completed questionnaires compiled by the Board of Selectman, who reviewed them prior to this evening's meeting. Several of the candidates – Stew Brandt, Jason Homer, and Rick White – were unable to attend this meeting due to previous commitments. Rich Sidney attended the last Selectmen's Meeting because he was unavailable to attend tonight. The following candidates stepped to the podium and provided information pertinent to why they would be good candidates for the Screening Committee: Matt Brand, Tim Dooling, David Fishman, Charlie Hughes, Louis Julian, David Margil, Paula Panchuck, Mike Rourke, and Josh Ostroff. Mr. Freedman stated that all candidates, whether present or not, would be given equal consideration, noting that the previously reviewed questionnaires provided a great deal of valuable information and insight into the candidates.

8. **Appointments to the Town Administrator Screening Committee:** After a vote by paper ballot, with votes counted and recorded by Ms. White, and on a motion by Mr. Jennett, seconded by Ms. Salamoff, the Board voted 5-0-0 to appoint Tim Dooling (5 votes), Paula Panchuck (5 votes), Mike Rourke (4 votes), and Josh Ostroff (3 votes) to the Town Administrator Screening Committee. All other candidates received either one vote or zero votes. The four Board of Selectmen appointees will join Terri Evans (the Planning Board's designee), Cathi Collins (the School Committee's designee), Dan Sullivan (the Finance Committee's designee), Kristine Van Amsterdam (the Town Moderator's designee), and Steve Levinsky (the Personnel Board's designee) to comprise the nine-member committee. Moved by Ms. Salamoff and seconded by Ms. Mistrot, the Board voted 5-0-0 to appoint Mr. Levinsky Chair Pro Tem to run the first meeting, after which the Committee will organize and make their own appointments.

Mr. Freedman requested a five-minute break. Open Session reconvened at 9:02 p.m.

9. **Sawin House Advisory Committee Update:** Henry Haugland, Committee Chair, provided some historical background on the Sawin House – the oldest homestead in Natick, a gathering place for Natick and Needham militia who marched to the Battles of Concord and Lexington, a focal point for abolitionists, etc. Mr. Haugland indicated that the Committee will be filing an Article to present to Fall Annual Town Meeting requesting that the Town acquire the Sawin Homestead consistent with the terms of the Stillman Deed that transferred the property to Mass Audubon and Mass Audubon's Articles of Organization, and that a nonprofit organization then lease the property from the Town and pursue fundraising to enable preservation and maintenance of this historical property.

10. **Registered Medical Marijuana Dispensary Update:** In follow-up to the discussion at the last Selectmen's meeting, Ms. White indicated that Jamie Errickson, Director of Community and Economic Development, has been working with Town Counsel Brandon Moss on drafting an Article for Fall Annual Town Meeting to ask for approval of a temporary moratorium on recreational marijuana that would last until six months after the new State regulations are issued, or December 31, 2018, whichever is later, this to gain time to review and understand the new regulations. The next step would be a ballot question for voters. To see if there was any empirical evidence that a medical marijuana facility would have a negative financial impact on the industrial park, Mr. Errickson also followed up with several people who have been involved with siting of such facilities, but there are no case studies similar to ours, i.e., a strictly medical marijuana facility in an industrial park, so those claims could not be substantiated or refuted. It has been determined that the Natural Remedies State application has expired but they intend to reapply. Ms. Mistrot mentioned that there are several child-specific businesses in the office park and wondered what effect a medical marijuana

facility would have on them. Ms. White offered to ask Mr. Errickson to supply a memo explaining why none of these businesses would be affected. Ms. Mistrot questioned the timeframe in which a Host Community Agreement would be written and Ms. White thought that she and Attorney Moss could have one drafted within a month or so. Mr. Hickey clarified that tonight's meeting would involve no action on the Natural Remedies application but would simply address the question of a Warrant Article. Mr. Jennett made note of a letter in Correspondence from Harold Cohen Associates that pointed out that the Natural Remedies application had expired and therefore should no longer be considered, that recreational marijuana laws were very recently revised by the State, requiring more time for review, and gave multiple other reasons for the Board to refrain from offering a Letter of Nonopposition. Mr. Jennett requested this letter be moved from Correspondence to the Marijuana item on the agenda. David Pratt of Sherwood Plaza spoke at the podium, stating his preference that the Town settle the recreational marijuana issue prior to dealing with the medical marijuana issue. Bruce Leader, also of Sherwood Plaza, expressed the same feeling – though not against medical marijuana, the desire is to have the ability to “control our own destiny” in terms of recreational marijuana.

11. **Camp Arrowhead Update:** Town Counsel John Flynn has received some feedback on the MOA with DCR. Insurance information was sent to the DCR attorney on August 3rd. On July 25th, the DCR Commissioner authorized the Town to proceed with rebuilding the fire-damaged building, and the Town must obtain a construction access permit and review all plans with DCR. The RFQ for architectural services for rebuilding has been issued. Ms. White stated that she is waiting to hear back from AmVets and Mr. Flynn regarding the MOA between the Town and AmVets.
12. **Discussion Regarding MBTA Commuter Rail WiFi Project/Proposed Monopole Installations:** Ms. White brought to the attention of the Board that the MBTA is planning the installation of 320 74-foot high monopoles in multiple communities along the commuter rail line, with no previous notice to the various towns. Natick is slated to have three poles installed. The MBTA Fiscal and Management Control Board has temporarily halted the work while the matter goes through a public review process, and Ms. White submitted a letter expressing dismay at the lack of notice to Natick which was read into the record. Mr. Ostroff stated that the MBTA is likely obligated to the contract, but they are also taking the position that they are not obligated to provide notice to communities. Mr. Ostroff offered to provide an update following the public meeting scheduled for August 14th.
13. **2017 Fall Annual Town Meeting Articles:** Per Ms. White, Articles 1-10 are all financial Articles and are typically sponsored by the Town Administrator, as is Article 11, Collective Bargaining. Ms. Mistrot stated her concern over having contracts presented to the Board for approval with no opportunity to review them beforehand, and also suggested that any contracts signed by the Board of Selectmen should be sponsored by the signing authority. Ms. Mistrot moved to change sponsorship of Article 11 from the Town Administrator to the Board of Selectmen. Mr. Jennett seconded the motion and the motion carried 5-0-0. The Board of Selectmen will sponsor Article 11. Article 12, Personnel Board Classification and Pay Plan, is typically sponsored by the Town Administrator so no action was required of the Board. On a motion by Ms. Mistrot, seconded by Mr. Jennett, the Board voted 5-0-0 for the Board to sponsor Committee Articles. Rescinding Authorized, Unissued Debt and Unpaid Bills Articles are sponsored by the Town Administrator. The OPEB Article will be sponsored by the Town Administrator. The two West Natick Fire Station Articles will be sponsored by the West Natick Fire Station Building Committee subject to a vote at their upcoming meeting. The Kennedy Middle School Article will be sponsored by the School Superintendent. Mr. Ostroff requested that the Board sponsor the Articles related to Funding for the Cochituate Rail Trail, and the request was approved 5-0-0 after a motion by Mr. Jennett, seconded by Ms. Salamoff. At Mr. Ostroff's request, the Board of Selectmen voted 4-1-0 to sponsor the Navy Yard Field Article after a motion by Mr. Jennett, seconded by Ms. Salamoff. Mr. Hickey cast the dissenting vote. Moved by Mr. Jennett and seconded by Mr. Hickey, the Board voted 5-0-0 to sponsor the Article relating to Conveyance of Land for the Cochituate Rail Trail. Moved by Mr. Jennett and seconded by Ms. Salamoff, the Board voted 5-0-0 to sponsor the Article regarding a Temporary Moratorium on Recreational Marijuana, inserting the word “recreational” in the line beginning with the word “enacting.” Mr. Jennett proposed that the Board sponsor an Article for further action on the parcel of land at 22 Pleasant Street for additional funding requested by the owner of the property. Mr. Freedman asked to table this item temporarily to allow for discussion by the Town Administrator of an additional Selectmen's Meeting to discuss only Warrant Articles.

14. **Proposed Additional Meeting of Board of Selectmen:** The Town Administrator proposed a meeting on Tuesday, August 15th, from 6:00-7:00 p.m. and the Board agreed. A potential Article relating to 22 Pleasant Street will be discussed at the August 15th meeting.
15. **Adopt Fiscal Year 2018 Town Administrator and Board of Selectmen Goals:** Ms. Mistrot pointed out that the set of goals on this evening's agenda was not the actual final version. Mr. Freedman agreed but thought they captured most of what had been discussed at prior "Goals Meetings," so asked that the Board adopt these goals subject to final updates so that they could be passed on to the Town Administrator Screening Committee. Ms. Mistrot said she would be comfortable sharing this set of goals in draft form, but thought that formal approval should be given at the next Selectmen's Meeting, though in her absence since she would not be able to attend that meeting. Mr. Freedman though this was a good compromise and asked to have this document, in its final form, added to the August 15th agenda for approval. Mr. Freedman stated that this would be a living document that would be reviewed on a quarterly basis.

Ms. Mistrot left the meeting at 10:40 p.m.

TOWN ADMINISTRATOR NOTES

Ms. White offered some follow-up on a property on Brookdale Road that is under construction. Apparently, the site has been unsafe. The Building Commissioner, Dave Gusmini, Mike Boudreau from the Board of Health, and Lt. Lauzon met with the contractor today and the feeling is that with everyone working together, the problem can be resolved.

SELECTMEN'S CONCERNS

Ms. Salamoff stated concern over incidents in Massachusetts where police officers ended up in the hospital after being exposed to high quantities of fentanyl when responding to overdose situations – she expressed hope that our officers are taking the necessary precautions and protecting themselves.

ADJOURNMENT

On a motion by Mr. Jennett, seconded by Ms. Salamoff, the Board voted 4-0-0 (Ms. Mistrot left the meeting at 10:40 p.m.) on a roll call vote to adjourn the Board of Selectmen's Meeting at 10:45 p.m.



Richard P. Jennett, Jr., Clerk

August 7, 2017 Board of Selectmen Meeting Minutes Approved by the Board of Selectmen on August 21, 2017

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All documents used at this Board of Selectmen meeting are available at:
<https://naticktown.novusagenda.com/agendapublic/MeetingView.aspx?MeetingID=429&MinutesMeetingID=-1&doctype=Agenda>