

BOARD OF SELECTMEN – TOWN OF NATICK

MEETING MINUTES

EDWARD H. DLOTT MEETING ROOM – NATICK TOWN HALL

June 26, 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

After calling the public meeting to order at 6:00 p.m., noting that a quorum was present and that the meeting had been duly posted, the Chair requested a motion to enter into Executive Session to discuss matters pertaining to Real Property, 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. Moved by Ms. Salamoff and seconded by Ms. Mistrot, the Board voted 5-0-0 in favor of entering Executive Session on a roll call vote. The Board entered into Executive Session at 6:04 p.m., the Chair announcing that the meeting would return to Open Session at approximately 7:00 p.m.

Open Session reconvened at 7:11 p.m. The Pledge of Allegiance was recited and a moment of silence was observed for those protecting our country.

ANNOUNCEMENTS:

Ms. White congratulated the Town and thanked the Sustainability Coordinator and the DPW for securing a Green Communities Grant in the amount of \$159,162 from the Department of Energy Resources to fund clean energy projects. A construction detour (details of which can be found on the Town website) on Cottage Street starting at Woodland Street during working hours will continue through June 30th.

Ms. Salamoff announced that there was a public hearing at Wilson School on June 22nd regarding the proposed Route 27 roadway improvement project and that comments and questions should be directed to Patricia Leavenworth, the Chief Engineer at the MassDOT Highway Division.

WHAT'S NEW

Ms. White thanked Brian Caisse and Pat Olson of the Department of Public Works for rescuing nine ducklings from a storm drain recently.

CITIZEN'S CONCERNS

Julian Munnich of 310 North Main Street spoke about a June 8th public hearing regarding the Route 27/9 Bridge Replacement project at which, he said, the demeanor of MassDOT was amateurish, condescending, and dismissive of people's concerns. He stated the 25% product that was rolled out was flawed and that the project is in need of serious review by the Town. He suggested the Transportation Advisory Board hold a number of hearings to garner input from the public. He requested that the Board of Selectmen, as road commissioners for the Town, put the brakes on this project to give it the review it deserves and seriously consider assigning the Transportation Advisory Board or another advisory committee to review the project. Mr. Jennett agreed and felt that the Board should reach out to MassDOT to see what can be done to improve the project. This may be a potential future agenda item.

CONSENT AGENDA

The Chair asked if any members of the public or the Board would like to discuss any item on the consent agenda and no discussion was requested. Moved by Mr. Jennett and seconded by Ms. Salamoff, the Board voted unanimously to approve the Consent Agenda conditional upon the fulfillment of all recommendations from Town Agencies and/or Departments. The following items were approved:

- ❖ Requests for Exemption from Town Bylaws, Article 41, Section 4 for:
 - Amy Fitzgerald (ASAP Assistant Instructor/Recreation & Parks Summer Employment)
 - Xavier Perez (ASAP After School Staff/Recreation & Parks Summer Employment)
 - Megan Pacheco (ASAP Coordinator/Recreation & Parks Summer Employment)
- ❖ Requests to Occupy a Public Way:
 - Maltby & Co: Elm Street, 7/11/2017 (Rain Date: 7/12/2017)
 - Facilities Department: Church Street, 7/22/2017 (Rain Date: 7/29/2017)
- ❖ Warrant Review, 6/20/2017
- ❖ Banner Request for Flutie 5K for Autism, 9/11-9/17/2017
- ❖ Strivers Jingle Bell Family Run, 12/3/2017
- ❖ Jefferson Street Block Party, 7/22/2017
- ❖ Declaration of Surplus Equipment
- ❖ Town Administrator's Appointments to Personnel Board:
 - Sue Sea, New Appointment, Term Expiring 5/31/2020
 - Alan Rosenman, Reappointment, Term Expiring 5/31/2020
- ❖ Reappointments to Boards and Committees with Terms Expiring 6/30/2020:
 - William Alfano, Economic Development Committee
 - E. Scott Laughlin, Economic Development Committee
 - Gerald Shusterman, Audit Advisory Committee
 - Michael Downey, Conservation Commission
 - Ruth Fox, Bacon Free Library Maintenance Committee
 - Linda Vitagliano, Community Services Advisory Committee
 - Salvatore Pandolfo, Council on Aging
 - Swati Dave, Cultural Council (Term Expires 6/30/2019)
 - Maureen Sullivan, Historical Commission
 - Edward Doherty, Lookout Farm Advisory Committee
 - Lenore Freitas, Mathworks Scholarship Committee
 - Terri Evans, Open Space Advisory Committee
 - Sue Shea, Recreation & Parks Commission
 - Joshua Ostroff, Transportation Advisory Committee
- ❖ Selectmen Meeting Minutes
 - June 12, 2017
 - June 21, 2017
- ❖ Letter from Chair to MassDOT RE: Routes 9 & 27 Public Hearing

APPOINTMENTS WITH THE BOARD OF SELECTMEN

1. **Mole Sauce, Inc., Application for Common Victualler's License and Public Hearing for Application of On-Premises All Alcohol License:** Mr. Jennett suggested opening the Public Hearing regarding the alcohol license so that it and the common victualler's license could be discussed simultaneously. Mr. Jennett read the Public Hearing Notice aloud and then moved, seconded by Ms. Salamoff, to open the Public Hearing and the motion carried by a vote of 5-0-0. Multiple questions were asked of the new owner and manager, David E. Brambila, who was represented by his attorney, Mr. Nicholas Felici, regarding daily operations of the restaurant. Attorney Felici stated that there would be no substantive changes to the establishment (formerly Maxwell's Restaurant – a family restaurant) or its operations. Mr. Hickey noted that multiple items were missing from the Novus Agenda Attachments under the common victualler's application and Mr. Freedman pointed out that all of them were present under the alcohol application. When asked for input from the public, Dr. Robert Nardone, who lives across the street from the restaurant, posed questions regarding hours of operation, outdoor seating, concerns about cooking odors and trash receptacles, and entertainment, all of which were answered by the owner/manager and his attorney. A motion by Mr. Jennett, seconded by Mr. Salamoff, to close the public hearing carried on a vote of 5-0-0. Moved by Mr. Jennett and seconded by Ms. Mistrot, the Board voted 5-0-0 to approve the issuance of a common victualler's license. Moved by Mr. Jennett and seconded by Ms. Salamoff, the Board voted 5-0-0 to approve the issuance of an all-alcohol license conditioned upon Police Department recommendations.

2. Procurement Officer: Contracts:

- a. Shaw Park Pillars: Once the site of an historic inn, this park is under the care and custody of the Town and its pillars are in need of restoration. Moved by Ms. Mistrot and seconded by Mr. Jennett, the Board voted 5-0-0 to award the contract to Bautista Masonry Corp in the amount of \$18,875 with funding as follows:
 - \$15,000 Historical Restoration 00020211 584000
 - \$ 4,250 Historical Restoration 00020257 584000
- b. Recreation and Parks Transportation Services: Moved by Ms. Mistrot and seconded by Mr. Jennett, the Board voted 5-0-0 to award the contract to First Student, Inc. (the incumbent and the lowest bidder) for a term of three years, beginning on July 1, 2017 and ending on June 30, 2020, initially at a cost of \$4.27 per mile (the per mile cost increasing slightly to \$4.40 per mile in year two and to \$4.50 per mile in year three), funded by the Recreation and Parks Revolving Account, which is expected to have sufficient sums for years two and three. There is a provision in the contract that states the Town can terminate the contract for convenience purposes should per mile rates increase substantially (due to rising fuel costs, for example). Mr. Freedman asked if a contract can be awarded when its funding is not definitive over the course of the contract. Mr. LeBlanc stated that it is generally required to have funds available but a multi-year contract is always subject to annual appropriation.
- c. MWRTA Contract Extension for Elderly and Disabled Transportation Services: This contract was not subject to competitive procurement because the MWRTA is a quasi-public body, thus exempt from MGL, Chapter 30B (Uniform Procurement Act). The Director of Community Services has requested a one-year extension of the contract between the Town and the MWRTA, through which the Town leases certain vehicles (most of which are driven by volunteers) to provide local transportation services to elders and handicapped individuals. Moved by Ms. Mistrot, with an expression of gratitude for the volunteer drivers, seconded by Ms. Salamoff, the Board voted 5-0-0 to extend the contract for one year, ending June 30, 2018.
- d. Fire Chief Assessment Center RFP: James Everett, Chair of the Fire Chief Screening Committee, stated that the Committee is seeking the Board of Selectmen's permission to issue a Request for Proposals for a consulting service that would also perform the Assessment Center. The hope is to be ready by December 11th to present final candidates to the Board. Mr. Freedman wondered, since the current Chief's contract expires on December 31st (though he had previously indicated a willingness to stay on until April, when he will reach the mandatory retirement age), whether the Screening Committee could compress the process so that a permanent Fire Chief could be in place by the end of the year. Mr. Everett indicated a willingness to do so but stated it would be dependent on several factors. On a motion by Ms. Mistrot, seconded by Ms. Salamoff, the Board voted 5-0-0 to allow the Fire Chief Screening Committee to issue the described RFP.
- e. Parking Garage RFQ: Mr. LeBlanc explained that any study that will be relied upon by an architect or general contractor has to be based on qualifications (in order to hire the most qualified entity) in accordance with the Commonwealth's Designer Selection Laws, thus the request to issue an RFQ rather than an RFP for planning designer services related to the conceptual design of a new parking garage – a process through which the Town will end up with a consultant that will conduct a feasibility analysis and produce at least two alternative designs for consideration by the Town. It is anticipated that the cost of the project will not exceed \$180,000, and any contract awarded will be negotiated with the final cost not to exceed \$200,000. Ms. Salamoff, seconded by Ms. Mistrot, moved to approve issuance of an RFQ for planning designer services. Julian Munnich of the Planning Board commented that though the RFQ was very thorough, the "single most crucial" question, i.e., who will own the garage, is not sufficiently addressed. His opinion was that a "business improvement district" or some other similar model in the "zone of benefit" would have an equity interest in long-term ownership and maintenance of the garage. Ted Fields, Senior Planner in Community & Economic Development, indicated that this could be added to the RFQ in the sections referencing phases 3 and 5. Mr. Freedman asked Ms. Salamoff and Ms. Mistrot if they wished to add this amendment to the motion and they agreed. The motion to issue an RFQ with additions in phases 3 and 5 regarding ownership and operational models carried 5-0-0.

3. **James Everett, Chair, Fire Chief Screening Committee:**
 - a. Fire Chief Consulting Services RFP: As above, the Board voted unanimously to issue the Fire Chief Consulting Services RFP.
 - b. Discussion Regarding Fire Chief Vacancy Advertisement: The Fire Chief Screening Committee is leaning toward focusing its advertising in Massachusetts because of the uniqueness of its Civil Service program as well as its weather patterns (for example, an applicant from Texas would likely not have experience with snowstorms and blizzards). If there are not enough responses, then the area of advertising can be extended. A final decision about this will not be made until a consulting service is on board, however.
4. **Natick Affordable Housing Trust: Authorize HOME Funding for 4 Cottage Street:** Ted Fields, Senior Planner in Community & Economic Development, presented to ask the Board to authorize HOME funds in an amount up to \$416,350 for completion of rehabilitation of Coolidge Gardens (elderly and disabled housing) at 4 Cottage Street. Natick is a member of the WestMetro HOME Consortium, which provides HOME Investment Partnership funds to the Town for the purposes of developing and preserving affordable housing. The process to rehabilitate the property was begun in 2015 with an initial BOS-approved loan of \$166,350 in HOME funds to the Natick Housing Authority to convert the vacant property to 10 one-bedroom, affordable apartments. The Board voted 5-0-0 to authorize the loan on a motion by Ms. Mistrot that was seconded by Mr. Hickey.
5. **Deputy Town Administrator of Finance: Risk Assessment Policy:** Per Mr. Townsend, the purpose of the Fraud Risk Assessment Policy is to establish risk and management programs to safeguard Town assets. The policy was developed in response to the Town's independent auditor and adheres to industry standards, and was not developed in response to any known or perceived risk in the Town of Natick. Ms. Salamoff, concerned that it might appear that the policy was written in response to an existing problem, offered some changes to the wording of the document but Mr. Freedman encouraged the Board to adopt the policy this evening with the idea that the policy could come back before the board for any minor wordsmithing. On a motion by Mr. Hickey, seconded by Ms. Salamoff, the Board voted 5-0-0 to adopt the policy effective this evening subject to any minor wordsmithing Mr. Townsend might think necessary based on tonight's conversation.

DISCUSSION AND DECISION

6. **Camp Arrowhead Update:** Karen Partanen, the Recreation and Parks Director, indicated that the Camp will be up and running tomorrow. Four temporary storage trailers, equipped with all the necessities, have been brought in, the nurse's station is set up, and the bath house is ready to go. Ms. White stated that the Town is waiting for approval for a permit from DCR to procure services to perform testing for the presence of asbestos and lead. According to Ms. White, John Ciccariello, a local architect, thinks the best course of action would be to demolish only the fire-damaged portions of the building, salvaging the portions that were not damaged. The Town has submitted justification for this to DCR and is awaiting a response. The Town is holding back on issuing an RFQ since it would have to be approved by DCR first. The Town has requested permission to change the locks because there have been attempts to access the site by persons not authorized to do so. DCR has indicated that their attorney is still reviewing the proposed MOA. There has not yet been any progress on the subagreement between the Town and AmVets but the hope is to have something in motion by this week. Ms. White indicated that next July marks the end of the timeline in which additional insurance money, if needed, can be obtained, and that she is keeping Representative Linsky up to date on the camp's progress.
7. **Discussion Regarding Zoning By-Law Review Committee:** This topic was discussed at the last Selectmen's Meeting but the Board held off on a final decision related to sunseting the Committee until all Board Members were present. Ms. Mistrot, a Committee Member, could not attend the last Selectmen's Meeting but had voiced strong opposition to sunseting the Committee, feeling that its work was incomplete in that it had not created a more "user friendly" document, the purpose of phase I of the project, as evidenced by three failed attempts to have it approved by Town Meeting. Ms. White disagreed, stating that the Committee had fulfilled its obligation and that the Planning Board, in conjunction with the Director of Community and Economic Development, could assume responsibility for steering it through the approval process at Town Meeting. On a motion by Ms. Salamoff, seconded by Mr. Jennett, the Board voted 4-0-1 to dissolve the Committee, with Ms. Mistrot abstaining.

8. **Selectmen Policy Regarding Five-Year Street Opening Moratorium:** The DPW Director was unavailable for tonight's meeting but did provide a revised policy for the Selectmen to review and provide input. Mr. Freedman, noting the need to take time to thoroughly review the policy, suggested that Board Members address questions, concerns, and suggestions to Mr. Marsette, the DPW Director, in preparation for a discussion with him at the next Selectmen's Meeting. Mr. Freedman also suggested that the Board not consider any further street opening requests until a new policy is approved, but at least through the next meeting, unless there is an actual emergency that would require a street opening.

9. **Town Administrator Screening Committee:** With approximately a year left in the Town Administrator's term before her retirement, Mr. Freedman explained that the process and timeline to appoint a new Town Administrator are dictated by the Town's bylaws. Consequently, he directed that notices need to be sent to the other Boards responsible for making appointments to the Screening Committee and appropriate advertisements for the vacancy need to be posted between July 10th and July 17th, with the Board of Selectmen making its appointments at the August 7th Selectmen's meeting. The position will be advertised in the MetroWest Daily News and on the Town website, and Mr. Freedman suggested that social media postings might gain the attention of those who do not read the local newspaper. Moved by Mr. Hickey and seconded by Ms. Mistrot, the Board voted 5-0-0 in favor. Ms. White pointed out the availability of \$25,000 to hire a consultant to help the Screening Committee in their search and selection process if the Board should choose to follow that path, but that decision, though better made sooner than later, could come after the Screening Committee, once appointed, discusses it.

10. **Chief of Police: Five-Year Contract and Town Administrator: One-Year Contract Extension:** These topics were mistakenly included on this Agenda and had already been addressed at previous Selectmen's Meetings.

11. **Senior Housing Policy Discussion:** Ms. Salamoff stated her belief that the Board of Selectmen should take a leadership role in the community regarding the need for affordable housing for Natick's growing older population. In an effort to be proactive in this regard, she thought the Board should have a discussion about this potential use for the St. Patrick's property, possibly with an eye towards talking with a developer about possible ideas. Ms. White, though in support of senior housing, felt that it was inappropriate for the Board to discuss a particular site, such as St. Pat's. Discussion ensued about how to incentivize developers to invest in this age group, keeping options affordable for seniors while still making a profit. Mr. Freedman thought that the potential impact of the Board's involvement would be more relevant on a strategic level rather than a specific project. After additional discussion, it was decided that Ms. Salamoff would take the lead on this topic moving forward, with further discussion expected to occur at future Selectmen's Meetings.

12. **Natick/Pegasus Contract:** Bill Chenard, the Deputy Town Administrator for Operations, provided a memo recommending approval of a three-year contract with Pegasus, the cable television station. Ms. Salamoff gave suggestions about additional topics that Pegasus could cover and Ms. Mistrot stated that the local cable channel encourages citizen involvement. Mr. Jennett mentioned that all of the cable equipment has recently been upgraded. Moved by Ms. Salamoff and seconded by Ms. Mistrot, the Board voted 5-0-0 in favor of approving the three-year contract.

TOWN ADMINISTRATOR NOTES

Ms. White stated she checked with Susan Ramsey, the Council on Aging Director, about a complaint received from a Ms. Claudia Pease, a part-time Florida resident who owns a house in Natick and spends her summers here, who was denied a parking permit because her Florida driver's license and Massachusetts vehicle registration did not match. Ms. Ramsey has directed the staff at the Community-Senior Center that the requirement for issuance of a parking pass involves only a Massachusetts vehicle registration – the license and registration do not need to match.

SELECTMEN'S CONCERNS

Mr. Hickey has received complaints about Comcast parking their vehicles in unauthorized areas, such as the dog park and JJ Lane Park, and asked if the Administration could check into this. He also received an inquiry from the chair of an appointed board about whether there is a policy for Board and Committee Members having Town email addresses. Ms. White stated that the Town's natickma.org email addresses are currently maxed out and that email addresses have to be purchased in bulk at great expense. Members are typically

advised to create a Gmail account for their related Board and Committee work. Ms. White stated that there is no written policy but that the Board of Selectmen, FinCom, the School Committee, and the Kennedy Building Committee are provided with Town email addresses.

Mr. Jennett stated that the recent presentation at the Wilson School by MassDOT regarding the Route 27 project focused mainly on redesign and changes along the route.

ADJOURNMENT

On a motion by Ms. Mistrot, seconded by Ms. Salamoff, the Board unanimously voted on a roll call vote to adjourn the Board of Selectmen's Meeting at 11:16 p.m.



Richard P. Jennett, Jr., Clerk

June 26, 2017 Board of Selectmen Meeting Minutes Approved by the Board of Selectmen on September 5, 2017

po'n

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

<https://naticktown.novusagenda.com/agendapublic/MeetingView.aspx?MeetingID=421&MinutesMeetingID=-1&doctype=Agenda>