

BOARD OF SELECTMEN – TOWN OF NATICK

MEETING MINUTES

EDWARD H. DLOTT MEETING ROOM – NATICK TOWN HALL

August 21, 2017

5:30 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 5:42 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, Executive Session Minutes, Non-Union Personnel Negotiations, and Collective Bargaining, 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. 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 5:44 p.m., the Chair announcing that the meeting would return to Open Session at approximately 7:00 p.m.

Open Session reconvened at 7:21 p.m. The Pledge of Allegiance was recited and a moment of silence was observed for those protecting our country.

ANNOUNCEMENTS

None.

WHAT'S NEW

Police Chief James Hicks presented a Personnel Order to recognize Officer Elizabeth Heffler for receiving the National Association of School Resource Officers 2017 Regional Exceptional Service Award, a national award given to individuals for service to a school community that is above and beyond that which is expected of a normal School Resource Officer. Chief Hicks commended and praised Officer Heffler, as did the Wilson Middle School Principal, Teresa Carney, and the School Committee Chair, Lisa Tabenkin. Officer Heffler thanked everyone, stating that she just does what she feels is right.

CITIZEN'S CONCERNS

Dr. Leona Bessanova, a Travis Road resident, voiced concern about the lack of available parking in the West Natick Train Station area, stating that the public lot is full by 6:50 a.m., and wondered about possible solutions. Though discussion is not an option for items not listed on the agenda, Mr. Freedman asked Josh Ostroff, present in the audience, if he could provide any information without going into a lot of detail. Mr. Ostroff stated that he, as a private citizen, and Dr. Bessanova are interested in asking the Safety Committee to consider on-street parking on Newfield Drive, perhaps as far down as Silver Hill Lane, creating 80-90 new parking spaces. Mr. Ostroff's idea is to charge commuter permit rates, which would provide approximately \$60,000 per year in revenue to the Town. Concerns would include maintenance, snow removal, and enforcement. There is also no street lighting on Newfield Drive, though it is a Town-accepted street. A solution might be found in legislation that was recently passed that allows the redeployment of parking revenue within a defined district for public benefit. Revenue gained from parking fees on Newfield Drive could be used to install lighting on the street, satisfying a need for the public. With a positive response from the Safety Committee, Mr. Ostroff would like to return to the Board with a proposal. Mr. Freedman had no objection to this plan and offered to include such a proposal on an Agenda with presentation of substantive information from Mr. Ostroff. The next Safety Committee Meeting is scheduled for September 5th.

Mr. Ostroff, speaking as Chair of the Transportation Advisory Committee, stated that a groundbreaking is to be held at the Community-Senior Center on Thursday, August 24th at 11:00 a.m. to celebrate the Town's Complete Streets Grant to update street crossings throughout Natick. Lt. Governor Polito, Senator Richard Ross, and Representative David Linsky will be in attendance. Unable to attend himself, Mr. Ostroff expressed

a desire to have representation by the Board of Selectmen. Both Mr. Jennett and Ms. Salamoff stated they will attend.

CONSENT AGENDA

The Chair asked if any members of the public or the Board would like to discuss any item on the Consent Agenda. Noting that some Board Members had changes to the meeting minutes on the Agenda for approval, he directed that they be removed from the Consent Agenda and discussed later in the meeting. The Chair asked for a motion to approve the remainder of the Consent Agenda. Moved by Ms. Salamoff and seconded by Ms. Mistrot, the Board voted unanimously to approve the Consent Agenda, excluding the items removed and conditional upon the fulfillment of all recommendations from Town Agencies and/or Departments. The following items were approved:

- Block Party on Morningside Ave on 9/16/17 (rain date 9/23/17)
- Weekly Warrant Review, 8/11/17
- Resolution for Evelyn Goldman
- Reappointment of Kathy Rehl to the Conservation Commission

APPOINTMENTS WITH THE BOARD OF SELECTMEN

1. **Lewis Randa: Request Approval for a Parade Permit on 8/27/17:** Mr. Randa stated his interest in organizing a group consisting of 30-50 people from the Sherborn Peace Abbey to walk from the Common Street Spiritual Center and the Congregational Church to the Natick Army Labs to express concern about a potential preemptive strike against North Korea by the United States. Mr. Randa stated that there is no opposition to the military, just to the foreign policy of the current United States Administration, and the Army Labs site was chosen because it is the closest military base (Ms. Salamoff pointed out that the correct name of the facility is the U.S. Army Natick Soldiers System Center). Mr. Randa stated that the group would set a good example in how to express outrage. Mr. Freedman made note of the stipulations that would be imposed by the Police Department and Mr. Landa agreed to all of them. Mr. Freedman also noted that Chief Hicks had recommended that three detail officers be hired to maintain public safety. Mr. Landa stated that the Peace Abbey should not be responsible for paying for the detail officers in order to exercise its First Amendment right. Upon questioning, Chief Hicks explained that his department tries to be consistent with recommendations and cited other “parade permits” that include the hiring of police detail officers (though the events are often fundraisers), but indicated that he would defer to the Board should they decide to waive the requirement and/or the fees. Mr. Freedman stated that he did not believe there should be any barriers in the way of free speech and recommended granting the permit, contingent on all of the other Police Department’s recommendations, with the Town absorbing the cost of the detail officers (\$45 per hour, per officer, with a four-hour minimum). Ms. White stated she would like to help the Police Chief determine how many detail officers would be needed and Mr. Freedman agreed that it should be an administrative matter. Mr. Hickey asked if any conversation about protesters placing themselves in a position where they would be arrested had any influence on the Chief’s recommendation for three detail officers and the Chief said yes, the Department wanted to be prepared if that exercise of civil disobedience was employed by the protesters. Mr. Hickey stated he had mixed feelings about the Town absorbing the cost and wondered where the line should be drawn. After further discussion, Ms. Salamoff moved, seconded by Ms. Mistrot, to grant the permit and to have the cost of the detail officers absorbed by the Town, with the number of detail officers to be determined by the Town Administrator and the Police Chief. The motion carried on a vote of 5-0-0.
2. **David Gutierrez: Interview for Appointment to the Transportation Advisory Committee, Term Ending 6/30/2020:** Mr. Gutierrez described himself as a “utilitarian cyclist” – a person whose sole method of transportation is a bicycle, but with no recreational rides – and said that switching from a car to a bike for the past two years has given him a different perspective on how to improve the Town, which he thought would be useful as a member of this Committee. On a motion by Mr. Jennett, seconded by Ms. Salamoff, the Board appointed Mr. Gutierrez to the Committee on a vote of 5-0-0.
3. **Interviews for Appointment to the Council on Aging, Terms Ending 6/30/2020:** Each of the four applicants for the three open positions provided background information and explained their interest in joining this Committee. Mr. Freedman pointed out that the Council on Aging has the ability to appoint its own Associate Members. On a ballot vote, Ms. Ciarfella, Mr. Eschtruth, and Ms. Keefe received the most votes and will be appointed to the Committee. Meetings are held on the second Monday of every month.

4. **Director of Council on Aging: Strategic Plan for 7/1/2017-6/30/2020:** Joan Hill, a second-term member of the Council on Aging, presented the strategic plan, the purpose of which is to “provide guidance in making policy and management decisions and to assure that, by the end of the plan period, the CoA is in the strongest position possible to carry out its mission.” Included in the plan are the Council’s goals for programming, services, advocacy, marketing and communication, and capacity planning. Several of the Selectmen commended the Council for its crisp and concise plan and its leadership role in the community. Susan Ramsey, Director of the Council on Aging, underlined the role of the Council as a resource for everyone in Natick who is growing older.
5. **Application for a Change in Beneficial Interest: Cheesecake Factory:** Attorney Andrew Upton, representing the Cheesecake Factory, stated that a change in the CFO in California would have no impact in Natick or at any Cheesecake factory anywhere in Massachusetts – the application for a change in beneficial interest is simply a requirement of the Alcoholic Beverages Control Commission that the Board of Selectmen is required to approve. On a motion by Ms. Mistrot, seconded by Mr. Jennett, the Board voted 5-0-0 to approve the change in beneficial interest.
6. **Application for a Change in Manager: Bob & Holly’s, LLC d/b/a Zaftig’s West:** Robert Shuman, the manager of record and the owner, no longer spends all of his time at this location. Amy Gilligan is now the on-site, full-time manager. With no questions from the Board, Mr. Jennett, seconded by Ms. Mistrot, moved to approve the change in manager and the motion carried on a vote of 5-0-0.
7. **Application for a Change in Manager: SLJ Beverage, Inc. d/b/a Dion’s Wine & Spirits:** Joseph Dion, the manager of record and the owner, now splits his time among three locations and has appointed Dominic DeAngelis as the on-site, full-time manager. With no questions from the Board, Ms. Mistrot, seconded by Mr. Jennett, moved to approve the change in manager and the motion carried on a vote of 5-0-0.
8. **Police Chief: Safety Committee Recommendations:** The following Safety Committee Recommendations were approved by the Board, each on a vote of 5-0-0, as follows:
 - a. On a motion by Ms. Salamoff, seconded by Mr. Jennett: Installation of an LED street light on an existing pole on New Hampshire Avenue
 - b. On a motion by Mr. Jennett, seconded by Ms. Salamoff: Public hearing to change address for 7 Harvard Street duplex to 7 Harvard Street for the entrance facing Harvard Street and 12 Franklin Street for the entrance facing Franklin Street
 - c. On a motion by Mr. Jennett, seconded by Ms. Salamoff: Public Hearing to change permanent addresses of 72A and 72 Oakland Street Extension to 72 and 74 Oakland Street Extension, respectively
 - d. On a motion by Ms. Mistrot, seconded by Mr. Jennett: Removal of one parking space on both sides of crosswalk on West Street at Mahan Field adjacent to the baseball field.
 - e. On a motion by Ms. Mistrot, seconded by Ms. Salamoff: Erection of MUTCD-approved STOP bar, STOP sign, and stenciled STOP on Morse Street at Sherman Street
 - f. On a motion by Ms. Mistrot, seconded by Mr. Hickey: Erection of a No-Outlet sign at the intersection of Hammond Road Extension and Hammond Road
9. **Sustainability Coordinator: Morse Library Green Communities Contracts for Energy Efficiency Projects:** The Board is requested to approve the award of a contract to B2Q/Energy Source for occupancy sensor and EC motor replacement at the Morse Institute Library, which will result in substantial savings to the Town, in the amount of \$86,271, which will be reimbursed to the Town as part of a grant from the Massachusetts Department Energy Resources. On a motion by Ms. Salamoff, seconded by Mr. Jennett, the Board voted 5-0-0 in favor of awarded the contract as stated.

After a five-minute recess, the meeting reconvened at 9:12 p.m.

10. **Director of Public Works: Selectmen Policy Regarding Five-Year Street Opening Moratorium:** Jeremy Marsette, Director of Public Works, presented a revised policy to the Board with substantive changes, including suggestions by Board Members. Mr. Freedman and other Board Members thanked Mr. Marsette for his responsiveness and excellent work. Moved by Ms. Mistrot and seconded by Mr. Jennett, the Board voted 5-0-0 to adopt the new policy as presented this evening. Mr. Marsette also presented a new policy relating to Public Way Access Permits. After some

discussion, Ms. White pointed out that this topic was not on the Agenda and could not be discussed. This topic will be added to a future Agenda.

DISCUSSION AND DECISION

11. **Registered Medical Marijuana Dispensary Update:** Ms. White stated that no progress has been made since the last Selectmen's Meeting since the Natural Remedies application to the State has expired and is no longer valid. Mr. Jennett noted that, as a result, no action is needed from the Town at this point but asked if other companies can apply at any time, to which Ms. White responded affirmatively. Ms. White stated that some investigation has been done by the Community and Economic Development Director concerning the types of facilities that may not be in close proximity to a dispensary and referenced an email he sent to the Board several hours ago. Mr. Freedman noted that it was time stamped 6:35, while the Selectmen's Meeting was in progress, and so recommended that it be discussed at the next meeting, allowing the Board Members time to review it.
12. **Camp Arrowhead Update:** Ms. White stated that the Director of Community Services, Jemma Lambert, provided her an update on summer camp, indicating that things had gone very well. Ms. White stated she sent her comments regarding the MOA to DCR but has not heard anything back yet, though her understanding is that Town Counsel had a conversation with DCR late this afternoon. An RFQ has been issued and responses are due back on August 31st. Ms. White stated that she reiterated to Ms. Lambert that she needs a response from the Veterans' Services Officer regarding the subagreement between the Town and AmVets.
13. **Sign 2017 Fall Annual Town Meeting Warrant:** Ms. Mistrot asked if the two Articles concerning medical marijuana could be placed in closer proximity to one another but Mr. Freedman explained Article 26 is the Town's Article and Article 56 is a citizen petition and he would not want to conflate the two. Given that context, Ms. Mistrot withdrew her request. Moved by Mr. Hickey and seconded by Ms. Salamoff, the motion to sign the Warrant as presented in the packet, with removal of the word "Draft," was carried unanimously.
14. **Refer 2017 Fall Annual Town Meeting Zoning Articles to the Planning Board:** Ms. White explained that State law requires that zoning articles be referred to the Planning Board and suggested the Board vote to refer all zoning articles as they do not need to be listed separately, but will be listed separately in a memo to the Planning Board. Moved by Ms. Salamoff and seconded by Ms. Mistrot, the Board voted 5-0-0 to refer all Zoning Articles to the Planning Board.
15. **Nomination for Metropolitan Planning Organization Seat:** Mr. Freedman stated that Josh Ostroff expressed the feeling that it would be in Natick's best interests to have a seat in this organization. Discussions have been had with Jamie Errickson, Director of Community and Economic Development, and he has indicated that he has the bandwidth and the capacity to fill this seat and is willing to be the Board's delegate. The Chair explained that Mr. Errickson could also designate someone who would be an appropriate substitute for him, but that the process has to start with the Board of Selectmen. Moved by Ms. Salamoff and seconded by Ms. Mistrot, the Board voted 5-0-0 to nominate Mr. Errickson for the seat. Ms. Mistrot stated she would like to have some idea of when and how often updates would be provided.
16. **Approve Meeting Minutes for 7/24/17, 8/7/17, and 8/15/17:** Regarding the 7/24/17 minutes, Ms. Mistrot felt that locations should not be located under the Citizens' Concerns topic since they were not specifically mentioned by the citizen. Ms. Salamoff and Mr. Freedman agreed. Moved by Mr. Jennett and seconded by Ms. Mistrot, the Board voted to approve the 7/24/17 minutes with changes as noted. Regarding the 8/7/17 minutes, the adjournment time listed was inaccurate. In addition, it was suggested that some language be changed and some removed. Moved by Mr. Jennett and seconded by Ms. Mistrot, the Board voted 5-0-0 to approve the 8/7/17 minutes with changes as noted. Regarding the 8/15/17 minutes, some additions to the Citizens' Concerns topic were requested. Moved by Mr. Jennett and seconded by Mr. Hickey, the Board voted 5-0-0 to approve the 8/15/17 minutes with changes as noted.

TOWN ADMINISTRATOR NOTES

None.

SELECTMEN'S CONCERNS

Ms. Mistrot commended Lt. Brian Lauzon of the Police Department, noting how helpful and highly responsive he has been in her interactions with him and that he sets a good example for the community.

Mr. Freedman cautioned the Board Members against extensive discussion via email so as not to violate the Open Meeting Law.

Mr. Jennett read aloud an email received by a Mr. Tass Filledes who expressed great disappointment in hearing of Ms. White's impending retirement and expounded on all the good she has done for the Town of Natick. Mr. Jennett stated that he wanted this expression of support for Ms. White to become part of the public record.

ADJOURNMENT

On a motion by Mr. Jennett, seconded by Mr. Hickey, the Board voted unanimously on a roll call vote to adjourn the Board of Selectmen's Meeting at 10:16 p.m.



Richard P. Jennett, Jr., Clerk

August 21, 2017 Board of Selectmen Meeting Minutes Approved by the Board of Selectmen on September 5, 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=431&MinutesMeetingID=-1&doctype=Agenda>