

SELECT BOARD
TOWN OF NATICK

MEETING MINUTES

Meeting Conducted in the Edward H. Dlott
Meeting Room and via Zoom
December 14, 2022
5:30 PM

PRESENT: Paul R. Joseph, Chair; Michael J. Hickey, Jr., Vice-Chair; Bruce T. Evans, Clerk; Kathryn M. Coughlin; Richard Sidney

ALSO PRESENT: Town Administrator, James Errickson; Deputy Town Administrator-Finance, John Townsend; Deputy Town Administrator-Operations, Jon Marshall; Police Chief, James Hicks; Fire Chief, Jason Ferschke; Executive Assistant, Joan McNamara

ABSENT: None.

Chair Joseph called the meeting to order at 5:40 PM

Chair Joseph stated that he will read the items for Executive Session this evening and read the following:

A. Review and Approve Executive Session Meeting Minutes:

1. 10/7/2020 Minutes and 10/14/2020 Minutes: Pursuant to M.G.L. c. 30A, s. 21 (a)(3) - To discuss strategy with respect to collective bargaining or litigation if an open meeting may have a detrimental effect on the bargaining or litigating position of the public body and the Chair so declares: New England Police Benevolent Association, Local 82;
2. 12/1/2020, 12/3/2020 Minutes: Pursuant to M.G.L. c. 30A, section 21(a)(1) - To discuss the reputation, character, physical condition or mental health, rather than professional competence, of an individual, or to discuss the discipline or dismissal of, or complaints or charges brought against, a public officer, employee, staff member or individual;
3. 12/16/2020 and 1/13/21 Minutes: Pursuant to M.G.L. c. 30A, s. 21 (a)(3) - To discuss strategy with respect to litigation if an open meeting may have a detrimental effect on the litigating position of the public body and the Chair so declares: - New England Police Benevolent Association, Local 82;
3. 1/13/21 and, 4/7/21 Minutes: Pursuant to M.G.L. c. 30A, section 21(a)(3) - To discuss strategy with respect to litigation if an open meeting may have a detrimental effect on the litigating position of the public body and the chair so declares: – DiClemente v. Natick Police Department and Quilty, MCAD No. 20BEM02451, EEOC No. 16C- 2020-02135;
4. 3/24/21 Minutes: Pursuant to M.G.L. c. 30A, s 21(a)(3) - To discuss strategy with respect to collective bargaining and litigation if an open meeting may have a detrimental effect on the bargaining and litigating

position of the public body and the chair so declares: – NEPBA & NPO

5. 8/11/2021 Minutes: Pursuant to M.G.L. c. 30A, s. 21(a)(3) - To discuss strategy with respect to litigation if an open meeting may have a detrimental effect on the litigating position of the public body and the chair so declares: – MCAD No. 20BEM02451, EEOC No. 16C-2020- 02135

6. 1/5/22 Minutes: Pursuant to M.G.L. c. 30A s. 21(a)(1) - To discuss the discipline or dismissal of, or complaints or charges brought against, a public officer, employee, staff member or individual: Officer James Quilty, Natick Police Department;

7. 6/2/2022 Minutes: Pursuant to M.G.L. c. 30A s. 21(a)(3) - To discuss strategy with respect to litigation if an open meeting may have a detrimental effect on the litigating position of the public body and the chair so declares: MCAD No. 20BEM02451;

On a motion by Mr. Sidney, seconded by Mr. Hickey, the Board, by roll call vote, voted 5-0-0, to enter into Executive Session. The roll call vote was as follows:

Mr. Hickey	Yes
Mr. Sidney	Yes
Mr. Evans	Yes
Mr. Joseph	Yes
Ms. Coughlin	Yes

The Pledge of Allegiance was recited and a Moment of Silence was observed for those who serve us.

ANNOUNCEMENTS

1. The Board wished to announce that a dear friend and colleague, Mike Rourke, has passed away. He will greatly be missed by the community and all who knew him.
2. The 9th annual Interfaith Community Clergy Vigil for those who have lost loved ones to addiction took place on December 11, 2022, and the Board wishes to thank everyone who contributed to this event.
3. The Town Clerk announced that there are open seats on the election ballot for the Natick Housing Authority. Nomination papers are available now at the Town Clerk's office.

PUBLIC SPEAK

Cody Jacobs, Jeff Besson, and Daniel Zitnick all spoke during Public Speak regarding their displeasure with the Town's handling of the Quilty matter. They expressed their desire to hear more about the Last Chance Agreement with Officer Quilty and other personnel issues. They are hoping that in the future that the Town will do better in informing the public.

Ms. Donna McKenzie – Ms. Donna McKenzie spoke about the success of the Giving Tree at the Police station and how generous and helpful the police officers have been during this time helping to distribute gifts.

Roger Scott spoke about the Town Charter.

Chair Joseph noted that he is not allowed to answer questions during Public speak but did note that the Select Board is not allowed to distribute information on personnel files. At this time the Board is releasing as many of the Executive Session minutes regarding the Quilty matter as they possibly can. Those minutes will continue to be released onto our website as quickly as possible in order to be transparent to the public.

APPOINTMENTS

A. Interviews and Appointments to Recreation and Parks Commission

1. Sandra Downer

Ms. Downer interviewed before the Board this evening. Chair Joseph noted that Ms. Downer is filling an existing seat that is vacant so this appointment is only until June 30th, 2023. At that time, Ms. Downer will need to reapply for a reappointment.

On a motion by Mr. Sidney, seconded by Ms. Coughlin, the Board voted 5-0-0 to appoint Ms. Downer to the Recreation and Parks Commission with an appointment expiration date of June 30, 2023.

B. Interview and Appointment to the Economic Development Committee

1. Andreia Precoma

Ms. Precoma was had been seated on the Economic Development Committee approximately one year ago but had to step away due to a personal issue and is now looking to be appointed once again. Ms. Precoma is already known to the Board but made herself available this evening for any additional questions.

On a motion by Ms. Coughlin, seconded by Mr. Evans, the Board voted 5-0-0 to appoint Andreia Precoma to the Economic Development Committee.

C. Interview and Appointment to the Cultural Council

1. Beth Cunningham

Ms. Cunningham is before the Board this evening to interview for an appointment to the Cultural Council.

On a motion by Mr. Evans and seconded by Ms. Coughlin, the Board voted 5-0-0 to appoint Ms. Cunningham to the Cultural Council.

DISCUSSION AND DECISION

A. Vote to approve the Bond Anticipation Note Sale and sign associated documents.

Mr. Townsend, Deputy Town Administrator, Finance, was present before the Board this evening looking for

the Board's vote to approve the Bond Anticipation Note Sale and to also sign all of the associated documents. All documents that are associated Bond Notes will require "wet" signatures by the Board which will be obtained this evening. All supporting documentation is attached to this agenda.

Mr. Townsend is looking for the Board to approve the sale of \$6,473,900 5.00 percent General. Obligation Bond Anticipation Notes (the "Notes") of the Town dated December 20, 2022.

On a motion by Mr. Evans, seconded by Mr. Sidney the Board voted 5-0-0 the following:

VOTE OF THE SELECT BOARD

I, the Clerk of the Select Board of the Town of Natick, Massachusetts, certify that at a meeting of the board held December 14, 2022, of which meeting all members of the board were duly notified and at which a quorum was present, the following votes were unanimously passed, all of which appear upon the official record of the board in my custody:

Voted: to approve the sale of \$6,473,900 5.00 percent General. Obligation Bond Anticipation Notes (the "Notes") of the Town dated December 20, 2022, and payable June 22, 2023, to TD Securities (USA) LLC at par and accrued interest, if any, plus a premium of \$65,192.17.

Further Voted: that in connection with the marketing and sale of the Notes, the preparation and distribution of a Notice of Sale and Preliminary Official Statement dated November 30, 2022 and a final Official Statement dated December 6, 2022, each in such form as may be approved by the Town Treasurer, be and hereby are ratified, confirmed, approved and adopted.

Further Voted: that the Town Treasurer and the Select Board be, and hereby are, authorized to execute and deliver a significant events disclosure undertaking in compliance with SEC Rule 15c2-12 in such form as may be approved by bond counsel to the Town, which undertaking shall be incorporated by reference in the Notes for the benefit of the holders of the Notes from time to time.

Further Voted: that we authorize and direct the Town Treasurer to establish post issuance federal tax compliance procedures and continuing disclosure procedures in such forms as the Town Treasurer and bond counsel deem sufficient, or if such procedures are currently in place, to review and update said procedures, in order to monitor and maintain the tax-exempt status of the Notes and to comply with relevant securities laws.

Further Voted: that any certificates or documents relating to the Notes (collectively, the "Documents"), may be executed in several counterparts, each of which shall be regarded as an original and all of which shall constitute one and the same document; delivery of an executed counterpart of a signature page to a Document by electronic mail in a ".pdf" file or by other electronic transmission shall be as effective as delivery of a manually executed counterpart signature page to such Document; and electronic signatures on any of the Documents shall be deemed original signatures for the purposes of the Documents and all matters relating thereto, having the same legal effect as original signatures.

Further Voted: that each member of the Select Board, the Town Clerk and the Town Treasurer be and hereby are, authorized to take any and all such actions, and execute and deliver such certificates, receipts or

other documents as may be determined by them, or any of them, to be necessary or convenient to carry into effect the provisions of the foregoing votes.

I further certify that the votes were taken at a meeting open to the public, that no vote was taken by secret ballot, that a notice stating the place, date, time and agenda for the meeting (which agenda included the adoption of the above votes) was filed with the Town Clerk and a copy thereof posted in a manner conspicuously visible to the public at all hours in or on the municipal building that the office of the Town Clerk is located or, if applicable, in accordance with an alternative method of notice prescribed or approved by the Attorney General as set forth in 940 CMR 29.03(2)(b), at least 48 hours, not including Saturdays, Sundays and legal holidays, prior to the time of the meeting and remained so posted at the time of the meeting, that no deliberations or decision in connection with the sale of the Notes were taken in executive session, all in accordance with G.L. c.30A, §§18-25, as amended.

B. Joint Meeting of the Select Board and Natick Housing Authority

1. Interview/Appointment of David Ciminelli

This item has been removed from our agenda this evening due to a posting error. It will be rescheduled.

C. Approve Chief Hicks' Recommendation to appoint two permanent full-time police officers

1. James Herbert
2. Christopher Keenan

Police Chief Hicks, candidate James Herbert and candidate Christopher Keenan are before the Board this evening. Chief Hicks is here to introduce the candidates and ask the appointing authority for permission to appoint the candidates as permanent fulltime police officers. Information regarding both candidates are attached to this evening's agenda.

On a motion by Mr. Evans, seconded by Mr. Sidney, the Board voted 5-0-0 to approve James Herbert and Christopher Keenan to positions of full time police officers contingent upon successful completion of a medical examination, psychological examination, physical abilities test, completion of the Police Academy and any other requirements necessary for successful certification with the Commonwealth of Massachusetts Human Resource Division.

D. Fire Chief Jason Ferschke

1. Recognition of department members
2. Presentation

Fire Chief Jason Ferschke was present before the Board this evening to give a presentation and to give recognition to many department members who are also present this evening.

Attached to this evening's agenda is Chief Ferschke's presentation. The presentation consisted of an overview of the following topics:

1. Historical Perspective
2. Staffing
3. Fire Department Operations
4. EMS Operations
5. Policy and Procedures;
6. Capital assessment
7. FD's future track and planning

E.5 Auburn Street RFP

Mr. Erickson wanted to again spoke again to the Board about the Request for Proposal. There is now an Executive Summary/staff summary that has been done with a comparison matrix looking at the review criteria as outlined in the RFP. This is attached to this evening's agenda to also be visible to the public.

All the RFP responses are also visible to the public and shown as attachments to our agenda.

F. Public Hearing: Renewal of Club Special Permits for 2023

On a motion by Mr. Evans, seconded by Mr. Hickey, the board, by roll call vote, voted 5-0-0, to open the public hearing. The roll call vote was as follows:

Mr. Hickey	Yes
Mr. Sidney	Yes
Mr. Evans	Yes
Mr. Joseph	Yes
Ms. Coughlin	Yes

1. VFW Post 1274

Byron Prescott Post Commander was present before the Board.

On a motion by Ms. Coughlin, seconded by Mr. Evans, the Board voted 5-0-0 to approve the renewal of the Special Club Permit for the VFW Post 1274.

2. Natick Elks Lodge 1425

Paul Sanford, Manager of the Natick Elks was present before the Board.

On a motion by Mr. Evans, seconded by Mr. Hickey, the Board voted 5-0-0 to approve the renewal of the Special Club Permit for the Natick Elks Lodge 1425.

3. The Amvets application will be taken up at a later date.

On a motion by Mr. Hickey, seconded by Mr. Evans, the Board by roll call vote, voted 5-0-0 to close the public

hearing. The roll call vote was as follows:

Mr. Hickey	Yes
Mr. Sidney	Yes
Mr. Evans	Yes
Mr. Joseph	Yes
Ms. Coughlin	Yes

After the public hearing was closed, Andy Isgro, Manager, Natick Sons and Daughters of Italy, made himself present before the Board to speak on behalf of the Natick Sons and Daughters of Italy.

On a motion by Ms. Coughlin, seconded by Mr. Evans, the Board by roll call vote, voted 5-0-0 to reopen the public hearing. The roll call vote was as follows:

Mr. Hickey	Yes
Mr. Sidney	Yes
Mr. Evans	Yes
Mr. Joseph	Yes
Ms. Coughlin	Yes

The Board is not in receipt of the complete application package from the Sons of Italy and the Board will need to continue the hearing.

On a motion by Mr. Sidney, seconded by Mr. Evans, the Board, by roll call vote, voted 5-0-0 to continue the public hearing to 12/21/22 at 12:00 pm. The roll call vote was as follows:

Mr. Hickey	Yes
Mr. Sidney	Yes
Mr. Evans	Yes
Mr. Joseph	Yes
Ms. Coughlin	Yes

G. Select Board policy - Off Premises Alcohol Licenses

The Board had further discussion regarding the Off Premises Alcohol Licenses policy while looking to decide on a final policy. The draft S15 alcohol policy is attached to this evening's agenda.

On a motion by Mr. Evans, seconded by Mr. Hickey, the Board voted 5-0-0 to approve the alcohol policy for wine and malt beverages and all alcohol, as amended, to be effective January 1, 2023, with latitude for administrative changes and edits.

H. Select Board policies

Ms. Coughlin had recommendations and comments regarding the two potential policies listed below:

1. Fraternalization policy
2. Rental policy for Community Senior Center and Alcohol

Mr. Errickson did note that a fraternization policy is an administrative policy and is always open to Select Board support, however, in this instance, it is an administrative policy and not a Select Board policy. Mr. Errickson further notes that town administration is updated and revising the rental policy for the Community and Senior Center.

I. Approve 2023 Select Board Meeting Schedule

The Select Board's proposed meeting schedule for 2023 is attached to this evening's agenda for the Board to review and to approve.

On a motion by Mr. Evans, seconded by Mr. Sidney, the Board voted 5-0-0 to approve the Select Board meeting schedule for 2023.

J. Parking Fees 2023 – Commuters

Mr. Errickson is asking a vote from the Board on the proposed 2023 Commuter parking fees.

Attached to this evening's agenda is a memorandum from Mr. Errickson outlining the current fee structure and a history of the last couple of years.

On a motion by Mr. Hickey, seconded by Mr. Evans, the Board voted 5-0-0 to Authorize the Town Administrator to execute a 1-year extension for the lease of the commuter parking lot for a term of \$25,000 with all other lease terms remaining; and to set the commuter parking rates at \$830 for Natick residents, \$1,200 for non-residents, and \$7 daily rate.

CONSENT AGENDA

- A. Procurement Officer Award Contract
 1. Award - Parking Ticket Collection Services
 2. Award - Consultant Services for the Town Governance Study Committee
 3. Award - Year 5 MS4 Support Services
 4. Award - Landfill Gas Collection/Monitoring Services - (3 years)
- B. Approve Lucid Group USA's Class 1 Auto Dealer Application License
- C. Approve Easy Way Auto Sales Inc.'s Application for a Class II Auto Dealer License
- D. Approve Natick Center Associate's Request to Occupy a public way
Whoopie Wagon Food Truck Location: Parking spot on the corner of Main and

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Summer Streets, December 17, 2022 from 3:00pm-6:00pm Event: Holiday Stroll

- A. Approve Meridian Lodge's Request to Occupy a Public Way on January 21, 2023, for a Blood Drive at 24 Main St., Natick, MA
- B. Approve 2023 Alcohol License Renewals
- C. Approve Meeting Minutes
- E.
 - 1. Open Meeting Minutes September 28, 2022

On a motion by Ms. Coughlin, seconded by Mr. Sidney, the Board voted 5-0-0 to approve the Consent agenda except for item F.

On a motion by Ms. Coughlin, seconded by Mr. Sidney, the Board voted 5-0-0 to approve Item F with the exception of all Club Licenses.

On a motion by Ms. Coughlin, seconded by Mr. Sidney, the Board voted 5-0-0 to adjourn the meeting at 10:12 PM.


Richard Sidney, Clerk

December 14, 2022, Select Board Meeting Minutes Approved by the SelectBoard on June 28, 2023.

All documents used at this Select Board meeting are available at:

<https://naticktown.novusagenda.com/agendapublic/MeetingView.aspx?MeetingID=1063&MinutesMeetingID=-1&doctype=Agend>