

SELECT BOARD
TOWN OF NATICK

MEETING MINUTES

Meeting Conducted in the Edward H. Dlott
Meeting Room and via Zoom
January 11, 2023
6:30 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-Operations, Jon Marshall;
Executive Assistant, Joan McNamara

ABSENT: None.

Chair Joseph called the meeting to order at 6:35 PM

The Chair announced that this meeting is currently being recorded by Natick Pegasus for future viewing.

The Chair noted that he will read the seven items listed for executive session and read the following:

A. Approve Executive Session Meeting Minutes

1. 3/9/2020:

- A. Pursuant to M.G.L. ch.30A §21(a)(6) To consider the purchase, exchange, lease or value of real property if the Chair declares that an open meeting may have a detrimental effect on the negotiating position of the public body - 22 Pleasant St.;
- B. To discuss strategy with respect to collective bargaining or litigation where an open meeting will have a detrimental effect on the bargaining or litigating position of the public body - Natick Firefighters

2. 3/16/20:

- A. Pursuant to M.G.L. ch.30A §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: E.L. Harvey and Sons, Inc. v. Town of Natick, Civil Action No. 1981CV03477

3. 3/30/20

- A. Pursuant to M.G.L. ch.30A §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: Natick Patrol Officers' Association
- B. Pursuant to M.G.L. ch.30A §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

4. 4/6/20:

A. Pursuant to M.G.L. ch.30A §21(a)(3) - To discuss strategy with respect to collective bargaining or litigation where an open meeting will have a detrimental effect on the bargaining or litigating position of the public body - JLMC - Local 1707, International Association of Firefighters, AFL-CIO and New England Benevolent Police Association, Local 82

B. Pursuant to M.G.L. ch.30A §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

5. 4/27/20

B. Pursuant to M.G.L. ch.30A §21(a)(1), to discuss receipt of and response to an Open Meeting Law Complaint

C. Pursuant to M.G.L. ch.30A §21(a)(3), to discuss strategy with respect to collective bargaining, where an open meeting will have a detrimental effect on the bargaining position of the public body, and the chair so declares – LIUNA units; New England Police Benevolent Association, Inc., Local 82

D. Pursuant to M.G.L. ch.30A §21(a)(3), to discuss strategy with respect to litigation, where an open meeting will have a detrimental effect on the litigating position of the public body, and the chair so declares – Natick Patrol Officers Association

6. 5/11/20

B. Purpose 4: To discuss the deployment of security personnel or devices, or strategies with respect thereto

C. Pursuant to M.G.L. ch.30A §21(a)(3), to discuss strategy with respect to litigation, where an open meeting will have a detrimental effect on the litigating position of the public body, and the chair so declares – Natick Patrol Officers Association

D. Pursuant to M.G.L. ch.30A §21(a)(3), to discuss strategy with respect to collective bargaining, where an open meeting will have a detrimental effect on the bargaining position of the public body, and the chair so declares – LIUNA units; New England Police Benevolent Association, Inc., Local 82; New England Police Benevolent Association, Inc.

7. 5/26/20:

B. To consider the purchase of real property where discussion in an open meeting would have a detrimental effect on the negotiating position of the Town

C. Pursuant to M.G.L. ch.30A §21(a)(3), to discuss strategy with respect to litigation, where an open meeting will have a detrimental effect on the litigating position of the public body, and the chair so declares – JLM-20-7878 - Natick Firefighters Local 1707, IAFF and the Town of Natick

D. Pursuant to M.G.L. ch.30A §21(a)(3) - To discuss strategy with respect to collective bargaining if an open

January 11, 2023

meeting may have a detrimental effect on the bargaining position of the public body and the Chair so declares: Supervisors' and Administrators' Association (DPW Supervisors); Public Employees Local Union 1116 (DPW Laborers); Public Employees Local Union 1116 (Clerical); Public Employees Local Union 1116 (Library); Maintenance and Custodians Local 1116 (Facilities Maintenance); Deputy Chiefs Association; International Association of Firefighters, AFL-CIO, Local 1707; New England Police Benevolent Association, Local 182; New England Police Benevolent Association, Local 82; Natick Patrol Officers' Association

On a motion by Mr. Evans, seconded by Ms. Coughlin, 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
Ms. Coughlin	Yes
Mr. Joseph	Yes

Open Session reconvened at 7:30 PM

The Pledge of Allegiance was recited and a Moment of Silence was observed for all those that serve.

ANNOUNCEMENTS

None.

PUBLIC SPEAK

Roger Scott addressed the Board regarding the tax rate and asked why the homeowners' tax rate is so high compared to the commercial tax rate.

Jonas Miller, co-owner of a home at 5 Arrow Path, Natick MA, addressed the Board regarding the timing of the public hearing agenda item for this evening. Chair Joseph noted that Public Speak is a platform used for citizens to speak only on issues that are not listed on the agenda.

SELECT BOARD UPDATES

A. Sharing Information with the public

Chair Joseph addressed the issue of sharing information with the public regarding personnel matters while still protecting the rights of personal privacy. He also addressed transparency regarding the Town's position pertaining to litigation and potential litigation. He added that there are quite a few mitigating factors to consider that affect the Town's ability and timing when considering the release of any information to the public.

Town Administration continues to work with the Select Board and the Police Department to establish a process and framework to be most responsive to the public.

B. Water /Fluoride Update

Town Administrator Errickson stated that about a year ago the Town had a problem accessing fluoride to be added to our water system per the local Board of Health. At this time, we are still experiencing supply chain issues. We are receiving one pallet a month right now to add to our water system. This is equal to approximately one month's supply. We receive a "bagged" version of fluoride which may be different than other communities so it could be why some communities are not experiencing the same shortage.

C. Unaccepted Roads

Chair Joseph made a quick update regarding a meeting he recently attended. This meeting pertained to putting processes and formal guidelines in place to how we approach the acceptance of roads moving forward.

2. **DISCUSSION AND DECISION**

A. Information Systems Advisory Board & Cable Advisory Board- membership and split

Hank Szretter, Chair of the Cable Advisory Board, was present this evening before the Select Board. Mr. Szretter has been a longstanding member of both the Cable Advisory and Information Systems Advisory Boards. This evening Mr. Szretter was before the Board to explain why both Boards have had the same exact members since 2018 and why these members are appointed to both Boards simultaneously.

Attached to this evening's agenda is all supporting documentation dating back to 2018 which confirms Mr. Szretter's statements that the main reason for appointments to both Boards was the inability to get enough volunteers to apply for each given Board. In addition, the Boards have cross-functional work which makes dual membership understandable.

B. Public Hearing - Grant of Location Arrow Path

Attached to this evening's agenda is a public hearing notice and documents pertaining to a Grant of Location for three new house lots on Arrow Path, Natick, MA

Mr. Evans, Clerk, read the public hearing notice.

On a motion by Mr. Evans, seconded by Mr. Sidney, 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
Ms. Coughlin Yes
Mr. Evans Yes
Mr. Joseph Yes

Christine Cosby, Eversource representative in the Right of Way Dept., was present to briefly discuss the Grant of location which would be to allow the placing of 350ft. of conduit for electrical service to three new house lots on Arrow Path. Ms. Cosby answered a question by the Board as to how long there would be disruption in the area. Ms. Cosby noted that once the Board approved the Grant of Location, street opening permits would be opened and then the work could be done. The work should not take more than a few days.

Jonas Miller, an abutter to the property, addressed the Board regarding the Grant of Location and other issues he had with regard to the new house lots across the street from where he is living on Arrow Path. The Board addressed Mr. Miller's questions and decided to continue the Public Hearing to January 25, 2023, to further investigate Mr. Miller's complaint prior to issuing the Grant of Location.

On a motion by Mr. Evans, seconded by Mr. Hickey, the Board, by roll call vote, voted 5-0-0 to continue to the public hearing to January 25, 2023 at 7:00PM. The Roll Call vote was as follows:

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

C. Water and Sewer Abatement Appeal

1. Michael Gilbert, 3 Chieftan Lane, Natick, MA 01760

Mr. Gilbert was before the Board this evening to appeal the water and sewer abatement that had been denied. This water and sewer bill in the amount of \$8,597.64 came about as a result of a hose that was hooked up to an outside water bib that had probably been leaking and then burst unbeknownst to the Gilberts. Their irrigation system had actually been turned off as the family misinterpreted the Natick water ban as a total water ban.

After a full roundtable discussion by the Board, the following motion was made:

On a motion by Mr. Hickey, seconded by Mr. Evans, the Board voted 5-0-0 to abate the bill in the amount of \$4,597.64.

D. Announce 2023 Spring Annual Town Meeting

Attached to this evening's agenda is the Select Board's Notice of Intention to Call the 2023 Spring Annual Town Meeting on Tuesday, April 25, 2023, at 7:30 PM at Natick High School. This was announced by Mr. Evans, Clerk.

E. Discussion of potential Select Board warrant articles

Ms. Coughlin addressed the Board and asked if there would be enough time to craft a warrant article to rescind the special legislation for club licenses.

F. Pursuant to M.G.L.c. 40A, sec. 5, request to refer Zoning Article back to Planning Board

1. Center Gateway Zoning District

On a motion by Mr. Evans, seconded by Mr. Hickey, the Board voted 5-0-0 to refer the Center Gateway Zoning District Article back to the Planning Board.

G. 5 Auburn Street RFP

The discussion this evening was focused around the process to move forward on the interviews for the RFP. Mr. Errickson stated that what is actually written in the RFP states that the Select Board reserves certain rights for how this review process and how the final selection can work. This includes the right to interview one or more of the respondents prior to making an award. Mr. Errickson also noted that it may make sense to make each "Proposer" aware of any further questions that may be posed to them during the interviewing process. However, Mr. Errickson did add that he wished to address the topic of further questions with Town Counsel prior to giving direction to this Board.

Mr. Hickey noted that, in his opinion, he would envision the process to be an off-cycle meeting where the Board would interview all four Respondents, giving them an equal allotment of time with reasonable advance notice for supplemental information. The Board agreed that they are proposing February 11, 2023, from 8:00 AM-1:30 PM to interview the candidates.

1. CONSENT AGENDA

A. Approve Deb Sayre's request to hang banners across Main Street:

1. On behalf of the Natick Farmers Market from May 1st through May 7, 2023;
2. On behalf of Natick Artists Open Studios from October 16 through October 22, 2023

B. Approve Meeting Minutes

1. Meeting Minutes of October 3, 2022
2. Meeting Minutes of October 12, 2022

C. Approve the Council on Aging's Request to make small changes to the Rules of Governance

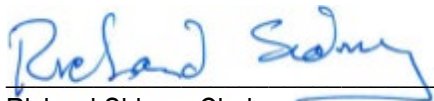
On a motion by Mr. Evans, seconded by Mr. Sidney, the Board voted 5-0-0 to approve the Consent Agenda.

January 11, 2023

On a motion by Mr. Hickey, seconded by Mr. Sidney, the Board, by Roll Call vote, voted 5-0-0 to approve the Consent Agenda. The Roll call vote was as follows:

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

On a motion by Mr. Sidney, seconded by Mr. Evans, the Board voted 5-0-0 to adjourn the meeting at 8:42 PM.


Richard Sidney, Clerk

January 11, 2023, Select Board Meeting Minutes Approved by the Select Board on June 28, 2023.

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

<https://naticktown.novusagenda.com/agendapublic/MeetingView.aspx?MeetingID=1112&MinutesMeetingID=-1&doctype=Agend>