

CHARTER AND BY-LAW REVIEW COMMITTEE MEETING  
February 24, 2010  
Dlott Meeting Room, Town Hall

Members present: Jay Ball, Barbara Chinetti, Carol Gloff, Robert Healey, Tony Lista, Richard Sidney

Members absent: Karen Adelman Foster

Meeting attachments: A. Email from Rich Sidney dated 2-20-10, Updated: MGL Research: "Election and Town Meeting timing rules"  
B. Document provided by Paul Connolly, Charter Article 2 Section 11(d); By-Law Article 11, proposed new section; By-Law Article 1 Section 4

The meeting was called to order by Carol Gloff, chair, at 7:41 a.m.

APPROVAL OF MINUTES

Mr. Sidney moved approval of the minutes of January 13, 2010. The motion was seconded by Ms. Chinetti and carried by a vote of 5-0-1 with Mr. Lista abstaining.

Ms. Chinetti moved approval of the minutes of February 3, 2010. The motion was seconded by Mr. Sidney, and carried by a vote of 4-0-2, with Mr. Lista and Mr. Ball abstaining.

Mr. Sidney moved approval of the minutes of February 8, 2010. The motion was seconded by Mr. Ball, and carried by a vote of 5-0-1, with Ms. Chinetti abstaining.

Mr. Ball moved approval of the minutes of February 10, 2010. The motion was seconded by Mr. Sidney, and carried by a vote of 4-0-2, with Mr. Lista and Ms. Chinetti abstaining.

Mr. Sidney moved approval of the minutes of February 16, 2010. The motion was seconded by Mr. Healey, and carried by a vote of 6-0-0.

Mr. Lista moved approval of the minutes of February 18, 2010. The motion was seconded by Mr. Sidney, and carried by a vote of 6-0-0.

Ms. Gloff further discussed other meeting minutes on which she is working to get attachments and further documentation.

#### DISCUSSION CONCERNING CHARTER ARTICLE 5

A brief discussion proceeded about whether to include this article on the Spring Town Warrant. Positive Action was moved by Mr. Ball. The motion was seconded by Mr. Sidney and carried unanimously.

#### DISCUSSION CONCERNING BY-LAW 50

A brief discussion proceeded about whether to include this article with edits for handicapped parking heights. Positive Action was moved by Ms. Chinetti. The motion was seconded by Mr. Healey and carried unanimously.

#### DISCUSSION CONCERNING BY-LAW 50

A brief discussion proceeded about whether to include this article with edits for handicapped parking heights. Positive Action was moved by Ms. Chinetti. The motion was seconded by Mr. Healey and carried unanimously.

#### DISCUSSION CONCERNING CHARTER ARTICLE 2 SECTION 11(D).

A discussion led by Paul Connolly proceeded about how in the judgment of Mr. Connolly the posting of Warrants in precincts is flawed. Ms. Gloff asked for examples of how the process is flawed. Mr. Connolly provided examples including hard-to-find locations and incomplete postings. In summarizing the proposals to fix the flawed process, Mr. Connolly would like to see changes made in the posting locations and the type of information posted. He provided examples of his suggestions including proposals for giving Town Clerk authority over picking locations, using the Internet and Public TV to describe the posting. Mr. Sidney described his reasons for not wanting to list website or specific TV stations. The committee then discussed the merits of modifying the current Warrant Article to include Mr. Connolly's proposal. Positive Action to modify the Warrant was moved by Mr. Sidney. The motion was seconded by Mr. Ball and carried unanimously. A second Positive Action to consider adding the maker's edits to By-law Article 11 of the Warrant was moved by Mr. Sidney. The motion was seconded by Mr. Ball and carried unanimously.

#### ADJOURNMENT

Adjournment was moved by Mr. Sidney. The motion was seconded by Ms. Chinetti and carried unanimously. Ms. Gloff adjourned the meeting at 9:22 a.m.

Respectfully Submitted by Tony Lista, CBRC member

Minutes approved on March 18, 2010 by a vote of 6-0-1.

## Attachment A

**From:** Rich Sidney [richsidney@gmail.com]

**Sent:** Saturday, February 20, 2010 12:26 PM

**To:** 'Carol Gloff'

**Subject:** Updated: MGL Research: Election and Town Meeting timing rules

**Attachments:** Moving the Election Date.doc

Carol – here is an updated version of the suggested changes to the Charter and By-laws, and report on my research into MGL.

The attachment is extracts of Charter 2 and 3 and by-law 1, with revision-marked changes to propose (including those discussed at the meeting with Counsel)

<<...>>

Rich Sidney

The timing issues around scheduling elections are mostly found in Ch 39. Town elections are apparently considered to be part of the Annual Town Meeting, and so the timing is described there.

There are additional timing items noted in various sections of Ch 53 and 54.

Various extracts of MGL are found below my signature.

### Conclusion:

The election must be held between February and June (inclusive).

The timing of all issues for local elections seem to be 35 days prior to the election. Mostly it seems this can be trumped by charter and/or by-law. This means that there are no particular bars that will keep us from moving an election date at any time, so long as we specify pretty clearly the process within the by-laws. We can even override the 35 days specified within our charter and by-laws, so far as I can tell (we should gain Counsel's advice on this conclusion).

Rich Sidney  
30 High St  
Natick MA 01760-4827  
508-655-5639

**Chapter 39: Section 9. Annual meeting; other meetings; election of officers; times; adjournment; holidays**

Section 9. Except as otherwise provided by special law or a charter adopted or revised or amended under Sections two, three, or four of Article LXXXIX of the Amendments to the Constitution of the Commonwealth which may provide for a different time for the election of town officials and other matters to be determined by ballot, **the annual meeting of each town shall be held in February, March, April, May or June**; and other meetings may be held at such times as the selectmen may order or the charter or by-law prescribe; provided, however, that, notwithstanding the provisions of this section or of any other law, by-law, or charter to the contrary, a town, by the vote of its board of selectmen or town council may delay the annual town meeting; and provided, further, that such a delayed annual town meeting shall complete its business on or before June thirtieth. Town meetings shall be held within the geographic limits of the town unless a special law, charter or by-law provides otherwise; provided, however, that any meeting for the election by ballot of federal, state or other officers or the determination of other matters that are to be determined by ballot at an election shall be held within the geographic limits of the town. Meetings may be adjourned from time to time and meet and adjourn to any place authorized by law provided that officers shall be elected, and matters required by law to be elected or determined by ballot, shall be so elected or determined during the hours during which polls shall remain open as hereinafter provided. If the day set for a town meeting by by-law or otherwise falls on a legal holiday, such meetings shall be held on the day following. A town may by by-law designate the hour at which the annual town meeting shall be called and subject to section sixty-four of chapter fifty-four by vote or by-law designate the hours during which polls shall remain open in meetings for the election of officers and the determination of other matters that are required by law to be determined by ballot.

#### **Chapter 39: Section 9A. Election of officers and other matters determined by ballot; meetings; time and place; warrants**

Section 9A. Except as otherwise provided by special law or a charter adopted or revised or amended under Sections two, three or four of Article LXXXIX of the Amendments to the Constitution of the Commonwealth, a town may provide by charter or by-law that **the election of town officials and other matters to be determined by ballot shall take place in February, March, April, May or June before or after the annual meeting held for the transaction of other business**, provided said annual meeting for the transaction of other business is also held or commences in February, March, April, May or June. **The time and place of holding such election and vote and meeting for the transaction of other business may be stated in one warrant for the annual town meeting if called within thirty-five days of each other and such election and vote shall be deemed parts of the annual town meeting.** If the election and other matters to be determined upon by ballot and the annual meeting for the transaction of other business are more than thirty-five days apart, separate warrants shall be used.

#### **Chapter 39: Section 10. Warrant; issuance; contents**

Section 10. Every town meeting or town election, except as hereinafter provided, shall be called in pursuance of a warrant, under the hands of the selectmen, **notice of which shall be given at least seven days before the annual meeting or an annual or special election** and at least fourteen days before any special town meeting. The warrant shall be directed to the constables or to some other persons, who shall forthwith give notice of such meeting in the manner prescribed

by the by-laws, or, if there are no by-laws, by a vote of the town, or in a manner approved by the attorney general. The warrant for all town meetings shall state the time and place of holding the meeting and the subjects to be acted upon thereat. The town meeting may be held in one or more places; provided, that if it is held in more than one place, the places are connected by means of a public address system and loud speakers so that the proceedings in all such places may be heard and participated in by all the voters present therein. Whenever the moderator determines that voters are being excluded from the town meeting because there is no room for them in the places provided or that voters in attendance are being deprived of the opportunity to participate therein for any reason whatsoever, he shall either, on his own motion recess the meeting for any period during the day of the meeting or, after consultation with the members of the board of selectmen then present, adjourn the same to another date, not later than fourteen days following the date of said meeting, when places and facilities sufficient to accommodate all voters attending and to enable them to participate therein shall be available. The selectmen shall insert in the warrant for the annual meeting all subjects the insertion of which shall be requested of them in writing by ten or more registered voters of the town and in the warrant for every special town meeting all subjects the insertion of which shall be requested of them in writing by one hundred registered voters or by ten per cent of the total number of registered voters of the town whichever number is the lesser. The selectmen shall call a special town meeting upon request in writing, of two hundred registered voters or of twenty per cent of the total number of registered voters of the town, whichever number is the lesser; such meeting to be held not later than forty-five days after the receipt of such request, and shall insert in the warrant therefor all subjects the insertion of which shall be requested by said petition. No action shall be valid unless the subject matter thereof is contained in the warrant. Two or more distinct town meetings for distinct purposes may be called by the same warrant.

The written requests of registered voters for the insertion of subjects in town meeting warrants shall not be valid unless the required number of registered voters not only sign their names but also state their residence, with street and number, if any. The selectmen shall submit such written requests to the board of registrars of voters or the board of election commissioners who shall check and forthwith certify the number of signatures so checked which are names of voters in the town, and only names so checked and certified shall be counted. A greater number of names than are required in each case need not be certified.

### **Chapter 53: Section 7. Nomination papers; signatures; addresses; submission; deadlines; correction procedures; certification and checking; special elections**

Section 7. Every voter signing a nomination paper shall sign in person as registered or substantially as registered, and shall state the address where he or she is currently registered, but any voter who is prevented by physical disability from writing may authorize some person to write his or her name and residence in his or her presence.

**Every nomination paper of a candidate for a city or town office shall be submitted to the registrars of the city or town where the signers appear to be voters on or before five o'clock post meridian of the fourteenth day preceding the day on which it must be filed with the city or town clerk.** Every nomination paper of a candidate for a state office shall be submitted to the registrars of the city or town where the signers appear to be voters on or before five o'clock

post meridian of the twenty-eighth day preceding the day on which it must be filed with the state secretary; and certification of nomination papers of candidates for state office shall be completed no later than the seventh day before the final day for filing said papers with the state secretary.

The registrars shall inform the candidate submitting such papers if the designation of the district only in which he seeks office is incorrect, and shall give said candidate the opportunity to insert the correct designation on such papers before the signatures are certified. The registrars shall, if the candidate so desires, allow a change of district on the nomination papers, in the presence of the candidate whose name appears on the nomination papers, and the registrar and the candidate shall both initial the change of district so made and further shall in writing explain the change of district causing three copies to be made, one of each for the registrar and candidate and one to be attached to the nomination papers. If the correct district designation is not so inserted, the nomination papers shall not be approved. In no case may a correction be made to change the office for which such candidate is nominated.

Every initiative, referendum or other ballot question petition paper, except an application for a public policy question under sections nineteen to twenty-two, inclusive, shall be submitted to the registrars of the city or town where the signers appear to be voters on or before five o'clock post meridian of the fourteenth day preceding the day on which it must be filed with the state secretary; and certification of such papers shall be completed no later than the second day before the final day for filing said papers with the state secretary. In the case of special elections, every nomination paper shall be submitted to the registrars of the city or town where the signers appear to be voters on or before five o'clock post meridian in the afternoon of the seventh day preceding the day on which it must be filed with the state secretary; and certification of nomination papers of candidates shall be completed no later than the twenty-four hours before the final hour for filing said papers with the state secretary, except that, for special elections for senator or representative in congress, every nomination paper shall be submitted to the registrars of the city or town where the signers appear to be voters at or before 5:00 p.m. of the fourteenth day preceding the day on which it must be filed with the state secretary, and certification of nomination papers of candidates shall be completed no later than the 72 weekday hours before the final hour for filing those papers with the state secretary.

Each nomination paper shall be marked with the date and time it was submitted and such papers shall be certified in order of submission. In each case the registrars shall check each name to be certified by them on the nomination paper and shall forthwith certify thereon the number of signatures so checked which are names of voters both in the city or town and in the district for which the nomination is made, and only names so checked shall be deemed to be names of qualified voters for the purposes of nomination. The registrars shall place next to each name not checked symbols designated by the state secretary indicating the reason that name was disqualified. The registrars shall certify a number of names that are required to make a nomination, increased by two fifths thereof, if they are submitted in a timely manner for a certification.

The state secretary need not receive nomination papers for a candidate after receiving such papers containing a sufficient number of certified names to make a nomination, increased by two fifths thereof.

For the purposes of this section a registered voter who in signing his name to a nomination paper inserts a middle name or initial in, or omits a middle name or initial from, his name as registered shall be deemed to have signed his name substantially as registered. If the registrars can reasonably determine from the form of the signature the identity of the duly registered voter, the name shall be deemed to have been signed substantially as registered. The provisions of this section shall apply in all cases where any statute, special act, or home rule charter requires the certification of the signature of a voter by boards of registrars of voters. Signatures shall not be certified on nomination papers or initiative and referendum petitions from more than one city or town per sheet.

The state secretary shall promulgate regulations designed to achieve and maintain accuracy, uniformity, and security from forgery and fraud in the procedures for certifying nomination papers and petitions for ballot questions and names thereon pursuant to this section, and to ensure proper delivery of certified nomination papers and petitions by registrars to the person or organization who submitted such papers or petitions.

### **Chapter 53: Section 9A. Nomination papers for cities or towns; applicable provisions**

Section 9A. In any city or town which accepts this section, in a city by vote of the city council subject to the provisions of its charter, and in a town by vote of the town meeting, the following provisions shall apply with respect to nomination papers:—

**The final date for obtaining blank nomination papers for nomination to city or town office shall be forty-eight week day hours prior to the hour on which nomination papers are required to be submitted to the registrars of voters for certification.**

Each candidate shall file with the city or town clerk, prior to obtaining blank nomination papers, a statement containing his name and address, and the city or town office for which he intends to be a candidate.

No candidate for city or town office shall receive more blank nomination papers than will contain the number of signatures required to place his name in nomination, multiplied by five.

### **Chapter 53: Section 10. Certificates of nomination and nomination papers; time for filing**

Section 10. [...]

***Any provision of general or special law to the contrary notwithstanding, the last day for filing with the town clerk certificates of nomination or nomination papers for the nomination of town offices shall be the thirty-fifth day preceding the date of the election.*** In any town, the time for presenting nomination papers for certification to the registrars of voters, and for certifying the same, ***shall be governed by section seven, notwithstanding any contrary provision in any special law.***

Any incumbent town meeting member may become a candidate for election by giving written notice thereof to the town clerk not later than twenty-one days prior to the last day and hour for filing nomination papers notwithstanding any contrary provision in any special law.

Certificates of nomination and nomination papers shall be filed before five o'clock in the afternoon of the last day fixed therefor.

#### **Chapter 53: Section 57. Notices of intention to participate in primaries**

Section 57. Notices of intention to participate in primaries shall be furnished to the city or town clerk, **not later than the thirtieth day prior to the day on which the primaries are to be held**, by the city and town committees of such political and municipal parties as are entitled to and desire to participate therein.

#### **Chapter 53: Section 61. Nomination papers; filing; certification; correction of district**

Section 61. All nomination papers of candidates to be voted for at city or town primaries shall be filed with the city or town clerk **not less than thirty-five days previous to the day on which the primary is to be held** for which the nominations are made. **Every such nomination paper shall be submitted at or before five o'clock in the afternoon of the fourteenth day preceding the day on which it must be filed to the registrars of the city or town where the signers appear to be voters**, and the registrars shall check each name to be certified by them on the nomination paper and shall forthwith certify thereon the number of signatures so checked which are names of voters both in the city or town and in the district for which the nomination is made and only names so checked shall be deemed to be names of qualified voters for the purposes of nomination. The registrars need not certify a greater number of names than are required to make a nomination, increased by one fifth thereof. Names not certified in the first instance shall not thereafter be certified on the same nomination papers. The city or town clerk shall not be required, in any case, to receive nomination papers for a candidate after receiving papers containing a sufficient number of certified names to make a nomination, increased by one fifth thereof.

The registrars shall inform the candidate submitting such papers if the designation of the district only in which he seeks office is incorrect, and shall give said candidate the opportunity to insert the correct designation on such papers before the signatures are certified. The registrars shall, if the candidate so desires, allow a change of district on the nomination papers, and the registrar and the candidate shall both initial the change of district so made and further shall in writing explain the change of district causing three copies to be made, one each for the registrar and candidate and one to be attached to the nomination papers. If the correct district designation is not so inserted, the nomination papers shall not be approved. In no case may a correction be made to change the office for which such candidate is nominated.

There shall not be printed on the ballot at a city or town primary the name of any person as a candidate for nomination for any office to be filled at a city or town election unless such person has been an enrolled member of the political party whose nomination he seeks throughout the ninety days prior to the last day for submitting primary nomination papers to the registrars of

voters prior to said primary, or is a newly registered voter of the city or town enrolled in the political party.

#### **Chapter 54: Section 63. Calling city and town elections; notice**

Section 63. Elections of state officers and city officers shall be called by the aldermen, and the city clerk shall, under their direction, cause notice of such elections to be conspicuously posted in the office of the city clerk or on the principal official bulletin board of such city and any other public building they deem necessary. Before every city election, the clerk shall make available a list of all candidates. He shall also print with said list the form of any question to be submitted to the voters. Such lists shall be public records and one copy shall be sent to every newspaper in said city listed in the Directory of New England Newspapers and Periodicals, to be used at the discretion of said newspapers. Such notices shall be in lieu of the notices or warrants for election required in any city by special statutes. Elections of state officers and town officers shall be called in towns as provided in section ten of chapter thirty-nine. The biennial state and the annual or biennial city and town elections shall be called at least seven days before the day prescribed for the holding thereof.

#### **Chapter 54: Section 64. Notices or warrants; requisites; time of opening and closing polls**

Section 64. Notices or warrants for state and city elections and for the election of town officers in towns where official ballots are used shall specify by name all the offices to be voted for, and state, in the form in which it will appear upon the ballot, any question submitted to the voters. They shall specify the time when the polls will be opened, and in cities and in towns when voting by precincts, when the polls will be closed, and in towns when not voting by precincts, when they may be closed.

The polls shall in no case be kept open after eight o'clock in the evening. At state elections the polls shall not be closed before eight o'clock in the evening.

In cities and towns at the election of state officers, the polls may be open as early as fifteen minutes before six o'clock in the forenoon, and shall be open not later than seven o'clock in the forenoon and shall be kept open at least thirteen hours. In cities at the election of city officers, the polls may be open as early as fifteen minutes before six o'clock in the forenoon, and shall be open not later than ten o'clock in the forenoon and shall be kept open at least ten hours.

In towns, at the election of town officers, the polls may be opened as early as fifteen minutes before six o'clock in the forenoon, and shall be opened as early as twelve o'clock, noon, and shall be kept open at least four hours, and until the time specified in the warrant when they may or will be closed; and in towns not voting by precincts they may be kept open for such longer time as the meeting shall direct. The selectmen in any town may provide that the hours during which the polls shall be open for the purpose of voting on a question to be submitted to the voters of said town shall be the same as the hours designated by said selectmen for the election of town officers. After an announcement has been made by the presiding officer of a time so fixed for closing the polls they shall not be closed at an earlier hour.

**Chapter 54: Section 58A. General Laws submitted to municipal voters for acceptance; form of question; filing date**

Section 58A. Whenever any provision of the General Laws, submitted for acceptance to the voters of a city or town, is to be placed on the ballot at any election, the city or town clerk shall place it on the ballot in the following form:—

“Shall this (city or town) accept the provisions of section (here insert section number) of chapter (here insert chapter number) of the General Laws, a fair and concise summary of which appears below?”

(Set forth here a fair, concise summary and purpose of the law to be acted upon, as determined by the city solicitor or town counsel, as the case may be.) If a majority of the voters voting on said question vote in the affirmative, then said provisions shall take effect in said city or town, but not otherwise.

The provisions of this section relative to the form of submitting for acceptance to the voters of a city or town of any provision of the General Laws shall not apply to the submission for acceptance of any provision of the General Laws in which or in the act creating such provision there is set forth the form in which the question of the acceptance shall be submitted to the voters.

**The final date for notifying, or filing a petition with, the city or town clerk or the state secretary to place such a question on the ballot shall be, if no final date is otherwise provided, thirty-five days before the city or town election or sixty days before the state election.**

**The provisions of this section, including the provision for a fair, concise summary determined by the city solicitor or town counsel, shall also apply whenever any special act is submitted for acceptance to the voters of a city or town, except to the extent that the special act expressly provides otherwise.**

**CHARTER ARTICLE 2**

**LEGISLATIVE BRANCH**

**Section 2-11 Town Meeting Warrants**

(d) **Publication** - Within five days following the date the warrant for any town meeting shall close the board of selectmen shall cause copies of the warrant articles for such meeting to be posted in each precinct of the town and copies of said warrant articles to be mailed to the town moderator, the chairman of the finance committee, and to such other persons as may be designated by by-law.

Additional copies of the warrant articles shall be made available for general distribution in the office of the town clerk.

## **Section 2-12 Proceedings of Town Meetings**

(a) **Time of Meetings** - The representative town meeting shall meet at least twice in each calendar year. The first such meeting shall be held during February, March, April, or May, on a date fixed by by-law, and shall be primarily concerned with the determination of matters involving the expenditure and commitment of town funds, including but not limited to the adoption of an annual operating budget for all town agencies and which shall be deemed to be the annual meeting of the town. The second such meeting, the powers of which shall also be deemed to be those of an annual meeting, except that it shall not be construed to include the time for election of town officers and of other matters to be determined by ballots, shall be held during the last four calendar months, on a date fixed by by-law. In addition to these meetings, the board of selectmen may, in their sole discretion, for the purpose of acting on the legislative business of the town in an orderly and expeditious manner, call the representative town meeting into session at other times by the issuance of warrants for that purpose.

**Wording proposed by R. Sidney as an attachment to the above email.**

## **CHARTER ARTICLE 3**

### **ELECTED OFFICERS**

#### **Section 3-1 In General**

(a) **Elective Offices** - The offices to be filled by the voters shall be a board of selectmen, a school committee, a board of assessors, a town clerk, constables, a board of health, Trustees of the Morse Institute, a town moderator, a planning board, and a recreation and parks commission. In addition, members of a housing authority and representatives to such other regional authorities or districts as may be established by law or interlocal agreement may also be filled by the voters.

(b) **Eligibility** - Any voter shall be eligible to hold any elective town office, provided, however, no person shall simultaneously hold more than one elected town office as defined in this section.

(c) **Town Election** - The annual election of town officers and for the determination of all questions to be referred to the voters, shall be held on such date as may from time to time be provided by by-law.

#### **(d) Preliminary Elections**

(1) **Candidates** - Any person who is qualified to vote in the town of Natick may be a candidate for an elective town office therein and shall be entitled to have his name as such candidate printed on the official ballot to be used at a preliminary election; provided that he shall file nomination papers provided by the town clerk containing twenty-five signatures certified as voters of the town.

(2) **Date of Preliminary Election** - The preliminary election shall be held twenty-eight days preceding every regular or special town election. If the date of said regular or special town election is changed, as provided by by-law, such change may include the setting of the date for the Preliminary Election.

(3) **Elections to be Nonpartisan** - No primary or caucus for the nomination of town officers shall be held. No ballot used at any preliminary, regular or special election in said town shall have printed thereon any party or political designation or mark, and there shall not be appended to the name of any candidate any such political designation or mark.

(4) **Filing of Nomination Papers** - Nomination papers must be filed with the town clerk not later than five o'clock in the afternoon of the thirty-fifth day preceding the preliminary election. If the date of said preliminary election is changed, as specified in subsection (2), above, such change may include the setting of the date for when nomination papers shall be filed with the town clerk. Every nomination paper shall be submitted to the registrars of voters for certification of the names thereon on or before five o'clock in the afternoon of the fourteenth day preceding the day on which it must be filed with the clerk.

## **BY-LAW ARTICLE 1**

### **TOWN MEETINGS**

#### **Section 1 Annual Town Election and Meetings**

In accordance with Section 3-1 (c) and Section 2-12 (a) of the Charter, the following dates are established.

- a. The town election, officially known as the Annual Town Meeting for the election of Town officers and for the determination of all questions as are by law to be decided by ballot of the voters, shall be held on the last Tuesday in March of each year.
  - i. The Board of Selectmen, by a two-thirds vote, at least four (4) months prior to the last Tuesday in March, may change the date of the town election, providing that it is held in March or April.
  - ii. Within four (4) months of the last Tuesday in March, and in accordance with Section 3-1 (d), subsections 2 and 4, the Board of Selectmen, by a unanimous vote, may change the date of the town election, providing that it is held in March or April, and shall set the dates when any preliminary election is to be held and when nomination papers must be submitted to the Town Clerk.
- b. The spring session of the representative town meeting, known as the Spring Annual Town Meeting, shall be called for 7:30 P.M. on the second Tuesday following the town election.
- c. The fall session of the representative town meeting, known as the Fall Annual Town Meeting, shall be called for 7:30 P.M. on the third Tuesday in October of each year.

## Attachment B

Charter, By-Law Amendments

Paul E. Connolly  
2/23/2010

### **Recommended Change Charter, Article 2, Section 2-11 (d)**

(d) **Publication** - Within five days following the date the warrant for any town meeting shall close, the board of selectmen shall forward advance copies of the warrant articles to the town clerk, the town moderator, the chairman of the finance committee, and to such other persons as may be designated by by-law. After the board of selectmen has officially signed the warrant, within five days thereafter, the town clerk shall prepare a notice of the meeting to include the date, time, location and a listing of article titles, and shall direct the posting of the notice in locations throughout the town as specified by by-law. Copies of warrant articles shall be made available for general distribution in the office of the town clerk and as specified by by-law.

### **New By-Law Recommended By-Laws, Article 11, New Section**

#### **Section ( ) Locations for Posting Notices of Town Meetings**

In addition to posting notices about Town Meetings on the Town bulletin board, the Town Clerk shall determine other suitable locations in the Town for posting such notices. These locations shall be readily accessible to the public, shall be recognized as a community bulletin board or posting area for announcements of general interest, and shall be maintained by some responsible persons who remove out-of-date postings and otherwise keep the area presentable. The Town Clerk shall submit the list of these locations, including any changes to the list, to the Board of Selectmen for approval.

### **Recommended Change By-Laws, Article 1, Section 4**

#### **Section 4 Notices; Warrant Articles**

4.1 **Notices** - Notices for the town election or preliminary election shall be posted at least fourteen days before the date of the election. Notices for any other Town Meeting shall be posted in accordance with Section 2-11(d) of the Charter. Notices shall be posted on the Town bulletin board, at other locations suitable for posting notices as determined by the Town Clerk and as approved by the Board of Selectmen, on the Town website, in a newspaper of general circulation in the Town, and on cable access television through Natick Pegasus.

4.2 **Warrant Articles** - In accordance with Section 2-11(d) of the Charter, copies of warrant articles shall be made available at the office of the Town Clerk and, additionally, on the Town website and as part of the report produced by the Finance Committee in advance of Town Meeting.