

ANNUAL TOWN MEETING
April 10, 2007

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ARTICLE 1
Fiscal 2007 Omnibus Budget
(Town Administrator)

To determine what sum or sums of money the Town will appropriate and raise, or transfer from available funds, for the operation of the government of the Town of Natick, including debt and interest, and to provide for a reserve fund for Fiscal Year 2007 (July 1, 2006 to June 30, 2007), and to see what budgets for Fiscal 2006 will be reduced to offset said additional appropriations, or take any action relative thereto.

ARTICLE 2
Fiscal 2008 Omnibus Budget
(Town Administrator)

To determine what sum or sums of money the Town will appropriate and raise, or transfer from available funds, for the operation of the government of the Town of Natick, including debt and interest, and to provide for a reserve fund for Fiscal Year 2008 (July 1, 2007 to June 30, 2008), or take any action relative thereto.

ARTICLE 3
Fiscal 2008 Morse Institute Library Budget
(Morse Institute Library)

To see what sums of money the Town will vote to raise and appropriate, or otherwise provide, for the maintenance and operation of the Morse Institute Library, for the Fiscal Year July 1, 2007 to June 30, 2008.

ARTICLE 4
Fiscal 2008 Bacon Free Library Maintenance Funding
(Bacon Free Library)

To see what sum of money the Town will vote to raise, borrow or transfer and appropriate for the maintenance of the Bacon Free Library, or otherwise act thereon.

ARTICLE 5
Elected Officials Salary
(Town Administrator)

To see if the Town will vote to fix the salary and compensation of all elective officers of the Town of Natick for the fiscal year which begins on July 1, 2007 as provided by Section 108 of Chapter 41 of the General Laws, as amended.

ARTICLE 6
Collective Bargaining
(Town Administrator)

To see if the Town will vote to raise and appropriate, or otherwise provide, the funds necessary to implement the Terms of Agreements reached between the Town and the following collective bargaining units:

- a) Laborers' International Union of North America, AFL-CIO, Local 1116-Clerical
- b) Laborers' International Union of North America, AFL-CIO, Local 1116-Laborers
- c) Laborers' International Union of North America, AFL-CIO, Local 1116-Library
- d) Laborers' International Union of North America, ALF-CIO, Local 1116-Recreation
- e) Supervisors' and Administrators' Association
- f) Service Employees International Union, Local 888
- g) International Association of Firefighters, AFL-CIO, Local 1707
- h) Natick Deputy Fire Chiefs' Association
- i) Natick Patrol Officers' Association
- j) International Brotherhood of Police Officers, Local 622

Or otherwise act thereon.

ARTICLE 7
Personnel Board Pay Plan
(Town Administrator)

To see if the Town, pursuant to the authority contained in Section 108A of Chapter 41 of the General Laws, will vote to amend the by-laws by adding to Article 24, Section 3, a new paragraph deleting certain position titles, adding new position titles and effecting changes in the salary ranges as presently established and will provide the money necessary therefore, or take any action relative thereto.

ARTICLE 8
Capital Equipment
(Town Administrator)

To see if the Town will vote to appropriate and raise, or otherwise provide, a sum or sums of money as may be required for capital equipment for the various departments

of the Town of Natick, determine whether this appropriation shall be raised by borrowing or otherwise, or take any other action relative thereto.

**ARTICLE 9
Capital Improvement
(Town Administrator)**

To see if the Town will vote to appropriate and raise, or otherwise provide, a sum or sums of money to implement a Capital Improvement Program, to protect the physical infrastructure of the Town of Natick, determine whether this appropriation shall be raised by borrowing or otherwise, or take any other action relative thereto.

**ARTICLE 10
Use of Unexpended Bond Proceeds
(Town Administrator)**

To see if the Town will vote to appropriate the aggregate amount of the following unexpended bond proceeds, which unexpended bond proceeds were not needed to complete the projects for which the bonds were originally issued, together with the unexpended balances of School Department Capital Improvements voted in Article 11 of the April 2006 Town Meeting, to pay costs related to capital improvements to “Resurface rooftop penthouses – Kennedy Middle School”:

Bonds Dated	Unexpended Proceeds	Original Authorization	Original Purpose
Nov. 1, 2006	\$ 7,032.76	Art 10 - April 20, 2004	Replace Intercom - Johnson
Nov. 1, 2006	\$ 6,020.52	Art 10 - April 20, 2004	Replace Intercom - Memorial
Nov. 1, 2006	\$20,059.52	Art 10 - April 20, 2004	Replace Intercom - Kennedy
Nov. 1, 2006	\$32,241.26	Art 10 - April 20, 2004	Replace Generator - Kennedy

; to determine whether any other sum shall be appropriated for the project described above; or take any other action relative thereto.

**ARTICLE 11
Rescind Un-issued Debt Authorization
(Town Administrator)**

To see if the Town will vote to rescind the following amount of un-issued debt authorized for the following purposes;

Amount Rescinded	Date of Vote	Purpose
\$ 75,000	Art 10 April 20, 2004	Engineer Fire Sprinkler Kennedy Middle School
\$350,000	Art 32 October 4, 2001	Water Meters

or take any other action relative thereto.

ARTICLE 12
School Bus Transportation System
(School Committee)

To see what sum of money the Town will vote to appropriate for the purpose of operation and administration of the school bus transportation system, and to reduce or offset fees charged for students who elect to use the school bus transportation system for transportation to and from school; or otherwise act thereon.

ARTICLE 13
Cochituate Rail Trail Survey & Preliminary Design
(Board of Selectmen)

To see if the Town will vote to appropriate and raise, or otherwise provide, a sum or sums of money to fund preliminary services related to the possible development of the Cochituate Rail Trail, such services to include but not be limited to boundary and topographic survey and preliminary design work.

ARTICLE 14
Establish Account for Handicapped Parking Violation Fines
(Commission on Disability)

To see if the Town will vote to transfer the sum of \$32,597.04 from Encumbered Capital Expenses to a separate account established under the provisions of Massachusetts General Laws, Chapter 40, Section 22 G with such funds to be used solely for the benefit of people with disabilities.

ARTICLE 15
Handicapped Accessible Improvements at Rink
(Commission on Disability)

To see if the Town will vote to appropriate and raise, or otherwise provide a sum of money not to exceed \$8,307 for the purchase of an accessible hockey sled with blade

adjustment system and the installation of handicapped accessible doors at the William L. Chase Arena; assistance to people of all abilities and mobility; awareness/educational materials to be used in the public and private sector; and other related activities to improve the quality of life for the disabled in Natick.

ARTICLE 16
Unpaid Bills
(Town Administrator)

To see if the Town will vote to raise and appropriate, or otherwise provide such sums of money as may be required for the payment of unpaid bills of previous years, incurred by the departments, boards and officers of the Town of Natick, or otherwise act thereon.

ARTICLE 17
Re-authorization of Revolving Funds
(Town Administrator)

To see if the Town will vote to authorize the use of revolving funds previously established pursuant to votes of Town Meeting; to determine: 1) the programs and purposes for which each such revolving fund may be expended; 2) the departmental receipts which shall be credited to each such revolving fund; 3) the board, department or officer authorized to expend money from each such revolving fund; and 4) a limit on the total amount which may be expended from each such revolving fund in the fiscal year which begins on July 1, 2007; or otherwise act thereon.

ARTICLE 18
Re-authorization of Revolving Fund for Golf Carts at Sassamon Trace
(Recreation & Parks Commission)

To see if the town will vote to authorize the use of revolving funds previously established pursuant to votes of Town Meeting for the restoration and rehabilitation of golf carts owned by the town at Sassamon Tract Golf Course; to authorize the Recreation Director, under the supervision of the Town Administrator, to expend money from such revolving fund; to determine a limit on the total amount which may be expended from such revolving fund during the fiscal year beginning July 1, 2007.

ARTICLE 19
Re-authorization of Revolving Fund for Natick Mall Inspectional Services
(Town Administrator)

To see if the Town will vote to authorize the use of revolving funds previously established pursuant to votes of Town Meeting to utilize fees received for inspection services and code compliance services for commercial construction projects and residential construction projects at the Natick Mall for the purpose of providing such services for the foregoing construction projects and administrative costs related thereto; to authorize the Building Department to expend money from such revolving fund; to determine a limit on the total amount which may be expended from such fund during the fiscal year beginning July 1, 2007; or otherwise act thereon.

ARTICLE 20
Establish Ambulance Enterprise Fund
(Anthony Lista, et al)

To see if the Town of Natick will vote to establish an Ambulance Enterprise Fund pursuant to M.G.L. Ch. 44, Section 53F1/2 of General Laws, and to appropriate \$_____, from said Enterprise Fund to finance the operation of the Ambulance Department for the fiscal year beginning July 1, 2007 or take any action in relation thereto.

ARTICLE 21
Increase in Personal Exemptions
(Board of Assessors)

To see if the Town will vote to increase the Personal Exemption Amounts by 27.5% under the provisions of Chapter 73 of the Acts of 1986 as amended by Chapter 126 of the Acts of 1988 which provides for "Optional Additional Property Tax Exemptions" allowing an annually determined, uniform increase in the amount of exemption in General Laws, Chapter 59 Section 5 Clauses 17D, 22, 22A, 22B, 22C, 22D, 22E, 37A and 41C (elderly person, disabled veteran, or blind person).

ARTICLE 22
Report of Indirect Cost Study Committee
(Indirect Cost Study Committee)

To hear a report by the Indirect Cost Study Committee (Committee), organized and authorized by Town Meeting pursuant to Article 23 of the 2006 Annual Town Meeting regarding municipal water and sewer budgets, including enterprise fund budgets,

indirect costs consistent with its charge; and take any other action with respect to said report.

ARTICLE 23

Establish Noise By-Law

(Jeanne Williamson Ostroff, Janet Nichols, Bob Healey, Don Friswell, et al)

To see if the Town will establish a by-law to regulate the hours of noise on a site abutting any residential use, in evening and overnight hours or otherwise act thereon.

ARTICLE 24

Affordable Housing Trust Fund

(Town Administrator)

To see if the Town will vote to accept the provisions of Chapter 44, Section 55C of the Massachusetts General Laws, added by Chapter 491, Section 1 of the Acts and Resolves of 2004, as amended, which would authorize the Town to establish a trust to be known as the Municipal Affordable Housing Trust Fund, the purpose of which is to provide for the creation and preservation of affordable housing for the benefit of low and moderate income households; or otherwise act thereon.

ARTICLE 25

Home Rule Petition to Lease Portion of Speen Street National Guard

(Board of Selectmen)

To see if the Town will vote to authorize the Board of Selectmen to petition the General Court to enact legislation in substantially the following form, provided that the General Court may reasonably vary the form and substance of the requested legislation within the scope of the general public objectives of this petition.

AN ACT AUTHORIZING
THE TOWN OF NATICK
TO LEASE CERTAIN PROPERTY IN NATICK
OWNED BY THE COMMONWEALTH OF MASSACHUSETTS

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same as follows:

SECTION 1

The town of Natick is hereby authorized to lease from the commissioner of asset management and maintenance, and the commissioner is hereby authorized subject to sections 40E to 40J inclusive, of chapter 7, to lease to the town certain property

located on Speen Street in the town which is a portion of a parcel shown on the town of Natick's assessors' maps as map 41, lot 84, which property is used now or formerly in relation to the national guard armory on Speen street. The exact boundaries of the parcel shall be determined by the commissioner in consultation with the military division after completion of a survey. The term of the lease shall not exceed 30 years, subject to the requirements of section 4 and subject to such additional terms and conditions as the commissioner may prescribe in consultation with the military division.

SECTION 2

The lease shall provide that land may be used by said town for municipal or any other public purposes.

SECTION 3

The town of Natick shall pay for all costs of the survey of the property required by section 1 of this act.

SECTION 4

The lease shall provide that in the event of military necessity the lease may be terminated upon 30 days prior written notice from the commissioner to the town.

SECTION 5

This act shall take effect upon its passage.

Or otherwise act thereon.

ARTICLE 26 **Authorization to Lease Eliot School for Up to 50 Years** **(Board of Selectmen)**

To see if the Town will vote to authorize the Board of Selectmen to lease for a term not to exceed fifty years the property at 5 Auburn Street in Natick, MA which is now or formerly the site of the Eliot Elementary School.

ARTICLE 27 **Home Rule Petition: Authorization to Lease Eliot School for Up to 50 Years** **(Board of Selectmen)**

To see if the Town will vote to authorize the Board of Selectmen to petition the General Court to enact legislation which would authorize the Board of Selectmen to lease for a term not to exceed fifty years the property at 5 Auburn Street in Natick, MA which is now or formerly the site of the Eliot Elementary School.

ARTICLE 28
Street Acceptance
(Town Administrator)

To see if the Town will vote to accept the following streets and any appurtenant easements as laid out and filed with the Town Clerk, and as shown on the street acceptance plans on file with the Town Clerk:

Dotties Court
Cottage Street

ARTICLE 29
Liqueurs & Cordial Licenses
(Board of Selectmen)

To see if the Town will accept the provisions of Chapter 138, Section 12, paragraph 14 to permit the sale of liqueurs and cordials by common victuallers who also hold a license to sell wine and malt beverages subject to all other licensing provisions of Chapter 138. (Inserted by Chapter 481 of the Acts of 1993); or otherwise act thereon.

ARTICLE 30
Youth & Families Study Committee
(Jennifer Ward, et al)

To see if the Town will vote to establish a Youth and Families Study Committee that will consider and recommend effective means to promote the health and well-being of Natick's youth and families; consider ways to coordinate services to Natick's youth and families; identify all existing and potential sources of funding for this purpose; and consider the best use of current and future facilities for services to youth and families; or take other action relative thereto.

ARTICLE 31
Authorize Town Meeting to Fill Vacancies in Membership
(Town Moderator)

To see if the Town will vote to authorize Town Meeting to take action to fill vacancies in membership until the next election whenever there are no unsuccessful candidates from previous elections eligible to fill vacancies in a precinct; and, in particular, to approve an amendment to Section 2-6(d) of Article 2 of the Natick Home Rule Charter for submittal to the voters. The proposed amendment is as follows:

Strike the last sentence in Section 2-6(d) which reads:

In the event, there are no persons eligible, the vacancy shall remain unfilled until the next town election.

In its place, add the following:

In the event there are no persons eligible, town meeting may act to fill the vacancy until the next town election as provided by by-law or by other town meeting vote.

ARTICLE 32
Amend Zoning By-Laws: Outdoor Lighting
(Planning Board)

To see if the Town will vote to add the following new Zoning Bylaw V-I. which would regulate the type, duration and placement of outdoor lighting of parcels, structures and signs to provide for the enhancement of public safety and prevention of nuisance; and to amend sections 200; V-D, 13; V-H, C.1.; and V-H, C in concert therewith.

V-I. OUTDOOR LIGHTING

1. Purpose and criteria

The regulation of outdoor lighting is intended to: enhance public safety and welfare by providing for adequate and appropriate outdoor lighting, provide for lighting that will complement the character of the town, reduce glare, minimize light trespass, and reduce the cost and waste of unnecessary energy consumption.

2. Applicability and terminology

a) The requirements of this section shall apply to outdoor lighting on lots and parcels in all districts but shall not apply to: one and two family dwellings on lots on which they are the principal use, or street lighting, lights that control traffic or other lighting for public safety on streets and ways. When an existing outdoor lighting installation is being modified, extended, expanded, or added to, the entire outdoor lighting installation on the lot shall be subject to the requirements of this section.

b) In addition to the terms defined in Section 200, Definitions, of this Bylaw, the following words, which are technical terms applying to lighting, which are set forth below, shall have the meaning indicated below. Although set forth here for

convenience, the terms shall have the same effect as if set forth in Section 200, Definitions.

COLOR RENDERING INDEX (CRI): A measurement of the amount of color shift that objects undergo when lighted by a light source as compared with the color of those same objects when seen under a reference light source of comparable color temperature. CRI values generally range from 0 to 100, where 100 represents incandescent light.

CUTOFF ANGLE: The angle formed by a line drawn from the direction of the direct light rays at the light source with respect to the vertical, beyond which no direct light is emitted.

DIRECT LIGHT: Light emitted from the lamp, off the reflector or reflector diffuser, or through the refractor or diffuser lens, of a luminaire.

FIXTURE: The assembly that houses a lamp or lamps, and which may include a housing, a mounting bracket or pole socket, a lamp holder, a ballast, a reflector or mirror, and/or a refractor, lens, or diffuser lens.

FULLY-SHIELDED LUMINAIRE: A lamp and fixture assembly designed with a cutoff angle of 90 degrees, so that no direct light is emitted above a horizontal plane.

GLARE: Light emitted from a luminaire with an intensity great enough to produce annoyance, discomfort, or a reduction in a viewer's ability to see.

HEIGHT OF LUMINAIRE: The vertical distance from the finished grade of the ground directly below to the lowest direct light emitting part of the luminaire.

INDIRECT LIGHT: Direct light that has been reflected off other surfaces not part of the luminaire.

LAMP: The component of a luminaire that produces the actual light.

LIGHT TRESPASS: The shining of direct light produced by a luminaire beyond the boundaries of the lot or parcel on which it is located.

LUMEN: A measure of light energy generated by a light source. One foot candle is one lumen per square foot. For purposes of this Bylaw, the lumen output shall be the initial lumen output of a lamp, as rated by the manufacturer.

LUMINAIRE: A complete lighting system, including a lamp or lamps and a fixture.

3. LIGHTING PLAN

Wherever outside lighting is proposed, every application for a building permit, a special permit, a special permit with site plan review, a variance, or an electrical permit, shall be accompanied by a lighting plan which shall show: the location and type of any outdoor lighting luminaires, including the height of the luminaire; the luminaire manufacturer's specification data, including lumen output and photometric data showing cutoff angles; the type of lamp such as: metal halide, compact fluorescent, high pressure sodium; a photometric plan showing the intensity of illumination at ground level, expressed in foot candles; and that light trespass onto any street or abutting lot will not occur. This may be demonstrated by manufacturer's data, cross section drawings, or other means.

4. CONTROL OF GLARE AND LIGHT TRESPASS

a) Any luminaire with a lamp or lamps rated at a total of more than 2,000 lumens shall be of fully shielded design and shall not emit any direct light above a horizontal plane passing through the lowest part of the light emitting luminaire.

b) All luminaires, regardless of lumen rating, shall be equipped with whatever additional shielding, lenses, or cutoff devices as are required to eliminate light trespass onto any street or abutting lot or parcel and to eliminate glare perceptible to persons on any street or abutting lot or parcel.

c) Paragraph a), above, shall not apply to any luminaire permitted by a SPGA and intended solely to illuminate any freestanding sign or the walls of any building, but such luminaire shall be shielded so that its direct light is confined to the surface of such sign or building.

5. LAMPS

Lamp types shall be selected for optimum color rendering as measured by their color rendering index (CRI), as listed by the lamp manufacturer. Lamps with a color rendering index lower than 50 are not permitted. This paragraph shall not apply to temporary decorative lighting which may include colored lamps, such as holiday lighting.

6. HOURS OF OPERATION

Outdoor lighting shall not be illuminated between 11:00 p.m. and 6:00 a.m. with the following exceptions: if the use is being operated, such as a business open to customers, or where employees are working or where an institution or place of public assembly is conducting an activity, normal illumination shall be allowed during the activity and for not more than one half hour after the activity ceases; low level lighting sufficient for the security of persons or property on the lot may be in

operation between 11:00 p.m. and 6:00 am, provided the average illumination on the ground or on any vertical surface is not greater than 0.5 foot candles.

7. SPECIAL PERMITS

In accordance with Section 3, the special permit granting authority (SPGA), may grant a special permit modifying the requirements of this Section, provided it determines that such modification is consistent with the objectives set forth in section V-I, 1., in the following cases: where an applicant can demonstrate, by means of a history of vandalism or other objective means, that an extraordinary need for security exists; where an applicant can show that conditions hazardous to the public, such as steep embankments or stairs, may exist in traveled ways or areas; where a minor change is proposed to an existing non-conforming lighting installation, such that it would be unreasonable to require replacement of the entire installation; where it can be demonstrated that for reasons of the geometry of a lot, building, or structure, complete shielding of direct light is technically infeasible. Special permits issued under this section will have a term of seven years unless other wise specified by the SPGA.

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In Section 200, DEFINITIONS, by adding the following in the proper place in the alphabetical order:

- COLOR RENDERING INDEX (CRI): (See Section V-I, Outdoor Lighting, for definition.)
- CUTOFF ANGLE: (See Section V-I, Outdoor Lighting, for definition.)
- DIRECT LIGHT: (See Section V-I, Outdoor Lighting, for definition.)
- FIXTURE: (See Section V-I, Outdoor Lighting, for definition.)
- FULLY-SHIELDED LUMINAIRE: (See Section V-I, Outdoor Lighting, for definition.)
- GLARE: (See Section V-I, Outdoor Lighting, for definition.)
- HEIGHT OF LUMINAIRE: (See Section V-I, Outdoor Lighting, for definition.)
- INDIRECT LIGHT: (See Section V-I, Outdoor Lighting, for definition.)
- LAMP: (See Section V-I, Outdoor Lighting, for definition.)
- LIGHT TRESPASS: (See Section V-I, Outdoor Lighting, for definition.)
- LUMEN: (See Section V-I, Outdoor Lighting, for definition.)
- LUMINAIRE: (See Section V-I, Outdoor Lighting, for definition.)

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In Section V-D, 13

Replace:

“The lighting shall be arranged and installed to minimize glare on adjacent property.”

With:

“The lighting shall be compliant with Section V-I”

In Section V-H, C.1.

Replace:

“(b) No sign shall be illuminated more than thirty (30) minutes after closing, or before 8:00 A.M. on any day except for signs of business which are legally carrying on business before 8:00 A.M. which may be illuminate while said businesses are actually open to receive the public.

Signs identifying police or fire stations and residences of medical doctors, hospitals, nursing homes, and other such signs as the Board of Appeals may authorize, may be illuminated at other hours if the Board finds that the nature and use of the premises is such that illumination should be permitted in the public interest.

(c) All illumination of signs must be so arranged as to prevent glare onto any portion of any public way or other adjacent property.”

With:

“(b) No sign shall be illuminated more than thirty (30) minutes after closing, or before 8:00 A.M. on any day except for signs of business which are legally carrying on business before 8:00 A.M. which may be illuminate while said businesses are actually open to receive the public.

Signs identifying police or fire stations and residences of medical doctors, hospitals, nursing homes, and other such signs as the SPGA may authorize, may be illuminated at other hours if the SPGA finds that the nature and use of the premises is such that illumination should be permitted in the public interest.

(c) All illumination of signs must be in conformance with Section V-I.”

In Section V-H, C Add a new section:

“7. Term

Special permits issued under Section V-H shall have a term of not more than seven years

ARTICLE 33
Committee Article
(Board of Selectmen)

To hear and act upon the reports of the several Town officers and reports of committees authorized by vote of any further Town Meeting and to authorize a sum of money for the purpose thereof.