

**2025 Spring Annual Town Meeting
Kennedy Middle School Auditorium
May 8, 2025, Fifth Session**

The fifth session of the 2025 Spring Town Meeting was called to order at 7:32 PM by Town Moderator, Jeffrey Alderson, who declared a quorum present. The Moderator welcomed residents, taxpayers, town officials, Town Meeting Members and interested parties to the fourth session of 2025 Spring Annual Town Meeting. The Moderator asked that all recently elected or appointed members of Town Meeting stand to take the oath of office.

The Moderator asked the audience to stand for the Pledge of Allegiance and a moment of silence in recognition of all the men and women serving on our behalf throughout the world.

The Moderator introduced the officials present for the meeting: Andrew Ghobrial, Town Clerk; Todd Gillenwater, Finance Committee Chair; Cody Jacobs, Finance Committee Secretary; David DeLuca, Town Counsel; James Errickson, Town Administrator; and Kathryn Coughlin, Select Board Chair. Gloria Huang will operate the slides and Jeff Horan, a representative from Option Technologies, will operate the electronic voting system.

The Moderator reviewed the seating arrangement of the auditorium and the rules for this Town Meeting. The proceedings of Town Meetings shall be governed by *Town Meeting Time, third edition*, the Town of Natick Home Rule Charter, the Natick Bylaws and the General Laws of the Commonwealth of Massachusetts. The Moderator reviewed the general rules and procedures of Town Meeting. He indicated that all residents and taxpayers of the town, town officers and employees, whether or not residents, have the same right to speak as Town Meeting Members; however they do not have the right to submit motions for consideration at Town Meeting, nor vote on any matter before Town Meeting. Non-residents may only speak at Town Meeting after approval by Town Meeting Members. No person shall speak upon any debatable motion more than once when any other person desires to be heard, nor more than twice on the same question without permission of Town Meeting; and no person shall speak more than five (5) minutes at one time without permission of Town Meeting. All motions offered for the consideration of Town Meeting shall be in writing if required by the Moderator; and all motions involving the expenditure of money shall be in writing when required by any Town Meeting Member. Written motions shall be presented to the Moderator on prescribed forms.

Consistent with the Natick Bylaws, once a member is recognized, it has been the practice of Town Meeting Members to first ask a question(s), then propose a motion and/or debate the highest-ranking motion. Once a speaker is called upon by the moderator, the speaker's time will begin. Time expended asking questions will be considered part of the speaker's time, pursuant to the Natick Bylaws. Responses to the speaker's question will not be considered part of the speaker's requisite time. Each speaker will be limited to three questions, whether they are stated singularly or in a compound question, such will be responded to at the direction of the Moderator. Motions shall be made and have precedence as listed in the table entitled "Precedence of Motions," found in the Natick Bylaws, the Town Meeting Member Handbook and *Town Meeting Time, third edition*. The

motion for the previous question shall not be entertained by the Moderator if three or more persons are seeking recognition, who have not previously spoken to the question.

Any person having a monetary or equitable interest in any matter under discussion at a Town Meeting, and any person employed by another having such an interest, shall disclose the fact of his/her interest or employment before speaking on the matter.

Optimistic that this will be the last session of the 2025 Spring Annual Town Meeting, Moderator Jeffery Alderson skipped over the procedure for advance communications for amendments and/or alternate motions.

A test question was asked of all town meeting members present: Do you have a library card?
(77/5/8)

Moderator Jeffery Alderson announced the upcoming friends of the library book, music and bake sale at the Morse Library.

Moderator Alderson notes that Town Meeting will start with Article 23.

Article 23 - Charter and By-Law Review Committee Report and Extension:

To see what action the Town will take to hear a report of the Charter and By-Law Review Committee, To see what action the Town Meeting will take to extend or to revise the term of the Charter and By-Law Review Committee,

To see what action the Town Meeting will take to appropriate funds to continue work with special legal counsel and to authorize, if necessary, the Charter and By-Law Review Committee to use such counsel; Or otherwise act thereon. Christine Weithman provided an overview and a budget update concerning the progress of the committee. She also shared a presentation.

FINANCE COMMITTEE RECOMMENDATION

The Finance Committee took the following action:	RECOMMENDATION:	Favorable
	QUANTUM OF VOTE:	13-0-0
	DATE VOTED:	March 25, 2025

MOTION (Requires a Majority Vote)

Moved by Cody Jacobs, seconded by Todd Gillenwater that the Town vote to hear a report of the Charter and By-Law Review Committee.

The motion under Article 15 passed by a majority vote (101/2/0).

Article 24 - Bylaw Changes:

To see what actions the town will take to amend the Bylaws of the Town with regard to:

Article 21A Collector of Taxes:

1) Article 21 – A Collector of Taxes i) in Section 6 to modify or add appropriate references to the General Laws for interest rates on delinquent charges and bills in tax title and ii) in Section 7 to modify a) the timing and publication requirements including but not limited to changing the word “newspaper of general circulation” to the Town website and /or to print publication of general circulation or other term(s) and b) the references to payments plans to refer to payment plans not in default or further arrears, to include amounts in tax title, and to exclude senior tax deferrals not due for payment and c) to include amounts due by year and iii) to add descriptive titles to Sections 1 through 7 inclusive;

Article 41 Contracts, Town Property and Regulations of Town Board and Officials:

i) add references in Section 1, and Section 3 to add all boards, officials, commissions, committees and instrumentalities of the Town to the existing reference to departments in Section 1 and in addition to “board” and official” in Section 3 and ii) add language in Sections 1, 2 and 3 respectively to the effect (either in the following specific wording or similar wording) that “Nothing herein, however, shall affect the ability of the Chief Procurement Officer to exercise the duties of said office as defined by Mass. Gen. Law Chapter 30B” and “Said actions shall be in addition to all responsibilities conferred to the Chief Procurement Officer pursuant to Massachusetts General Laws” and “Nothing herein shall be construed as precluding the use of electronic records maintenance and retention, so long as such means and methods are permissible under otherwise applicable law”; iii) change references to the Board of Selectmen to Select Board; iv) to change all gender references to non gender references; v) change “designated procurement officer to include or be replaced by “ Chief Procurement Officer”; vi) add the word “rule” after the word “local law” in Section 3; vii) add the word “residual” and delete the word “replacement” before the word “value” in Section 5; viii) to allow a shorter or longer period than 14 days if required or allowed by statute in Section 6 and to insert the word “a” before sale in Section 6; ix) add the Town Administrator or Town Manager as the case may be to the exemption language in Section 2; x) add language at the end of section 6 stating “ For more precise requirements on such sales, see Mass. Gen. Laws, Chapter 60, Sections 37-84A or successor legislation, or as said laws may hereinafter be amended” or words to similar effect; xi) modify or delete the last sentence in section 9.

Article 81 Chemical Storage Tanks and Systems of the By-Laws:

To see what action the town will take regarding Article 11 Town Clerk of the By-Laws: 2) i) add “propane” in Section 2a Applicability and add exceptions for “propane” in Sections 6(e), 9(c), 10(a) or other sections;

Article 22 Town Counsel and New By-Law Section

3) “i) Add a new Article to the By-Laws consistent with Article 2 Section 11 (e) of the charter and any other relevant provision of the charter or general laws i) to establish a standing committee for and or of town meeting to study review and report on zoning bylaw changes in advance of town meeting action and to determine the composition, method of appointment, term, powers and duties of such committee and/or ii) amend Article 22 of the By-Laws to require and to provide for the appointment of legal counsel with specialized knowledge in zoning and land use matters, to provide for the method of appointment, qualifications, powers and duties of such counsel including but not limited to advising the representative town meeting, advisory committees of town meeting, the planning board and/or town moderator; Or Otherwise Act Thereon

FINANCE COMMITTEE RECOMMENDATION

The Finance Committee took the following action:	RECOMMENDATION:	Favorable (A-D)
		Refer to Sponsor (E, F)
	QUANTUM OF VOTE:	13-0-0 (All Motions)
	DATE VOTED:	March 25, 2025

MOTION A: (Requires a majority vote)

Collector of Taxes

Moved by Cody Jacobs, seconded by Todd Gillenwater that the Town add the following words after the words “as amended” in Section 6 of By-Law Article 21 – A

“; in accordance with Chapter 60 section 62 for unpaid charges and bills taken tax title in accordance with Chapter 60 section 53 of the Massachusetts General Laws Interest on charges and in accordance with Chapter 59 section 5 clause 41- A of the Massachusetts General Laws for eligible exemptions under said clause 41-A as such General Laws may be amended.”

So that Section 6 now reads:

Except as otherwise provided by law or by by-law all charges and bills issued by the Town of Natick shall be due and payable within thirty (30) days from the date of issue. Interest on delinquent charges and bills shall accrue from the date of issue of such charge or bill at a rate of interest which equals the rate of interest set forth in Chapter 59, Section 57 of the Massachusetts General Laws, as amended, in accordance with Chapter 60 section 62 for unpaid charges and bills taken in tax title in accordance with Chapter 60 section 53 of the Massachusetts General Laws Interest on charges and in accordance with Chapter 59 section 5 clause 41- A of the Massachusetts General Laws for eligible exemptions under said clause 41-A as such General Laws may be amended.”

Christine Weithman spoke to this article. *Motion A under Article 24 passed by majority vote (100-5-1).*

MOTION B: (Requires a majority vote)

Collector of Taxes

Moved by Cody Jacobs, seconded by Todd Gillenwater that the Town vote to delete the text of Section 7 of Article 21 – A of the By-Laws and replace said text with the following:

Within 90 days of the end of the fiscal year, the Town Collector shall publish in a manner determined by the town administrator, the name of any entity (person, corporation, or business enterprise) that has not entered into either a payment plan, which is not in default, with the Tax Collector’s office or an eligible exemption under Chapter 59 section 5 clause 41-A of the Massachusetts General Laws and that owes, from the previous fiscal year or before, an aggregate of \$1,000 or more in local property taxes, assessments, or betterments. Said amounts so published shall include amounts held in tax title but not foreclosed by the town.

Christine Weithman spoke to this article. *Motion B under Article 24 passed by majority vote (105-3-0).*

MOTION C: (Requires a majority vote)

Section Titles

Moved by Cody Jacobs, seconded by Todd Gillenwater that the Town Vote to add description to the section titles of Article 21 – A of the By-Laws so that such section titles now read:

Section 1: Introduction

Section 2: Compensation

Section 3: Reporting by Town Agencies to Comptroller and Collector

Section 4: Adjustments to Uncollectible Amounts As Permitted By Law

Section 5: Bond of and Payments by Collector

Section 6: Interest on Unpaid Charges and Bills

Section 7: Publication of Unpaid Amounts”

Christine Weithman spoke to this article. *Motion C under Article 24 passed unanimously by majority vote (109-0-0).*

MOTION D: (Requires a majority vote)

Contracts, Town Property, and Regulations of Town Boards and Officials

Moved by Cody Jacobs, seconded by Todd Gillenwater that the Town delete Section 1 through 12 inclusive of By-Law Article 41 and replace it with the following:

“Section 1 Procedures for Award of Contracts

The award of all contracts for the purchase of services, equipment, supplies or materials for all boards, commissions, committees, instrumentalities, and departments of the Town of Natick shall be made in accordance with all applicable federal, state, and local laws, rules and regulations, including, without limitation, Mass. Gen. Laws Chapter 30B; Chapter 30 Section 39M; Chapter 7C; Chapter 149, Sections 44A et seq.; or other successor legislation or other applicable law, as may be

amended. Administrative policies and/or procedures shall be established by the Town Administrator and the Superintendent of Schools as appropriate. Such policies and/or procedures shall, at a minimum, identify the municipal officials having the authority to legally bind the Town in a contract. Such policies shall prescribe procurement procedures for architectural and engineering services for which no procurement process is required by applicable Massachusetts law. No contract, and no purchase, service, or work for which a contract is proposed, shall be split or divided for the purpose of evading any provision of this section. All contracts of the Town of Natick shall bear the signature of the Comptroller verifying the availability of funds in the full amount of the contract, and of Town Counsel, indicating approval as to form; however, the lack of such a signature by either official shall not otherwise invalidate any such contract. Nothing herein, however, shall affect the ability of the Chief Procurement Officer to exercise the duties of said office as defined by Mass. Gen. Law Chapter 30B.

Section 2 Emergencies

To the extent permitted by applicable state procurement law, the Town Administrator or the School Committee, as applicable, may exempt a purchase or contract from any or all of the provisions of the preceding section when, in their opinion, an emergency exists requiring immediate action on such purchase or contract to protect the health and safety of persons or property. Evidence indicating that such an emergency exists shall be furnished to the Select Board or School Committee, as applicable, in writing by the officer, board, or committee making such purchase or contract as soon as practical, and shall be kept on file with other procurement records of such transactions. Said actions shall be in addition to all responsibilities conferred to the Chief Procurement Officer pursuant to Massachusetts General Laws.

Section 3 Contract Files

The Chief Procurement Officer shall retain complete files for every procurement of the Town of Natick which shall include, without limitation, solicitation(s), responses, contracts, and amendments thereto, if applicable - as well as every other document required to be retained by federal, state, or local law, rule, or regulation. Every Town board, commission, committee, instrumentality, or official, making or executing a contract on behalf of the Town shall furnish a copy of said documents to the Chief Procurement Officer. The original contract, and original amendments thereto, if applicable, shall be submitted to the Town Comptroller within ten (10) days after the execution of all such documents. The Chief Procurement Officer and the Town Comptroller shall keep such documents on file consistent with applicable public records laws. Nothing herein shall be construed as precluding the use of electronic records maintenance and retention, so long as such means and methods are permissible under otherwise applicable law.

Section 4 Compensation of Town Officers and Employees

Notwithstanding the provision of Mass General Laws Chapter 268A, or any other successor legislation which is hereby acknowledged, no Town officer and no salaried employee of the Town shall receive any compensation or commission for work done by that employee for the Town, except that person's official salary and other authorized compensation under law, without permission of the Select Board expressed in a vote which shall appear on their records with the reasons therefore. Employees whose additional compensation is through the Veterans' or Senior Property Tax Work Program shall be exempt from this requirement.

Section 5 Disposal of Property

Whenever any property of the Town, other than real estate, the residual value of which exceeds five hundred dollars (\$500.00), shall have become obsolete, disused, worn out or necessary to replace, the Town official or officials having jurisdiction thereof shall so certify in writing to the Select Board or School Committee, as applicable, who may reserve action relative to its disposal for consideration of a Town Meeting or may by vote authorize the official or officials to dispose of such property at a manner compliant with Mass General Laws Chapter 30B, or any successor legislation.

Section 6 Sale of Tax Title Land

Unless otherwise specified by law, the Select Board and Town Treasurer may sell at public auction and in such manner, upon such terms and for such consideration as in their judgment is for the best interest of the Town, lands held from time to time by the Town under tax titles the right of redemption from which has been foreclosed. Notice of such sales shall be advertised at least once in a newspaper published in the Town no less than fourteen (14) days prior to the date of the sale, or a shorter period if required by statute, and such notice shall include the location of such lands by street address or comparable description. The Town shall comply in all respects with any procedures specified by statute or special act for such a sale. The Conservation Commission and the Historical Commission of the Town shall be notified of such a sale at the time that the advertisement is prepared. (For more precise requirements on such sales, see Mass. Gen. Laws, Chapter 60, Sections 37- 84A or successor legislation, or as said laws may hereinafter be amended).

Section 7 Designation of Town Vehicles

All automobiles and other vehicles owned by the Town shall be so designated by a circular label not less than six (6) inches in diameter bearing the words "Town of Natick" and the name of the Department, with the exception of those vehicles exempted from this by-law by the Select Board.

Section 8 Annual Audit

There shall be an annual audit of the accounts of the Town under the direction of the Director of the Bureau of Accounts of the Commonwealth of Massachusetts.

Section 9 Authorization for Expenditure of Funds

The Town Comptroller shall not approve for payment any warrant for the expenditure of public funds unless there has been full compliance with Mass General Laws Chapter 41, Section 52, or any successor legislation.

Section 10 Fees Paid to the Town

All Town officers except constables shall pay into the Town Treasury all fees received by them by virtue of their office.

Section 11 Compliance with Open Meeting Law

All meetings of Town boards, commissions, committees, and subcommittees, elected, appointed, or otherwise constituted, shall be in accordance with the provisions of Section 7-9 of the Charter and Sections 18 through 25 of Chapter 30A of the General Laws or successor legislation, or as said laws may hereinafter be amended. In addition, in any matter requiring a vote of a board, commission, committee, or subcommittee, the vote shall be by voice or roll call and no secret or written ballots

shall be used, except as may otherwise be required or allowed by these By-Laws or the Charter of the Town.

All elected boards, commissions and committees shall notify the Town Clerk of their organization, rules and regulations and shall file with the Town Clerk a schedule of regular meetings as well in advance as practicable. Except in cases of emergency, in which case, as much notice as possible shall be provided, the Town Clerk shall be notified of changes in or additions to the meeting schedule not less than forty-eight (48) hours before the meeting concerned. Appointed standing committees shall meet as required by their duties and shall notify the Town Clerk not less than forty-eight (48) hours before any meeting.

Section 12 Availability of Regulations

Up-to-date copies of all regulations adopted by the Town, as listed in the table entitled “Town Regulations” which appears at the end of this article and is incorporated into this section by reference, shall be available for review by the public in the office of the official responsible for publication, in the office of the Town Clerk, and in the Morse Institute library. Whenever changes to regulations are adopted, the responsible official shall either publish a complete new edition or provide a package of change pages. If packages of change pages are provided, the pages shall be marked with a distinguishing date or a change number, and a list of current pages shall be included so that other persons can accurately update copies in their possession.”

Moved to postpone consideration of Article 24 by David Smith, seconded by Richard Sidney. *The motion failed (14/92/1).*

Motion to move the question made by Cody Jacobs, seconded by Charlene Foss. *The motion passed by a majority vote (100/7/2).*

Christine Weithman spoke to this article. *Motion D under Article 24 passed by majority vote (105-4-1).*

MOTION E: (Requires a majority vote)

Move that the Town vote to amend Article 81 of the By-Laws by adding the word “propane” after the words “underground fuel” in Section 2 so that Section 2 now reads:

Section 2 Applicability

- a. This By-Law shall apply to all underground fuel, propane or chemical storage tanks and systems.
- b. Storage systems in service at the time of the approval of this By-Law shall be brought into compliance with the terms of this By-Law within ninety days of its approval.

And by adding the phrase (with the exception of propane) after the word ‘shall’ and before the words ‘submit’ in section 6 e Inventory Control so that Section 6 e now reads:

Owners shall (with the exception of propane) submit annually to the Board of Health a certified statement that inventory records have been maintained and reconciled as required in subsection b, c and d of Section 6 and such records shall be made available to the Board of Health upon its request.

Inventory verification of tanks shall be performed annually by a certified auditor or other independent qualified person approved by the Board of Health.

And by adding to Section 9 Tank Testing and Removal a new subsection c as follows:

c. Section 9 will not apply to propane tanks.

And by adding the words “With the exception of propane,” at the beginning of Section 10 (a) Proximity to Water Supplies and Other Sensitive Systems so that Section 10 (a) now reads:

a) With the exception of propane, no new installation of underground fuel or chemical storage tanks and systems shall be allowed within the Aquifer Protection District as described in Section III-A.5 of the Zoning By-Laws except as provided in Section 13 below and with the issuance of a Special Permit in accordance with the requirements found in Section III-A.5 of the Zoning By-Laws.”

Christine Weithman spoke to this article.

Moved by Cody Jacobs, seconded by Todd Gillenwater to refer the subject matter to the sponsor ***The referral motion under Article 24 Motion E passed by a majority vote (108-2-1).***

MOTION F: (Requires a majority vote)

Move that the town vote to amend Article 22 of the By-Laws by adding a new section 9 as follows;

“Section 9: Special Zoning Advisory Counsel

The Select Board shall annually appoint with specialized knowledge in zoning and land use matters, including but not limited to relevant Massachusetts General Laws and case law, to be knowledgeable about the Town’s Zoning By-Law and to advise i) the Planning Board, ii) the Finance Committee, iii) any standing committee created by representative Town Meeting to review zoning articles and motions, iv) any special zoning study committee of Town Meeting, v) the Moderator and vi) the Representative Town Meeting if such enumerated parties request and/or require such advice concerning proposed changes to the Town’s Zoning By-Laws.

Such appointment by the Select Board shall be made at least 60 days prior to calendar year end. In the event that the Select Board does not so appoint such special zoning counsel, the Planning Board shall appoint such counsel at least 30 days prior to calendar year end. If the Planning Board does not so appoint such counsel, the Moderator shall make the appointment.”

Christine Weithman spoke to this article.

Moved by Cody Jacobs, seconded by Todd Gillenwater to refer the subject matter to the sponsor ***The referral motion under Article 24 Motion F passed by a majority vote (102/7/3).***

Moderator Jeffery Allen took a moment to thank all those who helped make the Spring Annual

Town Meeting a success. He thanked Jeff from Option Tech, Gloria for running the projection, the presenters and sponsors of articles for their timely submissions, Randy from Pegasus for his help with audio, the pages from Natick High, the Clerk, Andrew and his staff, Jay for

Article 25 - Stabilization Funds:

To see what actions the Town will take i) to change the purpose of any stabilization fund of the town, including without limitation the Operational Stabilization Fund created under Article 4 of 2011 Spring Annual Town Meeting and the Capital Stabilization Fund created under Article 2 of 2010 Fall Annual Town Meeting, to allow such stabilization funds to be used for any lawful municipal purpose whether any such lawful municipal purpose becomes the sole purpose or an additional purpose of any stabilization fund so changed and/or ii) to appropriate funds from any stabilization fund with an eligible purpose to support the FY 2026 budget, and/or iii) to appropriate funds from any stabilization fund into an existing stabilization fund from which such appropriations can be made to support the FY 2026 budget and then to appropriate therefrom funds in support of the FY 2026 budget provided that the scope of this warrant article shall not include or be applied to the I&I Stabilization Fund, the OPEB stabilization or trust fund or the FAR Bonus Stabilization Fund;

And

To see what actions the town will take a) to adopt any of the revenue raising provisions of the so called Municipal Empowerment Act (the “MEA”) or similar legislation as may become law prior to the dissolution of 2025 Spring Annual Town Meeting including without limitation adopting local option increases in meals tax or hotel tax or enacting permissible local option motor vehicle excise tax and b) to appropriate such revenues to support the FY 2026 budget; Or Otherwise Act Thereon.

FINANCE COMMITTEE RECOMMENDATION

The Finance Committee took the following action:	RECOMMENDATION:	Favorable
	QUANTUM OF VOTE:	9-2-1 (Motion A)
		10-2-0 (Motion B)
DATE VOTED:	March 25, 2025	

MOTION A (Requires a Majority Vote)

Move that the town change the stated purpose of the Capital Stabilization Fund created under Article 2 of 2010 Fall Annual Town Meeting to add the words “any lawful municipal purpose” to the purpose of the Capital Stabilization Fund so that the purpose now reads:

“for the purpose of funding any capital-related project, or pieces of capital equipment, or debt-service payment related thereto, or any lawful municipal purpose, in accordance with Chapter 40, Section 5B of the General Laws, as amended.”

The motion for indefinite postponement for Article 25 Motions A & B failed (43/66/1).

The main motion under Article 25 Motion B failed (29/81/0).

MOTION B (Requires a Majority Vote)

Move that the town change the stated purpose of the Operational Stabilization Fund created under Article 4 of 2011 Spring Annual Town Meeting to add the words “any lawful municipal purpose” to the purpose of the Operational Stabilization Fund so that the purpose now reads:

“for the purpose of supplementing declines in revenues during periods of economic downturn, or any lawful municipal purpose, as authorized by Chapter 40, Section 5B of the General Laws, as amended.”

Move favorable action on Article 25 Motion B by Cody Jacobs, seconded by Todd Gillenwater.

The main motion under Article 25 Motion B failed (25/83/1).

Richard Sidney moved to dissolve, seconded by Josh Ostroff. ***The motion to adjourn passed by a majority vote.***

The meeting was dissolved at 10:09 PM.

A record of the Fifth Session of
2025 Spring Annual Town Meeting
May 8, 2025

Andrew Ghobrial