

Section III

Town Meeting Minutes & Attendance

2014 TOWN MEETING MEMBER ATTENDANCE

Last	First	Prec	4/8/14	4/10/14	4/29/14	5/1/14	5/6/14	5/8/14	5/13/14	10/21/14	10/23/14	10/28/14	10/30/14	11/6/14	11/13/14	11/18/14
Adams	Andrea T.	1	-	-	Y	Y	Y	Y	-	-	Y	-	Y	-	Y	-
Alessi	Salvatore A.	4	Y	Y	Y	Y	Y	Y	Y	Y	Y	-	-	-	Y	-
Awkward	Robert J.	10	Y	Y	Y	-	Y	Y	Y	Y	-	Y	Y	-	Y	-
Bacon	Kathleen	10	Y	-	Y	-	-	-	-	Y	-	Y	Y	Y	Y	-
Ball	Erica E.	5	Y	Y	-	-	Y	Y	Y	Y	Y	Y	Y	Y	Y	-
Bastien	Shawn R.	7	Y	-	Y	Y	-	Y	Y	-	-	-	Y	-	-	-
Beatrice	Marsha P.	7	Y	-	Y	-	Y	Y	-	-	-	-	-	-	-	-
Bednarz Jr.	Thomas E.	5	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Berelowitz	Saul	2	-	-	-	-	Y	Y	-	-	Y	-	-	Y	Y	-
Berkowitz	Adam M.	10	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	-	Y	Y	-
Blaha	Michael D.	1	Y	Y	Y	Y	Y	Y	Y	Y	-	Y	Y	Y	Y	-
Boggia	Betsy	6	Y	Y	-	Y	-	Y	-	Y	-	Y	-	-	-	-
Broderick-Noonan	E G	2	Y	-	Y	-	-	-	Y	-	-	-	-	-	-	-
Brown	Mary A.	8	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Brown Jr.	James E.	8	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Canning	Robert	8	Y	-	Y	Y	Y	Y	Y	Y	Y	-	-	Y	Y	-
Casey	Donna Volpe	3	Y	Y	-	-	Y	Y	Y	Y	Y	Y	Y	Y	Y	-
Casey	Jerome	3							<i>appl. 6-27-14</i>	Y	Y	Y	Y	Y	Y	-
Chamberlain	Brian E.	10	Y	Y	Y	Y	Y	-	-	Y	Y	-	Y	-	-	-
Chase	Joel B.	1	Y	Y	-	-	-	-	-	-	-	Y	Y	Y	Y	-
Checket	Helen Terry	7	Y	Y	Y	Y	Y	Y	Y	Y	Y	-	Y	Y	Y	-
Chinetti	Barbara A.	6	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	-
Chounard	Wayne A.	9	-	-	-	-	-	-	-	Y	-	Y	Y	-	Y	-
Coburn Jr.	Frederick	4	-	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	-
Coffey	David J.	2	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	-
Collins	Cathleen M.	9	-	-	-	Y	Y	Y	Y	-	-	Y	Y	-	Y	-
Conaway	B. Patrick	2	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	-
Connolly	Paul E.	6	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	-
Conway	Joseph B.	7	Y	-	-	-	-	-	-	-	-	-	-	-	-	-
Coughlin	Catherine M.	6	Y	Y	-	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
D'Costa	Victor P.	3	Y	-	-	Y	Y	Y	Y	-	-	-	-	-	Y	-
Del Sesto	Geoffrey C.	2	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	-
Delaney	Lawrence	8	-	-	-	-	-	-	-	Y	-	-	Y	-	Y	-
Delehanty	Carol A.	3	Y	Y	-	Y	Y	Y	Y	Y	-	Y	Y	Y	Y	-
DeIarocca	Paul L.	2	Y	Y	Y	Y	Y	Y	Y	Y	-	Y	Y	Y	Y	-

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Desveaux	Sandra J.	3	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	-
Devereaux	Nancy	5	Y	Y	Y	Y	Y	-	-	Y	Y	Y	Y	Y	Y	-
DiMasi	Nicholas	6	-	-	Y	Y	Y	Y	-	-	-	-	-	-	-	-
Donovan	Brian P.	4	Y	Y	-	Y	-	-	Y	-	-	Y	-	Y	Y	-
Donovan III	John A.	4	Y	Y	Y	Y	-	-	-	Y	-	Y	-	-	Y	-
Drolet	Lawrence L.	5	Y	Y	Y	Y	Y	-	Y	Y	Y	Y	Y	Y	Y	-
Evans	Bruce T.	7	Y	Y	Y	-	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Evans	Teresa M.	7	Y	Y	Y	-	Y	Y	Y	-	Y	Y	Y	Y	-	-
Everett	James L.	5	Y	Y	Y	Y	Y	Y	-	Y	Y	Y	Y	Y	Y	Y
Ferrari	Michael A.	10	-	Y	-	-	Y	-	-	-	-	-	-	-	-	-
Filleles	Tass	8	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	-	-	Y	-
Fitzpatrick	Glen	2	Y	Y	-	Y	Y	-	-	Y	Y	Y	-	Y	-	Y
Flynn	Amy K.	5	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	-
Foley	Richard A.	4	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	-
Forshner	Larry	6	Y	Y	-	-	-	-	-	Y	Y	Y	Y	Y	Y	-
Foss	Charlene B.	6	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	-
Foster	Karen A.	6	Y	-	Y	Y	Y	Y	Y	Y	Y	-	-	-	Y	-
Freedman	Jonathan H.	4	Y	-	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	-
Friswell	Donald P.	9	Y	Y	Y	Y	Y	-	Y	Y	Y	Y	Y	Y	Y	-
Gallo	David J.	2	-	-	Y	-	-	-	Y	-	-	-	-	-	-	-
Gath	William F.	6	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	-
Gaziano Jr.	John D.	3	Y	Y	Y	Y	-	Y	-	Y	regional 10/24/14	Y	Y	-	Y	-
Gillenwater	Todd M.	5	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	-
Glaser	Richard A.	1	Y	Y	Y	-	Y	Y	Y	Y	Y	Y	Y	Y	Y	-
Glater	Glen B.	8	Y	Y	Y	Y	-	Y	Y	Y	Y	Y	Y	Y	Y	-
Gloff	Carol A.	6	Y	Y	Y	-	Y	Y	Y	Y	Y	Y	Y	-	Y	-
Golden	Peter S.	6	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	-	-	Y	-
Gols	Lorie K.	1	Y	Y	Y	Y	Y	-	-	Y	Y	Y	Y	Y	Y	-
Gove	Marjorie	8	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	-	-	-
Grady	Charles A.	3	Y	Y	-	Y	Y	Y	Y	Y	Y	Y	Y	-	Y	-
Gritesmer	Paul B.	7	Y	Y	Y	Y	Y	Y	Y	Y	-	Y	Y	Y	Y	Y
Grindle	Douglas A.	10	Y	Y	Y	Y	Y	Y	Y	Y	Y	-	Y	Y	Y	-
Gruber	Randall P.	7	Y	Y	-	Y	-	-	Y	-	Y	Y	Y	Y	-	-
Hanna	Sara R.	8	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Haugland	Henry W.	7	-	Y	Y	Y	Y	Y	-	Y	Y	Y	Y	Y	Y	-
Hawley	Glynn E.	8	Y	Y	Y	-	-	Y	Y	Y	-	Y	Y	Y	-	-

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Hayes	Andrew Patrick	10	Y	Y	Y	-	Y	Y	-	Y	Y	Y	Y	Y	Y	-
Hayre	Dylan	7	Y	Y	Y	Y	-	Y	Y	Y	-	-	Y	Y	-	-
Healey	Robert M.	3	Y	Y	Y	Y	Y	Y	-	Y	Y	Y	Y	Y	Y	-
Herson	Nanci S.	2	-	-	Y	Y	-	-	-	-	-	-	-	-	-	-
Heyde	Brianna M.	4	Y	Y	Y	-	Y	Y	Y	Y	-	-	Y	Y	Y	-
Honthumb	Barbara R.	3	Y	-	Y	Y	-	-	-	Y	Y	-	Y	Y	-	-
Hoyt	Kenneth B.	9	Y	-	Y	-	-	-	Y	Y	-	Y	-	-	-	-
Hubbard	Thomas E.	8	Y	Y	Y	Y	-	-	Y	Y	Y	Y	-	Y	Y	-
Hughes	Charles M.	2	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	-	Y	Y	Y
Idzal	Wilson E.	9	Y	Y	Y	-	-	-	-	Y	-	-	-	-	-	-
Jackson	Evelyn H.	7	Y	-	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	-	-
Jennett	Nancy E.	7	-	Y	Y	-	Y	-	Y	Y	-	Y	-	-	-	-
Jennett Jr.	Richard	7	Y	Y	Y	-	Y	Y	Y	Y	Y	Y	Y	Y	Y	-
Johnson	Edward A.	9	Y	-	Y	Y	Y	-	-	-	-	-	-	-	-	-
Joseph	Paul R.	9	-	-	-	Y	-	Y	-	Y	Y	-	Y	Y	Y	-
Joseph	Scott A.	9	Y	Y	Y	-	-	-	-	-	-	-	-	-	-	-
Kane	Jonathan D.	1	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Kane	Stephen M.	2	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Keefe	Joseph A.	7	-	-	Y	Y	Y	-	-	Y	Y	Y	-	Y	-	-
Kessel	Martin	10	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	-
Kiggen Jr.	Joseph M.	4	Y	Y	Y	-	-	-	-	Y	Y	-	-	-	-	Y
Krentzman	David A.	10	Y	-	-	-	-	-	Y	Y	Y	Y	Y	-	Y	-
Kruczynski	Christina E.	4	-	Y	-	-	-	-	-	-	-	-	Y	-	-	-
Kruczynski	Christopher A.	4	-	-	-	-	-	-	-	Y	Y	Y	-	-	-	-
Kuhn	Judith A.	3	Y	Y	-	Y	Y	Y	Y	Y	Y	Y	Y	Y	-	-
Kuhn	Leonard P.	3	Y	Y	-	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	-
LaFleur	Sandra	9	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	-	Y	Y	-
Lamont	Michael K.	9	Y	Y	Y	-	-	-	-	-	-	-	-	-	-	-
Landry	Douglas L.	4	Y	Y	Y	-	-	-	-	Y	Y	-	-	Y	-	-
Lavash	Nancy A.	1	-	Y	-	-	-	-	-	-	-	-	-	-	-	-
Lawrence-Archer	James	8	Y	Y	-	-	-	-	-	Y	Y	Y	Y	Y	Y	Y
Levinsky	Steven	4	Y	Y	Y	-	Y	Y	Y	-	Y	Y	Y	Y	Y	-
Lanehan	Michael F.	6	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	-
Lista	Tony	6	Y	-	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	-	-
Luke	Andrew W.	5	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Magee	Jamie	8	-	-	-	-	-	-	-	Y	Y	Y	-	-	-	-

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Magee	Tricia RY	1	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Magee IV	John J.	1	-	Y	Y	Y	-	-	-	-	-	Y	Y	Y	Y	-
Marini	Anthony A.	7	-	-	-	-	Y	Y	Y	Y	Y	-	-	Y	Y	-
Mathews	Joan R.	3	-	Y	-	Y	-	Y	-	-	-	-	-	-	-	-
McDonough	Julie M.	3	Y	Y	Y	Y	Y	Y	-	Y	-	Y	Y	Y	Y	-
McKenzie	Donna M.	3	Y	Y	Y	Y	Y	Y	-	Y	Y	Y	Y	Y	Y	-
McNealy	Paul-Jon	7	Y	Y	-	Y	Y	Y	Y	-	Y	Y	Y	Y	Y	-
Melchiorri	Stephen R.	10	Y	Y	Y	-	-	-	-	-	-	Y	Y	-	-	-
Merkowitz	Harriet S.	5	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	-
Meyer	Andrew J.	3	Y	-	-	-	Y	Y	-	-	-	Y	Y	Y	-	-
Miller	Ronald J.	9	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	-
Miller	Theresa M.	9	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	-	Y	Y	-
Montross	Lynne	2	Y	Y	-	-	-	-	Y	Y	-	Y	-	Y	-	-
Montross	Richard T.	2	Y	Y	Y	Y	Y	-	Y	Y	Y	Y	Y	Y	Y	-
Moore	Bradford A.	8	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Munnich	Julian J.	5	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Murphy	David	1	Y	Y	Y	-	-	-	Y	-	-	-	-	-	-	-
Nichols	Janet M.	5	Y	Y	Y	Y	Y	Y	Y	Y	Y	-	Y	Y	Y	-
Noonan	Erica A.	9	Y	Y	Y	Y	Y	Y	-	-	Y	Y	-	-	-	-
Northgraves	Nancy A.	6	Y	Y	-	-	Y	Y	Y	Y	Y	-	Y	-	Y	-
Nottonson	Nancy B.	4	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	-
Nottonson	Peter A.	4	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	-
O'Brien	Garry M.	8	Y	-	-	Y	Y	-	-	-	-	Y	-	-	-	-
Ostroff	Jeanne Williamson	6	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Ostroff	Joshua	6	Y	Y	Y	Y	Y	Y	-	Y	-	Y	Y	Y	-	Y
Oxman	Lois	1	-	-	-	-	-	-	-	Y	-	-	Y	Y	-	-
Parsons	Janice L.	9	Y	Y	-	-	Y	Y	Y	Y	Y	Y	-	Y	Y	-
Philben	Richard	8	-	Y	-	-	-	-	-	-	-	-	-	-	-	-
Pierce	Jerry L.	10	Y	Y	Y	Y	Y	Y	Y	Y	-	Y	Y	Y	Y	-
Potts Sr.	George W.	9	Y	-	Y	-	-	-	-	-	-	-	-	Y	-	-
Price	Michael J.	4	Y	-	-	-	-	-	-	-	-	-	-	-	-	-
Rich	Beverly G.	10	-	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	-
Richards III	George L.	10	Y	-	Y	Y	Y	Y	Y	Y	-	-	-	Y	Y	-
Robb	Stephen Edwin	2	Y	Y	-	-	-	-	-	Y	-	-	-	-	-	-
Rodino	Ross J.	3	Y	-	-	-	-	Y	-	-	-	Y	-	-	-	-
Rosenman	Alan L.	10	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	-

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Ross	Craig S.	4	-	-	-	-	-	-	<i>reigned 5/12/14</i>	-	-	-	-	-	-	-
Ryan	Christine M.	9	Y	Y	-	-	-	-	-	Y	-	Y	Y	Y	-	-
Salamoff	Edward M.	10	-	Y	Y	Y	Y	Y	Y	<i>deceased</i>	-	-	-	-	-	-
Salamoff	Susan G.	10	Y	Y	Y	Y	Y	Y	Y	-	-	Y	-	Y	-	-
Salis	S. Christopher	7	Y	-	Y	-	Y	-	-	Y	-	-	-	Y	-	-
Sanchez	Barbara Fahey	4	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	-
Sanford	Paul M.	5	Y	-	-	-	-	-	-	-	-	-	-	-	-	-
Schoenig	William	3	Y	Y	Y	-	-	-	-	Y	Y	Y	Y	-	Y	-
Seiche	Heather S.	9	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	-	Y	Y	Y
Seymour	Barbara	8	Y	Y	Y	-	Y	Y	Y	-	-	Y	-	-	-	-
Shea	Susan A.	10	Y	Y	Y	-	Y	Y	Y	Y	Y	Y	-	Y	-	-
Shealer	Valerie I.	3	-	-	-	-	-	-	<i>reigned 5/17/14</i>	-	-	-	-	-	-	-
Sidney	Richard	8	Y	Y	Y	-	-	-	Y	Y	Y	Y	Y	Y	Y	-
Siegel	Matthew D.	5	Y	Y	-	-	-	-	-	-	-	-	-	-	Y	Y
Sinko	Joseph	4	Y	Y	Y	Y	Y	Y	Y	-	Y	Y	Y	Y	Y	-
Snow	Bruce A.	5	Y	-	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	-
Stephen	Richard	6	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	-	Y	-
Strout	Stephen M.	2	Y	Y	Y	-	Y	Y	Y	Y	Y	Y	Y	-	Y	-
Sugrue	Michael J.	5	Y	-	Y	Y	Y	-	Y	Y	Y	Y	Y	Y	-	-
Swartz	Charlotte	5	-	-	-	-	-	-	-	Y	-	Y	Y	Y	Y	-
Taylor	Marc S.	10	-	-	-	-	-	-	<i>apps. 8/2014</i>	Y	Y	Y	Y	Y	Y	-
Tutuny	Gregory W.	9	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Vabulas	Diane V.	5	Y	Y	-	-	-	-	-	Y	Y	Y	-	-	-	-
Varnum	James	1	-	-	Y	-	-	-	-	-	-	-	-	-	-	-
Vitaralli	Gregory R.	8	Y	Y	Y	Y	Y	Y	Y	Y	-	-	Y	Y	-	-
Wheeler	Bancroft R.	10	Y	Y	Y	Y	-	-	-	Y	Y	Y	Y	Y	-	-
Whitney	Bruce D.	3	-	-	Y	Y	Y	-	-	Y	Y	Y	-	-	-	-
Wirkala	Jennifer Davis	2	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	-	Y	Y	-
Wollschlager	Linda	7	-	Y	Y	Y	Y	Y	-	Y	Y	Y	Y	Y	Y	-
Yang	Kenneth E.	5	Y	Y	-	-	Y	Y	-	Y	Y	Y	Y	-	-	-
Young	Patrick A.	6	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	-
Zucker	Richard A.	2	Y	Y	-	Y	Y	Y	Y	Y	Y	Y	Y	-	Y	-
Zucker	Susan Mande	2	Y	-	-	Y	Y	Y	Y	Y	-	Y	Y	-	Y	-

- Article 32 Other Post-Employment Benefits (OPEB) Fund
- Article 33 Establish Revolving Fund: Regional Coalition Tobacco Control Program
- Article 34 Re-authorization of Revolving Funds
- Article 35 Capital Equipment
- Article 36 Capital Improvement
- Article 37 Unpaid Bills
- Article 38 Rescind Authorized, Unused Debt
- Article 39 Board of Assessors: Increase Personal Property Exemptions
- Article 40 Amend Zoning By-Laws: Change Classification from I to RG: Pleasant Street
- Article 41 Appointment of Committee to Study Electronic Voting by Town Meeting
- Article 42 Facilitate Historic Building Preservation in Natick Through Amending Zoning
By-Laws
- Article 43 Amend Zoning By-Laws: Change Classification from RG to RSA or RSC:
Pleasant Street Area
- Article 44 Smart Growth Overlay (SGO) District for West Natick
- Article 45 Designation of Economic Opportunity Area

An attested copy may be viewed at the following locations: Precinct 1: Reliable Cleaners, 214 West Central Street; Precinct 2: Cole Center, Boden Lane; Precinct 3: Kennedy Middle School, 1 Philip J. Lucier Drive ; Precinct 4: TCAN, 14 Summer Street; Precinct 5: Wilson Middle School, 24 Rutledge Road; Precinct 6: East Natick Fire Station, 2 Rhode Island Avenue; Precinct 7: Lilja Elementary School, 41 Bacon Street; Precinct 8: Natick Senior High School, 15 West Street; Precinct 9: Community Senior Center, 117 East Central Street and Precinct 10: Memorial School, 107 Eliot Street; Natick Town Hall, 13 East Central Street, and the Natick U.S. Post Office, Bacon Free Library and Morse Institute Library.

Certified copies of the Warrant are available at the Office of the Town Clerk, Natick Town Hall, 13 East Central St., Natick, MA between the hours of 8:00 AM – 5:00 PM, Monday through Wednesday; 8:00 AM-8:00 PM on Thursday, and 8:00 AM-12:30 PM Friday and at the Town web site www.natickma.gov.

Nicholas S. Mabardy, Clerk

**2014 Spring Annual Town Meeting
Fine and Performing Arts Center
Natick High School
April 8, 2014
First Session**

The First Session of the 2014 Spring Annual Town Meeting was called to order at 7:37 PM by the Town Moderator, Frank W. Foss, who declared a quorum present. The Moderator welcomed residents, taxpayers, town officials, Town Meeting Members and interested parties to the First Session of 2014 Spring Annual Town Meeting. Mr. Foss presented the official, duly posted warrant signed by the Board of Selectmen with the officer's return thereon to the Town Clerk to be entered into the official record of the town. The Moderator asked that all recently elected or appointed members of Town Meeting stand to take the oath of office. The oath was given to all new Town Meeting Members. All members and the audience stood 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 and for Michael McDaniel, a Natick employee who died in the line of duty.

The Moderator introduced the officials present on the stage and in the well of the auditorium. The following people were present: Diane Packer, Town Clerk; Jonathan Freedman, Finance Committee Chair; James Everett, Finance Committee Secretary; Martha White, Town Administrator; John Flynn, Town Counsel; and Joshua Ostroff, Chair of the Board of Selectmen.

The Moderator reviewed the general rules and procedures of Town Meeting. He indicated that all residents and taxpayers of the town and 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. The proceedings of Town Meetings shall be governed by **Town Meeting Time**, the Town of Natick Home Rule Charter, the Natick By-Laws and the General Laws of the Commonwealth of Massachusetts.

All motions offered for consideration by 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. No person shall speak upon any article 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 ten (10) minutes at one time without permission of Town Meeting. Consistent with the Natick By-Laws, once a member is recognized, it is the practice of Town Meeting to first ask questions, then propose a motion and/or debate the highest ranking motion. This practice is unchanged. 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 By-Laws. 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 or not they are stated singularly or in a compound question and divided by the Moderator. When a question on an article is before Town Meeting, motions shall be received and have precedence as listed in the table entitled "Precedence of Motions," found in the Natick By-Laws, the Town Meeting Member Handbook and **Town Meeting Time**. 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. The motion for the previous question shall not be entertained by the Moderator if three or more persons, who have not previously spoken to the question, are seeking recognition. By rule, indefinite postponement shall be considered a negative main motion and may be entered by the Moderator whenever any main motion

or subsidiary motion is in order. This shall not change the order of precedence of motions as specified in Article 3, Section 6 of our By-Laws or any other practice regarding indefinite postponement as specified in our Charter, the Natick By-Laws or **Town Meeting Time**. Without objection, the preceding statements were accepted as rules of 2014 Spring Annual Town Meeting.

The Moderator suggested a motion to waive the reading of articles and motions. Moved by Mr. Freeman, seconded by Mr. Gath to waive reading the text of all 2014 Spring Annual Town Meeting warrant articles and move to waive reading the text of motions, excluding the amounts to be appropriated and sources of said amounts to be appropriated when motions are provided in the text of Recommendations of the Natick Finance Committee publications. **The motion passed unanimously.**

The Moderator made several announcements regarding upcoming community wide events and volunteer opportunities.

Mr. Ostroff rose to offer a procedural motion. Mr. Ostroff moved, seconded by Mr. Glater that when Town Meeting adjourn on Thursday, April 10 that it next convene on Tuesday, April 29. Mr. Ostroff recognized that Tuesday, April 15 is the second night of Passover and Thursday, April 17 is Holy Thursday and that members may not be able to attend. In addition, the following week is school vacation week and the body does not usually meet. **The motion passed unanimously.**

Mr. Conaway rose to offer a resolution honoring the Natick High School Earth Club. Mr. Conaway moved the following resolution be accepted and entered into the record:

WHEREAS, Since 2009 the Natick High School Earth Club has participated in innumerable clean-up projects in Natick parks, open spaces and other areas throughout the community in collaboration with community groups including Big Heart Little Feet, led by B. Patrick Conaway, to whom the 2010 Annual Town Report was dedicated, and

WHEREAS, under the direction of faculty advisor Susan Haverstick, the Earth Club such clean-up projects included the upper Charles River, several Dug Pond efforts including the shoreline, the notorious “Mud Lot” and Campus Drive, and the hard and tedious work of sweeping broken glass from the summit of Coolidge Hill, and

WHEREAS, In the past three year years, under the direction of faculty advisor Doug Milch, the Earth Club has distinguished itself through the development of formidable student leaders, including past President Samantha Prim, current President Raghu Bhardwaj, and Vice President Linda Nguyen, among many others, and

WHEREAS, One could not overestimate the contributions of these young residents and many others, some of whom have participated in over two dozen efforts since their freshman year, and

WHEREAS, Members of the Earth Club have led eight additional clean-ups of Dug Pond and “Blueberry Island,” four more “big sweeps” of the Coolidge Hill Summit, three times raked leaves and picked up trash for the Natick Housing Authority at West Hill Park and Cedar Gardens, twice helped build the Recycle Buddy Bins located at parks and open spaces throughout the community, twice worked for a full day with Town Trails Committees on Natick Trails Day, and

WHEREAS, Members of the Earth Club have been key players in promoting and reviving the Natick Earth Day Festival and have coordinated children’s activities and sold earth-friendly items to raise funds for their initiatives, an

WHEREAS, the NHS Earth Club has established itself as the authentic “Steward of Dug Pond,” and

WHEREAS, with community donations, the Earth Club purchased two canoes, paddles, and life vests to better facilitate their clean-up efforts in the Town’s waterways.

NOW, THEREFORE, The Town of Natick recognizes and expresses its great appreciation to the Natick High School Earth Club for its many efforts to heal the earth and continuously give back to the community.

Mr. Conaway introduced the current President of NHS Earth Club, Raghu Bhardwaj, and Mr. Doug Milch, the current faculty advisor.

Ms. Salamoff moved, seconded by Mr. Freedman, to waive the reading of the motion. **The motion to waive the reading passed unanimously. The motion to accept the resolution as presented by Mr. Conaway passed unanimously.**

Mr. Golden rose to offer a Resolution in Remembrance of Ronald V. Ordway,
A Citizen of the Town Of Natick.

Moved by Mr. Golden, seconded by Mr. Glater: Let it be resolved that we, the members of Natick Town Meeting, deeply mourn the loss of our dear friend and fellow member Ronald V. (Ron) Ordway, whose dedication to his community, state and country was profound in both duration and extent. A native of the town and a decorated veteran of World War II, he received the Bronze Star for bravery under fire. Having wed his beloved wife Nora, who survives him, before leaving for the war, he returned to begin a family that eventually numbered nine children. In their mature years, like their father, they too contributed generously to the life of the town.

From his tenure as a town meeting member, inclusive of more terms than anyone can seem to remember, to his role in producing the Fourth of July Parade in the 1960s and ‘70s, to over 50 years of service in elected positions, Ron gave and gave and gave. In particular, Ron’s lengthy tenure on the Parks & Recreation Commission, where he has been succeeded by one of his sons, is notable.

To recite the list of elected, appointed and voluntary positions that Ron assumed, or to recite his honors and commendations, would take up a fair portion of an evening, but one affiliation of his stands out. Ron was a founder and for decades a board member of “The Open Door.” This community supper, held once a week through much of the year, was Ron’s delight. To feed the hungry, to foster friendship and happy times, surely these can be counted as blessed duties. That Ron fulfilled them with the keenest pleasure virtually to the end of his life speaks to a heart the equal of his soul.

Thousands have been nourished and supported in so many ways through the unstinting generosity and spirit of Ronald V. Ordway, who having passed on at the age of 90 was a great American and the patriarch of a family and town that will remember him always as the soul of the community.

Rest in peace, friend; your life was a gift to us all.

Ms. Sidney moved, seconded by Mr. Gath, to waive the reading of the motion. **The motion to waive the reading of the motion passed unanimously. The motion to accept the resolution as presented by Mr. Golden passed unanimously.**

**ARTICLE 1: Appropriate Funds for the Family of Michael McDaniel, Jr.
(Town Administrator)**

To see if the Town will vote to appropriate the sum of \$100,000 to be given to the widow of Michael McDaniel Jr., long time employee of the Town of Natick Department of Public Works, killed in the line of duty on February 4, 2014; or otherwise act thereon.

Finance Committee Recommendation: *By a vote of 10-0-0 on February 18, 2014, the Finance Committee recommends Favorable Action with regard to the subject of Article 1.*

MOTION (requires majority vote):

Moved by Mr. Everett, seconded by Mr. Kiggen that the Town vote to appropriate from Free Cash the sum of \$100,000 to be deposited in a "529 Educational Savings Plan" said Plan to be held in the name of The Kathleen McDaniel, Educational Trust, Kathleen McDaniel being the widow of Michael McDaniel Jr., long time employee of the Town of Natick Department of Public Works, killed in the line of duty on February 4, 2014; said fund to be administered by co-trustees Kathleen McDaniel and the Treasurer of the Town of Natick, MA; and said funds, including interest, to be used for the sole purpose of funding post-secondary educational costs for Caroline McDaniel, daughter of Kathleen McDaniel and the late Michael McDaniel Jr.; provided, however, that in the event that Caroline McDaniel does not commence post-secondary education by her 25th birthday, all funds in said 529 Educational Savings Plan, including interest, shall revert to the Town of Natick.

Ms. White spoke to the article. **The main motion under Article 1 passed unanimously.** Ms. White recognized Mr. Spurling, who was injured during the same accident at this time and announced that there would be a benefit for him on Friday, April 19, 2014.

ARTICLE 2: Authorize Board of Selectmen to Accept, Obtain, Abandon, Relocate Utility Easements (Board of Selectmen)

To see if the Town will vote to authorize the Board of Selectmen, during Fiscal Year 2015, to acquire on behalf of the Town any and all easements for any of the following purposes: roads, sidewalks, vehicular and/or pedestrian access or passage, drainage and utilities; and to abandon or relocate easements acquired for any of the foregoing purposes; or otherwise act thereon.

Finance Committee Recommendation: *By a vote of 8-0-4 on February 27, 2014, the Finance Committee recommends Favorable Action with regard to the subject of Article 2.*

MOTION (requires two-thirds vote):

Moved by Mr. Everett, seconded by Mr. Freedman that the Town vote to authorize the Board of Selectmen, during Fiscal Year 2015, to acquire on behalf of the Town any and all easements for any of the following purposes: roads, sidewalks, vehicular and/or pedestrian access or passage, drainage and utilities, provided however that such authorization pertains only to easements acquired at no cost to the Town; and further, to authorize the Board of Selectmen, during Fiscal Year 2015, to abandon or relocate easements acquired for any of the foregoing purposes, provided however that such authorization shall not pertain to easements acquired by eminent domain.

Ms. White spoke to this article. Mr. Munnich moved, seconded by Ms. Coughlin to insert in line five (5) after the word 'Selectmen,' the words "subsequent to a Public Hearing." **The amendment passed by majority vote. The amended main motion passed by a two-thirds vote.**

Mr. Ostroff moved, seconded by Mr. Jennett to move postponement of Article 3 until the first order of business on Thursday, April 10. **The motion to postpone Article 3 until the first order of business on Thursday, April 10 passed unanimously.**

ARTICLE 4: Street Acceptance: Portion of Highland Street (Board of Selectmen)

To see if the Town will vote to accept a portion of Highland Street as a public way, and any appurtenant easements thereto, as laid out by the Board of Selectmen and as shown on a plan or plans, a copy of which is on file in the office of the Town Clerk; to see if the Town will vote to authorize the Board of Selectmen to acquire by gift, purchase, eminent domain or otherwise, easements in any land necessary for laying out and acceptance of a portion of Highland Street, and any appurtenant drainage, utility or other easements related to said Highland Street, and/or to accept grants thereof; and, further, to authorize the Board of Selectmen and other applicable Town of Natick boards and personnel to take all related actions necessary or appropriate to accomplish the purposes of this Article; or otherwise act thereon.

Finance Committee Recommendation: *By a vote of 14-0-0 on March 4, 2014, the Finance Committee recommends Favorable Action with regard to the subject of Article 4.*

MOTION (requires two-thirds vote):

Moved by Mr. Everett, seconded by Mr. Freedman that the Town vote to accept a portion of Highland Street, extending easterly approximately 492 feet from its intersection with Middle Street, as a public way, and any appurtenant easements thereto, as laid out by the Board of Selectmen and as shown on a plan or plans, a copy of which is on file in the office of the Town Clerk; to authorize the Board of Selectmen to acquire by gift, purchase, eminent domain or otherwise, easements in any land necessary for laying out and acceptance of said portion of Highland Street, and any appurtenant drainage, utility or other easements related to said portion of Highland Street, and/or to accept grants thereof; and, further, to authorize the Board of Selectmen and other applicable Town of Natick boards and personnel to take all related actions necessary or appropriate to accomplish the purposes of this Article.

Mr. Coviello spoke to Articles 4 and 5 together. **The main motion under Article 4 passed by a two-thirds vote.**

ARTICLE 5: Street Acceptance: Walnut Hill Drive (Board of Selectmen)

To see if the Town will vote to accept Walnut Hill Drive as a public way, and any appurtenant easements thereto, as laid out by the Board of Selectmen and as shown on a plan or plans, a copy of which is on file in the office of the Town Clerk; to see if the Town will vote to authorize the Board of Selectmen to acquire by gift, purchase, eminent domain or otherwise, easements in any land necessary for laying out and acceptance of Walnut Hill Drive, and any appurtenant drainage, utility or other easements related to said Walnut Hill Drive, and/or to accept grants thereof; and, further, to authorize the Board of Selectmen and other applicable Town of Natick boards and personnel to take all related actions necessary or appropriate to accomplish the purposes of this Article; or otherwise act thereon.

Finance Committee Recommendation: *By a vote of 14-0-0 on March 4, 2014, the Finance Committee recommends Favorable Action with regard to the subject of Article 5.*

MOTION (requires two-thirds vote):

Moved by Mr. Everett, seconded by Mr. Freedman that the Town vote to accept Walnut Hill Drive as a public way, and any appurtenant easements thereto, as laid out by the Board of Selectmen and as shown on a plan or plans, a copy of which is on file in the office of the Town Clerk; to authorize the Board of

Selectmen to acquire by gift, purchase, eminent domain or otherwise, easements in any land necessary for laying out and acceptance of Walnut Hill Drive, and any appurtenant drainage, utility or other easements related to said Walnut Hill Drive, and/or to accept grants thereof; and, further, to authorize the Board of Selectmen and other applicable Town of Natick boards and personnel to take all related actions necessary or appropriate to accomplish the purposes of this Article.

The main motion under Article 5 passed unanimously.

ARTICLE 6: Shaw Park – Taking by Eminent Domain (Board of Selectmen)

To see if the Town will vote to authorize the Board of Selectmen to acquire on behalf of the Town by eminent domain, pursuant to Chapter 79 of the Massachusetts General Laws or other applicable law, a fee interest in the property known as Shaw Park, located at 53 Eliot Street, Natick, MA, said property being shown as Parcel 61 on Town of Natick Assessors' Map No. 63, and containing approximately 34,228 square feet; the purpose of said eminent domain taking is to acquire clear title to said property, given that there appears to be no deed or other instrument on record conveying title to the Town of Natick, notwithstanding the vote of the March, 1934 Town Meeting under Article 33 to accept said property as a gift from Isabella P. Shaw; provided that no damages shall be awarded for said eminent domain taking; or otherwise act thereon.

Finance Committee Recommendation: *By a vote of 12-0-1 on March 11, 2014, the Finance Committee recommends **Favorable Action** with regard to the subject of Article 6.*

MOTION (requires two-thirds vote):

Moved by Mr. Everett, seconded by Mr. Freedman that the Town vote to authorize the Board of Selectmen to acquire on behalf of the Town by eminent domain, pursuant to Chapter 79 of the Massachusetts General Laws or other applicable law, a fee interest in the property known as Shaw Park, located at 53 Eliot Street, Natick, MA, said property being shown as Parcel 61 on Town of Natick Assessors' Map No. 63, and shown on a plan entitled Plan of Land in Natick, Mass, Owned by Inhabitants of the Town of Natick, dated March 13, 2014, prepared by Sullivan Surveying Company LLC, 209 West Central Street Natick, Mass; the purpose of said eminent domain taking is to acquire clear title to said property, which property was accepted as a gift from Isabella P. Shaw by the March, 1934 Town Meeting under Article 33 provided that, consistent with the 1934 Town Meeting action, the taking of the property shall be for park purposes and provided further that no damages shall be awarded for said eminent domain taking.

Ms. White spoke to the article. Moved by Mr. Munnich, seconded by Mr. Pierce to amend Article 6 by inserting in line ten (10) after the words “park purposes” the following “as subject to Article 97 of the Amendments of the Constitution of the Commonwealth of Massachusetts,” Discussion ensued on the amendment. **A vote was taken and the Moderator announced that the vote would be counted. The amendment prevailed 88 to 37.**

Mr. Griesmer moved, seconded by Mr. Munnich to delete the words “shown as Parcel 61 on the Town of Natick Assessors' Map No. 63, and.” **The amendment to the amended motion failed.**

The amended main motion under Article 6 passed unanimously.

ARTICLE 7: Adopt MGL Chapter 147, Section 10F: Appointment of Parking Control Officers (Board of Selectmen)

To see if the Town will vote to accept the provisions of Massachusetts General Law Chapter 147, Section

10F, to authorize the Board of Selectmen to appoint parking control officers who shall have only those powers and duties conferred or imposed on police officers by MGL Chapter 90, Section 20A or 20A½; or otherwise act thereon.

Finance Committee Recommendation: *By a vote of 12-0-0 on March 6, 2014, the Finance Committee recommends **Favorable Action** with regard to the subject of Article 7.*

MOTION (requires majority vote):

Moved by Mr. Everett, seconded by Mr. Freedman that the Town vote to accept the provisions of Massachusetts General Law Chapter 147, Section 10F, to authorize the Board of Selectmen to appoint parking control officers who shall have only those powers and duties conferred or imposed on police officers by MGL Chapter 90, Section 20A or 20A½.

Chief Hicks spoke to this article. **The main motion under Article 7 passed by majority vote.**

ARTICLE 8: Amend Town By-Laws: Contracts (Town Administrator)

To see if the Town will vote to amend the first paragraph of Article 41, Section 1 of the Town By-Laws as follows.

1. In the first sentence, delete “Chapter 7” and insert in its place “Chapter 7C”.
2. In the second sentence, delete the word “consulting”. As amended, the first paragraph of Chapter 41, Section 1 would read:

“The award of all contracts for the purchase of services, equipment, supplies or materials for all departments of the Town of Natick shall be made in accordance with Mass. Gen. Laws Chapter 30B; Chapter 30 Section 39M; Chapter 7C, Chapter 149; 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.”; or otherwise act thereon.

Finance Committee Recommendation: *By a vote of 10-0-0 on February 18, 2014, the Finance Committee recommends **Favorable Action** with regard to the subject of Article 8.*

MOTION (requires majority vote):

Moved by Mr. Everett, seconded by Mr. Freedman that the Town vote to amend the first paragraph of Article 41, Section 1 of the Town By-Laws as follows.

1. In the first sentence, delete “Chapter 7” and insert in its place “Chapter 7C”.
2. In the fourth sentence, delete the word “consulting” such that, as amended, the first paragraph of Chapter 41, Section 1 would read:

“The award of all contracts for the purchase of services, equipment, supplies or materials for all departments of the Town of Natick shall be made in accordance with Mass. Gen. Laws Chapter 30B; Chapter 30 Section 39M; Chapter 7C; Chapter 149; 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.”

The main motion under Article 8 passed unanimously.

ARTICLE 9: Amend Town By-Laws: Renumber Article 54 (Civil Fingerprinting) to Article 55 (Town Administrator)

To see if the Town will vote to amend the Town of Natick By-Laws by renumbering the Civil Fingerprinting By-Law to be Article 55; this By-Law was voted at the 2013 Spring Annual Town Meeting under Article 40 to be inserted into the Town By-Laws as Article 54 whereas it should have been voted as By-Law Article 55; or otherwise act thereon.

Finance Committee Recommendation: *By a vote of 10-0-0 on February 18, 2014, the Finance Committee recommends **Favorable Action** with regard to the subject of Article 9.*

MOTION (requires majority vote):

Moved by Mr. Everett, seconded by Mr. Freedman that the Town vote to amend the Town of Natick By-Laws by renumbering the Civil Fingerprinting By-Law to be Article 55; this By-Law was voted at the 2013 Spring Annual Town Meeting under Article 40 to be inserted into the Town By-Laws as Article 54 whereas it should have been voted as By-Law Article 55.

Ms. White spoke to this article. **The main motion under Article 9 passed unanimously.**

ARTICLE 10: Amend Town By-Laws: Ban of Marijuana Cultivation, Treatment Centers (Bruce A. Snow, et al)

To see if the Town will vote to amend Article 50 of the Town of Natick By-Laws as follows:

Insert the following new section between Sections 14b and 15:

Section 14c Medical marijuana Treatment Center(s) and Marijuana Cultivation Regulated by a Complete Ban

Notwithstanding the passage of Chapter 369 of the Acts of 2012, “An Act for the Humanitarian Medical Use of Marijuana” (question 3 on the November 2012 Massachusetts ballot), medical marijuana treatment center(s) and marijuana cultivation are both regulated in the town of Natick by a complete ban.

“Medical Marijuana Treatment Center(s)” (per 105 C.M.R. 725.004) shall be defined as a not-for-profit business engaged in the acquisition, cultivation, distribution, possession, processing, sale, transference, or transportation of marijuana or tetrahydrocannabinol to the general public, patients, or their caregivers for an implied or stated medical purpose.

“Marijuana Cultivation” shall be defined as the improvement and preparation of soil, or use of aquiculture or other method, for the raising of a marijuana plant or crop

Finance Committee Recommendation: *By a vote of 12-0-0 on March 6, 2014, the Finance Committee recommends **No Action** with regard to the subject of Article 10.*

MOTION (requires majority vote):

Moved by Mr. Snow, seconded by Ms. Foss that the Town vote to amend Article 50 of the Town of Natick By-Laws as follows:

Insert the following new section between Sections 14b and 15:

Section 14c Medical Marijuana Treatment Center(s) and Marijuana Cultivation Regulated by a Complete Ban.

Notwithstanding the passage of Chapter 369 of the Acts of 2012, “An Act for the Humanitarian Medical Use of Marijuana” (question 3 on the November 2012 Massachusetts ballot), medical marijuana treatment center(s) and marijuana cultivation are both regulated in the town of Natick by a complete ban.

“Medical Marijuana Treatment Center(s)” (per 105 C.M.R. 725.004) shall be defined as a not-for-profit business engaged in the acquisition, cultivation, distribution, possession, processing, sale, transference, or transportation of marijuana or tetrahydrocannabinol to the general public, patients, or their caregivers for an implied or stated medical purpose.

“Marijuana Cultivation” shall be defined as the improvement and preparation of soil, or use of aquiculture or other method, for the raising of a marijuana plant or crop.

Mr. Snow spoke to this article. Moved by Mr. Sidney, seconded by Mr. Coffey that Town Meeting vote indefinite postponement on this article. Discussion continued on both the positive main motion as well as indefinite postponement. **The motion to indefinitely postpone action on this article prevailed.**

ARTICLE 11: Amend Zoning By-Laws: Extend Medical Marijuana Moratorium to 12/31/2014 or Date of Approval of Local By-Law, Whichever is Earlier (Town Administrator)

To see if the Town will vote to amend Section III-J of the Natick Zoning By-Laws, entitled Temporary Moratorium on Medical Marijuana Treatment Centers, added by vote of the 2013 Natick Spring Annual Town Meeting under Article 39, by adding a reference to the regulations issued by the Massachusetts Department of Public Health effective January 1, 2013, by adding a reference to registered marijuana dispensaries, and by extending the expiration date of the temporary moratorium from June 30, 2014 to December 31, 2014, or until the effective date of approval by the Massachusetts Attorney General of a Zoning By-Law amendment to regulate registered marijuana dispensaries voted by Natick Town Meeting, whichever is earlier; or otherwise act thereon.

Finance Committee Recommendation: *By a vote of 12-0-0 on March 6, 2014, the Finance Committee recommends Favorable Action with regard to the subject of Article 11.*

MOTION (requires two-thirds vote):

Moved by Mr. Everett, seconded by Mr. Freedman that the Town vote to amend Section III-J of the Natick Zoning By-Laws, entitled TEMPORARY MORATORIUM ON MEDICAL MARIJUANA TREATMENT CENTERS, added by vote of the 2013 Spring Annual Town Meeting under Article 39, as follows:

1. In Section 1, second sentence, delete “is required to issue regulations regarding implementation within 120 days of the law’s effective date” and insert in its place “subsequently issued final regulations regarding implementation of the law, which the Town is currently considering as part of addressing related zoning issues.”

2. In Section 1, fourth sentence, delete “are expected to.”

3. In Section 2, insert the current definition of Medical Marijuana Treatment Center, set forth in 105 CMR 725.004.

4. In Section 3, second sentence, delete “June 30, 2014” and insert in its place “December 31, 2014, or the date of final approval by the Massachusetts Attorney General of an amendment to the Natick Zoning By-Laws which regulates Medical Marijuana Treatment Centers, whichever date occurs earlier.”

As amended, Section III-J would read:

“SECTION III-J TEMPORARY MORATORIUM ON MEDICAL MARIJUANA TREATMENT CENTERS

1. PURPOSE

By vote at the State election on November 6, 2012, the voters of the Commonwealth approved a law regulating the cultivation, distribution, possession and use of marijuana for medical purposes. The law became effective on January 1, 2013 and the Massachusetts Department of Public Health subsequently issued final regulations regarding implementation of the law, which the Town is currently considering as part of addressing related zoning issues. Currently under the Zoning By-Laws, a medical marijuana treatment center is not defined and is not a permitted use in the Town. Any regulations promulgated by the Massachusetts Department of Public Health provide guidance to the Town in regulating medical marijuana, including medical marijuana treatment centers. The regulation of medical marijuana raises novel and complex legal, planning, public safety and public health issues. The Town needs time to study and consider the regulation of medical marijuana treatment centers and to address such novel and complex issues, as well as to address the potential impact of the State regulations on local zoning and to undertake a planning process to consider amending the Zoning By-Laws regarding regulation of medical marijuana treatment centers and other uses related to the regulation of medical marijuana. A temporary moratorium on the use of land and structures in the Town for medical marijuana treatment centers will allow sufficient time for the Town to conduct a comprehensive planning process to address zoning issues related to this use and to enact bylaws in a manner consistent with sound land use planning goals and objectives.

2. DEFINITION

“Medical marijuana treatment center” shall mean a “not-for-profit entity registered under 105 CMR 725.100, to be known as a registered marijuana dispensary (RMD), that acquires, cultivates, possesses, processes (including development of related products such as edible MIP’s, tinctures, aerosols, oils or ointments), transfers, transports, sells, distributes, dispenses, or administers marijuana, products containing marijuana, related supplies, or educational materials to qualifying patients or their personal caregivers. Unless otherwise specified, RMD refers to the site(s) of dispensing, cultivation, and preparation of marijuana”.

3. TEMPORARY MORATORIUM

For the reasons set forth above and notwithstanding any other provision of the Zoning By-Laws to the contrary, the Town hereby adopts a temporary moratorium on the use of land or structures for a medical marijuana treatment center. The moratorium shall be in effect through December 31, 2014, or the date of final approval by the Massachusetts Attorney General of an amendment to the Natick Zoning By-Laws which regulates Medical Marijuana Treatment Centers, whichever date occurs earlier. During the moratorium period, the Town shall undertake a planning process to address the potential impacts of medical marijuana and of medical marijuana treatment facilities in the Town, shall consider the Massachusetts Department of Public Health regulations regarding medical marijuana treatment centers and related uses, and shall consider adopting new zoning by-laws to address the impact and operation of medical marijuana treatment centers and related uses.

Mr. Reffett spoke to this article.

The main motion under Article 11 passed by a two-thirds vote.

**ARTICLE 12: Amend Zoning By-Laws: Medical Marijuana Treatment Centers
(Town Administrator)**

To see if the Town will vote to amend the Zoning By-Laws by adding a new Section 323.8, Registered Marijuana Dispensaries, as follows.

“323.8 Registered Marijuana Dispensaries.

323.8.1 *Purposes*

To provide for the establishment of registered marijuana dispensaries in appropriate places and under conditions in accordance with the passage of Chapter 369 of the Acts of 2012, an Act for the Humanitarian Medical Use of Marijuana. See also Appendix Sections 1-1, et seq., to Chapter 94C of the Massachusetts General Laws.

To minimize the adverse impacts of registered marijuana dispensaries on adjacent properties, residential neighborhoods, schools and other places where children congregate, local historic districts, and other land uses potentially incompatible with said dispensaries.

To regulate the siting, design, placement, security, safety, monitoring, modification, and removal of registered marijuana dispensaries.

323.8.2 *Applicability*

The commercial cultivation (unless it meets the requirements for an agricultural exemption under Chapter 40A, Section 3 of the Massachusetts General Laws), production, processing, assembly, packaging, retail or wholesale sale, trade, distribution or dispensing of marijuana for medical use is prohibited unless allowed by special permit as a registered marijuana dispensary under Chapter 40A, Section 9 of the Massachusetts General Laws and this Section 323.8.

No registered marijuana dispensary shall be established except in compliance with the provisions of this Section 323.8.

Nothing in this By-Law shall be construed to supersede federal and state laws governing the sale and distribution of narcotic drugs.

323.8.3 *Definitions*

“Debilitating medical condition” shall mean cancer, glaucoma, positive status for human immunodeficiency virus, acquired immune deficiency syndrome (AIDS), hepatitis C, amyotrophic lateral sclerosis (ALS), Crohn’s disease, Parkinson’s disease, multiple sclerosis and other conditions as determined in writing by a qualifying patient’s physician.

“Marijuana” shall have the same meaning given as “marihuana” in Chapter 94C of the Massachusetts General Laws.

“Marijuana for medical use” shall mean marijuana that is designated and restricted for use by, and for the benefit of, qualifying patients in the treatment of debilitating medical conditions.

Registered marijuana dispensary” shall mean a not-for-profit entity, as defined by Massachusetts law only, registered under Chapter 369 of the Acts of 2012, that acquires, cultivates, possesses, processes (including development of related products such as food, tinctures, aerosols, oils, or ointments), transfers, transports, sells, distributes, dispenses, or administers marijuana, products containing marijuana, related supplies, or educational materials to qualifying patients or their personal caregivers.

323.8.4 *General Requirements and Conditions*

323.8.4.1 Registered marijuana dispensaries, other than agricultural operations meeting the requirements for an exemption under Chapter 40A, Section 3 of the Massachusetts General Laws, may be allowed in the RC District by special permit issued by the Planning Board provided that the registered marijuana dispensary meets the requirements of this Section

323.8.

323.8.4.2 No registered marijuana dispensary shall be located on land in the RC District in which the underlying zoning is Highway Mixed Use III (HM III).

323.8.4.3 No registered marijuana dispensary shall be located within five hundred (500) feet of any other premises containing a registered marijuana dispensary.

323.8.4.4 No registered marijuana dispensary shall be located in any premises for which an alcoholic beverages license has been issued.

323.8.4.5 No registered marijuana dispensary shall be located inside a building containing residential units, including single family housing, multi-family housing, and transient housing such as motels and dormitories, or inside a movable or mobile structure such as a van or truck.

323.8.4.6 No registered marijuana dispensary shall be located in a building that contains the office of any medical doctor or the office of any other professional practitioner authorized to prescribe the medical use of marijuana.

323.8.4.7 All registered marijuana dispensaries shall be contained within a building or structure.

323.8.4.8 No registered marijuana dispensary shall be located on a lot which is located within three hundred (300) feet of a Town of Natick boundary line, or a residential zoning district boundary line, or a house of worship, or a school, playground or day care facility.

323.8.4.9 No registered marijuana dispensary shall have a gross floor area of less than two thousand five hundred (2,500) square feet or in excess of twenty thousand (20,000) square feet.

323.8.4.10 The hours of operation of registered marijuana dispensaries shall be set by the Planning Board, but in any event no registered marijuana dispensary shall be open and/or operating between the hours of 8:00 PM and 8:00 AM.

323.8.4.11 No smoking, burning or consumption of any product containing marijuana or marijuana-related products shall be permitted on the premises of a registered marijuana dispensary.

323.8.4.12 Signage for the registered marijuana dispensary shall include the following language: "Registration card issued by the MA Department of Public Health required". The required text shall be a minimum of two (2) inches in height.

323.8.4.13 Registered marijuana dispensaries shall provide the Natick Police Department, Natick Board of Health, Natick Building Commissioner, and Natick Planning Board with the names, phone numbers and email addresses of all management staff and keyholders to whom the Town of Natick can provide notice if there are emergencies or operating problems associated with the registered marijuana dispensary.

323.8.5 *Special Permit Requirements*

323.8.5.1 A special permit for a registered marijuana dispensary shall be limited to one (1) or more of the following uses: cultivation of marijuana for medical use; processing and packaging of marijuana for medical use, including marijuana that is in the form of smoking materials, food products, oils, aerosols, ointments, and other products; or retail sale or distribution of marijuana for medical use to qualifying patients.

323.8.5.2 An application for a special permit for a registered marijuana dispensary shall include the following: the location of the proposed registered marijuana dispensary, including the street address, and the floors(s) and unit number(s) to be occupied; the proposed use of the subject registered marijuana dispensary; the name and address of each owner of the registered marijuana dispensary; copies of all required licenses and permits issued to the applicant by the Commonwealth of Massachusetts and any of its agencies for the registered marijuana dispensary; evidence of the applicant's right to use the proposed site for the registered marijuana dispensary, such as a lease or consent of the property owner;

if the applicant is a business organization, a statement under oath disclosing all of its owners, shareholders, partners, members, managers, directors, and officers, and their addresses. If any of the above are entities rather than persons, the applicant must disclose the identity of the owners of such entities; a certified list of all parties in interest entitled to notice of the hearing for the special permit application, taken from the most recent Town of Natick tax list and certified by the Town of Natick Assessor; and proposed security measures for the registered marijuana dispensary, including lighting, fencing, gates, surveillance equipment, alarms, etc., to ensure the safety of persons and to protect the premises from theft.

323.8.5.3 Mandatory Findings

In addition to the findings otherwise required by law for issuance of a special permit, the Planning Board shall not issue a special permit for a registered marijuana dispensary unless it finds that: the registered marijuana dispensary demonstrates that it shall meet all the permitting requirements of all applicable agencies within the Commonwealth of Massachusetts and shall be in compliance with all applicable state laws and regulations; and the applicant has satisfied all of the conditions and requirements of this Section 323.8.

323.8.5.4 Term

A special permit granted under this Section 323.8 shall have a term limited to the duration of the applicant's ownership of, or leasehold interest in, the premises as a registered marijuana dispensary. A special permit may be transferred only with the approval of the Planning Board in the form of an amendment to the special permit with all information required in this Section

323.8.5.5 Annual Reporting. Each registered marijuana dispensary permitted under this By-Law shall as a condition of its special permit file an annual report with the Natick Board of Health, the Natick Community Development Department, and the Natick Town Clerk no later than January 31st, providing a copy of all current applicable state licenses for the registered marijuana dispensary and/or its owners and demonstrating continued compliance with the conditions of the special permit.

323.8.5.6 Abandonment or Discontinuance of Use

323.8.5.6.1 A special permit issued under this Section 323.8 shall lapse if not exercised within one (1) year of issuance.

323.8.5.6.2 A registered marijuana dispensary shall be required to remove all plants, equipment, supplies and materials related to the registered marijuana dispensary: prior to surrendering its state issued licenses or permits; or within three (3) months of ceasing operations; whichever comes first.

323.8.6 Invalidity: If any provision of this Section 323.8 or the application of any such provision to any person or circumstance shall be determined to be invalid or enforceable by final judgment or order of a court of competent jurisdiction, the remainder of this Section 323.8 shall continue in effect, to the extent permitted by law; or otherwise act thereon.

Finance Committee Recommendation: *By a vote of 8-1-1 on March 18, 2014, the Finance Committee recommends Favorable Action with regard to the subject of Article 12.*

MOTION (requires two-thirds vote):

Moved by Mr. Everett, seconded by Mr. Freedman that the Town vote to amend the Zoning By-Laws by adding a new Section 323.8, Registered Marijuana Dispensaries, as follows.

“323.8 Registered Marijuana Dispensaries.

323.8.1 Purposes

To provide for the establishment of Registered Marijuana Dispensaries in appropriate places and under conditions in accordance with the passage of Chapter 369 of the Acts of 2012, an Act for the Humanitarian

Medical Use of Marijuana. See also Appendix Sections 1-1, et seq., to Chapter 94C of the Massachusetts General Laws.

To minimize the adverse impacts of Registered Marijuana Dispensaries on adjacent properties, residential neighborhoods, schools and other places where children congregate, local historic districts, and other land uses potentially incompatible with said dispensaries.

To regulate the siting, design, placement, security, safety, monitoring, modification, and removal of Registered Marijuana Dispensaries.

323.8.2 *Applicability*

The commercial cultivation (unless it meets the requirements for an agricultural exemption under Chapter 40A, Section 3 of the Massachusetts General Laws), production, processing, assembly, packaging, retail or wholesale sale, trade, distribution or dispensing of marijuana for medical use is prohibited unless allowed by special permit as a Registered Marijuana Dispensary under Chapter 40A, Section 9 of the Massachusetts General Laws and this Section 323.8.

No Registered Marijuana Dispensary shall be established except in compliance with the provisions of this Section 323.8.

Nothing in this By-Law shall be construed to supersede federal and state laws governing the sale and distribution of narcotic drugs.

323.8.3 *Definitions*

“Debilitating medical condition” shall mean cancer, glaucoma, positive status for human immunodeficiency virus, acquired immune deficiency syndrome (AIDS), hepatitis C, amyotrophic lateral sclerosis (ALS), Crohn’s disease, Parkinson’s disease, multiple sclerosis and other conditions as determined in writing by a qualifying patient’s physician.

“Marijuana” shall have the same meaning given as “marihuana” in Chapter 94C of the Massachusetts General Laws.

“Marijuana for medical use” shall mean marijuana that is designated and restricted for use by, and for the benefit of, qualifying patients in the treatment of debilitating medical conditions.

“Registered Marijuana Dispensary” shall mean a not-for-profit entity, as defined by Massachusetts law only, registered under Chapter 369 of the Acts of 2012, that acquires, cultivates, possesses, processes (including development of related products such as food, tinctures, aerosols, oils, or ointments), transfers, transports, sells, distributes, dispenses, or administers marijuana or products containing marijuana to qualifying patients or their personal caregivers.

323.8.4 *General Requirements and Conditions*

323.8.4.1 Registered Marijuana Dispensaries, other than agricultural operations meeting the requirements for an exemption under Chapter 40A, Section 3 of the Massachusetts General Laws, may be allowed in the RC District by special permit issued by the Planning Board provided that the Registered Marijuana Dispensary meets the requirements of this Section 323.8.

323.8.4.2 No Registered Marijuana Dispensary shall be located on land in the RC District in which the underlying zoning is Highway Mixed Use III (HM III).

323.8.4.3 No Registered Marijuana Dispensary shall be located within five hundred (500) feet of any other premises containing a Registered Marijuana Dispensary.

323.8.4.4 No Registered Marijuana Dispensary shall be located in any premises for which an

alcoholic beverages license has been issued.

323.8.4.5 No Registered Marijuana Dispensary shall be located inside a building containing residential units, including single family housing, multi-family housing, and transient housing such as motels and dormitories, or inside a movable or mobile structure such as a van or truck.

323.8.4.6 No Registered Marijuana Dispensary shall be located in a building that contains the office of any medical doctor or the office of any other professional practitioner authorized to prescribe the medical use of marijuana.

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323.8.4.10 The hours of operation of Registered Marijuana Dispensaries shall be set by the Planning Board, but in any event no Registered Marijuana Dispensary shall be open and/or operating between the hours of 8:00 PM and 8:00 AM.

323.8.4.11 No smoking, burning, or consumption by any means of any product containing marijuana shall be permitted on the premises of a Registered Marijuana Dispensary.

323.8.4.12 Signage for the Registered Marijuana Dispensary shall include the following language: "Registration card issued by the MA Department of Public Health required". The required text shall be a minimum of two (2) inches in height.

323.8.4.13 Registered Marijuana Dispensaries shall provide the Natick Police Department, Natick Board of Health, Natick Building Commissioner, and Natick Planning Board with the names, phone numbers and email addresses of all management staff and key holders to whom the Town of Natick can provide notice if there are emergencies or operating problems associated with the Registered Marijuana Dispensary.

323.8.5 *Special Permit Requirements*

323.8.5.1 A special permit for a Registered Marijuana Dispensary shall be limited to one (1) or more of the following uses: cultivation of marijuana for medical use; processing and packaging of marijuana for medical use, including marijuana that is in the form of smoking materials, food products, oils, aerosols, ointments, and other products; or retail sale or distribution of marijuana for medical use to qualifying patients.

323.8.5.2 An application for a special permit for a Registered Marijuana Dispensary shall include the following: the location of the proposed Registered Marijuana Dispensary, including the street address, and the floors(s) and unit number(s) to be occupied; the proposed use of the subject Registered Marijuana Dispensary; the name and address of each owner of the Registered Marijuana Dispensary; copies of all required licenses and permits issued to the applicant by the Commonwealth of Massachusetts and any of its agencies for the Registered Marijuana Dispensary; evidence of the applicant's right to use the proposed site for the Registered Marijuana Dispensary, such as a lease or consent of the property owner; if the applicant is a business organization, a statement under oath disclosing all of its owners, shareholders, partners, members, managers, directors, and officers, and their addresses. If any of the above are entities rather than persons, the applicant must disclose the identity of the owners of such entities; a certified list of all parties in interest entitled to notice of the hearing for the special permit application, taken from the most recent Town of Natick tax list and certified by the Town of Natick Assessor; and proposed security measures for the Registered Marijuana Dispensary, including lighting, fencing, gates, surveillance equipment, alarms, etc., to ensure the safety of persons, deliveries and transfers and to protect the premises from theft.

323.8.5.3 Mandatory Findings: In addition to the findings otherwise required by law for issuance

of a special permit, the Planning Board shall not issue a special permit for a Registered Marijuana Dispensary unless it finds that: the Registered Marijuana Dispensary demonstrates that it shall meet all the permitting requirements of all applicable agencies within the Commonwealth of Massachusetts and shall be in compliance with all applicable state laws and regulations; and the applicant has satisfied all of the conditions and requirements of this Section 323.8.

323.8.5.4 Term: A special permit granted under this Section 323.8 shall have a term limited to the duration of the applicant's ownership of, or leasehold interest in, the premises as a Registered Marijuana Dispensary. A special permit may be transferred only with the approval of the Planning Board in the form of an amendment to the special permit with all information required in this Section

323.8.5.5 Annual Reporting: Each Registered Marijuana Dispensary permitted under this By-Law shall as a condition of its special permit file an annual report with the Natick Board of Health, the Natick Community Development Department, and the Natick Town Clerk no later than January 31st, providing a copy of all current applicable state licenses for the Registered Marijuana Dispensary and/or its owners and demonstrating continued compliance with the conditions of the special permit.

323.8.5.6 Abandonment or Discontinuance of Use:

323.8.5.6.1 A special permit issued under this Section 323.8 shall lapse if not exercised within one (1) year of issuance.

323.8.5.6.2 A Registered Marijuana Dispensary shall be required to remove all plants, equipment, supplies and materials related to the Registered Marijuana Dispensary: prior to surrendering its state issued licenses or permits; or within three (3) months of ceasing operations; whichever comes first.

323.8.6 Invalidity

If any provision of this Section 323.8 or the application of any such provision to any person or circumstance shall be determined to be invalid or unenforceable by final judgment or order of a court of competent jurisdiction, the remainder of this Section 323.8 shall continue in effect, to the extent permitted by law.”

Mr. Reffett spoke to this article. Discussion ensued on the article. The map regarding this by-law was inadvertently left out of the Finance Committee book of Recommendations. The map will be provided at the next session of Town Meeting. Mr. Snow, seconded by Mr. Lista requested a roll call vote on this article. The Moderator announced that a roll call vote requires a one-third vote. **The motion to have a roll call vote on Article 12 failed.**

Mr. Connolly moved, seconded by Mr. Griesmer to postpone further consideration of Article 12 until Thursday, April 10. **The motion for postponement of further consideration of Article 12 until Thursday April 10 prevailed.**

Mr. Sidney moved, seconded by Mr. Griesmer to adjourn. **The motion to adjourn passed by a majority vote. The meeting adjourned at 10:00 PM until Thursday, April 10th at 7:30 PM.**

A record of the First Session of
2014 Spring Annual Town Meeting
April 8, 2014

s/Diane Packer, Town Clerk

**2014 Spring Annual Town Meeting
Fine and Performing Arts Center
Natick High School
April 10, 2014
Second Session**

The Second Session of the 2014 Spring Annual Town Meeting was called to order at 7:35 PM by the Town Moderator, Frank W. Foss, who declared a quorum present. The Moderator welcomed residents, taxpayers, town officials, Town Meeting Members and interested parties to the Second Session of 2014 Spring Annual Town Meeting. The Moderator asked that all recently elected or appointed members of Town Meeting who have not yet been sworn in stand to take the oath of office. The meeting stood 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 on the stage and in the well of the auditorium. The following people were present: Diane Packer, Town Clerk; Bruce Evans, Finance Committee Vice Chair; James Everett, Finance Committee Secretary; Martha White, Town Administrator; Brandon Moss, Town Counsel; and Joshua Ostroff, Chair of the Board of Selectmen.

The Moderator reviewed the general rules and procedures of Town Meeting. He indicated that all residents and taxpayers of the town and 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. The proceedings of Town Meetings shall be governed by **Town Meeting Time**, the Town of Natick Home Rule Charter, the Natick By-Laws and the General Laws of the Commonwealth of Massachusetts.

No person shall speak upon any article 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 ten (10) minutes at one time without permission of Town Meeting. Consistent with the Natick By-Laws, 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 thereon.

The Moderator made several announcements regarding upcoming community wide events and volunteer opportunities. The Moderator announced that the meeting would begin with consideration of Article 3 which had been postponed until the first order of business this evening and then continue to complete consideration of Article 12. Without objection he requested that we take procedural motions and resolutions first.

Mr. Ostroff rose to offer the following resolution:

Moved by Mr. Ostroff, seconded by Ms. Salamoff that 2014 Spring Annual Town Meeting accept the dedication of the 2013 Annual Town Report in honor of Bruce S. Weisberg and that it be entered into the record.

The 2013 Natick Town Report is dedicated to longtime volunteer and community leader Bruce S. Weisberg.

Bruce has been an inspiring and tireless champion of Natick for many years, both in Town government and with many community organizations. With his long service on the Friends of the 4th Committee, Natick

Days Committee, Natick Center Associates, Kids Connect and the Community Organic Farm, Bruce has shown the knack for making things happen and motivating people to do their best. Countless programs have been well run, with positive results for many kids and families, because of his purposeful and positive contributions.

As a member of many town committees, including the Recreation and Parks Commission, Community Development Advisory Committee and the Affordable Housing Trust, Bruce has demonstrated his knowledge of housing and finance, and his love for the entire community, to make a difference.

As Senior Vice President and Real Property Manager at Middlesex Savings Bank, Bruce has spearheaded the bank's community outreach and has set a high standard for corporate citizenship. He has also served on the MetroWest ESL Fundraising Committee, Greater Boston Business Council, the Greater Boston Banker's Association, and Leadership MetroWest.

A longtime observer has shared the view that meetings and events just run better with Bruce, people do better work, and more gets done thanks to his positive, team-first attitude and wise counsel.

For his inspired leadership and many contributions to our community's quality of life, the Town proudly dedicates the 2013 Town Report to Bruce S. Weisberg.

Moved by Mr. Sidney, seconded by Mr. Gath to waive the reading of the motion just presented. **The motion to waive the reading passed unanimously. The main motion to accept the dedication passed unanimously.** Mr. Weisberg addressed the meeting.

Mr. Hughes rose to offer a resolution honoring Carol Gloff. Moved by Mr. Hughes, seconded by Ms. Ball to accept the following resolution:

WHEREAS Carol A. Gloff has served the Town of Natick as an elected and appointed volunteer for many years, as a member of the Board of Selectmen, Finance Committee, Charter and Bylaw Review Committee, Affordable Housing Trust Fund, Community Development Advisory Committee, Pay As You Throw Task Force, Fire Study Committee, Medical Reserve Corps and Representative Town Meeting, and

WHEREAS Carol has brought her good sense, calm demeanor, discipline and impartiality to town leadership, has always welcomed challenges and worthy causes, and has been a champion for high quality, affordable services and projects, and

WHEREAS Carol has a well deserved reputation as a trusted and caring advocate for housing, public safety and financial management, and has helped lead the recruitment and promotion of an outstanding generation of appointed leaders, and

WHEREAS Carol has recently retired from the Board of Selectmen after three terms of outstanding service, while continuing to serve the community as a volunteer and advocate,

NOW THEREFORE Natick Spring 2014 Annual Town Meeting hereby recognizes Carol A. Gloff for her thoughtful, wise and able leadership of Natick, and for her dedication to the well being of all residents of our vibrant and healthy community.

Moved by Mr. Sidney, seconded by Mr. Hughes to waive the reading of the resolution. **The motion to waive the reading passed unanimously. The motion to accept and enter the resolution into the record passed unanimously.** Ms. Gloff addressed Town Meeting.

**ARTICLE 3: Transfer of Land to Conservation Commission: 0 Bradford Road End
(Board of Selectmen)**

To see if the Town will vote to transfer from the Board of Selectmen to the Conservation Commission the care, custody, management and control of a parcel of land adjoining Pickerel Pond, identified as 0 Bradford Road End, containing approximately seventy-six (76) acres, and shown on Assessors' Map 14 as Lot 78; and, further to see if the Town will vote that the Board of Selectmen shall retain rights and obligations related to public water systems now or hereafter located on said parcel of land, including without limitation rights and obligations related to access to, egress from, and protection and maintenance of such public water systems; or otherwise act thereon.

Finance Committee Recommendation: *By a vote of 11-0-1 on March 6, 2014, 2014, the Finance Committee recommends Favorable Action with regard to the subject of Article 3.*

MOTION (requires two-thirds vote):

Moved by Mr. Everett, seconded by Mr. Evans that the Town vote to transfer from the Board of Selectmen to the Conservation Commission the care, custody, management and control of a parcel of land adjoining Pickerel Pond, identified as 0 Bradford Road End, containing approximately seventy-six (76) acres, and shown on Assessors' Map 14 as Lot 78 and that the Board of Selectmen shall retain rights and obligations related to public water systems now or hereafter located on said parcel of land, including without limitation rights and obligations related to access to, egress from, and protection and maintenance of such public water systems.

Mr. Ostroff and Mr. Gardner, the current chair of the Conservation Commission spoke to this the article. Discussion ensued on the article. Mr. Munnich moved, seconded by Ms. Brown to refer this article to the Conservation Commission and the Board of Selectmen. Discussion continued. Moved by Mr. Hughes, seconded by Mr. Gath to close debate on the referral motion. **The motion to close debate on the referral motion passed by a two-thirds vote. The motion to refer the subject matter of Article 3 to the Conservation Commission and the Board of Selectmen failed. The main motion under Article 3 passed by two-thirds vote.**

The next order of business is to continue the debate and discussion regarding Article 12. A positive main motion as detailed below was on Town Meeting floor when the meeting voted to postpone consideration of the article until this evening.

Moved that the Town vote to amend the Zoning By-Laws by adding a new Section 323.8, Registered Marijuana Dispensaries, as follows.

“323.8 Registered Marijuana Dispensaries.

323.8.1 *Purposes*

To provide for the establishment of Registered Marijuana Dispensaries in appropriate places and under conditions in accordance with the passage of Chapter 369 of the Acts of 2012, an Act for the Humanitarian Medical Use of Marijuana. See also Appendix Sections 1-1, et seq., to Chapter 94C of the Massachusetts General Laws.

To minimize the adverse impacts of Registered Marijuana Dispensaries on adjacent properties, residential neighborhoods, schools and other places where children congregate, local historic districts, and other land uses potentially incompatible with said dispensaries.

To regulate the siting, design, placement, security, safety, monitoring, modification, and removal of

Registered Marijuana Dispensaries.

323.8.2 *Applicability*

The commercial cultivation (unless it meets the requirements for an agricultural exemption under Chapter 40A, Section 3 of the Massachusetts General Laws), production, processing, assembly, packaging, retail or wholesale sale, trade, distribution or dispensing of marijuana for medical use is prohibited unless allowed by special permit as a Registered Marijuana Dispensary under Chapter 40A, Section 9 of the Massachusetts General Laws and this Section 323.8.

No Registered Marijuana Dispensary shall be established except in compliance with the provisions of this Section 323.8.

Nothing in this By-Law shall be construed to supersede federal and state laws governing the sale and distribution of narcotic drugs.

323.8.3 *Definitions*

“Debilitating medical condition” shall mean cancer, glaucoma, positive status for human immunodeficiency virus, acquired immune deficiency syndrome (AIDS), hepatitis C, amyotrophic lateral sclerosis (ALS), Crohn’s disease, Parkinson’s disease, multiple sclerosis and other conditions as determined in writing by a qualifying patient’s physician.

“Marijuana” shall have the same meaning given as “marihuana” in Chapter 94C of the Massachusetts General Laws.

“Marijuana for medical use” shall mean marijuana that is designated and restricted for use by, and for the benefit of, qualifying patients in the treatment of debilitating medical conditions.

“Registered Marijuana Dispensary” shall mean a not-for-profit entity, as defined by Massachusetts law only, registered under Chapter 369 of the Acts of 2012, that acquires, cultivates, possesses, processes (including development of related products such as food, tinctures, aerosols, oils, or ointments), transfers, transports, sells, distributes, dispenses, or administers marijuana or products containing marijuana to qualifying patients or their personal caregivers.

323.8.4 *General Requirements and Conditions*

323.8.4.1 Registered Marijuana Dispensaries, other than agricultural operations meeting the requirements for an exemption under Chapter 40A, Section 3 of the Massachusetts General Laws, may be allowed in the RC District by special permit issued by the Planning Board provided that the Registered Marijuana Dispensary meets the requirements of this Section 323.8.

323.8.4.2 No Registered Marijuana Dispensary shall be located on land in the RC District in which the underlying zoning is Highway Mixed Use III (HM III).

323.8.4.3 No Registered Marijuana Dispensary shall be located within five hundred (500) feet of any other premises containing a Registered Marijuana Dispensary.

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323.8.4.5 No Registered Marijuana Dispensary shall be located inside a building containing residential units, including single family housing, multi-family housing, and transient housing such as motels and dormitories, or inside a movable or mobile structure such as a van or truck.

323.8.4.6 No Registered Marijuana Dispensary shall be located in a building that contains the office of any medical doctor or the office of any other professional practitioner authorized to prescribe the medical use of marijuana.

323.8.4.7 All Registered Marijuana Dispensaries shall be contained within a building or structure.

323.8.4.8 No Registered Marijuana Dispensary shall be located on a lot which is located within three hundred (300) feet of a Town of Natick boundary line, or a residential zoning district boundary line.

323.8.4.9 No Registered Marijuana Dispensary shall have a gross floor area of less than two thousand five hundred (2,500) square feet or in excess of twenty thousand (20,000) square feet.

323.8.4.10 The hours of operation of Registered Marijuana Dispensaries shall be set by the Planning Board, but in any event no Registered Marijuana Dispensary shall be open and/or operating between the hours of 8:00 PM and 8:00 AM.

323.8.4.11 No smoking, burning, or consumption by any means of any product containing marijuana shall be permitted on the premises of a Registered Marijuana Dispensary.

323.8.4.12 Signage for the Registered Marijuana Dispensary shall include the following language: "Registration card issued by the MA Department of Public Health required". The required text shall be a minimum of two (2) inches in height.

323.8.4.13 Registered Marijuana Dispensaries shall provide the Natick Police Department, Natick Board of Health, Natick Building Commissioner, and Natick Planning Board with the names, phone numbers and email addresses of all management staff and key holders to whom the Town of Natick can provide notice if there are emergencies or operating problems associated with the Registered Marijuana Dispensary.

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323.8.5.2 An application for a special permit for a Registered Marijuana Dispensary shall include the following: the location of the proposed Registered Marijuana Dispensary, including the street address, and the floors(s) and unit number(s) to be occupied; the proposed use of the subject Registered Marijuana Dispensary; the name and address of each owner of the Registered Marijuana Dispensary; copies of all required licenses and permits issued to the applicant by the Commonwealth of Massachusetts and any of its agencies for the Registered Marijuana Dispensary; evidence of the applicant's right to use the proposed site for the Registered Marijuana Dispensary, such as a lease or consent of the property owner;

- a) If the applicant is a business organization, a statement under oath disclosing all of its owners, shareholders, partners, members, managers, directors, and officers, and their addresses. If any of the above are entities rather than persons, the applicant must disclose the identity of the owners of such entities;
- b) a certified list of all parties in interest entitled to notice of the hearing for the special permit application, taken from the most recent Town of Natick tax list and certified by the Town of Natick Assessor; and
- c) Proposed security measures for the Registered Marijuana Dispensary, including lighting, fencing, gates, surveillance equipment, alarms, etc., to ensure the safety of persons, deliveries and transfers and to protect the premises from theft.

323.8.5.3 Mandatory Findings: In addition to the findings otherwise required by law for issuance of a special permit, the Planning Board shall not issue a special permit for a Registered Marijuana Dispensary unless it finds that:

- a) the Registered Marijuana Dispensary demonstrates that it shall meet all the permitting requirements of all applicable agencies within the Commonwealth of Massachusetts and shall be in compliance with all applicable state laws and regulations; and

b) the applicant has satisfied all of the conditions and requirements of this Section 323.8.

323.8.5.4 Term: A special permit granted under this Section 323.8 shall have a term limited to the duration of the applicant's ownership of, or leasehold interest in, the premises as a Registered Marijuana Dispensary. A special permit may be transferred only with the approval of the Planning Board in the form of an amendment to the special permit with all information required in this Section

323.8.5.5 Annual Reporting. Each Registered Marijuana Dispensary permitted under this By-Law shall as a condition of its special permit file an annual report with the Natick Board of Health, the Natick Community Development Department, and the Natick Town Clerk no later than January 31st, providing a copy of all current applicable state licenses for the Registered Marijuana Dispensary and/or its owners and demonstrating continued compliance with the conditions of the special permit.

323.8.5.6 Abandonment or Discontinuance of Use

323.8.5.6.1 A special permit issued under this Section 323.8 shall lapse if not exercised within one (1) year of issuance.

323.8.5.6.2 A Registered Marijuana Dispensary shall be required to remove all plants, equipment, supplies and materials related to the Registered Marijuana Dispensary:

- a) prior to surrendering its state issued licenses or permits; or
- b) within three (3) months of ceasing operations; whichever comes first.

323.8.6 Invalidity

If any provision of this Section 323.8 or the application of any such provision to any person or circumstance shall be determined to be invalid or unenforceable by final judgment or order of a court of competent jurisdiction, the remainder of this Section 323.8 shall continue in effect, to the extent permitted by law.”

Mr. Reffett spoke to the article and announced that maps were available. Discussion ensued on the article. Moved by Mr. Hughes, seconded by Mr. Sidney to move the question and close debate on the Article. The Moderator did not accept the motion as there were more than three (3) people seeking the floor. Discussion on the article continued. Moved by Mr. Scott Joseph, seconded by Mr. Sidney to move the question and close debate on the Article. **The motion to close debate on Article 12 passed by two-thirds vote. The main motion under Article 12 passed by two-thirds vote.**

ARTICLE 13: Reorganization of Zoning By-Laws: Phase I Document (Town Administrator)

To see if the Town will vote to amend and recodify the Zoning Bylaw as follows:

1. Delete, in their entireties, the following provisions of the existing Zoning By-Law:
 - Section I: General
 - Section II: Use Districts
 - Section III: Use Regulations
 - Section IV: Intensity Regulations
 - Section V: Special Requirements
 - Section VI: Administration
2. Substitute the following provisions in the document entitled “Zoning By-Law, on file in the office of the Town Clerk and the Planning Board:
 - Section 1.0 Purpose and Authority
 - Section 2.0 Districts
 - Section 3.0 Use Regulations
 - Section 4.0 Dimensional Controls
 - Section 5.0 Nonconforming Uses and Structures

Clerk, Planning Board, Building Commissioner, Conservation Commission and the Department of Public Works. (Art. 43, Spring ATM, 4/27/10)

In the event of any discrepancy between the above delineations of the 100-year flood plain, the Building Inspector, after consultation with the Natick Conservation Commission, shall determine which map will apply. The Natick Drainage Study can only be used in areas where the Base Flood Elevations are equal to or more restrictive than the FIRM and FIS. (Art. 43, Spring ATM, 4/27/10)

(c) PERMITTED USES:

1. Within a Flood Plain District, no structure or building shall be erected or extended and no premises shall be used except for one or more of the following uses: any woodland, grassland, wetland, agricultural, horticultural or recreational uses of land or water not requiring filling. Buildings and sheds accessory to any of the Flood Plain Uses are permitted. Any such building or structure shall be designed, placed and constructed to offer a minimum obstruction to the flow of water, and it shall be firmly anchored to prevent floating away.
2. The following are permissible exceptions to paragraph 1: In and Flood Plain District after the adoption of this provision, no land, building, or structure shall be used for sustained human occupancy, except dwellings theretofore lawfully existing. Building permits shall be issued on request whereby buildings and structures theretofore lawfully existing may be repaired, restored, altered, enlarged, or rebuilt, and structures accessory to the existing use may be constructed in compliance with all other zoning laws and applicable state and municipal laws and regulations, provided that any such altered or rebuilt foundation shall not extend beyond the pre-existing building foundation boundary. (Any such pre-existing use shall not be rescinded by any other part of the Flood Plain Zoning By-Law. For example, this shall pertain to pre-existing buildings and structures which are subsequently damaged or destroyed by fire or disaster).
3. The following is a permissible exception to Paragraphs 1 and 2: In any Flood Plain District after the adoption of this provision, the Board of Appeals may issue a permit for any use permitted outside a Flood Plain District based on the following conditions:
 - a. That any such use of such land will not interfere with the general purposes for which Flood Plain Districts have been established.
 - b. That any such use of such land will not be detrimental to the public health, safety or welfare.
 - c. The Board of Appeals will refer the question to the Planning Board, the Board of Health, the Board of Public Works, the Board of Selectmen and the Town Conservation Commission for recommendations. It will consider those recommendations returned within 14 days by the above Boards.
 - d. In the floodway, designated on the Middlesex County FIRMS as stated in Section III-A.3 (b)
 2. the following special conditions must be met:
 1. All encroachments, including fill, new construction, substantial improvements to existing structures, and other development are prohibited unless certification by a registered professional engineer or architect is provided by the applicant demonstrating that such encroachment shall not result in any increase in flood levels during the occurrence of the 100-year flood.

2. Any encroachment meeting standard of III. 3. d. 1. shall comply with the floodplain requirements of the State Building Code and Massachusetts Wetland Protection Act, G.L. Chapter 131, Sec. 40.
3. Floodway Data. In Zones A and AE, along watercourses that have not had a regulatory floodway designated, the best available Federal, State, Local, or other floodway data shall be used to prohibit encroachments in floodways which would result in any increase in flood levels within the community during the occurrence of the base flood discharge.
(Art. 43, Spring ATM, 4/27/10)
 - e. All public utilities and facilities, such as sewer, gas electrical, and water systems shall be located and constructed to minimize or eliminate flood damage, and
 - f. Adequate drainage systems, by use of natural or non-structural drainage whenever possible, shall be provided to reduce exposure to flood hazards.
4. Base Flood Elevation Data. Base flood elevation data is required for subdivision proposals or other developments greater than fifty (50) lots or five (5) acres, whichever is the lesser, within unnumbered A zones. (Art. 43, Spring ATM, 4/27/10)
5. Except as provided above, there shall be in the Flood Plain District:
 - a. No land fill or dumping in any part of the District;
 - b. No drainage other than Flood-Control works by an authorized public agency;
 - c. No damming or relocation of any water course except as part of an overall drainage basin plan;
 - d. No buildings or structure;
 - e. No permanent storage of materials or equipment.

(d) NOTIFICATION OF WATERCOURSE ALTERATION: In a river or stream situation, the Building Commissioner shall notify the following of any alteration or relocation of a watercourse:

1. Adjacent Communities
2. NFIP State Coordinator (currently located at) Massachusetts Department of Conservation and Recreation
251 Causeway Street, Suite 600-700
Boston, MA 02114-2104
3. NFIP Program Specialist (currently located at)
Federal Emergency Management Agency, Region I
99 High Street, 6th Floor
Boston, MA 02110

(Art. 43, Spring ATM, 04/27/10)

(e) REFERENCE TO EXISTING REGULATIONS: The floodplain District is established as an overlay district to all other districts. All development in the district, including structural and non-structural activities, whether permitted by right or by special permit must be in compliance with Chapter 131, Section 40 of the Massachusetts General Laws and with the following:

1. Section of the Massachusetts State Building Code which Addresses floodplain and coastal high hazard areas (currently 780 CMR)
2. Wetlands Protection Regulations, Department of Environmental Protection (DEP) (currently 310 CRM 10.00);
3. Inland Wetlands Restriction, DEP (currently 310 CMR 13.00); and
4. Minimum Requirements for the Subsurface Disposal of Sanitary Sewage, DEP (currently 310 CMR 15, Title 5).

Any variances from the provisions and requirements of the above referenced state regulations may only be granted in accordance with the required variance procedures of the state regulations.”; or otherwise act thereon.

Finance Committee Recommendation: *By a vote of 11-0-3 on March 4, 2014, the Finance Committee recommends **Favorable Action** with regard to the subject of Article 14.*

MOTION (requires two-thirds vote):

Moved by Mr. Everett seconded by Mr. Evans that the Town vote to amend the Zoning By-Laws by deleting in its entirety Section III-A.3 FLOOD PLAIN DISTRICT and inserting a new Section III-A.3 FLOOD PLAIN DISTRICT as printed in this 2014 Spring Annual Town Meeting Warrant, with one administrative correction in the first sentence of paragraph (b) 2., the phrase “Middlesex County Floor Insurance Rate Map” should read “Middlesex County Flood Insurance Rate Map.”

Mr. Coviello spoke to this motion. **The main motion under Article 14 passed by two-thirds vote.**

ARTICLE 15: Appropriate Fed Ex Mitigation Funds for Design of Route 30/Spenn Street Intersection (Town Administrator)

To see if the Town will vote to appropriate a sum of money from mitigation funds from the FedEx Ground Project to fund traffic engineering services in the Spenn Street/Route 30 area, including appropriation of funds designated for the Towns of Wayland and Framingham for the same purpose; or otherwise act thereon.

MOTION (requires majority vote):

Moved by Mr. Everett, seconded by Mr. Evans that no action be taken on this article.

Ms. White spoke to Article s 15 and 16 announcing that the funds were not yet available to be appropriated and therefore a motion of no action was made.

The motion to take no action on Article 15 passed by majority vote.

ARTICLE 16: Appropriate MathWorks Lakeside Campus Project Mitigation Funds for the Cochituate Rail Trail Project, Sidewalk Construction on Superior Drive, and Route 30/Spenn Street Traffic Engineering Services (Town Administrator)

To see if the Town will vote to appropriate a sum of money from mitigation funds from the MathWorks Lakeside Campus Project to fund the Cochituate Rail Trail Project, sidewalk construction on Superior Drive, and Route 30/Spenn Street traffic engineering services; or otherwise act thereon.

MOTION (requires majority vote):

Moved by Mr. Everett, seconded by Mr. Evans that no action be taken on this article.

The motion to take no action on Article 16 passed by majority vote.

Mr. Landry moved, seconded by Mr. Pierce to postpone consideration of Article 17 until Thursday, May 1, 2014. **The motion to postpone consideration of Article 17 until Thursday, May 1st passed unanimously.**

ARTICLE 18: Homeless Student Transportation Subsidy (Superintendent of Schools)

To see if the Town will vote to appropriate, raise, or transfer from available funds, a sum of money for the purpose of transporting homeless students living in temporary shelters located in Natick to and from school as required by the McKinney-Vento Homeless Education Assistance Act; or otherwise act thereon.

Finance Committee Recommendation: *By a vote of 13-0-0 on March 11, 2014, the Finance Committee recommends **Favorable Action** with regard to the subject of Article 18.*

MOTION (requires majority vote):

Moved by Mr. Everett seconded by Mr. Evans that the Town vote to appropriate the sum of \$233,000 from Free Cash for the purpose of funding costs in FY 2014 (July 1, 2013 – June 30, 2014) associated with transporting homeless students living in temporary housing located in Natick to and from their preferred school district as required by the McKinney-Vento Homeless Education Assistance Act, a federal law that ensures immediate enrollment and educational stability for homeless children and youth, said funds to be held in an account separate from the School Department operating budget and to be expended under the direction of the Natick School Committee.

Mr. Hurley, Business Manager for the School Department spoke to this article. **The main motion under Article 18 passed by majority vote.**

Mr. Ostroff moved, seconded by Mr. Gath to adjourn. **The motion to adjourn passed by majority vote. The meeting adjourned at 10:03 PM until Tuesday, April 29th at 7:30 PM.**

A record of the Second Session of 2014 Spring Annual Town Meeting
April 10, 2014

s/Diane Packer, Town Clerk

**2014 Spring Annual Town Meeting
Fine and Performing Arts Center
Natick High School
April 29, 2014
Third Session**

The Third Session of the 2014 Spring Annual Town Meeting was called to order at 7:40 PM by the Town Moderator, Frank W. Foss, who declared a quorum present. The Moderator welcomed residents, taxpayers, town officials, Town Meeting Members and interested parties to the Third Session of 2014 Spring Annual Town Meeting. The Moderator asked that all recently elected or appointed members of Town Meeting who have not yet been sworn in stand to take the oath of office. The meeting stood 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 and those in States that have been hard hit by severe weather.

The Moderator introduced the officials present on the stage and in the well of the auditorium. The following people were present: Diane Packer, Town Clerk; Jonathan Freedman, Finance Committee Chair; James Everett, Finance Committee Secretary; Martha White, Town Administrator; John Flynn, Town Counsel; and Joshua Ostroff, Chair of the Board of Selectmen.

The Moderator reviewed the general rules and procedures of Town Meeting. He indicated that all residents and taxpayers of the town and 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. The proceedings of Town Meetings shall be governed by Town Meeting Time, the Town of Natick Home Rule Charter, the Natick By-Laws and the General Laws of the Commonwealth of Massachusetts.

No person shall speak upon any article 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 ten (10) minutes at one time without permission of Town Meeting. Consistent with the Natick By-Laws, 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 thereon.

The Moderator made several announcements regarding upcoming community wide events and volunteer opportunities. The Moderator announced Article 17 had been postponed until Thursday, May 1 and therefore we will begin with consideration of Article 19.

ARTICLE 19: Fiscal 2014 Omnibus Budget Article (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, during Fiscal Year 2014 (July 1, 2013 through June 30, 2014) and to provide for a reserve fund for Fiscal Year 2014, and to see what budgets for Fiscal 2014 will be reduced to offset said additional appropriations; or otherwise act thereon.

FINANCE COMMITTEE RECOMMENDATION: By a vote of 11-1-0 on March 25, 2014, the Finance Committee recommends Favorable Action with regard to the subject of Article 19.

MOTION A: (Requires a Majority Vote)

Moved by Mr. Everett, seconded by Mr. Freedman that the Town vote to reduce the sum of \$109,000 from

the following appropriations voted at the 2013 Spring Annual Town Meeting under Article 12 as follows:

Article 12, Motion E	Board of Selectmen, Expenses	(\$44,000)
Article 12, Motion G	Shared Expenses	(\$65,000)

Ms. White spoke to both motions under this article at this time.

Motion A under Article 19 passed unanimously.

MOTION B: (Requires a majority vote)

Moved by Mr. Everett, seconded by Mr. Freedman that the Town vote to appropriate the sum of \$109,000 in addition to the appropriation voted at the 2013 Spring Annual Town Meeting under Article 12 as follows:

Article 12, Motion E	Board of Selectmen, Salaries	\$44,000
Article 12, Motion E	Finance Expenses	\$45,000
Article 12, Motion E	Finance Salaries	\$20,000

And that to meet this appropriation, the sum of \$109,000 be raised from the Tax Levy.

Mr. Connolly moved, seconded by Mr. Gath to amend the words “tax levy” to “released appropriations (in Motion A)”.

The amendment to Motion B under Article 19 passed by majority vote. The amended Motion B under Article 19 passed by majority vote.

ARTICLE 20: Elected Officials Salary (Town Administrator)

To see if the Town will vote to fix the salary and compensation of all elected officers of the Town of Natick for Fiscal Year 2015 (July 1, 2014 through June 30, 2015) as provided by Section 108 of Chapter 41 of the General Laws, as amended; or otherwise act thereon.

FINANCE COMMITTEE RECOMMENDATION: By a vote of 12-2-0 on March 4, 2014, the Finance Committee recommends Favorable Action with regard to the subject of Article 20.

MOTION (requires majority vote):

Moved by Mr. Everett, seconded by Mr. Freedman that the Town vote to fix the salary and compensation of the following elected officer of the Town for the Fiscal Year July 1, 2014 through June 30, 2015 as provided by Section 108 of Chapter 41 of the Massachusetts General Laws:

Town Clerk.....\$80,000

The main motion under Article 20 passed by majority vote.

ARTICLE 21: Personnel Board Classification and 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; or otherwise act thereon.

FINANCE COMMITTEE RECOMMENDATION: By a vote of 13-1-0 March 4, 2014, the Finance Committee recommends Favorable Action with regard to the subject of Article 21.

MOTION (requires majority vote):

Moved by Mr. Everett, seconded by Mr. Freedman that the Town vote to amend the By-Laws by changing in its entirety the table entitled Classification and Pay Plan that is incorporated by reference into Article 24, Section 3, Paragraph 3.10. The new Classification and Pay Plan is as follows:

Full-Time Positions

Town of Natick
 Classification and Pay Plan
 Fiscal Year 2015
 Effective July 1, 2014

Grade	Minimum	Point 1	Point 2	Maximum
6	\$ 100,000.00	\$ 115,000.00	\$ 128,000.00	\$ 145,000.00
5	\$ 85,000.00	\$ 98,333.33	\$ 111,666.67	\$ 125,000.00
4	\$ 70,000.00	\$ 81,666.67	\$ 93,333.33	\$ 105,000.00
3	\$ 55,000.00	\$ 63,333.33	\$ 71,666.67	\$ 80,000.00
2	\$ 47,000.00	\$ 55,000.00	\$ 62,500.00	\$ 70,000.00
1	\$ 32,000.00	\$ 40,500.00	\$ 49,000.00	\$ 57,500.00

GRADE 6

Chief of Police
 Deputy Town Adm./Dir. Of Finance
 Deputy Town Adm./Operations
 Fire Chief

GRADE 5

Comptroller
 Deputy Chief of Police
 Director of Community Development
 Director of Community Services
 Director of Facilities Management
 Director of Information Technology
 Director of Public Works
 Director of Human Resources

GRADE 4

Building Commissioner
 Director Morse Library
 Director of Assessing
 Director of Council on Aging & Human Services
 Director of Recreation & Parks
 Director Public Health
 Staff Accountant
 Treasurer/Collector

GRADE 3

Assistant Assessor (certified)
 Assistant Comptroller
 Assistant Director Council on Aging
 Assistant Director Recreation & Parks
 Assistant Library Director Morse Library
 Assistant Treasurer/Collector
 Benefits Manager
 Communications/Information Officer
 Director Bacon Free Library
 Director, Recreation Programs/Special Events
 Economic Development Planner
 Environmental Health Agent
 Facility Custodial Manager

GRADE 3 Continued

Facility Maintenance Manager
 Farm Director
 Golf Course Manager
 Housing/General Planner
 Information System Network Administrator
 Information Systems Data Base Administrator
 Local Building Inspector (certified)
 Planner/Conservation Agent
 Procurement Manager
 Public Health Nurse
 Senior Environmental Health Specialist
 Sustainability Coordinator
 Veterans Agent

GRADE 2

Assistant Assessor (non-certified)
 Assistant Director Bacon Free Library
 Assistant Farm Director
 Clinical Social Worker
 Data Analyst
 Executive Assistant
 Golf Course Superintendent
 Office Administrator Farm
 Payroll Manager
 Personnel Coordinator
 Sanitarian
 Senior Executive Assistant
 Social Worker
 Special Assistant to Director Community Services
 Special Assistant to Director of Facilities Management
 Special Assistant to Director of Finance
 Special Needs Coordinator

GRADE 1

Animal Control Officer
 Golf Course Assistant Superintendent
 Golf Professional
 Outreach Coordinator
 Student Officer

Part-Time Positions

Town of Natick
 Classification and Pay Plan
 Fiscal Year 2015
 Effective July 1, 2014

Hourly Wage Scale:

Description ! Position	Grade Code	Start	STEPS					Maximum
			1	2	3	4	5	
Laborer I, Town Meeting Page, Custodian	H1	\$8.40	\$8.80	\$9.21	\$9.67	\$10.09	\$10.48	\$10.81
Census Taker	H2	\$9.21	\$9.67	\$10.09	\$10.48	\$10.90	\$11.34	\$11.65
Clerical Assistant, Laborer II	H3	\$10.09	\$10.90	\$11.74	\$12.61	\$13.41	\$14.25	\$14.69
Deputy Animal Control Officer, Clerk, Instructor	H4	\$10.90	\$11.74	\$12.61	\$13.41	\$14.25	\$15.08	\$15.53
Admin Support (Grants), Recycling Attendant, Nurse, Volunteer Coordinator I, Laborer III, Program Assistant	H5	\$12.61	\$13.41	\$14.25	\$15.08	\$15.93	\$16.78	\$17.28
Police Matron	H6	\$18.45	\$19.00	\$19.55	\$20.14			
Bus Coordinator, Volunteer Coordinator II, Meter Enforcement Operator, Plumbing and Wiring Inspector, Community Garden Coordinator, Laborer IV	H7	\$17.60	\$18.13	\$18.67	\$19.22	\$19.82	\$20.40	\$21.01
Bus Driver	H8	\$12.61	\$13.41	\$14.25	\$15.09	\$15.62	\$16.78	\$17.28
Bus Dispatcher	H9	\$12.61	\$13.41	\$14.25	\$15.09	\$15.93	\$16.78	\$16.94
Social Worker	H10	\$20.72	\$21.35	\$21.99	\$22.63	\$23.27	\$24.01	
Police Transcriber, Conservation Agent	H11	\$19.44	\$20.02	\$20.61	\$21.23	\$21.89		
Building Inspector	H12	\$29.00	\$30.00	\$31.00	\$32.00			

Library Personnel:

Description ! Position	Grade Code	Start	STEPS					Maximum
			1	2	3	4	5	
Library Page (Morse)	L1	\$8.40	\$8.67	\$8.92	\$9.19	\$9.47	\$9.75	\$10.05
Library Clerk (Bacon)	L2	\$11.55	\$11.89	\$12.24	\$12.62	\$13.01	\$13.38	\$13.79
Library Assistant (Bacon)	L3	\$14.97	\$15.41	\$15.87	\$16.36	\$16.84	\$17.35	\$17.88

Recreation Revolving:

Descriptions ! Positions	Grade Code	Start	STEPS					Maximum
			1	2	3	4	5	
Attendant, Assistant Leader, Junior Counselor, Assistant Instructor	R1	\$8.46	\$8.86	\$9.23	\$9.60	\$9.99	\$10.36	\$10.70
Leader, Instructor, Part-time Laborer I, Senior Counselor, Building Monitor I	R2	\$9.23	\$9.60	\$9.99	\$10.36	\$10.73	\$11.10	\$11.47
Senior Counselor (certified)	R2A	\$9.85	\$10.24	\$10.65	\$11.08	\$11.52	\$11.98	\$12.46
Lifeguard, Program Instructor, Specialist, Laborer II, Concession Manager, Assistant Swim Coach	R3	\$10.67	\$11.08	\$11.92	\$12.55	\$13.19	\$13.80	\$14.45
Assistant Director, Head Lifeguard, Swim Coach, Water Safety Instructor, Director Medium Sized Programs, Building Monitor II	R4	\$12.55	\$13.19	\$13.80	\$14.45	\$15.07	\$15.70	\$16.31
Manager, Supervisor Major Programs	R5	\$15.07	\$15.70	\$16.31	\$16.96	\$17.57	\$18.19	\$18.82
Beach Manager	R8	\$18.00	\$19.00	\$20.00				
Camp Woodtrail Director, Certified Camp Nurse	R9	\$20.00	\$21.00	\$22.00				
Nurse	R12	\$29.00	\$30.00	\$31.00				

Golf Course

Descriptions ! Positions	Grade Code	Start	STEPS					Maximum
			1	2	3	4	5	
Golf Cart Attendant	GC1	\$8.00	\$8.25	\$8.50				
Ranger/Starter	GC2	\$9.00	\$9.50	\$10.00				
Club House Attendant	GC3	\$10.00	\$10.50	\$11.00				
Club House Supervisor, Equipment Operator	GC4	\$12.00	\$12.50	\$13.00	\$13.50	\$14.00		
Golf Course Mechanic, Equipment Manager	GC5	\$14.00	\$15.00	\$16.00	\$17.00	\$18.00		

Session Wage Schedule:

Descriptions ! Positions	Grade Code	Start	Maximum
Timer/Scorer	S2	\$10.82	\$11.16
Parking Clerk/Clerk	S2	\$10.82	\$11.16
Farm Instructor	S4	\$13.91	\$14.33
Adult Contractor, Yoga Instructor	S9	\$27.83	\$30.35
Certified Sports Official	S12	\$37.10	\$38.22

Election Workers: (Daily Rates)

Descriptions ! Positions	Grade Code	Start	Maximum Half-Day
Warden	E1	\$150.00	\$185.00
Clerk	E2	\$135.00	\$160.00
Poll Worker	E3	\$125.00	\$140.00

Clinic Nurse:

Descriptions ! Positions	Grade Code	Start
Nurse	N1	\$24.83

Annual Wage Schedule: (Annual Rates)

Descriptions ! Positions	Grade Code	Start	Maximum
Inspector of Animals	A2	\$3,377.51	
Registrar of Voters	A1	\$579.60	\$615.08

School Crossing Guards:

Descriptions ! Positions	Grade Code	Start	Maximum
M1 Monthly School Year	M1	\$717.97	\$738.08
M3 Monthly School Year (2 Posts)	M3		\$1,103.76
M2 Daily School Year	M2	\$39.87	\$41.00

2/24/14

Mr. Levinsky spoke to the article. The main motion under Article 21 passed by majority vote.

ARTICLE 22: 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:

Local 1707 International Association of Firefighters
The Deputy Fire Chiefs Association;

or otherwise act thereon.

FINANCE COMMITTEE RECOMMENDATION: By a vote of 11-1-0 on March 25, 2014, the Finance Committee recommends Favorable Action with regard to the subject of Article 22.

MOTIONS (all require majority votes):

Motion A-1 (Local 1707 International Association of Firefighters for FY 2013)

Moved by Mr. Everett, seconded by Mr. Freedman that the Town vote to transfer the sum of \$151,622 from the FY 2013 Selectmen Contract Settlements line item (as approved by vote of the 2012 Fall Annual Town Meeting under Article 1, Motion B) to the FY 2014 Fire Department Salaries budget for distribution to members of Local 1707 International Association of Firefighters in the form of retroactive payments for the amounts due for FY 2013 pursuant to the terms of the March 10, 2014 Collective Bargaining Agreement between the Town of Natick and Local 1707.

Ms. White spoke to all of the motions under this article at the same time. Motion A-1 under Article 22 passed by majority vote.

Motion A-2 (Local 1707 International Association of Firefighters for FY 2014)

Moved by Mr. Everett, seconded by Mr. Freedman that the Town vote to transfer the total sum of \$206,460 of which \$199,227 shall be transferred from the FY 2014 Selectmen Contract Settlements line item (as approved by vote of the 2013 Spring Annual Town Meeting under Article 12, Motion E) and \$7,233 shall be transferred from the FY 2014 Employee Fringe Benefits Budget (as approved by vote of the 2013 Spring Annual Town Meeting under Article 12, Motion G), said total amount of \$206,460 to be transferred to the FY 2014 Fire Department Salaries budget with a portion of said funds to be distributed to members of Local 1707 International Association of Firefighters in the form of retroactive payments for the amounts due for FY 2014 pursuant to the terms of the March 10, 2014 Collective Bargaining Agreement between the Town of Natick and Local 1707 and the balance to be added to the Fire Department Salaries budget to fund FY 2014 salary-related items pursuant to the terms of said Agreement.

Motion A-2 under Article 22 passed by majority vote.

Motion B-1 (Deputy Fire Chiefs' Association for FY 2013)

Moved by Mr. Everett, seconded by Mr. Freedman that the Town vote to transfer the total sum of \$21,409 of which \$11,284 shall be transferred from the FY 2013 Selectmen Contract Settlements line item (as approved by vote of the 2012 Fall Annual Town Meeting under Article 1, Motion B) and \$10,125 shall be transferred from the FY 2014 Employee Fringe Benefits Budget (as approved by vote of the 2013 Spring Annual Town Meeting under Article 12, Motion G), said total amount of \$21,409 to be transferred to the FY 2014 Fire Department Salaries budget for distribution to members of the Deputy Fire Chiefs' Association in the form of retroactive payments for the amounts due for FY 2013 pursuant to the terms of the March 10, 2014 Collective Bargaining Agreement between the Town of Natick and the Deputy Fire Chiefs' Association.

Motion B-1 under Article 22 passed by majority vote.

Motion B-2 (Deputy Fire Chiefs' Association for FY 2014)

Moved by Mr. Everett, seconded by Mr. Freedman that the Town vote to transfer the sum of \$26,135 from the FY 2014 Employee Fringe Budget (as approved by vote of the 2013 Spring Annual Town Meeting under Article 12, Motion G), said sum to be transferred to the FY 2014 Fire Department Salaries budget with a portion of said funds to be distributed to members of the Deputy Fire Chiefs' Association in the form of retroactive payments for the amounts due for FY 2014 pursuant to the terms of the March 10, 2014 Collective Bargaining Agreement between the Town of Natick and the Deputy Fire Chiefs' Association and the balance to be added to the Fire Department Salaries budget to fund salary-related items pursuant to the terms of said Agreement.

Motion B-2 under Article 22 passed by majority vote.

The next order of business is the FY 2015 Omnibus budget article. It is the practice of Town Meeting to allow the Town Administrator to give a presentation on the State of the Town. The Moderator asked, that without objection, Ms. White be allowed to give the presentation even if it goes more than ten minutes.

ARTICLE 23: Fiscal 2015 Omnibus Budget Article (Town Administrator)

To determine what sum 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 during Fiscal Year 2015 (July 1, 2014 to June 30, 2015), and to provide for a reserve fund for Fiscal Year 2015; or to otherwise act thereon.

FINANCE COMMITTEE RECOMMENDATION: By various votes as shown in the table below, the Finance Committee recommends Favorable Action with regard to the subject of Article 23 and that the sum of \$132,688,294 be appropriated as specified in the individual motions for the purpose of funding the operations of the various Town departments during Fiscal Year 2015.

	Proposed Budget Amount	Finance Committee Recommendation	Finance Committee Vote	Date of Finance Committee Vote
Article 23, Section A: Education & Learning	\$52,586,719	Favorable Action	11-1-0	3/25/2014
Article 23, Section B: Public Safety	\$14,684,195	Favorable Action	12-0-0	3/25/2014
Article 23, Section C: Public Works	\$6,853,866	Favorable Action	11-1-0	3/25/2014
Article 23, Section D: Health and Community Services	\$2,099,328	Favorable Action	11-1-0	3/25/2014
Article 23, Section E Administrative Support Services	\$5,347,461	Favorable Action	11-1-0	3/25/2014
Article 23, Section F: Committees and Commissions	\$27,860	Favorable Action	11-1-0	3/25/2014
Article 23, Section G: Shared Expenses	\$38,305,204	Favorable Action	10-2-0	3/25/2014
Article 23, Section H (Motion 1): Water/Sewer Enterprise Fund	\$11,895,288	Favorable Action	11-1-0	3/25/2014
Article 23, Section H (Motion 2): Water/Sewer Enterprise Fund Indirect Cost Allocations	\$2,207,400	Favorable Action	12-0-0	3/25/2014
Article 23, Section I (Motion 1): Sassamon Trace Enterprise Fund	\$868,373	Favorable Action	11-1-0	3/25/2014
Article 23, Section I (Motion 2): Water/Sewer Enterprise Fund Indirect Cost Allocations	\$34,087	Favorable Action	11-1-0	3/25/2014

1 Shaded amounts shown in the table are indirect cost allocations that are appropriated from the General Fund, and are already included in the applicable motions under this Article. However, Town Meeting must vote to approve these allocations. For this reason, the shaded amounts in this column are not added to the remaining amounts when calculating the total amount proposed for appropriation under Article 23.

Motion A: Education and Learning

Motion A was moved by Mr. Freedman, seconded by Mr. Everett.

Motion A: Education and Learning

Motion A was moved by Mr. Freedman, seconded by Mr. Everett.

Motions for Article 23, Section A: Education & Learning

Motion for Section A under Article 23:	
Move that the Town vote to appropriate the Total Budget Amount shown below for the purpose of operating the departments shown under the associated categories, said funds are to be expended under the direction of each Department Head or Director:	
Natick Public Schools	
Salaries & Expenses	51,494,817
Total Natick Public Schools	\$ 51,494,817
South Middlesex Regional Vocational Technical School (Joseph P. Keefe Technical School)	
Expenses (Assessment)	\$ 1,091,902
Total South Middlesex Regional Vocational Technical School (Joseph P. Keefe Technical School)	\$ 1,091,902
Motion Total	\$ 52,586,719
And that the above Total Budget Amount be raised from the following sources:	
Tax Levy of Fiscal Year 2015	\$ 52,586,719
	\$ 52,586,719

Dr. Sanchioni spoke to this article. He introduced his staff members and gave a presentation on the FY 2015 budget. Superintendent Evans from the South Middlesex Vocational Technical School (Joseph P. Keefe Technical School) also introduced his staff and gave a presentation on his budget.

Motion A under Article 23 passed by majority vote.

Motion for Section B: Public Safety

Motion B was moved by Mr. Everett, seconded by Mr. Freedman.

Motion for Section B under Article 23:	
Move that the Town vote to appropriate the Total Budget Amount shown below for the purpose of operating the departments shown under the associated categories, said funds are to be expended under the direction of each Department Head or Director:	
Emergency Management	
Expenses	\$ 35,600
Total Emergency Management	\$ 35,600
Parking Enforcement	
Salaries	\$ 51,114
Expenses	\$ 77,040
Total Parking Enforcement	\$ 128,154
Police	
Salaries	\$ 6,390,831
Expenses	\$ 208,838
Other Chgs. & Expenses	\$ 7,500
Total Police	\$ 6,607,169
Fire	
Salaries	\$ 7,692,922
Expenses	\$ 220,350
Total Fire	\$ 7,913,272
Motion Total	\$ 14,684,195
And that the above Total Budget Amount be raised from the following sources:	
Tax Levy of Fiscal Year 2015	\$ 14,604,195
Parking Meter Revenues	\$ 80,000
	\$ 14,684,195

Motion B under Article 23 passed by majority vote.

Motion for Section C: Public Works

Motion C was moved by Mr. Everett, seconded by Mr. Freedman.

Motion for Section C under Article 23:	
Move that the Town vote to appropriate the Total Budget Amount shown below for the purpose of operating the departments shown under the associated categories, said funds are to be expended under the direction of each Department Head or Director:	
Department of Public Works	
Salaries	\$ 3,368,673
Expenses	\$ 1,881,769
Municipal Energy	\$ 1,453,424
Snow & Ice	\$ 150,000
Total Department of Public Works	\$ 6,853,866
Motion Total	\$ 6,853,866
And that the above <u>Total Budget Amount</u> be raised from the following sources:	
Tax Levy of Fiscal Year 2015	\$ 6,853,866
	\$ 6,853,866

Motion C under Article 23 passed by majority vote.

Motion for Section D: Health and Community Services

Motion D was moved by Mr. Everett, seconded by Mr. Freedman.

Motion for Section D under Article 23:	
Move that the Town vote to appropriate the Total Budget Amount shown below for the purpose of operating the departments shown under	
Community Services	
Salaries	\$ 1,215,339
Expenses	\$ 425,457
Total Community Services	\$ 1,640,796
Board of Health	
Salaries	\$ 408,582
Expenses	\$ 34,950
Other Changes & Expenditures	\$ 15,000
Total Board of Health	\$ 458,532
Motion Total	\$ 2,099,328
And that the above <u>Total Budget Amount</u> be raised from the following sources:	
Tax Levy of Fiscal Year 2015	\$ 2,099,328
	\$ 2,099,328

Motion D under Article 23 passed by majority vote.

Motion for Section E: Administrative Support Services

Motion E was moved by Mr. Everett, seconded by Mr. Freedman.

Motion for Section E under Article 23:	
Move that the Town vote to appropriate the Total Budget Amount shown below for the purpose of operating the departments shown under the associated categories, said funds are to be expended under the direction of each Department Head or Director:	
Board of Selectmen	
Salaries	\$ 858,496
Expenses	\$ 277,250
Other Charges & Expenditures	\$ 18,357
Contract Settlements	\$ -
Recruitment	\$ -
Total Board of Selectmen	\$ 1,154,103
Personnel Board	
Other Charges & Expenditures	\$ 1,000
Total Personnel Board	\$ 1,000
Town Report	
Professional Services	\$ 5,500
Total Town Report	\$ 5,500
Legal	
Expenses	\$ 302,800
Other Charges & Expenditures	\$ 10,000
Total Legal Services	\$ 312,800
Finance	
Salaries	\$ 1,165,181
Expenses	\$ 314,800
Other Charges & Expenditures	\$ 75,000
Total Finance	\$ 1,554,981
Motion continued on next Page --->	

Information Technology	
Salaries	\$ 315,863
Expenses	\$ 441,800
Other Chgs. & Expenditures	\$ 357,000
Total Information Technology	\$ 1,114,663
Town Clerk	
Salaries	\$ 232,443
Expenses	\$ 22,150
Total Town Clerk	\$ 254,593
Elections	
Salaries (Registrars)	\$ 50,570
Expenses (Registrars)	\$ 48,600
Total Elections	\$ 99,170
Sealer of Weights & Measures	
Salaries	\$ 14,659
Expenses	\$ 875
Total Sealer Weights/Meas.	\$ 15,534
Community Development	
Salaries	\$ 811,306
Expenses	\$ 23,811
Total Community Development	\$ 835,117
Motion Total	\$ 5,347,461
And that the above Total Budget Amount be raised from the following sources:	
Tax Levy of Fiscal Year 2015	\$ 5,347,461
	\$ 5,347,461

Motion E under Article 23 passed by majority vote.

Motions for Section F: Committees and Commissions

Motion F was moved by Mr. Everett, seconded by Mr. Freedman

Motion for Section F under Article 23:	
Move that the Town vote to appropriate the Total Budget Amount shown below for the purpose of operating the departments shown under the associated categories, said funds are to be expended under the direction of each Department Head or Director:	
Finance Committee	
Expenses	\$ 23,800
Total Finance Committee	\$ 23,800
Commission on Disability	
Expenses	\$ 1,810
Total Commission on Disability	\$ 1,810
Natick Cultural Council	
Expenses	\$ 700
Total Natick Cultural Council	\$ 700
Historical Commission	
Expenses	\$ 1,000
Total Historical Commission	\$ 1,000
Historic District Commission	
Expenses	\$ 550
Total Historic District Commission	\$ 550
Motion Total	\$ 27,860
And that the above <u>Total Budget Amount</u> be raised from the following sources:	
Tax Levy of Fiscal Year 2015	\$ 27,860
	\$ 27,860

Motion F under Article 23 passed by majority vote.

Motions for Article 23, Section G: Shared Expenses (Unclassified)

Motion G was moved by Mr. Everett, seconded by Mr. Freedman.

Motion for Section G under Article 23:	
Move that the Town vote to appropriate the Total Budget Amount shown below for the purpose of funding the accounts and funds shown below, said funds are to be expended under the direction of the following officials or committees: Employee Fringe Benefits - Town Administrator; Property and Liability Insurance - Town Administrator; Contributory Retirement System Pension Liability – Collector/Treasurer; Non Contributory Retirement Pension Liability - Comptroller; Debt Service - Collector/Treasurer; Reserve Fund – Finance Committee; Facilities Management - Town Administrator & Superintendent of Public Schools.	
Employee Fringe	
Other Personnel Services	\$ 15,777,574
Other Personnel Services - Merit / Performance	\$ 157,500
Total Employee Fringe	\$ 15,935,074
Property & Liability Insurance	
Purchased Services	\$ 615,300
Total Prop. & Liab. Insurance	\$ 615,300
Contributory Retirement	
Pension Assessment	\$ 7,079,771
Total Contributory Retirement	\$ 7,079,771
Non-Contributory Retirement	
Pensions	\$ 41,496
Total Non-Contributory Retirement	\$ 41,496
Debt Service	
Leased Equipment	\$ 82,000
Principal	\$ 8,491,268
Interest	\$ 2,743,691
Total Debt Service	\$ 11,316,959
Reserve Fund	
Other Charges	\$ 300,000
Total Reserve Fund	\$ 300,000
Facilities Management	
Salaries	\$ 2,515,220
Expenses	\$ 501,384
Total Facilities Management	\$ 3,016,604
Motion Total	\$ 38,305,204
And that the above <u>Total Budget Amount</u> be raised from the following sources:	
Tax Levy of Fiscal Year 2015	\$ 10,656,745
State Aid	\$ 10,993,292
Local Receipts	\$ 11,120,563
Free Cash	\$ 1,500,000
Overlay Surplus	\$ 500,000
Title V Septic	\$ 7,684
Water-Sewer User Fees	\$ 2,207,400
Golf User Fees	\$ 34,087
Capital Stabilization Fund	\$ 1,055,508
Premiums	\$ 106,758
School Building Assistance	\$ 123,167
	\$ 38,305,204

Motion G under Article 23 passed by two-thirds vote.

Motions for Section H: Water/Sewer Enterprise

Motion 1 under Section H was moved by Mr. Everett, seconded by Mr. Freedman

Motion 1 for Water/Sewer Enterprise Fund - Section H under Article 23:	
Move that the Town vote to appropriate the Total Budget Amount shown below for the purpose of operating the departments shown under the associated categories, said funds are to be expended under the direction of each Department Head or Director:	
Water & Sanitary Sewer Operations	
Salaries	\$ 1,837,255
Expenses	\$ 6,491,188
Other - Chgs. & Expenditures	\$ 4,788,550
Total Sanitary Sewer	\$ 8,328,443
Utility Billing	
Salaries	\$ 99,090
Expenses	\$ 129,950
Total Utility Billing	\$ 229,040
Fringe Benefits	
Other Personal Services	\$ 432,164
Other - Chgs. & Expenditures	\$ 259,925
Total Benefits	\$ 692,089
Water & Sewer Debt Service	
Principal	\$ 1,914,138
Interest	\$ 531,578
New Debt Service	\$ -
Total Debt Service	\$ 2,445,716
Water & Sewer Reserve Fund	
Expenses	\$ 200,000
Total W & S Reserve Fund	\$ 200,000
Motion Total	\$ 11,895,288
And that the above Total Budget Amount be raised from the following sources:	
Water-Sewer User Fees	\$ 11,895,288
	\$ 11,895,288

Motion 1 of Section H under Article 23 passed by majority vote.

Motion 2 under Section H was moved by Mr. Everett, seconded by Mr. Freedman.

Water/Sewer Indirect Cost Allocations - Motion 2 under Section H Article 23:	
Move that the Town vote to approve the following indirect cost allocations raised in the General Fund:	
PERCENTAGE ALLOCATIONS	TOTAL
DPW ADMINISTRATION	\$ 136,047
BUILDING MAINTENANCE	44,800
ENGINEERING SERVICES	344,478
GIS SERVICES	(66,936)
EQUIPMENT MAINTENANCE	350,305
HIGHWAY MAINTENANCE	349,374
PUBLIC SAFETY	124,992
FINANCIAL / ADMINISTRATIVE	563,621
PROPERTY INSURANCE	235,270
ENERGY	125,449
SUBTOTAL - GENERAL FUND	2,207,400
And that the Sum of \$2,207,400 appropriated in the General Fund be raised from the following source:	
Water-Sewer User Fees	\$ 2,207,400
(See Motion for Section G, Article 23: Shared Expenses (Unclassified))	\$ 2,207,400

Motion 2 of Section H under Article 23 passed by majority vote.

Motions for Section I: Sassamon Trace Enterprise Fund

Motion 1 under Section I was moved by Mr. Everett, seconded by Mr. Freedman.

Motion 1 for Sassamon Trace Enterprise Fund - Section I under Article 23:	
Move that the Town vote to appropriate the Total Budget Amount shown below for the purpose of operating the departments shown under the associated categories, said funds are to be expended under the direction of each Department Head or Director:	
Sassamon Trace Operations	
Salaries	\$ 279,013
Expenses	\$ 286,611
Total GC Operations	\$ 565,623
Sassamon Trace Fringe Benefits	
Other Personal Services	\$ 29,972
Other - Chgs. & Expenditures	\$ 4,816
Total GC Fringe Benefits	\$ 34,788
Sassamon Trace Debt Service	
Principal	\$ 218,040
Interest	\$ 49,922
Total GC Debt Service	\$ 267,962
Motion Total	\$ 868,373
And that the above <u>Total Budget Amount</u> be raised from the following sources:	
Tax Levy of Fiscal Year 2015	\$ 309,087
Golf User Fees	\$ 524,286
Golf Retained Earnings	\$ 35,000
	\$ 868,373

Motion 1 in Section I under Article 23 passed by majority vote.

Motion 2 in Section I was moved by Mr. Everett, seconded by Mr. Freedman.

Motion 2 for Sassamon Trace Enterprise Fund - Section I under Article 23:	
Move that the Town vote to approve the following indirect cost allocations raised in the General Fund:	
PERCENTAGE ALLOCATIONS	TOTAL
LF & NR	\$ 7,372
RECREATION	\$ 9,041
TOWN ADMINISTRATOR	\$ 3,237
FINANCE	\$ 5,725
PROPERTY INSURANCE	\$ 5,882
GASOLINE/DIESEL	\$ 2,830
SUBTOTAL - GENERAL FUND	34,087
And that the Sum of \$34,087 appropriated in the General Fund be raised from the following source:	
Golf User Fees	\$ 34,087
(See Motion for Section G, Article 23: Shared Expenses (Unclassified))	\$ 34,087

Motion 2 in Section I under Article 23 passed by majority vote.

Mr. Sidney moved, seconded by Mr. Gath to adjourn. *The motion to adjourn passed by majority vote.*

The meeting adjourned at 10:17 PM until Thursday, May 1st at 7:30 PM.

A record of the Third Session of 2014 Spring Annual Town Meeting
April 29, 2014

Diane Packer, Town Clerk

2014 Spring Annual Town Meeting
Fine and Performing Arts Center
Natick High School
May 1, 2014
Fourth Session

The Fourth Session of the 2014 Spring Annual Town Meeting was called to order at 7:45 PM by the Town Moderator, Frank W. Foss, who declared a quorum present. The Moderator welcomed residents, taxpayers, town officials, Town Meeting Members and interested parties to the Fourth Session of 2014 Spring Annual Town Meeting. The Moderator asked that all recently elected or appointed members of Town Meeting who have not yet been sworn in stand to take the oath of office. The meeting stood 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 on the stage and in the well of the auditorium. The following people were present: Diane Packer, Town Clerk; Jonathan Freedman, Finance Committee Chair; James Everett, Finance Committee Secretary; Martha White, Town Administrator; John Flynn, Town Counsel; and Joshua Ostroff, Chair of the Board of Selectmen.

The Moderator reviewed the general rules and procedures of Town Meeting. He indicated that all residents and taxpayers of the town and 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. The proceedings of Town Meetings shall be governed by **Town Meeting Time**, the Town of Natick Home Rule Charter, the Natick By-Laws and the General Laws of the Commonwealth of Massachusetts.

No person shall speak upon any article 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 ten (10) minutes at one time without permission of Town Meeting. Consistent with the Natick By-Laws, 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 thereon.

The Moderator made several announcements regarding upcoming community wide events and volunteer opportunities. The Moderator announced that the body would begin with consideration of Article 17 that had previously been postponed until May 1.

Prior to taking up consideration of Article 17 Ms. White introduced the new Director of the Department of Public Works, Don Ouelette.

ARTICLE 17: Committee Article (Board of Selectmen)

To see if the Town will vote to receive the reports of town officers, boards, and committees; or otherwise act thereon.

FINANCE COMMITTEE RECOMMENDATION: *By a vote of 12-0-0 on February 27, 2014, the Finance Committee recommends **Favorable Action** with regard to the subject of Article 17.*

MOTIONS (requires majority vote):

Moved by Mr. Everett, seconded by Mr. Freedman that the Town vote to receive the report of the Community Services Department.

This motion under Article 17 passed by majority vote. Ms. Jemma Lambert presented a report on the finding of the Community Services Department Civic Engagement Initiative.

Moved by Mr. Everett, seconded by Mr. Freedman that the Town vote to receive the report of the Economic Development Committee.

This motion under Article 17 passed by majority vote. Mr. Paul Joseph made a presentation on the Economic Development Committee.

ARTICLE 24: Morse Institute Library Fiscal 2015 Budget (Town Administrator)

To see what sum of money the Town will vote to raise and appropriate, or otherwise provide, for the maintenance and operation of the Morse Institute Library, for Fiscal Year 2015 (July 1, 2014 through June 30, 2015); or otherwise act thereon.

FINANCE COMMITTEE RECOMMENDATION: *By a vote of 13-0-0 on March 4, 2014, the Finance Committee recommends **Favorable Action** with regard to the subject of Article 24, and that the sum of \$2,087,264 be appropriated from the Tax Levy.*

MOTION (requires majority vote):

Moved by Mr. Everett, seconded by Mr. Freedman that the Town vote to appropriate the Total Budget Amount shown below to be expended under the direction of the Morse Institute Board of Trustees for the operation of the Morse Institute Library, for the Fiscal Year July 1, 2014 through June 30, 2015.

Morse Institute Library	
Salaries & Expenses	\$2,087,264
Total Morse Institute Library	\$2,087,264

And that the above Total Budget Amount be raised from the following sources:

Tax Levy of Fiscal Year 2015	\$2,087,264
	\$2,087,264

Ms. Stetson spoke to this article. **The main motion under Article 24 passed by majority vote.**

ARTICLE 25: Bacon Free Library Fiscal 2015 Budget (Town Administrator)

To see what sum of money the Town will vote to raise and appropriate, or otherwise provide, for the maintenance and operation of the Bacon Free Library, for Fiscal Year 2015 (July 1, 2014 through June 30, 2015); or otherwise act thereon.

FINANCE COMMITTEE RECOMMENDATION: *By a vote of 13-0-0 on March 4, 2014, the Finance Committee recommends **Favorable Action** with regard to the subject of Article 25, and that the sum of \$152,446 be appropriated from the Tax Levy.*

MOTION (requires majority vote):

Moved by Mr. Everett, seconded by Mr. Freedman that the Town vote to appropriate the Total Budget

Amount shown below to be expended under the direction of the Bacon Free Library Committee for the operation of the Bacon Free Library, for the Fiscal Year July 1, 2014 through June 30, 2015.

Bacon Free Library

Salaries & Expenses	\$152,446
Total Bacon Free Library	\$152,446

And that the above Total Budget Amount be raised from the following sources:

Tax Levy of Fiscal Year 2015	\$152,446
	\$152,446

Mr. John Donovan, a Town Meeting member from Precinct 4 and Chairman of the Board of Trustees of the Bacon Free Library spoke to this article. **The main motion under Article 25 passed by majority vote.**

ARTICLE 26: School Bus Transportation Subsidy (Superintendent of Schools)

To see if the Town will vote to appropriate and raise, or transfer from available funds, a sum of money 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.

FINANCE COMMITTEE RECOMMENDATION: *By a vote of 13-0-0 on March 11, 2014, the Finance Committee recommends **Favorable Action** with regard to the subject of Article 26, and that the sum of \$360,750 be appropriated from the Tax Levy.*

MOTION (requires majority vote):

Moved by Mr. Everett, seconded by Mr. Freedman that the Town vote to appropriate the sum of \$360,750 from the Tax Levy for the purpose of operation and administration of the school bus transportation system for FY 2015, and to reduce or offset fees charged for students who elect to use the school bus transportation system for transportation to and from school, said funds to be expended under the direction of the Natick School Committee.

Dr. Sanchioni spoke to this article. **The main motion under Article 26 passed by majority vote.**

ARTICLE 27: Stabilization Fund (Town Administrator)

To see if the Town will vote to appropriate a sum of money from available funds for the purpose of supplementing the stabilization fund established under Article 22 of the warrant for Annual Town Meeting of 1961, as authorized by Chapter 40, Section 5B of the General Laws, as amended; or otherwise act thereon.

FINANCE COMMITTEE RECOMMENDATION: *By a vote of 10-0-0 on March 18, 2014, the Finance Committee recommends **No Action** with regard to the subject of Article 27.*

MOTION (requires majority vote):

Moved by Mr. Everett seconded by Mr. Freedman that no action be taken on this article.

The Town Administrator spoke to Articles 27, 28 and 29 at this time. **The motion to take no action under Article 27 passed by majority vote.**

ARTICLE 28: Capital Stabilization Fund (Town Administrator)

To see if the Town will vote to appropriate a sum of money from available funds for the purpose of supplementing the Capital Stabilization Fund established under Article 2 of the warrant for Fall Annual Town Meeting of 2010, as authorized by Chapter 40, Section 5B of the General Laws, as amended; or otherwise act thereon.

FINANCE COMMITTEE RECOMMENDATION: *By a vote of 10-0-0 on March 18, 2014, the Finance Committee recommends **No Action** with regard to the subject of Article 28.*

MOTION (requires majority vote):

Moved by Mr. Everett seconded by Mr. Freedman that no action be taken on this article.

The motion to take no action under Article 28 passed by majority vote.

ARTICLE 29: Operational/Rainy Day Stabilization Fund (Town Administrator)

To see if the Town will vote to appropriate a sum of money from available funds for the purpose of supplementing the Operational Stabilization Fund established by vote of the 2011 Spring Annual Town Meeting under Article 4, as authorized by Chapter 40, Section 5B of the General Laws, as amended; or otherwise act thereon.

FINANCE COMMITTEE RECOMMENDATION: *By a vote of 10-0-0 on March 18, 2014, the Finance Committee recommends **No Action** with regard to the subject of Article 29.*

MOTION (requires majority vote):

Moved by Mr. Everett seconded by Mr. Freedman that no action be taken on this article.

The motion to take no action under Article 29 passed by majority vote.

ARTICLE 30: Establish Inflow & Infiltration Stabilization Fund (Town Administrator)

To see if the Town will vote to create an Inflow and Infiltration Stabilization Fund for the purpose of funding upgrades to Town sewer lines to reduce inflow and infiltration, as authorized by Chapter 40, Section 5B of the General Laws, as amended; or otherwise act thereon.

FINANCE COMMITTEE RECOMMENDATION: *By a vote of 10-0-0 on February 18, 2014, the Finance Committee recommends **Favorable Action** with regard to the subject of Article 30.*

MOTION (requires majority vote):

Moved by Mr. Everett, seconded by Mr. Freedman that the Town vote to create an Inflow and Infiltration Stabilization Fund for the purpose of funding repairs to and replacement of sewer lines to reduce inflow and infiltration into the Town's sewer system, or debt-service payment related thereto, in accordance with Chapter 40, Section 5B of the General Laws, as amended.

Ms. White spoke to this article. **The main motion under Article 30 passed by majority vote.**

ARTICLE 31: Establish One-to-One Technology Stabilization Fund (Town Administrator)

To see if the Town will vote to create a One-to-One Technology Stabilization Fund for the purpose of funding the One-to-One Technology Program in the Natick Public School System, as authorized by Chapter 40, Section 5B of the General Laws, as amended; or otherwise act thereon.

FINANCE COMMITTEE RECOMMENDATION: *By a vote of 13-0-0 on March 11, 2014, the Finance Committee recommends **Favorable Action** with regard to the subject of Article 31.*

MOTION (requires majority vote):

Moved by Mr. Everett, seconded by Mr. Freedman that the Town vote to create a One-to-One Technology Stabilization Fund for the purpose of funding the one-to-one technology program for Natick High School students, in accordance with Chapter 40, Section 5B of the General Laws, as amended.

Ms. White and Dr. Sanchioni and spoke to this article. Mr. Coffey moved, seconded by Ms. Foss to refer this article to the Town Administrator. The moderator said that both the positive motion and the referral motion would be discussed at the same time. Town Meeting voted on the referral motion first. The referral motion failed. **The main motion under Article 31 passed by majority vote.**

ARTICLE 32: Other Post-Employment Benefits (OPEB) Fund (Town Administrator)

To see if the Town will vote to appropriate a sum of money from available funds for the purpose of funding the Other Post-Employment Benefits Liability Trust Fund authorized by vote of the 2011 Fall Annual Town Meeting under Article 8 pursuant to the provisions of Chapter 32B, Section 20 of the General Laws, as amended; or otherwise act thereon.

FINANCE COMMITTEE RECOMMENDATION: *By a vote of 10-0-0 on February 18, 2014, the Finance Committee recommends **No Action** with regard to the subject of Article 32.*

MOTION (requires majority vote):

Moved by Mr. Everett seconded by Mr. Freedman that no action be taken on this article.

The motion to take no action under Article 32 passed by majority vote.

ARTICLE 33: Establish Revolving Fund: Regional Coalition Tobacco Control Program (Town Administrator)

To see if the Town will vote pursuant to Chapter 44, Section 53E1/2 of the Massachusetts General Laws, to establish a Tobacco Control Program Revolving Fund in order to utilize money received by the Town of Natick through grants, retail tobacco dealer permit fees and fines in order to implement the terms of the regional grant received from the Metrowest Health Foundation and to administer programs and enforcement with the goal of reducing tobacco use throughout the community; further, to authorize the Public Health Director, under the supervision of the Board of Health, to expend money from such revolving fund; and to limit the total amount which may be expended from such fund up to and including \$25,000 during the fiscal year beginning July 1, 2014; or take other action relative thereto; or otherwise act thereon.

FINANCE COMMITTEE RECOMMENDATION: *By a vote of 9-1-0 on February 18, 2014, the Finance Committee recommends **Favorable Action** with regard to the subject of Article 33.*

MOTION (requires majority vote):

Moved by Mr. Everett, seconded by Mr. Freedman that the Town vote pursuant to Chapter 44, Section 53E1/2 of the Massachusetts General Laws, to establish a Regional Coalition Tobacco Control Program Revolving Fund, utilizing money received through grants, retail tobacco dealer permit fees and fines in order to implement the terms of the regional grant received in fiscal year 2014 from the Metrowest Health Foundation and to administer programs and enforcement with the goal of reducing tobacco use throughout the community; further, to authorize the Public Health Director, under the supervision of the Board of Health, to expend funds from said Revolving Fund, and to limit the total amount which may be to expended from such fund up to and including \$25,000 during the fiscal year beginning July 1, 2014.

Mr. Jim White spoke to this article. **The main motion under Article 33 passed by majority vote.**

ARTICLE 34: 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, 2014; or otherwise act thereon.

FINANCE COMMITTEE RECOMMENDATION:

By seven separate votes on February 18, 2014, the Finance Committee recommends Favorable Action with regard to the subject of Article 34. The recommendations for each of the revolving funds pursuant to this Article are located below.

Motion	Fund	Authorization FY 2014	Recommended Authorization FY 2015	Starting Balance 7/01/2013	Revenues	Expenditures	Balance 3/15/2014
A	Council on Aging Transportation	\$15,000	\$15,000	\$6,424	\$114	\$3,059	\$3,480
B	DPW Surplus Vehicle/Purchase Acct	\$40,000	\$80,000	\$115,250	\$9,968	\$7,471	\$117,747
C	Morse Institute Library Materials	\$85,000	\$85,000	\$728	\$38,442	\$17,344	\$21,826
D	Morse Institute Library Equipment & Maintenance	\$25,000	\$25,000	\$1,016	\$8,350	\$8,461	\$905
E	Community-Senior Center Equipment & Maintenance	\$75,000	\$75,000	\$33,610	\$35,981	\$24,630	\$44,961
F	Board of Health Immunization	\$40,000	\$40,000	\$43,723	\$6,448	\$14,674	\$35,497
G	Community-Senior Center Programs	\$95,000	\$95,000	\$2,614	\$29,654	\$21,174	\$11,093

MOTION A (Majority vote required):

Moved by Mr. Everett, seconded by Mr. Freedman that the Town vote to authorize the Council on Aging Director, with oversight by the Council on Aging, to expend up to and including \$15,000 during the fiscal year beginning July 1, 2014 for the purpose of operating a subsidized transportation program for senior citizens, pursuant to Chapter 44 §53E½ of the Massachusetts General Laws, from the revolving fund established by vote of the April 1995 Annual Town Meeting under Article 27 for receipts received in connection with the subsidized transportation program.

Ms. White spoke to all of the motions under this article at this time.

The Motion A under Article 34 passed unanimously.

MOTION B (Majority vote required):

Moved by Mr. Everett, seconded by Mr. Freedman that the Town vote to authorize the Department of Public Works to expend up to and including \$80,000 during the fiscal year beginning July 1, 2014 under the direction of the Department of Public Works and the Town Administrator in order to utilize revenue from

the sale of surplus vehicles to fund the purchase of vehicles and equipment at auction pursuant to Chapter 44 §53E½ of the Massachusetts General Laws, from the revolving fund established by vote of the April 2005 Annual Town Meeting under Article 17.

Motion B under Article 34 passed by majority vote.

MOTION C (Majority vote required):

Moved by Mr. Everett, seconded by Mr. Freedman that the Town vote, pursuant to Chapter 44, Section 53E½ of the Massachusetts General Laws, to authorize the Morse Institute Library Director, under the supervision of the Library Trustees, to expend up to and including \$85,000 for the fiscal year beginning July 1, 2014, in order to utilize revenues collected from fines for overdue materials, and from charges for lost or damaged materials, for the purpose of purchasing new books and other related materials, from the revolving fund established by vote of the 2006 Spring Annual Town Meeting under Article 19.

Motion C under Article 34 passed unanimously.

MOTION D (Majority vote required):

Moved by Mr. Everett, seconded by Mr. Freedman that the Town vote, pursuant to Chapter 44, Section 53E½ of the Massachusetts General Laws, to authorize the Morse Institute Library Director, under the supervision of the Library Trustees, to expend up to and including \$25,000 for the fiscal year beginning July 1, 2014, in order to utilize revenues collected from rental of facilities at the Morse Institute Library for the purpose of maintenance and repair of Library facilities and equipment and purchase of equipment for the Library, from the revolving fund established by vote of the 2006 Spring Annual Town Meeting under Article 20.

Motion D under Article 34 passed by majority vote.

MOTION E (Majority vote required):

Move that the Town vote, pursuant to Chapter 44, Section 53E½ of the Massachusetts General Laws, to authorize the Community Services Director, under the supervision of the Town Administrator, to expend up to and including \$75,000 for the fiscal year beginning July 1, 2014, in order to utilize money received from building rental fees and donations for the purpose of funding maintenance of the Community-Senior Center and improvement projects for such building, from the revolving fund established by vote of the 2008 Spring Annual Town Meeting under Article 28.

Motion E under Article 34 passed by majority vote.

MOTION F (Majority vote required):

Moved by Mr. Everett, seconded by Mr. Freedman that the Town vote, pursuant to Chapter 44, Section 53E½ of the Massachusetts General Laws, to authorize the Director of Public Health, under the supervision of the Board of Health, expend up to and including \$40,000 during the fiscal year beginning July 1, 2014, in order to utilize money received from Medicare, Medicaid and health insurance reimbursements from the Board of Health's annual flu clinics for the purpose of providing subsidized funding for future flu clinics, children and adult immunization programs, pandemic and emergency preparedness, from the revolving fund established by vote of the 2011 Spring Annual Town Meeting under Article 20.

Motion F under Article 34 passed unanimously.

MOTION G (Majority vote required):

Moved by Mr. Freedman, seconded by Mr. Everett that the Town vote, pursuant to Chapter 44, Section 53E½ of the Massachusetts General Laws, to authorize the Community Services Director and the Director of Human Services/Council on Aging, under the supervision of the Council on Aging, to expend up to and including \$95,000 during the fiscal year beginning July 1, 2014, in order to utilize money received from participants in programs and activities for the purpose of funding said programs and activities at the Community-Senior Center, from the revolving fund established by vote of the 2012 Fall Annual Town Meeting under Article 15.

Motion G under Article 34 passed by majority vote.

ARTICLE 35: Capital Equipment (Town Administrator)

To see if the Town will vote to appropriate and raise, or otherwise provide, a sum of money as may be required for capital equipment for the various departments of the Town of Natick; to determine whether this appropriation shall be raised by borrowing or otherwise; or otherwise act thereon.

FINANCE COMMITTEE RECOMMENDATION: *By a vote of 12-2-0 on March 20, 2014, the Finance Committee recommends **Favorable Action** with regard to the subject of Article 35, and that the sum of \$1,954,000 be appropriated as noted in the motions.*

Article 35 - Capital Equipment - 2014 Spring Annual Town Meeting

Motion A was moved by Mr. Everett, seconded by Mr. Freedman.

MOTION A: (Two-thirds vote required)

Move that the Town vote to appropriate the sum of \$819,000 to be expended under the direction of the Natick Public Schools for the purpose of replacing a truck and 1:1 computers, under the direction of the Police Department for the purpose of replacing two (2) police cruisers, a dictation system, laptop computers, police mobility vehicle, and furniture, under the direction of the Fire Department for the purpose of replacing turnout gear, thermal imaging cameras, and multi gas meters, under the direction of the Public Works Department for the purpose of replacing vehicle M-1, and asphalt roller H-68, and under the direction of the Facilities Department for the purpose of replacing DPW garage heaters, and relocating solar panel meters, individually shown as items 2, 3, 4, 5, 6, 7, 8, 10, 11, 12, 13, 16, 18, and 19 shown in Table A below, and that to meet this appropriation the sum of \$819,000 be raised from the Capital Stabilization Fund.

TABLE A - MOTION A: Article 35 - Capital Equipment - 2014 Spring Annual Town Meeting

<u>Item #</u>	<u>Department</u>	<u>Item</u>	<u>Funding Source</u>	<u>Amount</u>
2	Public Schools	Replace NSD-84 (Truck with Plow and Sander)	Capital Stab. Fund	\$ 45,000
3	Public Schools	Computer Replacement 1:1 Technology	Capital Stab. Fund	\$ 400,000
4	Police	Cruiser Replacement	Capital Stab. Fund	\$ 80,000
5	Police	Dictation System Replacement	Capital Stab. Fund	\$ 30,000
6	Police	Replace Laptops	Capital Stab. Fund	\$ 13,500
7	Police	Police Mobility Vehicle	Capital Stab. Fund	\$ 10,000
8	Police	Replace Furniture	Capital Stab. Fund	\$ 10,000
10	Fire	Replace Turnout Gear	Capital Stab. Fund	\$ 75,000
11	Fire	Replace Thermal imaging Cameras	Capital Stab. Fund	\$ 30,000
12	Fire	Replace Multi Gas Meters	Capital Stab. Fund	\$ 30,000
13	Public Works	Replace M-1 (Deputy Director Vehicle)	Capital Stab. Fund	\$ 28,500
16	Public Works	Replace H-68 One Ton Asphalt Roller	Capital Stab. Fund	\$ 22,000
18	Facilities	DPW Garage Heater Replacement	Capital Stab. Fund	\$ 30,000
19	Facilities	Relocate Meters at Solar Panels	Capital Stab. Fund	\$ 15,000

Appropriation under Article 35: MOTION A

\$ 819,000

Ms. White gave a presentation on Articles 35 and 36 at this time. Mr. Lista moved, seconded by Mr. Linchan to suspend the “three question” rule on Article 35. The motion prevailed 37 to 34.

Mr. Pierce called for a quorum call. There was no quorum present.

Mr. Pierce moved, seconded by Mr. Freedman to adjourn. **The meeting adjourned at 9:51 PM until Tuesday, May 6th at 7:30 PM.**

A record of the Fourth Session of 2014 Spring Annual Town Meeting

May 1, 2014

s/Diane Packer, Town Clerk

**2014 Spring Annual Town Meeting
Fine and Performing Arts Center**

Natick High School

May 6, 2014

Fifth Session

The Fifth Session of the 2014 Spring Annual Town Meeting was called to order at 7:45 PM by the Town Moderator, Frank W. Foss, who declared a quorum present. The Moderator welcomed residents, taxpayers, town officials, Town Meeting Members and interested parties to the Fifth Session of 2014 Spring Annual Town Meeting. The Moderator asked that all recently elected or appointed members of Town Meeting who have not yet been sworn in stand to take the oath of office. There were none. The meeting stood 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 on the stage and in the well of the auditorium. The following people were present: Diane Packer, Town Clerk; Jonathan Freedman, Finance Committee Chair; James Everett, Finance Committee Secretary; Martha White, Town Administrator; Brandon Moss, Town Counsel; and Joshua Ostroff, Chair of the Board of Selectmen.

The Moderator reviewed the general rules and procedures of Town Meeting. He indicated that all residents and taxpayers of the town and 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. The proceedings of Town Meetings shall be governed by **Town Meeting Time**, the Town of Natick Home Rule Charter, the Natick By-Laws and the General Laws of the Commonwealth of Massachusetts.

No person shall speak upon any article 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 ten (10) minutes at one time without permission of Town Meeting. Consistent with the Natick By-Laws, 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 thereon.

The Moderator made several announcements regarding upcoming community wide events and volunteer opportunities. The Moderator announced that the body would begin with Motion A under Article 35 and that the three question rule had been suspended for this article. Ms. White also gave a quick overview of capital prior to beginning consideration of Motion A, Article 35.

ARTICLE 35: Capital Equipment (Town Administrator)

To see if the Town will vote to appropriate and raise, or otherwise provide, a sum of money as may be required for capital equipment for the various departments of the Town of Natick; to determine whether this appropriation shall be raised by borrowing or otherwise; or otherwise act thereon.

Motion A had been moved by Mr. Everett, seconded by Mr. Freedman prior to adjournment on May 1st.

MOTION A: (Two-thirds vote required)

Move that the Town vote to appropriate the sum of \$819,000 to be expended under the direction of the Natick Public Schools for the purpose of replacing a truck and 1:1 computers, under the direction of the Police Department for the purpose of replacing two (2) police cruisers, a dictation system, laptop computers, police mobility vehicle, and furniture, under the direction of the Fire Department for the purpose of replacing turnout gear, thermal imaging cameras, and multi gas meters, under the direction of the Public Works Department for the purpose of replacing vehicle M-1, and asphalt roller H-68, and under the direction of the Facilities Department for the purpose of replacing DPW garage heaters, and relocating solar panel meters, individually shown as items 2, 3, 4, 5, 6, 7, 8, 10, 11, 12, 13, 16, 18, and 19 shown in Table A below, and that to meet this appropriation the sum of \$819,000 be raised from the Capital Stabilization Fund.

TABLE A - MOTION A: Article 35 - Capital Equipment - 2014 Spring Annual Town Meeting

<u>Item #</u>	<u>Department</u>	<u>Item</u>	<u>Funding Source</u>	<u>Amount</u>
2	Public Schools	Replace NSD-84 (Truck with Plow and Sander)	Capital Stab. Fund	\$ 45,000
3	Public Schools	Computer Replacement 1:1 Technology	Capital Stab. Fund	\$ 400,000
4	Police	Cruiser Replacement	Capital Stab. Fund	\$ 80,000
5	Police	Dictation System Replacement	Capital Stab. Fund	\$ 30,000
6	Police	Replace Laptops	Capital Stab. Fund	\$ 13,500
7	Police	Police Mobility Vehicle	Capital Stab. Fund	\$ 10,000
8	Police	Replace Furniture	Capital Stab. Fund	\$ 10,000
10	Fire	Replace Turnout Gear	Capital Stab. Fund	\$ 75,000
11	Fire	Replace Thermal imaging Cameras	Capital Stab. Fund	\$ 30,000
12	Fire	Replace Multi Gas Meters	Capital Stab. Fund	\$ 30,000
13	Public Works	Replace M-1 (Deputy Director Vehicle)	Capital Stab. Fund	\$ 28,500
16	Public Works	Replace H-68 One Ton Asphalt Roller	Capital Stab. Fund	\$ 22,000
18	Facilities	DPW Garage Heater Replacement	Capital Stab. Fund	\$ 30,000
19	Facilities	Relocate Meters at Solar Panels	Capital Stab. Fund	\$ 15,000

Appropriation under Article 35: MOTION A

\$ 819,000

Discussion ensued on Motion A. Moved by Mr. Lista, seconded by Mr. Brown to amend the main motion as follows:

Move that the Town vote to appropriate the sum of \$723,500 to be expended under the direction of the Natick Public Schools for the purpose of 1:1 computers, under the direction of the Police Department for the purpose of replacing two (2) police cruisers, a dictation system, laptop computers, police mobility vehicle, and furniture, under the direction of the Fire Department for the purpose of replacing turnout gear, thermal imaging cameras, and multi gas meters, and under the direction of the Facilities Department for the purpose of replacing DPW garage heaters, and relocating solar panel meters, individually shown as items, 3, 4, 5, 6, 7, 8, 10, 11, 12, , 18, and 19 shown in Table A below, and that to meet this appropriation the sum of \$723,500 be raised from the Capital Stabilization Fund.

Discussion ensued on the amended motion. Mr. Hughes moved, seconded by Ms. Gloff to move the question and end debate on the amendment. **The motion to close debate on the amendment passed by two-thirds vote. The amendment to Motion A under Article 35 failed.** Debate continued on Motion A. **The main motion A under Article 35 passed by a two-thirds (2/3) vote.**

Motion B was moved by Mr. Everett, seconded by Mr. Freedman.

MOTION B: (two-thirds vote required)

Move that the Town vote to appropriate the sum of \$890,000 to be expended under the direction of the Natick

TABLE B, MOTION B: Article 35 - Capital Equipment - 2014 Spring Annual Town Meeting

<u>Item #</u>	<u>Department</u>	<u>Item</u>	<u>Funding Source</u>	<u>Amount</u>
1	Public Schools	Kennedy Middle School Portable Classrooms	Tax Levy Borrowing	\$ 215,000
9	Fire	Replace Ambulance #3	Tax Levy Borrowing	\$ 205,000
14	Public Works	Replace S-37 Hooklift and Chassis	Tax Levy Borrowing	\$ 230,000
15	Public Works	Replace S-38 Small Multi Body Truck	Tax Levy Borrowing	\$ 130,000
17	Facilities	Town Hall HVAC Rooftop Units	Tax Levy Borrowing	\$ 110,000

Appropriation under Article 35: MOTION B **\$ 890,000**

Discussion ensued on Motion B. **Motion B under Article 35 passed by two-thirds (2/3) vote.**

Motion C was moved by Mr. Everett seconded by Mr. Freedman.

MOTION C: (majority vote required)

Move that the Town vote to appropriate the sum of \$245,000 to be expended under the direction of the

TABLE C, MOTION C: Article 35 - Capital Equipment - 2014 Spring Annual Town Meeting

<u>Item #</u>	<u>Department</u>	<u>Item</u>	<u>Funding Source</u>	<u>Amount</u>
20	Water/Sewer	Replace Water Meter Transmitters	W/S Retained Earnings	\$ 100,000
21	Water/Sewer	Install Sewer Grinder Pump	W/S Retained Earnings	\$ 100,000
22	Water/Sewer	Replace W-4	W/S Retained Earnings	\$ 45,000

Appropriation under Article 35: MOTION C **\$ 245,000**

Motion C under Article 35 passed by majority vote.

ARTICLE 36: Capital Improvement (Town Administrator)

To see if the Town will vote to appropriate and raise, or otherwise provide, a sum of money to implement a Capital Improvement Program, to protect the physical infrastructure of the Town of Natick; to determine whether this appropriation shall be raised by borrowing or otherwise; or to otherwise act thereon.

FINANCE COMMITTEE RECOMMENDATION:

*By a vote of 9-0-0 on March 13, 2014, the Finance Committee recommends **Favorable Action** with regard to the subject of Article 36, and that the sum of \$3,784,100 be appropriated as noted in the motions.*

Motion A was moved by Mr. Everett, seconded by Mr. Freedman.

MOTION A: (Two-thirds vote required)

Move that the Town vote to appropriate the sum of \$559,100 to be expended under the direction of the Natick Public Schools for the purchase of studying Memorial Field Improvements, under the direction of the Department of Public Works for the purpose of field renovations and tree replacement, under the direction of the Community Services Department for thr purpose of studying recreation and parks fields, under the direction of the Town Administrator for the 911 Memorial, under the direction of the Finance Department for the purchase of cash management software, under the direction of the Information Technology Department for a network assessment, under the direction of the Facilities Department for purpose of the Wilson School parking expansion, and Town Hall carpet replacement, and under the direction of the South Middlesex Regional Vocational Technical School (Joseph P. Keefe Technical School) for the purpose of replacing the roof, individually shown as items 1, 4, 5, 6, 7, 8, 9, 10, 11, and 16 in the Table A below, and that to meet this appropriation the sum of \$559,100 be raised from the Capital Stabilization Fund.

TABLE A, MOTION A: Article 36 - Capital Improvement - 2014 Spring Annual Town Meeting

<u>Item #</u>	<u>Department</u>	<u>Item</u>	<u>Funding Source</u>	<u>Amount</u>
1	Public Schools	Memorial Field Improvements Feasibility Study	Capital Stab. Fund	\$ 50,000
4	Public Works	Field Renovations	Capital Stab. Fund	\$ 65,000
5	Public Works	Tree Replacement	Capital Stab. Fund	\$ 30,000
6	Comm. Serv.	Recreation and Parks Field Study	Capital Stab. Fund	\$ 50,000
7	Town Admin	911 Memorial	Capital Stab. Fund	\$ 20,000
8	Finance	Cash Management Software	Capital Stab. Fund	\$ 24,100
9	Info. Technology	Network Assessment	Capital Stab. Fund	\$ 60,000
10	Facilities	Wilson Parking Expansion	Capital Stab. Fund	\$ 50,000
11	Facilities	Town Hall Carpet Replacement	Capital Stab. Fund	\$ 30,000
16	Keefe Technical	Roof Replacement	Capital Stab. Fund	\$ 180,000

Appropriation under Article 36: MOTION A **\$ 559,100**

Mr. Connolly moved, seconded by Ms. Coughlin to amend the main motion to reduce item 1 to zero (\$0) and reduce the total by subtracting \$50,000 in the three places that the total is shown. **The amendment to the main motion passed by majority vote.** Mr. Jennett moved, seconded by Mr. Levinsky to change line item #6 to \$75,000 and to change the total to \$534,100 in three places.

The vote was counted; 61 in favor and 43 opposed. **The amendment passed by majority vote. The amended main motion passed by two-thirds (2/3) vote.**

The final approved motion is detailed below:

Move that the Town vote to appropriate the sum of **\$534,100** to be expended under the direction of the Natick Public Schools for the purchase of studying Memorial Field Improvements, under the direction of the Department of Public Works for the purpose of field renovations and tree replacement, under the direction of the Community Services Department for the purpose of studying recreation and parks fields, under the direction of the Town Administrator for the 911 Memorial, under the direction of the Finance Department for the purchase of cash management software, under the direction of the Information Technology Department for a network assessment, under the direction of the Facilities Department for purpose of the Wilson School parking expansion, and Town Hall carpet replacement, and under the direction of the South Middlesex Regional Vocational Technical School (Joseph P. Keefe Technical School) for the purpose of replacing the roof, individually shown as items 1, 4, 5, 6, 7, 8, 9, 10, 11, and 16 in the Table A below, and that to meet this appropriation the sum of **\$534,100** be raised from the Capital Stabilization Fund.

TABLE A, MOTION A: Article 36 - Capital Improvement - 2014 Spring Annual Town Meeting

<u>Item #</u>	<u>Department</u>	<u>Item</u>	<u>Funding Source</u>	<u>Amount</u>
1	Public Schools	Memorial Field Improvements Feasibility Study	Capital Stab. Fund	\$ -
4	Public Works	Field Renovations	Capital Stab. Fund	\$ 65,000
5	Public Works	Tree Replacement	Capital Stab. Fund	\$ 30,000
6	Comm. Serv.	Recreation and Parks Field Study	Capital Stab. Fund	\$ 75,000
7	Town Admin	911 Memorial	Capital Stab. Fund	\$ 20,000
8	Finance	Cash Management Software	Capital Stab. Fund	\$ 24,100
9	Info. Technology	Network Assessment	Capital Stab. Fund	\$ 60,000
10	Facilities	Wilson Parking Expansion	Capital Stab. Fund	\$ 50,000
11	Facilities	Town Hall Carpet Replacement	Capital Stab. Fund	\$ 30,000
16	Keefe Technical	Roof Replacement	Capital Stab. Fund	\$ 180,000
Appropriation under Article 36: MOTION A				\$ 534,100

Ms. Ball moved seconded by Mr. Pierce to adjourn. **The motion to adjourn passed by majority vote. The meeting adjourned at 10:06 PM until Thursday, May 8th at 7:30 PM.**

A record of the Fifth Session of 2014 Spring Annual Town Meeting
May 6, 2014

s/Diane Packer, Town Clerk

**2014 Spring Annual Town Meeting
Fine and Performing Arts Center
Natick High School
May 8, 2014
Sixth Session**

The Sixth Session of the 2014 Spring Annual Town Meeting was called to order at 7:45 PM by the Town Moderator, Frank W. Foss, who declared a quorum present. The Moderator welcomed residents, taxpayers, town officials, Town Meeting Members and interested parties to the Sixth Session of 2014 Spring Annual Town Meeting. The Moderator asked that all recently elected or appointed members of Town Meeting who have not yet been sworn in stand to take the oath of office. There were none. The meeting stood 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 on the stage and in the well of the auditorium. The following people were present: Diane Packer, Town Clerk; Jonathan Freedman, Finance Committee Chair; James Everett, Finance Committee Secretary; Martha White, Town Administrator; Brandon Moss, Town Counsel; and Joshua Ostroff, Chair of the Board of Selectmen.

The Moderator reviewed the general rules and procedures of Town Meeting. He indicated that all residents and taxpayers of the town and 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. The proceedings of Town Meetings shall be governed by Town Meeting Time, the Town of Natick Home Rule Charter, the Natick By-Laws and the General Laws of the Commonwealth of Massachusetts.

No person shall speak upon any article 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 ten (10) minutes at one time without permission of Town Meeting. Consistent with the Natick By-Laws, 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 thereon.

The Moderator corrected that for adjournment a two-thirds vote is not required, only a majority vote. In addition, the Moderator made several announcements regarding upcoming community wide events and volunteer opportunities. The Moderator announced that the meeting would begin with consideration of with Motion B under Article 36.

ARTICLE 36: Capital Improvement (Town Administrator)

To see if the Town will vote to appropriate and raise, or otherwise provide, a sum of money to implement a Capital Improvement Program, to protect the physical infrastructure of the Town of Natick; to determine whether this appropriation shall be raised by borrowing or otherwise; or to otherwise act thereon.

Motion B was moved by Mr. Everett, seconded by Mr. Freedman.

MOTION B: (Two-thirds vote required)

Move that the Town vote to appropriate the sum of \$2,533,500 to be expended under the direction of the Department of Public Works for the purpose of Pine Street roadway improvements and Pond Street sidewalk and guardrail improvements, and under the direction of the Facilities Department for the purpose of expanding the Public Works facility, individually shown as items 2, 3, and 12 in Table B below, and that to meet this appropriation the Treasurer with the approval of the Board of Selectmen is authorized to borrow \$2,533,500 under Massachusetts General Laws Chapter 44, Section 7, as amended, or any other enabling authority and to issue bonds or notes of the Town therefore aggregating not more than \$2,533,500 in principal amount and that the Town Administrator with the approval of the Board of Selectmen is authorized to take any action necessary to

TABLE B, MOTION B: Article 36 - Capital Improvement - 2014 Spring Annual Town Meeting

<u>Item #</u>	<u>Department</u>	<u>Item</u>	<u>Funding Source</u>	<u>Amount</u>
2	Public Works	Pine Street Roadway Improvements	Tax Levy Borrowing	\$ 2,000,000
3	Public Works	Pond Street Sidewalk and Guardrail Replacement	Tax Levy Borrowing	\$ 285,000
12	Facilities	Public Works Expansion	Tax Levy Borrowing	\$ 248,500

Appropriation under Article 36: MOTION B **\$ 2,533,500**

Motion B under Article 36 passed by a two-thirds (2/3) vote.

Motion C was moved by Mr. Everett, seconded by Mr. Freedman.

MOTION C: (Two-thirds vote required)

Move that the Town vote to appropriate the sum of \$691,500 to be expended under the direction of the Department of Public Works for the purpose of Sewer Station and Generator upgrades, replacing a sewer pump station, and expanding the Public Works Facility, individually shown as items 13, 14 and 15 in Table C below, and that to meet this appropriation the Treasurer with the approval of the Board of Selectmen is authorized to borrow \$691,500 under Massachusetts General Laws Chapter 44, Section 8, as amended, or any other enabling authority and to issue bonds or notes of the Town therefore aggregating not more than \$691,500 in principal amount and that the Town Administrator with the approval of the Board of Selectmen is authorized to take any action necessary to carry out this program.

TABLE C, MOTION C: Article 36- Capital Improvement - 2014 Spring Annual Town Meeting

13	Water/Sewer	Sewer Station And Generator Upgrades	W/S Borrowing	\$ 360,000
14	Water/Sewer	Sewer Pump Station Replacement	W/S Borrowing	\$ 230,000
15	Water/Sewer	Public Works Expansion	W/S Borrowing	\$ 101,500

Appropriation under Article 36: MOTION C **\$ 691,500**

Motion C under Article 36 passed by two-thirds (2/3) vote.

ARTICLE 37: 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.

FINANCE COMMITTEE RECOMMENDATION: *By a vote of 10-0-0 on February 18, 2014, the Finance Committee recommends No Action with regard to the subject of Article 37.*

MOTION (requires majority vote):

Moved by Mr. Everett, seconded by Mr. Freedman that no action be taken the subject matter of Article 37.

The motion to take no action under Article 37 passed by majority vote.

ARTICLE 38: Rescind Authorized, Unused Debt (Town Administrator)

To see if the Town will vote to rescind the authorization for unissued debt that has been determined is no longer needed for the completion of various projects; or otherwise act thereon.

FINANCE COMMITTEE RECOMMENDATION: *By a vote of 12-0-0 on March 6, 2014, the Finance Committee recommends Favorable Action with regard to the subject of Article 38.*

MOTION (requires majority vote):

Moved by Mr. Everett, seconded by Mr. Freedman that the Town vote to rescind unissued debt for capital projects of the Water & Sewer Enterprise Fund approved under Articles 16 of the 2012 Spring Annual Town Meeting for the following purposes and amount:

Amount Rescinded	Date of Vote	Purpose
\$161,055	Article 16, April 24, 2012, Motion E, Item #11	Sewer Main Relining (MWRA)

Mr. Towne spoke to this article. *The main motion under Article 38 passed unanimously.*

ARTICLE 39: Increase Personal Property Exemptions (Board of Assessors)

To see if the Town will vote to increase the Personal Exemption Amounts by 45% 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, 22E, 37A, and 41C (elderly person, disabled veteran, or blind person); or otherwise act thereon.

FINANCE COMMITTEE RECOMMENDATION: *By a vote of 11-0-0 on February 27, 2014, the Finance Committee recommends Favorable Action with regard to the subject of Article 39.*

MOTION (requires majority vote):

Moved by Mr. Everett, seconded by Mr. Freedman that the Town vote to increase the Personal Exemption Amounts by 45% 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 Massachusetts General Laws, Chapter 59 Section 5 Clauses 17D, 22, 22A, 22B, 22C, 22E, 37A, and 41C (elderly person, disabled veteran, or blind person).

Ms. Dangelo, Director of Assessing spoke to this article. *The main motion under Article 39 passed unanimously.*

ARTICLE 40: Amend Zoning By-Laws: Change Classification from I to RG: Pleasant Street (James M. Williamson, et al)

To see if the Town will vote to amend its Zoning Bylaws, Section II, Item IIB, Subsection 1, entitled “Location of Districts” by changing the zoning classification from Industrial I to RG on portions of two parcels identified as Assessors Map 64 Parcel 44 (22 Pleasant Street, South Natick) and Assessors Map 64 Parch 48 (Town of Natick). Said area to be rezoned includes only that area of said parcels that is presently zoned Industrial I. Being the same area designated as “Manufacturing District No. 5” by the Annual Town Meeting of 1931 (Article 61) and described therein as “the tract between the Hunnewell Playground and the Canal, extending from the Charles River on the east to a western boundary line parallel with and distant 330 feet eastward from the eastern line of Pleasant Street”.

FINANCE COMMITTEE RECOMMENDATION:

The Finance Committee has No Recommendation with regard to the subject of Article 40.

MOTION (requires two-thirds vote)

Moved by Mr. Pierce seconded by Mr. Meyer that the Town vote to amend its Zoning Bylaws, Section II, Item IIB, Subsection 1, entitled “Location of Districts” by changing the zoning classification from Industrial I to RG on portions of two parcels identified as Assessors Map 64 Parcel 44 (22 Pleasant Street, South Natick) and Assessors Map 64 Parch 48 (Town of Natick). Said area to be rezoned includes only that area of said parcels that is presently zoned Industrial I. Being the same area designated as “Manufacturing District No. 5” by the Annual Town Meeting of 1931 (Article 61) and described therein as “the tract between the Hunnewell Playground and the Canal, extending from the Charles River on the east to a western boundary line parallel with and distant 330 feet eastward from the eastern line of Pleasant Street”.

The Moderator discussed several process and scope related issues regarding Article 40. The Moderator ruled that the appropriate meetings were held and the necessary postings were done and therefore the article was appropriately before the meeting. Mr. Foss also said that the article was appropriately before the body regardless of the fact that some of it may have changed slightly since the Planning Board Hearing. Mr. Moss, Town Counsel also advised Town Meeting on the same issue, stating that the changes did not significantly alter the intent of the original article. Mr. Foss also addressed the issue of the scope of the article. A map was put up on the screen at Town Meeting and the Moderator reminded Town Meeting members that the only thing that this article is requesting is a zoning change. Mr. Foss said that the participants in prior meetings were aware of what the scope of the article is and therefore the public was also aware of the scope of the article and therefore it is appropriately before the body.

Mr. Pierce spoke to the positive main motion on Article 40. Mr. Carter, President of Barberry Homes also spoke on the Article. Mr. Awkward moved, seconded by Mr. Lista to indefinitely postpone Article 40. Mr. Awkward spoke to this motion. Mr. Hayes moved, seconded by Mr. Linehan to refer the subject matter of Article 40 to the Community Development Department and the Planning Board. Mr. Griesmer moved, seconded by Ms. Collins to replace the first referral motion with the following referral motion: Move to refer the subject matter of Article 40 to a committee created by Town Meeting and appointed by the Moderator such committee to be comprised of 7 members comprised of:

- One representative nominated by the Planning Board
- One representative nominated by the Board of Selectmen

One representative nominated by the Conservation Commission and
Four members of the public

Committee members to be selected for a balance from various precincts.

And that the Moderator may appoint members of the public or other boards and committees in the event nominations are not made.

And that members of the public may be from other boards and committees or may be citizens of the town.

Said committee to have access to town counsel and to staff from within the administration for resource support including the staff of the community development office and the department of public works.

Said committee to evaluate any and all matters connected to i) Article 40 , ii) appropriate rezoning of 22 Pleasant St. in South Natick, iii) appropriate land use for the property, and iv) such related topics within the Towns Zoning By Law as they deem appropriate.

Said committee to report to Fall 2014 Town Meeting, if possible, and no later than Spring 2015 Town Meeting. This shall not preclude a report to any Special Town Meeting occurring before or within Spring 2015 Town Meeting.

Said report may include recommendations, if any.

Said committee being a multiple member body under the Town Charter and as such authorized to sponsor a warrant article if it so chooses for consideration by Town Meeting.

Mr. Griesmer spoke to this referral motion. Mr. Hayes rose to withdraw the first referral motion, Mr. Linehan who had seconded the motion agreed to the withdrawal by the maker of the motion. The Moderator asked if anyone objected, there was an objection. Mr. Hayes moved, seconded by Mr. Linehan to withdraw the first referral motion. Discussion ensued on the withdrawal of the first referral motion. Mr. Yang moved, seconded by Mr. Lista to close debate. ***The motion to close debate on the motion to withdraw the first referral motion passed. The motion to withdraw the first referral motion failed.***

Town Meeting then debated the two referral motions. Moved by Mr. Hughes seconded by Ms. Gloff to move the question and close debate on the question. The Moderator was not able to take the motion as there were more than three people seeking the floor to speak for the first time. Discussion continued. Ms. Coughlin moved; seconded by Mr. Jennett to amend the second referral motion to remove from the third paragraph from the bottom all of the words after Fall 2014 Town Meeting. *The amendment to the referral motion passed by majority vote.* Mr. Gath moved, seconded by Mr. Joseph to waive the reading of the motion. ***The motion to waive the reading passed unanimously. The motion to replace the first referral motion passed by majority vote.***

There were three motions on the floor; the first a positive main motion, the second referral motion just voted and the third indefinite postponement. Discussion continued on all three motions. Mr. Golden moved, seconded by Mr. Griesmer to close debate on all three questions. **The motion to**

close debate passed by a two-thirds (2/3) vote. The Moderator explained that there are three motions on the floor and the body will vote on the referral motion first. **The motion for referral as amended passed by majority vote.**

Mr. Pierce moved, seconded by Mr. Hughes to adjourn. The Moderator declared that the vote would be counted. Ms. Brown challenged the quorum. The Moderator counted and there was a quorum present. The motion to adjourn carried 55 to 40. *The meeting adjourned at 10:20 PM until Tuesday, May 13th at 7:30 PM.*

A record of the Sixth Session of 2014 Spring Annual Town Meeting
May 8, 2014

s/Diane Packer, Town Clerk

2014 Spring Annual Town Meeting
Fine and Performing Arts Center
Natick High School
May 13, 2014
Seventh Session

The Seventh Session of the 2014 Spring Annual Town Meeting was called to order at 7:45 PM by the Town Moderator, Frank W. Foss, who declared a quorum present. The Moderator welcomed residents, taxpayers, town officials, Town Meeting Members and interested parties to the Seventh Session of 2014 Spring Annual Town Meeting. The Moderator asked that all recently elected or appointed members of Town Meeting who have not yet been sworn in stand to take the oath of office. There were none. The meeting stood 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 and for a fellow Town Meeting Member who is ill.

The Moderator introduced the officials present on the stage and in the well of the auditorium. The following people were present: Diane Packer, Town Clerk; Jonathan Freedman, Finance Committee Chair; Bruce Evans, Finance Committee Vice Chair; Martha White, Town Administrator; John Flynn, Town Counsel; and Joshua Ostroff, Chair of the Board of Selectmen.

The Moderator reviewed the general rules and procedures of Town Meeting. He indicated that all residents and taxpayers of the town and 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. The proceedings of Town Meetings shall be governed by **Town Meeting Time**, the Town of Natick Home Rule Charter, the Natick By-Laws and the General Laws of the Commonwealth of Massachusetts.

No person shall speak upon any article 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 ten (10) minutes at one time without permission of Town Meeting. Consistent with the Natick By-Laws, 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 thereon.

The Moderator made several announcements regarding upcoming community wide events and volunteer opportunities. The Moderator announced that the meeting would begin with consideration of Article 41. Ms. Packer served as Moderator as Mr. Foss recused himself for this article.

ARTICLE 41: Appoint Committee to Study Electronic Voting at Town Meeting
(Town Moderator)

To see if the Town will vote to authorize the Town Moderator to appoint a committee to consist of not more than seven (7) members for the purpose of studying the subject of electronic voting by Town Meeting members, said committee to submit a report with recommendations to Town Meeting no later than the 2015 Natick Spring Annual Town Meeting; or otherwise act thereon.

FINANCE COMMITTEE RECOMMENDATION: *By a vote of 14-0-0 on March 4, 2014, the Finance Committee recommends **Favorable Action** with regard to the subject of Article 41.*

MOTION (requires majority vote):

Moved by Mr. Evans, seconded by Mr. Freedman that the town vote to authorize the Town Moderator to appoint a committee to consist of not more than seven (7) members for the purpose of studying the subject of electronic voting by Town Meeting members, said committee to submit a report with recommendations to Town Meeting no later than the 2015 Natick Spring Annual Town Meeting.

Mr. Foss spoke to this article. **The main motion under Article 40 passed by majority vote.**

ARTICLE 42: Facilitate Historic Building Preservation in Natick Through Amending Zoning By-Laws (Randy Johnson, et al)

To see if the Town will vote to amend the Zoning By-Laws to encourage the adaptive re-use of religious facilities by broadening and modifying use and dimensional regulations that may otherwise impede historic or architectural preservation efforts.

FINANCE COMMITTEE RECOMMENDATION: *By a vote of 8-0-0 on March 13, 2014, the Finance Committee recommends Referral to the Planning Board and the Sponsors with regard to the subject of Article 42.*

MOTION (requires two-thirds vote):

Moved by Mr. Pierce seconded by Ms. Gloff that the Town vote to amend the Natick Zoning By-Law as follows:

1. Add the following new line *4.A Historic Preservation* to the USE REGULATION SCHEDULE (Section III-A.2) after line 4:

	RG	RM	RS	PCD	SH	AP	DM	CII	INI	INII	H
4.A Historic Preservation See Section III-J	A	A	A	O	O	O	A	O	O	O	O

2. Add the following new *Section III-J Historic Preservation* after Section III Section 320 (Highway Overlay Districts):

III-J Historic Preservation

III-J.1 Purpose

1. Encourage the preservation and/or continued use of religious buildings of historic or architectural significance.
2. Encourage the adaptive re-use of such buildings by broadening and modifying use and dimensional regulations that may otherwise impede historic or architectural preservation efforts, and limit the economic viability of these endeavors.

III-J.2 Applicability and Eligibility

A two-family or multi-family use may be allowed by Special Permit under this Section III-J in a building or upon the lot which such building is located only if such building and the lot satisfy the following:

1. The building is used or formerly used as a place of worship, or an accessory to that use, including convent, rectory, religious school, or religious recreation hall.
1. The lot and building are located in a Natick Historic District or a National Register Historic District.
2. The building was constructed prior to 1900.
3. The lot contains a minimum of 20,000 square feet of land and was established by plan or deed recorded prior to the adoption of this Section III-J.

Additionally, if the subject property is adjacent (shared property line or located across public or private

way) to at least one existing commercial use established prior to the adoption of this Section III-J, or if the building was used for religious assembly purposes, other commercial or institutional uses may be allowed by Special Permit if deemed appropriate by the granting authority.

III-J.3 Historic Preservation Special Permit

The Planning Board may grant a Special Permit for the adaptive re-use of an eligible property and site for the uses identified in III-J.2 upon a determination that the following conditions and criteria have been satisfied:

~~1. All program space must be located within the eligible building or structure; provided, however, that the building or structure may be expanded by not more than twenty (20%) percent of the gross building volume existing on the date of the adoption of this Section. New elements relating to egress and the creation of accessible routes are exempt from this calculation. If the property is adjacent (shared property line or located across public or private way) to at least one existing commercial use, additional new construction may be allowed, either attached to the historic building or free-standing. No more than two buildings may be built upon a single eligible lot.~~

2: 1. Except as otherwise provided herein, the dimensional requirements set forth in the Table of Intensity Regulations by Zoning District (Section IV B) shall not be applicable but shall be determined and specified by the Planning Board in the Special Permit after due consideration of the historical or architectural preservation efforts, the unique characteristics of the lot, building, or structure, and adequate protection of abutting properties and uses. Likewise, parking requirements shall be determined by Special Permit process, in consideration of demand, available on-street parking and other factors.

2. Additions and free-standing new construction shall be allowed, after due consideration of the historical or architectural nature of the proposed construction, the unique characteristics of the lot, existing building, or structure, and adequate protection of abutting properties and uses.

3. The building(s) shall be connected to municipal water and sewer systems if the same are present in the abutting street. All costs associated with the installation of such services shall be borne by the developer.

4. Accessory use structures, such as private garages and buildings to house snow removal, lawn, maintenance and recreational equipment shall be allowed and limited to one story.

III-J.4 Special Permit Granting Authority

The Planning Board shall be the Special Permit Granting Authority for all applications and projects under this Section. If such application or project also requires other Special Permits, the Planning Board shall be the Special Permit Granting Authority for all such Special Permits.

III-J.5 Site Plan Review

All applications under this Section III-J shall be subject to Site Plan Review which shall be conducted by the Planning Board as part of the Special Permit process.

Mr. Pierce spoke to the positive main motion. Mr. Evans moved, seconded by Mr. Freedman to refer Article 42 to the Planning Board and the Sponsors of the Article.

Mr. Johnson made a presentation and discussion ensued on this article. Mr. Connolly moved to close debate on the article. The Moderator was not able to take the motion to question as there were more than three members seeking the floor. Debate on the issue continued. Mr. Sidney, moved, seconded by Mr. Gath to move the question and close debate. **The motion to close debate passed by two-thirds (2/3) vote. The motion to refer the article to the Planning Board and the Sponsors passed by majority vote.**

ARTICLE 43: Amend Zoning By-Laws: Change Classification from RG to RSA or RSC: Pleasant Street Area (John W. Newton, et al)

To see if the Town will vote to amend its Zoning By-Laws (Section II, Item IIB, Subsection I, entitled “Location of Districts” by changing to zoning classification from RG to RSA or RSC (the specific subsection to be determined through consultation with the Planning Board subsequent to the date of the Article submission and prior to the Spring Town Meeting).

Such change to be applied to the following parcels identified as Assessors Map 64, parcels 64.45, 64.45A (20 Pleasant Street); 63.11 (18 Pleasant Street); 63.10 (16 Pleasant Street); 63.9 (4 Merrill Road); 64.47 (6 Merrill Road); 64.46 (7 Merrill Road); and 64.44 (22 Pleasant Street) specifically that portion fronting on Pleasant Street and abutting on the North parcels 64.45 and 64.45A. Said areas to be rezoned includes only the areas of said parcels that are presently zoned RG. Specifically excluded is Town of Natick property identified as Hunnewell Fields, being parcel 64.48 which is predominately zoned RG, excluding that portion now zoned Ind 1, which portion is the subject of rezoning proposal included elsewhere on this warrant.

FINANCE COMMITTEE RECOMMENDATION: *By a vote of 8-0-0 on March 13, 2014, the Finance Committee recommends Referral to the Planning Board and the Sponsors with regard to the subject of Article 43.*

MOTION (requires majority vote):

Moved by Mr. Evans, seconded by Mr. Freedman to refer the subject matter of Article 43 to the Planning Board and the Sponsors.

The motion to refer Article 43 to the Planning Board and the Sponsors passed by majority vote.

ARTICLE 44: SMART GROWTH OVERLAY (SGO) DISTRICT FOR WEST NATICK

(George Richards, et al)

To see if the Smart Growth Overlay District (SGO) of the Zoning By-Laws shall be amended to include the area around the West Natick Train Station along West Central Street as follows:

Add to Section III-A.6 AFFORDABLE HOUSING, C- SMART GROWTH OVERLAY DISTRICT (SGO District), Section 2. DEFINITIONS, *SGO District* –, at the end of said paragraph and after the period, the following:

The word “District” shall include the word “Districts” where the context so admits and as approved by Town Meeting as an SGO District.

At Section III-A.6 AFFORDABLE HOUSING, C- SMART GROWTH OVERLAY DISTRICT, Section 3.1 Establishment, at the end of said paragraph, delete the period and add the following:

as well as the parcels of land along West Central Street in the area of the West Natick Train Station to be within the SGO District, to be known as West Natick Smart Growth Overlay District (WSGO) shown on the Town of Natick Assessor’s, Map 39 as Lots: 22, 23, 23A, 23BU1, 23BU2, 23C, 23D, 23E, 26, 27, 28, 29, 30, and Map 40 as Lots: 58A, 58B, 58C, 58D, 58E, 58F, 59, 60, 61, 64, 70, 71, 71A, 72, 87, 88, 89 and 89A. that are superimposed over the underlying zoning district(s) and is shown on the Zoning Map of the Town of Natick, “Southwest Quadrant.”

Add to Section III-A.6 AFFORDABLE HOUSING, C- SMART GROWTH OVERLAY DISTRICT, Section 7.1 List of Requirements, Paragraph b), below iii), the following:

iv) Multi-family residential units: WSGO area of SGO District, 21.7 units per acre.

Or otherwise act thereon.

FINANCE COMMITTEE RECOMMENDATION:

*By a vote of 10-0-0 on March 11, 2014, the Finance Committee recommends **Referral to the Planning Board and the Sponsors** with regard to the subject of Article 44.*

MOTION (requires majority vote):

Moved by Mr. Evans, seconded by Mr. Freedman to refer Article 44 to the Planning Board and the Sponsors.

The motion to refer Article 44 to the Planning Board and the sponsors passed by majority vote.

The Moderator thanked many of the people who help Town Meeting to run smoothly, including the Clerk's Office staff, Pegasus, the custodial staff at the High School the Administration and all the sponsors of the articles.

ARTICLE 45: Designation of Economic Opportunity Area (Economic Development Committee)

To see if the Town will vote to authorize the Board of Selectmen to submit to the Massachusetts Economic Assistance Coordinating Council an application to designate the Downtown Mixed Use District, and the Light Industrial zones on Middlesex Avenue, off of North Main Street and abutting Bigelow Avenue and Washington Avenue, as well as those on North Avenue and South Avenue as one or more Economic Opportunity Area (EOA); or otherwise act thereon.

FINANCE COMMITTEE RECOMMENDATION: *By a vote of 12-0-0 on March 6, 2014, the Finance Committee recommends **Referral to the Economic Development Committee and the Community Development Office** with regard to the subject of Article 45.*

MOTION (requires majority vote):

Moved by Mr. Evans, seconded by Mr. Freedman to refer Article 45 to the Economic Development Committee and the Community Development Office.

The motion to refer Article 45 to Economic Development Committee and the Community Development Office passed by majority vote.

Mr. Sidney, moved seconded by Mr. Hughes to dissolve the 2014 Spring Annual Town Meeting. The meeting dissolved at 9:00 PM on Tuesday, May 13, 2014.

A record of the Seventh Session of 2014 Spring Annual Town Meeting
May 13, 2014

s/Diane Packer, Town Clerk

**WARRANT
TOWN OF NATICK
FALL ANNUAL TOWN MEETING
OCTOBER 21, 2014**

THE COMMONWEALTH OF MASSACHUSETTS

The following articles are to be acted upon and determined exclusively by Town Meeting Members in accordance with Chapter 2 of the Acts of 1938 and Amendments thereto and the Town Charter. Town Meeting will meet in the Natick High School Auditorium, Natick on **Tuesday Evening October 21, 2014 at 7:30 PM**, then and there to act on the articles listed below:

- Article 1 Amend by-Laws: Prohibit Guns in Municipal Buildings
- Article 2 Appropriate MathWorks Lakeside Campus Project Mitigation Funds for Cochituate Rail Trail Project, Sidewalk Construction on Superior Drive, and Route 30/Speen Street Traffic Engineering Services
- Article 3 Appropriate Fed Ex Mitigation Funds for Design of Route 30/Speen Street Intersection
- Article 4 Appropriate L.A. Fitness Mitigation Funds for Upgrades to the Travis Road Sewer Pumping Station
- Article 5 Appropriation of Mitigation Funds for Cochituate Rail Trail Design
- Article 6 Amend Town Meeting Vote of Article 15 of the 2010 Fall Annual Town Meeting: Disposition of East School
- Article 7 Amend By-Laws: Adoption to Ban Single Use Plastic “T” Shirt” Bags
- Article 8 Amend By-Laws: Adoption of a Ban on the Use of Polystyrene (Styrofoam)
- Article 9 Amend By-Laws: Adoption of a Ban on the Use of Pesticides – Lawns, Fields
- Article 10 Amend By-Laws: Article 50: Dog Park, Dog Exercise Area
- Article 11 Amend By-Laws: Article 52: Solicitors – to Include Civil Fingerprinting Requirements
- Article 12 Amend By-Laws Article 55: Civil Fingerprinting
- Article 13 22 Pleasant Street Rezoning Study Committee Update
- Article 14 Committee Article
- Article 15 Study Committee: Sawin House and Appurtenant Land
- Article 16 Home Rule Petition: Use of Shaw Park for Cultural, Educational, Historical, and Park Purposes
- Article 17 Home Rule Petition: Long-Term Lease of a Portion of Shaw Park for Cultural, Educational or Historical Purposes
- Article 18 Codification of Town of Natick Home Rule Charter
- Article 19 Appropriate Funds to Audit Conservation Fund
- Article 20 Establish Study Committee: Conservation Commission Fund
- Article 21 Rescind Authorized, Unissued Debt
- Article 22 Unpaid Bills
- Article 23 Study Committee: Municipal Non Union Personnel Policies, Practices and Procedures
- Article 24 Fiscal 2015 Omnibus Budget

- Article 25 Stabilization Fund
- Article 26 Stabilization Fund – Operating/Rainy Day
- Article 27 Stabilization Fund – Capital
- Article 28 Stabilization Fund – I&I
- Article 29 Stabilization Fund – One-to-One Computers – School
- Article 30 Other Post Employment Benefits (OPEB) Fund
- Article 31 Personnel Board Classification & Pay Plan
- Article 32 Capital Equipment
- Article 33 Capital Improvement
- Article 34 Amend Zoning By-Laws: Accessory Retail and/or Restaurants
- Article 35 Housing Overlay Option Plan (HOOP-II) District Area in West
Natick Along West Natick Commuter Rail (Map 39, Lots
27,28,29)
- Article 36 Housing Overlay Option Plan (HOOP-II) District for Area in West
Natick Near West Natick
Commuter Rail (Map 40, Lot 87)
- Article 37 Amend Zoning By-Laws: Facilitate Historic Building Preservation
in Natick
- Article 38 Authorization for Selectmen to Enter in Tax Increment Financing
Plan for Infinium, Inc. Expansion in Natick
- Article 39 Authorization for Selectmen to Establish a Tax Increment
Financing Plan Standard for Designated Retail, Restaurant,
And/or Manufacturing Uses Within Natick Downtown
Mixed Use Zone
- Article 40 Authorization for Selectmen to Establish a Tax Increment
Financing Plan Standard for Designated Retail, Restaurant,
And/or Manufacturing Uses Within Industrial Zone I
Located Within 1/2 Mile Radius of Natick Center
(Intersection of Rte. 27 and Rte. 135)

An attested copy may be viewed at the following locations: Precinct 1: Reliable Cleaners, 214 West Central Street; Precinct 2: Cole Center, Boden Lane; Precinct 3: Kennedy Middle School, 1 Philip J. Lucier Drive ; Precinct 4: TCAN, 14 Summer Street; Precinct 5: Wilson Middle School, 24 Rutledge Road; Precinct 6: East Natick Fire Station, 2 Rhode Island Avenue; Precinct 7: Lilja Elementary School, 41 Bacon Street; Precinct 8: Natick Senior High School, 15 West Street; Precinct 9: Community Senior Center, 117 East Central Street and Precinct 10: Memorial School, 107 Eliot Street; Natick Town Hall, 13 East Central Street, and the Natick U.S. Post Office, Bacon Free Library and Morse Institute Library.

Certified copies of the Warrant are available at the Office of the Town Clerk, Natick Town Hall, 13 East Central St., Natick, MA between the hours of 8:00 AM – 5:00 PM, Monday through Wednesday; 8:00 AM-8:00 PM on Thursday, and 8:00 AM-12:30 PM Friday and at the Town website www.natickma.gov.

Nicholas S. Mabardy, Clerk

2014 Fall Annual Town Meeting
Fine and Performing Arts Center
Natick High School
October 21, 2014
First Session

The first session of the 2014 Fall Annual Town Meeting was called to order at 7:40 PM by the Town Moderator, Frank W. Foss, who declared a quorum present. The Moderator welcomed residents, taxpayers, town officials, Town Meeting Members and interested parties to the first session of 2014 Fall Annual Town Meeting. Mr. Foss presented the official, duly posted warrant signed by the Board of Selectmen with the officer's return thereon to the Town Clerk to be entered into the official record of the town. The Moderator asked that all recently elected or appointed members of Town Meeting stand to take the oath of office. The oath was given to all new Town Meeting Members. All members and the audience stood 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 on the stage and in the well of the auditorium. The following people were present: Diane Packer, Town Clerk; James Everett, Finance Committee Chair; Bruce Evans, Finance Committee Secretary; Martha White, Town Administrator; John Flynn, Town Counsel; and Joshua Ostroff, Chair of the Board of Selectmen.

The Moderator reviewed the general rules and procedures of Town Meeting. He indicated that all residents and taxpayers of the town and 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. The proceedings of Town Meetings shall be governed by **Town Meeting Time**, the Town of Natick Home Rule Charter, the Natick By-laws and the General Laws of the Commonwealth of Massachusetts (MGL).

All motions offered for consideration by 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. No person shall speak upon any article 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 ten (10) minutes at one time without permission of Town Meeting. Consistent with the Natick By-laws, once a member is recognized, it is the practice of Town Meeting to first ask questions, then propose a motion and/or debate the highest ranking motion. This practice is unchanged. 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 By-Laws. 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 or not they are stated singularly or in a compound question and divided by the Moderator. When a question on an article is before Town Meeting, motions shall be received and have precedence as listed in the table entitled "Precedence of Motions," found in the Natick By-Laws, the Town Meeting Member Handbook and **Town Meeting Time**. 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. The motion for the previous question shall not be entertained by the Moderator if three or more persons, who have not previously spoken to the question, are seeking recognition. By rule, indefinite postponement shall be considered a negative main motion and may be entered by the Moderator whenever any main motion or subsidiary motion is in order. This shall not change the order of precedence of motions as specified in

Article 3, Section 6 of the By-laws or any other practice regarding indefinite postponement as specified in our Charter, the Natick By-laws or **Town Meeting Time**. Without objection, the preceding statements were accepted as rules of 2014 Fall Annual Town Meeting.

The Moderator announced that on Thursday evening (October 23) a representative from Option Technologies would be present to demonstrate electronic voting systems beginning at 6:30 PM. The demonstration was set up by the Electronic Voting Committee.

The Moderator also instructed Members to be considerate of what has been said as well as the time spent on each article as debate continues. He also mentioned that Town Meeting must complete the warrant and dissolve by November 18th in order to certify a tax rate on time. In addition, there are two nights that Town Meeting will not be able to meet; November 4th (Election Day) and November 11th (Veterans' Day).

Dr. Keefe rose to offer resolution. The following resolution was moved by Dr. Keefe and seconded by Mr. Gath.

WHEREAS Dr. Edward M. Salamoff served as a Natick Town Meeting member for many years, contributing to the well being of the Town with his insight, collegiality, intelligence and humor; and

WHEREAS Ed Salamoff had the ability to summarize and focus the proceedings of Town Meeting, and was a respected voice who spoke with authority and clarity; and

WHEREAS Ed Salamoff's passing is felt throughout the community, his profession and among his many friends; and

WHEREAS Ed's passion for golf and public service was manifested in his legendary contributions on the Golf Course Advisory Committee;

NOW THEREFORE Natick Town Meeting acknowledges Ed Salamoff's many contributions to the life of the community, and expresses its sincere and profound sympathy to his family.

Mr. Sidney moved, seconded by Mr. Jennett to waive the reading of the motion. **The motion to waive the reading of the motion passed unanimously. The resolution passed unanimously.**

Ms. Gloff rose to offer a resolution honoring Nancy Lavash. The following resolution was moved by Ms. Gloff and seconded by Ms. Evans.

WHEREAS Nancy Lavash served the community of Natick in many ways as a conscientious and dedicated volunteer; and

WHEREAS Nancy Lavash was a regular presence at meetings of town boards and committees, and was a well-informed citizen who encouraged others to participate in local government; and

WHEREAS Nancy served as a Natick Town Meeting member, 4th of July Committee member, Historical Society volunteer and member of the Town and State Democratic Committees; and

WHEREAS Nancy was a model of civic participation in her hometown of Sherborn, where she was instrumental in establishing the Council on Aging and senior citizen housing, and where her legacy is warmly remembered;

NOW THEREFORE Natick Town Meeting acknowledges the countless contributions of Nancy Lavash to the wellbeing of our community, our neighbor Sherborn, and beyond, and expresses its sympathy and warm remembrance to her family.

Mr. Sidney moved, seconded by Mr. Gath to waive the reading of the motion. **The motion to waive the reading of the motion passed unanimously. The resolution passed unanimously.**

Moved by Mr. Sidney, seconded by Mr. Golden to postpone consideration of Article 14 until the first order of business on Thursday, October 23rd. Mr. Sidney explained that the Electronic Voting Committee would like to present their report on the same evening as the company demonstrates the technology. **The motion to postpone Article 14 until the first order of business on Thursday, October 23rd passed unanimously.** Moved by Mr. Brown, seconded by Mr. Pierce to postpone consideration of Articles 15, 16 and 17 until the first order of business on Tuesday, October 28th. **The motion to postpone Articles 15, 16, and 17 until the first order of business on Tuesday, October 28th passed unanimously.**

Moved by Sidney, seconded by Mr. Jennett to waive reading the text of all 2014 Fall Annual Town Meeting warrant articles and move to waive reading the text of motions, excluding the amounts to be appropriated and sources of said amounts to be appropriated when motions are provided in the text of Recommendations of the Natick Finance Committee publications. **The motion passed unanimously.**

ARTICLE 1: Amend Town By-Laws to Prohibit Firearms on Public Property (Board of Selectmen and Town Administrator)

To see if the Town will vote to amend the General By-Laws, specifically Article 50 – Police Regulations, by adding a new Section 15a therein, as follows:

“Section 15 a Prohibition of Firearms on Public Property
No person shall carry or possess a firearm of any kind (including but not limited to a rifle, shotgun or handgun) on property owned or leased by, or otherwise under the care, custody or control of, the Town of Natick, including but not limited to all buildings, structures, parks, playgrounds, open spaces, or other public properties. This restriction shall not apply to law enforcement personnel, nor shall it apply to active duty military personnel carrying out authorized military exercises,” or otherwise act thereon.

Finance Committee Recommendation: *By a vote of 9-0-0 on October 2, 2014 the Finance Committee recommends **No Action** with regard to the subject of Article 1.*

MOTION (requires majority vote):

Moved by Mr. Evans, seconded by Mr. Everett that no action be taken with respect to Article 1.

The motion to take no action on Article 1 passed by majority vote.

ARTICLE 2: Appropriate MathWorks Lakeside Campus Project Mitigation Funds for the Cochituate Rail Trail Project, Sidewalk Construction on Superior Drive, and Route 30/Speen Street Traffic Engineering Services (Town Administrator)

To see if the Town will vote to appropriate a sum of money from mitigation funds from the MathWorks Lakeside Campus Project to fund the Cochituate Rail Trail Project, sidewalk construction on Superior Drive, and Route 30/Speen Street traffic engineering services, or otherwise act thereon.

Finance Committee Recommendation: *By a vote of 13-0-0 on September 2, 2014, the Finance Committee recommends **No Action** with regard to the subject of Article 2.*

MOTION (requires majority vote):

Moved by Mr. Evans, seconded by Mr. Everett that no action be taken with respect to Article 2.

Ms. White spoke to this article and explained that the neither have the funds been received nor are they yet due; therefore no action is requested.

The motion to take no action on Article 2 passed by majority vote.

**ARTICLE 3: Appropriate Fed Ex Mitigation Funds for Traffic Engineering Services
(Town Administrator)**

To see if the Town will vote to appropriate a sum of money from mitigation funds from the FedEx Ground Project to fund traffic engineering services in the Speen Street/Route 30 area as well as the Route 30/Route 27 area, or otherwise act thereon.

Finance Committee Recommendation: *By a vote of 13-0-0 on September 2, 2014, the Finance Committee recommends Favorable Action with regard to the subject of Article 3.*

MOTION (requires majority vote):

Moved by Mr. Evans, seconded by Mr. Everett that the Town vote to appropriate the sum of \$75,000 from mitigation funds from the FedEx Ground Project and that, pursuant to the terms of the applicable Planning Board Special Permit decision no. 22-12, \$50,000 shall be paid to the Town of Framingham to be used for traffic engineering services for the Speen Street/Route 30 intersection and \$25,000 shall be paid to the Town of Wayland, said sum to be used for traffic engineering services for the Route 27/Route 30 intersection. Mr. Reffett spoke to this article. **The main motion under Article 3 passed by majority vote.**

ARTICLE 4: Appropriate L.A. Fitness Mitigation Funds for Upgrades to the Travis Road Sewer Pumping Station (Town Administrator)

To see if the Town will vote to appropriate a sum of money from mitigation funds from the L.A. Fitness Project to fund upgrades to the Travis Road sewer pumping station, or otherwise act thereon.

Finance Committee Recommendation: *By a vote of 12-0-0, on September 4, 2014, the Finance Committee recommends Favorable Action with regard to the subject of Article 4.*

MOTION (requires majority vote):

Moved by Mr. Evans, seconded by Mr. Everett that the Town vote to appropriate \$164,000 from mitigation funds from the L.A. Fitness Project; pursuant to the terms of the applicable Planning Board Special Permit decision nos. 25-14 and 26-14, said sum shall be used to fund upgrades to the Travis Road sewer pumping station under the direction of the Natick Department of Public Works.

Ms. White spoke to this article. **The main motion under Article 4 passed by majority vote.**

**ARTICLE 5: Appropriation of Funds for Cochituate Rail Trail Design
(Board of Selectmen)**

To see if the Town will vote to appropriate a sum of money to fund design and development of the Cochituate Rail Trail, or otherwise act thereon.

Finance Committee Recommendation: *By a vote of 9-2-0 on September 23, 2014, the Finance Committee recommends Favorable Action with regard to the subject of Article 5.*

MOTION (requires majority vote):

Moved by Mr. Evans, seconded by Mr. Everett that the Town vote to appropriate the sum of \$300,000 to be expended under the direction of the Board of Selectmen and the Conservation Commission for design and related services for the proposed Cochituate Rail Trail, and that the sum of \$300,000 be raised from \$100,000 of Natick Mall Mitigation Fees and \$200,000 of Chapter 40R "Smart Growth" incentive payments from the commonwealth.

Mr. Ostroff gave a presentation on this article and discussion ensued. Ms. Brown moved, seconded by Mr. Brown to refer the subject matter of Article 5 to the Board of Selectmen. The Moderator announced that

both the referral and the positive main motions would be debated simultaneously. **The referral motion failed. The main motion under Article 5 passed by majority vote.**

ARTICLE 6: Amend Town Meeting Vote of Article 15 of the 2010 Fall Annual Town Meeting: Disposition of East School (Board of Selectmen)

To see if the Town will vote to amend the vote taken under Article 15 of the 2010 Fall Annual Town Meeting regarding disposition of the former East School, located at 84 Oak Street, by (1) eliminating the requirement that the Request for Proposals offer the property for both sale and lease and also eliminating the requirement for providing a mechanism for comparing sale and lease options, and (2) eliminating the requirement that the terms of any lease or sale must be approved by Town Meeting; said amendments intended to allow the Board of Selectmen to rent the former East School to non-profit agencies that provide service to Natick-area residents, or otherwise act thereon.

Finance Committee Recommendation: *By a vote of 9-4-0 on September 18, 2014, the Finance Committee recommends Favorable Action with regard to the subject of Article 6.*

MOTION (requires majority vote):

Moved by Mr. Evans, seconded by Mr. Everett that the Town vote to amend the vote taken under Article 15 of the 2010 Fall Annual Town Meeting regarding disposition of the former East School, located at 84 Oak Street, by (1) eliminating the requirement that the Request for Proposals offer the property for both sale and lease and also eliminating the requirement for providing a mechanism for comparing sale and lease options, and (2) eliminating the requirement that the terms of any lease or sale must be approved by Town Meeting.

Ms. White spoke to this article. Mr. Griesmer moved, seconded by Ms. Coughlin to amend the main motion by deleting the words “or sale” in the last line and add the following text, “said amendments intended to allow the Board of Selectmen to rent the former East School to non-profit agencies that provide service to Natick-area residents.”

Mr. Sidney moved, seconded by Mr. Richards to divide the motion in two parts, first to delete the words “or sale” and the second for the part of the amendment “said amendments intended to allow the Board of Selectmen to rent the former East School to non-profit agencies that provide service to Natick-area residents”.

The motion to divide the amendment failed. The amendment to the main motion passed by majority vote.

Discussion on the amended main motion continued. Mr. Munnich moved, seconded by Mr. Magee to amend the amended main motion to insert the words “of less than 25 years” after the words “any lease” in the last line of the motion. **The amendment to the amended main motion passed by majority vote.**

Mr. Connolly moved, seconded by Mr. Pierce to adjourn so that Town Meeting would be able to see a copy of the motion that was approved under Article 15 at the 2010 Fall Annual Town Meeting. **The motion to adjourn passed by a two-thirds vote. The meeting adjourned at 10:16 PM until Thursday, October 23rd at 7:30 PM.**

A record of the First Session of
2014 Fall Annual Town Meeting
October 21, 2014

s/Diane Packer, Town Clerk

2014 Fall Annual Town Meeting
Fine and Performing Arts Center
Natick High School
October 23, 2014
Second Session

The second session of the 2014 Fall Annual Town Meeting was called to order at 7:40 PM by the Town Moderator, Frank W. Foss, who declared a quorum present. The Moderator welcomed residents, taxpayers, town officials, Town Meeting Members and interested parties to the second session of 2014 Fall Annual Town Meeting. The Moderator asked that all recently elected or appointed members of Town Meeting who have not yet been sworn in stand to take the oath of office. There were none. The meeting stood 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 on the stage and in the well of the auditorium. The following people were present: Lorraine McNally, Acting Town Clerk; James Everett, Finance Committee Chair, Bruce Evans, Finance Committee Secretary; Martha White, Town Administrator; John Flynn, Town Counsel; and Charles Hughes, Vice Chair of the Board of Selectmen.

The Moderator reviewed the general rules and procedures of Town Meeting that were accepted at the last meeting. He indicated that all residents and taxpayers of the town and 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. The proceedings of Town Meetings shall be governed by **Town Meeting Time**, the Town of Natick Home Rule Charter, the Natick By-laws and the General Laws of the Commonwealth of Massachusetts (MGL).

No person shall speak upon any article 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 ten (10) minutes at one time without permission of Town Meeting. Consistent with the Natick By-laws, 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 thereon.

The motion to waive the reading of the text of all 2014 Fall Annual Town Meeting warrant articles and move to waive reading the text of motions, excluding the amounts to be appropriated and sources of said amounts to be appropriated when motions are provided in the text of Recommendations of the Natick Finance Committee publications remains in effect.

Mr. Munnich moved, seconded by Mr. Sidney to postpone Article 13 to the first order of business on Thursday, October 30th. **The motion to postpone Article 13 passed unanimously.**

The Moderator announced that the Meeting would continue with Article 6 (East School). The amended main motion was as follows:

Move that the Town vote to amend the vote taken under Article 15 of the 2010 Fall Annual Town Meeting regarding disposition of the former East School, located at 84 Oak Street, by (1) eliminating the requirement that the Request for Proposals offer the property for both sale and lease and also eliminating the requirement for providing a mechanism for comparing sale and lease options, and (2) eliminating the requirement that the terms of any lease of less than 25 years must be approved by Town Meeting; said amendments intended to allow the Board of Selectmen to rent the former East School to non-profit agencies that provide service to Natick-area residents.

He also announced that there was new information regarding this article and asked Mr. Flynn to address the Meeting. Mr. Flynn reviewed Article 6 again along with Article 15 from 2010 Fall Annual Town Meeting. On Tuesday, Mr. Flynn said that he felt that Town Meeting action was required to accomplish the purpose of the current article. He said after further consideration a vote on this article is not necessary to accomplish the purpose of Article 6 because these were going to be more short term leases rather than a 99 year lease which was approved and sent to the Legislature under the 2010 warrant article.

Mr. Hughes moved, seconded by Mr. Sidney that no action be taken on Article 6. There are two motions on the floor, one a positive main motion and the other for no action. Moved by Mr. Hughes, seconded by Mr. Jennett to move the question to end debate all motions. **The motion to end debate on Article 6 passed by a two-thirds vote. The motion to take no action passed by majority vote.**

ARTICLE 14: Committee Article (Board of Selectmen)

To see if the Town will vote to receive the reports of town officers, boards, and committees; or otherwise act thereon.

Finance Committee Recommendation: *By a vote of 9-1-0 on October 2, 2014, the Finance Committee recommends **Favorable Action***

MOTION (requires majority vote):

Moved by Mr. Evans, seconded by Mr. Everett that the Town vote to receive a report from the Electronic Voting committee.

The motion to hear the report from the Electronic Voting Committee passed unanimously. Mr. Sidney, the Chair of the Electronic Voting Study Committee gave an interim report.

Mr. Sidney moved, seconded by Ms. Gloff to postpone further consideration of Article 14 until Tuesday, October 28th. **The motion to postpone further action under Article 14 until October 28th passed unanimously.**

ARTICLE 7: Amend By-Laws: Adoption to Ban Single Use Plastic “T” Shirt” Bags (B. Patrick Conaway, et al)

Whereas it is widely documented that these single use plastic “T-Shirt Bags” litter the landscape and threaten wildlife throughout the world, and the externalized costs of cleaning up and recycling them are borne by taxpayers, we Natick Citizens support a ban on Single-Use Plastic T-Shirt Bags at all commercial establishments.

Finance Committee Recommendation:

*By a vote of 9-1-0 on September 11, 2014, the Finance Committee recommends **No Action** with regard to the subject of Article 7.*

MOTION (requires majority vote):

Moved by Mr. Evans, seconded by Mr. Everett that no action be taken on the Article 7.

Mr. Conaway made a presentation on this article. **The motion to take no action on the subject matter of Article 7 passed by majority vote.**

ARTICLE 8: Amend Bylaws: Adoption of a Ban on the Use of Polystyrene (Styrofoam) (Robert Rowe, et al)

To see what action the town will take to amend the Town of Natick By-Laws with respect to banning the use of polystyrene (also known by its trademarked name, Styrofoam) for food and beverage containers, trays, coolers, and packing materials, or otherwise act thereon.

Finance Committee Recommendation: *By a vote of 10-0-0 on September 11, 2014, the Finance Committee recommends **Referral to the Sponsor, Board of Health and Board of Selectmen** with regard to the subject of Article 8.*

MOTION (requires majority vote):

Moved by Mr. Sidney, seconded by Mr. Hughes to refer the subject matter of Article 8 to the Sponsor, the Board of

Health and the Board of Selectmen.

Mr. Rowe, the Sponsor, spoke to this article. **The motion to refer the subject matter of Article 8 passed by majority vote.**

ARTICLE 9: Amend Bylaws: Adoption of a Ban on the Use of Pesticides on Lawns & Fields (Robert Rowe, et al)

To see what action the town will take to amend the Town of Natick By-laws with respect to banning the use of pesticides on residential, commercial, and town lawns, parks, and athletic fields, or otherwise act thereon.

Finance Committee Recommendation: *By a vote of 10-0-0 on September 11, 2014, the Finance Committee recommends No Action with regard to the subject of Article 9.*

MOTION (requires majority vote):

Moved by Mr. Sidney, seconded by Mr. Glater to refer the subject matter of Article 9 to the Sponsor, the Board of Health and the Board of Selectmen.

Mr. Rowe, the Sponsor and Mr. James White, Director of Board of Health spoke to this article. Mr. Coffey moved, seconded by Mr. Linehan to indefinitely postpone Article 9. Ms. White spoke to the article. Ms. Shea moved, seconded by Mr. Coburn to take no action on Article 9. The Moderator explained the difference between the motions and explained that the body would vote referral first. **The motion to refer the subject matter of Article 9 passed by majority vote.**

ARTICLE 10: Amend Bylaws: Article 50: Dog Park. Dog Exercise Area (Melissa Cusson, et al)

To see if the Town will vote to amend the General Bylaws, Article 50, Section 16.4. to allow dogs to be off-leash on town property that is designated as a “Dog Park”, “Dog Run” or “Dog Exercise Area”.

Finance Committee Recommendation: *By a vote of 12-0-0 on September 4, 2014, the Finance Committee recommends Favorable Action with regard to the subject of Article 10.*

MOTION (requires majority vote):

Moved by Mr. Evans, seconded by Mr. Everett to amend the General Bylaws, Article 50, Section 16.4 (Restraint of Pets), by adding after “No person shall allow a pet, other than a cat, to run at large anywhere in the Town, except on the property of the owner of the pet or with the permission of the owner or occupant of the property.” the following sentence:

“This provision shall not apply, however, in any area designated by the Town as a “Dog Park”, “Dog Run” or “Dog Exercise Area.”

The Moderator explained to Town Meeting that this article deals only with changing the by-law not where or whether there will be a dog park. Ms. Kelly McPherson (resident, Precinct 5) spoke to this article. Debate ensued on the article. Mr. Yang moved, seconded by Mr. Sidney to limit further debate on the subject matter of Article 10 to two minutes per speaker. **The motion to limit debate is not debatable. The vote to limit debate to no more than two minutes passed by majority vote.** Debate continued. Hughes moved, seconded by Mr. Jennett to move the question to end debate on this article. **The motion to close debate passed by two-thirds vote. The main motion under Article 10 passed by majority vote.**

ARTICLE 11: Amend Town By-Laws: Article 52: Solicitors – to Include Civil Fingerprinting Requirements (Town Administrator)

To see if the Town will vote to amend the Town of Natick By-Laws by deleting the text of Article 52 and inserting in its place the following text:

ARTICLE 52

SOLICITORS AND CANVASSERS

This Article is for the purposes of protecting the privacy of the residents of the Town of Natick, to prevent fraud, to deter and protect the residents against crime, and to protect residents against annoyance. The provisions of this Article have neither the purpose nor intent of infringing upon or denying rights protected by the Constitutions of the United States and the Commonwealth of Massachusetts, and instead constitute reasonable time and manner restrictions on door-to-door solicitation and canvassing in the Town of Natick

SECTION 52.1 DEFINITIONS

BONA FIDE RELIGIOUS, CHARITABLE, EDUCATIONAL OR POLITICAL ORGANIZATION

Any organization that is qualified under state or federal law as a tax-exempt, nonprofit organization, any religious, charitable, educational or political organization or group, or any organization or group that espouses or advocates a position or belief on any subject of public interest or on behalf of any candidate for public office.

CANVASS OR CANVASSING

Includes any one (1) or more of the following door-to-door activities:

1. Person-to-person distribution of literature, periodicals, or other printed materials, but shall not include placing or dropping off printed materials on the premises except as otherwise exempted by this Article.
2. Seeking to enlist membership in any organization except as otherwise exempted by this Article.
3. Seeking to present, in person, organizational information except as otherwise exempted by this Article.

LICENSE

The photo identification card issued to a licensee under this Article.

PERSON

Any individual, business entity, firm, partnership, corporation, company, association or joint-stock association, society, organization or league and includes any trustee, receiver, assignee, agent or other similar representative thereof, except as otherwise exempted by this Article.

SOLICIT or SOLICITATION

Includes any one (1) or more of the following activities:

Seeking to sell or obtain orders for the purchase of goods wares, merchandise, foodstuffs, and services of any kind, character or description whatever.

Seeking to obtain subscriptions to books, magazines, periodicals, newspapers and every other type or kind of publication.

Seeking to obtain gifts or contributions of money, clothing or any other valuable item for the support or benefit of any charitable or nonprofit association, business entity, organization, corporation, group or project except as otherwise exempted by this Article.

SECTION 52.2 LICENSE REQUIRED

No person, firm or corporation shall canvass, solicit, distribute circulars or other matters, or call from house to house in the Town of Natick to sell, promote the sale of or attempt to sell goods by sample, or to take or attempt to take orders for, the future delivery of goods, merchandise, wares or any other property, personal or real, of any nature whatsoever, or take or attempt to take orders for services to be furnished or performed presently or in the future, or collect or attempt to collect contributions for any purpose, without first having obtained a written license from the Chief of Police of the Town of Natick under the provisions of this Article.

SECTION 52.3 EXEMPTIONS

Any person, firm or corporation soliciting or canvassing on behalf of a bona fide religious, charitable, educational or political organization shall be exempt from the requirements of this Article, except for the hours of solicitation and the requirements hereinafter provided in Section 52.16 below.

Any person, firm or corporation delivering goods or performing services which have been previously ordered by the person owning, leasing or occupying the property where such delivery is made or service performed shall be exempt

from the requirements of this Article.

Any person, firm or corporation calling upon or soliciting from commercial establishments located in the Town of Natick shall be exempt from the requirements of this Article.

Any minor employed by a newspaper as a carrier, or who has been previously registered with the Chief of Police by an employing newspaper, shall be exempt from the requirements of this Article.

The provisions of this Article shall not apply to any of the following groups:

Girl Scouts of America, Natick Chapter

Boy Scouts of America, Natick Chapter

Any youth activity/sports association affiliated with the Town of Natick or School Department of the Town of Natick

SECTION 52.4 APPLICATIONS

Any person seeking a license to engage in any activity set forth in Article 52.2, except those persons and activities exempt under Article 52.3, shall file an application with the Chief of Police on a form used by him no less than thirty (30) days prior to the requested start date for such canvassing or solicitation.

The application form shall require, at a minimum, the following information:

Name of applicant.

Address of applicant (local and permanent home address).

Applicant's date of birth.

Applicant's height, weight, eye and hair color.

Applicant's social security number.

The length of time for which the right to do business is desired.

A brief description of the nature of the business and the goods to be sold.

The name and home office address of the applicant's employer or the person or entity on behalf the applicant is soliciting or canvassing. If self-employed, it shall so state.

If the applicant is operating a motor vehicle in connection with the soliciting or canvassing, the year, make, color model, registration number, registered state, vehicle owner, and address.

Whether the applicant has been convicted of a crime or offense or violation of any municipal bylaw, ordinance or regulation relating to canvassing or soliciting and, if so when, where and the nature of the offense.

The names of other municipalities in the Commonwealth of Massachusetts where the applicant has been issued or granted a permit, license or similar authorization to solicit or canvass in the past two years.

All applicants under this section shall be fingerprinted as set forth in Article 55, and photographed by the Natick Chief of Police.

SECTION 52.5 PHOTOGRAPH REQUIRED

The applicant shall permit the Police Department in the Town of Natick to photograph said applicant for identification purposes.

SECTION 52.6 DENIAL, SUSPENSION OR REVOCATION OF LICENSE

Any applicant who fails to fully comply with the requisites established for issuance of a license shall be denied a license. Any falsification of information required to be provided in the application process shall result in denial or immediate revocation of the license.

Any failure to comply with the other provisions of this Article shall result in immediate revocation of the licensee's license.

Any failure of a licensee to prominently display his or her license upon his or her person when soliciting or canvassing shall result in immediate revocation of the license.

The Natick Chief of Police shall notify the licensee and shall provide the licensee an opportunity to be heard prior to revoking the license. Pending such hearing, the Natick Chief of Police may suspend the license.

SECTION 52.7 ISSUANCE OR DENIAL OF LICENSE

Within five (5) days of receiving an applicant's completed application under Section 52.4, the Chief of Police shall submit an applicant's fingerprints for a fingerprint-based criminal record background check in accordance with Article 55. Within seven (7) days of receiving the results of such fingerprint-based criminal record background check, the Chief of Police shall issue or deny a license. In computing the time periods under this Section 52.7, Saturdays, Sundays and holidays shall be excluded. If the Chief of Police does not submit an applicant's fingerprints or render a decision within the applicable time periods under this Section 52.7, the license shall be deemed constructively granted.

SECTION 52.8 LICENSE FEE; TERM

Each applicant for a license shall pay a nonrefundable fee of ten dollars (\$10.00) in addition to any fees set forth in Article 55. The license shall expire as set forth on each license but in no case shall it exceed one (1) year from the date of its issue, unless earlier revoked. A licensee requesting renewal of a license must provide such information and pay the nonrefundable fee as is required to obtain an initial license, prior to the expiration of the current license.

SECTION 52.9 SEPARATE LICENSE

In the case of a firm or corporation, each person representing or soliciting or canvassing on behalf of such firm or corporation shall be required to apply for and maintain a separate license.

SECTION 52.10 LICENSE TO BE NONTRANSFERABLE; DISPLAY

The license shall be nontransferable and shall entitle the licensee for the period indicated therein and for the purposes specified therein to solicit or canvass in the Town of Natick, unless otherwise exempted under this Article, provided that the licensee shall have in his/her possession at all times while soliciting or canvassing and shall further conspicuously display the license.

SECTION 52.11 POSTED PREMISES.

No person shall engage in solicitation or canvassing upon any premises without a prior invitation from the occupant thereof if there is posted or displayed on such premises by means of a notice prominently displayed upon which is printed the words "No Solicitors" or "No Canvassers" or words of similar import. For the purposes of this section, the premises shall be deemed posted or displayed against solicitation or canvassing if there is exhibited, on or near the main entrance to the premises or on or near the main door to any residence located thereon, a sign at least three (3") inches by four (4") inches in size which bears the above or similar words in letters at least 1/3 inch in length.

SECTION 52.12 PROHIBITED ACTIVITIES.

There shall be no solicitation or canvassing upon the premises, other than upon prior invitation of the occupant of any such premises, prior to 8:30 a.m. or after 8:30 p.m. local time of any day, and it is hereby declared unlawful and shall constitute a nuisance for any person, whether licensed under this Article or not, to go upon any premises and ring the doorbell upon or near any door or create any sound in any other manner calculated to attract attention of the occupant of such residence, for the solicitation or canvassing as herein defined prior to 8:30 a.m. or after 8:30 p.m. of any day or at any time on a Sunday or national holiday.

No person engaged in solicitation or canvassing shall, at the time of initial contact with a prospective customer or donor, fail to identify himself or herself and the purpose of the solicitation or canvassing.

No person engaged in solicitation or canvassing shall misrepresent the purpose of his or her solicitation or canvassing or use any false, deceptive or misleading representation to induce a sale or contribution, or use any plan, scheme or ruse which misrepresents the true status or mission of the person making the solicitation or canvassing.

No person engaged in making a solicitation or canvassing as defined in Article 52.1 shall violate any or the provisions of Chapter 93A of the Massachusetts General Laws, said chapter being entitled "Regulation of Business Practices for Consumers' Protection," the current provisions of which are hereby adopted and by reference made a part hereof.

SECTION 52.13 CERTAIN REPRESENTATIONS ARE PROHIBITED

No person, firm or organization having received a license to canvass or solicit within the Town of Natick shall use or exploit the fact of the license so as to lead the public to believe that such license in any manner constitutes an endorsement or approval by the Town of Natick or any of its officials.

SECTION 52.14 AUTHORITY OF CHIEF OF POLICE

The Chief of Police of the Town of Natick shall have the power and authority to grant, deny, suspend or revoke licenses as provided for and in accordance with the terms of this Article.

SECTION 52.15 VIOLATIONS AND PENALTIES

Any person, firm or corporation charged with violating any of the provisions of this Article shall, upon conviction thereof, be liable for a fine not exceeding three hundred dollars (\$300.00) for each violation. Each day on which a violation exists shall constitute a separate violation.

SECTION 52.16 BONA FIDE RELIGIOUS, CHARITABLE, EDUCATIONAL OR POLITICAL SOLICITORS AND CANVASSERS

Any person, firm or corporation soliciting or canvassing on behalf of a bona fide religious, charitable, educational or political organization, as defined in this Article, shall, prior to such solicitation or canvassing, file with the Chief of Police a completed application in the form provided.

The application shall contain the following information:

Name and address of the firm, corporation or organization represented by the individual solicitor or canvasser, when applicable.

Name, address and telephone number of the person in charge of such organization to be contacted in the case of emergency.

Name, address (both temporary and permanent), telephone number, social security number, and date of birth of all individual solicitors who will be soliciting or canvassing within the Town of Natick.

Whether the applicant has been convicted of a crime or offense or violation of any bylaw relating to canvassing or soliciting and, if so, when, where and the nature of the offense; names of other municipalities in the Commonwealth of Massachusetts where the applicant has been issued or granted a permit, license or other authorization to solicit in the past two (2) years.

Whether any motor vehicles will be used in connection with the canvassing or soliciting and, if so, the make, year, color, type and license plate number.

Nature of any goods or services to be sold for the purpose of the solicitations or canvassing.

Such application shall be filed with the Chief of Police at least seven (7) days prior to the time when such soliciting or canvassing shall take place.

Upon completion of the requirements set forth in Subsections A, B and C above, the Chief of Police shall issue a license to the applicant within seven (7) days. In computing the seven (7) day period, Saturdays, Sundays and holidays shall be excluded.

Each individual solicitor or canvasser for a bona fide religious, charitable, educational or political organization shall

be issued a license by the Chief of Police. The license shall be available to be picked up from the Chief of Police of the Town of Natick. No license shall be transferable.

Failure to comply with the requirements established for issuance of a license, falsification of any information required to be provided, failure to properly display the license issued, or soliciting or canvassing during prohibited hours shall result in denial or immediate revocation of the applicant's license. The Chief of Police shall notify the licensee and shall provide the licensee an opportunity to be heard prior to revoking the license. Pending such hearing, the Natick Chief of Police may suspend the license.

SECTION 52.17 APPEAL FOLLOWING ACTION BY CHIEF OF POLICE REGARDING REVOCATION OR DENIAL OF LICENSE

Any person whose license application has been denied or whose license has been revoked shall have the right of appeal to the Natick Board of Selectmen, subject to the same standards for denial or revocation set forth in this Article. Any such appeal must be commenced within fourteen (14) days of the date of the decision by the Chief of Police.

SECTION 52.18 CANDIDATES FOR POLITICAL OFFICE EXEMPT

Any candidate for public office or person campaigning on behalf of such candidate, where such candidate is seeking election to an office to be voted upon by the residents of the Town of Natick who are duly registered to vote in elections in accordance with the laws of the Commonwealth of Massachusetts and the United States, shall be exempt from the requirements of this Article.

Finance Committee Recommendation: *By a vote of 11-0-0 on October 22, 2014, the Finance Committee recommends **Favorable Action** with regard to the subject of Article 11.*

MOTION (requires majority vote):

Moved by Mr. Evans, seconded by Mr. Everett that the Town vote to amend the Town of Natick By-laws by deleting the text of Article 52 and inserting in its place the following text:

ARTICLE 52

SOLICITORS AND CANVASSERS

This Article is for the purposes of protecting the privacy of the residents of the Town of Natick, to prevent fraud, to deter and protect the residents against crime, and to protect residents against annoyance. The provisions of this Article have neither the purpose nor intent of infringing upon or denying rights protected by the Constitutions of the United States and the Commonwealth of Massachusetts, and instead constitute reasonable time, place and manner restrictions on door-to-door soliciting and canvassing in the Town of Natick.

SECTION 52.1 DEFINITIONS

BONA FIDE RELIGIOUS, CHARITABLE, EDUCATIONAL OR POLITICAL ORGANIZATION

Any organization that is qualified under state or federal law as a tax-exempt, nonprofit organization, any religious, charitable, educational or political organization or group, or any organization or group that espouses or advocates a position or belief on any subject of public interest or on behalf of any candidate for public office.

CANVASS OR CANVASSING

Includes any one (1) or more of the following door-to-door activities:

Person-to-person distribution of literature, periodicals, or other printed materials, but shall not include placing or dropping off printed materials on the premises except as otherwise exempted by this Article.

Seeking to enlist membership in any organization except as otherwise exempted by this Article.

Seeking to present, in person, organizational information except as otherwise exempted by this Article.

LICENSE

The photo identification card issued to a licensee under this Article.

PERSON

Any individual, business entity, firm, partnership, corporation, company, association or joint-stock association, society, organization or league and includes any trustee, receiver, assignee, agent or other similar representative thereof, except as otherwise exempted by this Article.

SOLICIT or SOLICITATION

Includes any one (1) or more of the following activities:

Seeking to sell or obtain orders for the purchase of goods wares, merchandise, foodstuffs, and services of any kind, character or description whatever.

Seeking to obtain subscriptions to books, magazines, periodicals, newspapers and every other type or kind of publication.

Seeking to obtain gifts or contributions of money, clothing or any other valuable item for the support or benefit of any charitable or nonprofit association, business entity, organization, corporation, group or project except as otherwise exempted by this Article.

SECTION 52.2 LICENSE REQUIRED

No person, firm or corporation shall canvass, solicit, distribute circulars or other matters, or call from house to house in the Town of Natick to sell, promote the sale of or attempt to sell goods by sample, or to take or attempt to take orders for, the future delivery of goods, merchandise, wares or any other property, personal or real, of any nature whatsoever, or take or attempt to take orders for services to be furnished or performed presently or in the future, or collect or attempt to collect contributions for any purpose, without first having obtained a written license from the Natick Chief of Police (“Chief of Police”) or his designee under the provisions of this Article (except as otherwise provided in Section 52.3 below).

SECTION 52.3 EXEMPTIONS

Any person, firm or corporation soliciting or canvassing on behalf of a bona fide religious, charitable, educational or political organization shall be exempt from the requirements of this Article, except no soliciting or canvassing outside the hours set forth in Section 52.8.

Any person, firm or corporation delivering goods or performing services which have been previously ordered by the person owning, leasing or occupying the property where such delivery is made or service performed shall be exempt from the requirements of this Article.

Any minor employed by a newspaper as a carrier, or who has been previously registered with the Chief of Police by an employing newspaper, shall be exempt from the requirements of this Article.

The provisions of this Article shall not apply to any of the following groups:

Girl Scouts of America, Natick Chapter

Boy Scouts of America, Natick Chapter

Any youth activity/sports association affiliated with the Town of Natick or School Department of the Town of Natick

E. Any candidate for public office or person campaigning on behalf of such candidate, where such candidate is seeking election to an office to be voted upon by the registered voters, or any person campaigning on behalf of or in opposition to any federal, state or local ballot question, petition, referendum, or home rule charter or by-law amendment to be voted upon by the registered voters, shall be exempt from the requirements of the this article.

SECTION 52.4 NON-EXEMPT LICENCE APPLICATIONS

Any person seeking a license to engage in any activity set forth in Article 52.2, except those persons and activities exempt under Article 52.3, shall file an application with the Chief of Police or his or her designee on a form used by him no less than thirty (30) days prior to the requested start date for such canvassing or soliciting.

The application form shall require, at a minimum, the following information:

Name of applicant.

Address of applicant (local and permanent home address).

Applicant's date of birth.

Applicant's height, weight, eye and hair color.

Applicant's social security number.

The length of time for which the right to do business is desired.

A brief description of the nature of the business and the goods to be sold.

The name and home office address of the applicant's employer or the person or entity on whose behalf the applicant is soliciting or canvassing. If self-employed, it shall so state.

If the applicant is operating a motor vehicle in connection with the soliciting or canvassing, the year, make, color, model, registration number, registered state, vehicle owner, and address.

Whether the applicant has been convicted of a crime or offense or violation of any municipal bylaw, ordinance or regulation relating to canvassing or soliciting and, if so when, where and the nature of the offense.

The names of other municipalities in the Commonwealth of Massachusetts where the applicant has been issued or granted a permit, license or similar authorization to solicit or canvass in the past two years.

All applicants under this section shall be fingerprinted as set forth in Article 55, and photographed by the Chief of Police or his or her designee, and shall pay the application fee required under Article 55, in addition to the license application fee required under this Article 52.

The applicant shall permit the Natick Police Department to photograph said applicant for identification purposes. A copy of said photograph shall be kept on file in the Natick Police Department.

Within five (5) days of receiving applicants completed application under this Section 52.4, the Chief of Police shall submit an applicant's fingerprints for a fingerprint-based criminal record background check in accordance with Article 55. Within seven (7) days of receiving the results of such fingerprint-based criminal record background check, the Chief of Police or his or her designee shall issue or deny a license. In computing the time periods under this Section 52.4, Saturdays, Sundays and holidays shall be excluded. If the Chief of Police does not submit an applicant's fingerprints or render a decision within the applicable time periods under this Section 52.4, the license shall be deemed constructively granted.

Subject to the time requirements set forth in Section 52.4E above, the Chief of Police or his or her designee shall grant a license, except in the following circumstances:

An applicant fails to fully comply with the requisites established for issuance of a license, including submission of a completed application form and payment of the applicable filing fees.

Falsification of information required to be provided in the application process.

A conviction in any state or federal court of the United States or any court of a territory of the United States for any of the following crimes or offenses, by whatever name called, within seven years prior to the date of license application: burglary (armed or unarmed); stalking; breaking and entering; larceny; kidnapping; armed robbery (armed or unarmed); home invasion; buying, receiving or concealing stolen property; assault; fraud; conduct as specified in Massachusetts General Laws Chapter 265, Sections 13B and 22 through 24; and sexual assault, rape or other sex related offenses; unlawfully carrying weapons; or the attempt of any such crime or offense.

Violations of the provisions of this Article or any state law or regulation or municipal bylaw, ordinance or regulation regulating canvassing or soliciting, by whatever name called.

The Chief of Police or his or her designee may suspend or immediately revoke a license in the following circumstances:

The occurrence of any ground for denial as set forth in Section 52.4 F Failure to comply with the other provisions of this Article

Any failure of a licensee to prominently display his or her license upon his or her person when soliciting or canvassing. The Chief of Police or his or her designee shall notify the licensee and shall provide the licensee an opportunity to be heard prior to suspending or revoking the license. Pending any such revocation hearing the Chief of Police or his or her designee may suspend the license.

Each applicant for a license shall pay a nonrefundable fee of ten dollars (\$10.00), in addition to any fees set forth in Article 55. The license shall expire as set forth on each license but in no case shall the term of the license exceed one (1) year from the date of its issue. A licensee requesting renewal of a license must provide such information and pay the same nonrefundable fee as is required to obtain an initial license, prior to the expiration of the current license.

SECTION 52.5 SEPARATE LICENSE

In the case of a firm or corporation, each person representing or soliciting or canvassing on behalf of such firm or corporation shall be required to apply for and maintain a separate license.

SECTION 52.6 LICENSE TO BE NONTRANSFERABLE; DISPLAY

The license shall be nontransferable and shall entitle the licensee for the period indicated therein and for the purposes specified therein to solicit or canvass in the Town of Natick, unless otherwise exempted under this Article, provided that the licensee shall have the license in his/her possession at all times while soliciting or canvassing and shall further conspicuously display the license.

SECTION 52.7 POSTED PREMISES.

No person shall engage in soliciting or canvassing upon any premises without a prior invitation from the occupant thereof if there is posted or displayed on such premises by means of a notice prominently displayed upon which is printed the words "No Solicitors" or "No Canvassers" or words of similar import. For the purposes of this section, the premises shall be deemed posted or displayed against soliciting or canvassing if there is exhibited, on or near the main entrance to the premises or on or near the main door to any residence located thereon, a sign at least three (3") inches by four (4") inches in size which bears the above or similar words in letters at least one-third (1/3) inch in length.

SECTION 52.8 PROHIBITED ACTIVITIES.

There shall be no soliciting or canvassing upon the premises, other than upon prior invitation of the occupant of any such premises, prior to 8:30 a.m. or after 8:30 p.m. local time of any day, and it is hereby declared unlawful and shall constitute a nuisance for any person, whether licensed under this Article or not, to go upon any premises and ring the doorbell upon or near any door or create any sound in any other manner calculated to attract attention of the occupant of such residence, for the soliciting or canvassing as herein defined prior to 8:30 a.m. or after 8:30 p.m. of any day or at any time on a national holiday.

No person engaged in soliciting or canvassing shall, at the time of initial contact with a prospective customer or donor, fail to identify himself or herself and the purpose of the soliciting or canvassing.

No person engaged in soliciting or canvassing shall misrepresent the purpose of his or her soliciting or canvassing or use any false, deceptive or misleading representation to induce a sale or contribution, or use any plan, scheme or ruse which misrepresents the true status or mission of the person making the soliciting or canvassing.

No person engaged in making a soliciting or canvassing as defined in Article 52.1 shall violate any or the provisions of Chapter 93A of the Massachusetts General Laws, said chapter being entitled "Regulation of Business Practices for Consumers' Protection," the current provisions of which are hereby adopted and by reference made a part hereof.

SECTION 52.9 CERTAIN REPRESENTATIONS ARE PROHIBITED

No person, firm or organization having received a license to canvass or solicit within the Town of Natick shall use or exploit the fact of the license so as to lead the public to believe that such license in any manner constitutes an

endorsement or approval by the Town of Natick or any of its officials.

SECTION 52.10 AUTHORITY OF CHIEF OF POLICE

The Chief of Police or his or her designee shall have the power and authority to grant, deny, suspend or revoke licenses as provided for and in accordance with the terms of this Article.

SECTION 52.11 APPEAL FOLLOWING ACTION BY CHIEF OF POLICE REGARDING REVOCATION OR DENIAL OF LICENSE

Any person whose license application has been denied or whose license has been revoked shall have the right of appeal to the Natick Board of Selectmen, subject to the same standards for denial or revocation set forth in this Article. Any such appeal must be commenced within fourteen (14) days of the date of the decision by the Chief of Police or his or her designee.

SECTION 52.12 VIOLATIONS AND PENALTIES

Any person, firm or corporation charged with violating any of the provisions of this Article shall, upon conviction thereof, be liable for a fine not exceeding three hundred dollars (\$300.00) for each violation. Each day on which a violation exists shall constitute a separate violation.

Chief Hicks spoke to this article. Mr. Linehan moved, seconded by Ms. Gloff to amend the Section 52.3 Exemptions Point D lines 1 and 2 to delete the words "Chapter" to "affiliate (s)". **The amendment passed unanimously.**

Moved by Mr. Hayes, seconded by Mr. Freedman to amend Section 52.3 Exemptions, Section A by deleting the words "no soliciting or canvassing outside the hours" and replacing them with the words "for the Prohibited Activities". **The amendment passed unanimously.**

Mr. Sidney moved, seconded by Mr. Gath to amend the main motion by deleting the words "or her" in Sections 52.2, 52.4A, 52.4C, 52.4 E, 52.4F, 52.4G (beginning Paragraph B), 52.4 G3, 52.4G (ending paragraph), 52.10 and 52.11. **The amendment passed by majority vote.**

Mr. Coburn moved, seconded by Mr. Gath to amend Section 52.3D to add "4. Any other organization designated for exemption by the Board of Selectmen, the Recreation and Parks Commission or the School Committee". Mr. Linehan moved, seconded by Mr. Montross to amend the amendment to insert a "." after the word "Selectmen" and delete the remainder of the sentence. **The amendment to the amendment passed by majority vote. The amendment to the main motion passed by majority vote.**

Mr. Munnich requested without objection that Section 52.8, Section D in line 2 to change the word "or" to "of". The change was made. Debate continued on the amended main motion.

Mr. Haugland questioned the quorum. There was not quorum present. The meeting adjourned at 10:30 PM

A record of the Second Session of
2014 Fall Annual Town Meeting
October 23, 2014

s/Lorraine McNally, Acting Town Clerk

2014 Fall Annual Town Meeting

Fine and Performing Arts Center

Natick High School

October 28, 2014

Third Session

The third session of the 2014 Fall Annual Town Meeting was called to order at 7:40 PM by the Town Moderator, Frank W. Foss, who declared a quorum present. The Moderator welcomed residents, taxpayers, town officials, Town Meeting Members and interested parties to the second session of 2014 Fall Annual Town Meeting. The Moderator asked that all recently elected or appointed members of Town Meeting who have not yet been sworn in stand to take the oath of office. There were none. The meeting stood 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 on the stage and in the well of the auditorium. The following people were present: Diane Packer, Town Clerk; James Everett, Finance Committee Chair, Bruce Evans, Finance Committee Secretary; Martha White, Town Administrator; Brandon Moss, Town Counsel; and Josh Ostroff, Chair of the Board of Selectmen.

The Moderator reviewed the general rules and procedures of Town Meeting that were accepted at the last meeting. The proceedings of Town Meetings shall be governed by Town Meeting Time, the Town of Natick Home Rule Charter, the Natick By-laws and the General Laws of the Commonwealth of Massachusetts (MGL). No person shall speak upon any article 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 ten (10) minutes at one time without permission of Town Meeting. Consistent with the Natick By-laws, 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 thereon.

The motion to waive the reading of the text of all 2014 Fall Annual Town Meeting warrant articles and move to waive reading the text of motions, excluding the amounts to be appropriated and sources of said amounts to be appropriated when motions are provided in the text of Recommendations of the Natick Finance Committee publications remains in effect.

Mr. Brown moved, seconded by Ms. Coughlin to postpone consideration of Articles 11 and 12 until Thursday, October 30th. Chief Hicks was not available this evening and therefore it would be better to continue discussion when he is available on Thursday evening. Mr. Haugland moved, seconded by Ms. Collins to refer Article 11 to the Town Administrator. The motion for postponement was voted on first. The motion to postpone passed by majority vote.

The Moderator announced the next order of business would be Articles 15, 16 and 17 which had been postponed to this meeting.

ARTICLE 15: Study Committee: Sawin House and Appurtenant Land (Kenneth W. VanBlarcum, et al)

To see if the Town will vote to form a Study Committee to determine the status of the Sawin House located at 79 South Street with its appurtenant land and matters relating thereof; to issue reports, recommendations;

and to initiate warrant articles to Town Meeting; and to appropriate funds for this purpose.

Finance Committee Recommendation: *By a vote of 11-1-0 on September 18, 2014, the Finance Committee recommends Favorable Action with regard to the subject of Article 15.*

MOTION (requires majority vote):

Moved by Mr. Evans, seconded by Mr. Everett that the Town establish a Study Committee to determine the status of the Sawin House located at 79 South Street and its' appurtenant land. Said committee to review such materials and instruments as affect the interests of the Town of Natick and other parties thereto; to issue a report of its findings; to make recommendations thereon to municipal, state and federal bodies; and take such other action as appropriate. The Study Committee to consist of no less than seven [7] members appointed by the Moderator comprised as follows:

One representative nominated by the Historic Commission

One representative nominated by the Historic District Commission

One representative nominated by the Board of Selectmen

One representative nominated by the Friends of Shaw Park; and

Three or more members of the public

And that the Moderator may appoint members of the public or other boards and committees in the event nominations are not made, or at the moderator's discretion, individuals with expertise relating to historic preservation, local history, landscape planning and other relevant disciplines will add to the deliberations and recommendations of the committee.

And that members of the public may be from other boards and committees, citizens of the town, or appointed regardless of residence if possessed of special expertise, as noted above. Said committee being a multiple member body under the Town Charter.

Said committee to have access to town counsel and to staff from within the administration for resource support including the staff of Land, Facilities, and Natural Resources, Office of the Town Clerk and other offices, as may be deemed necessary.

Said committee to return with its' findings and recommendations in the form of a report and motion to 2015 Spring Annual Town Meeting. This shall not preclude any preliminary report, recommendations, or filing to Town boards, commissions or committees prior to such time.

The term of the Study Committee shall expire at the dissolution of 2015 Spring Annual Town Meeting.

Mr. Linehan moved, seconded by Mr. Awkward to amend the main motion to add "One representative from the Open Space Advisory Committee" and to change the "three" to "two" in the number of members of the public. The amendment passed by majority vote.

Mr. Krentzman moved to amend, seconded by Ms. Gloff the motion to remove the bullet point "one member from the Friends of Shaw Park". Mr. Gath moved, seconded by Mr. Awkward to move the question and close debate on this motion. The motion to close debate passed by two-thirds vote. The amendment failed.

Ms. Gloff moved, seconded by Mr. Luke to add an additional member to the committee "One representative nominated by the Massachusetts Audubon Society". The amendment to the motion passed by majority vote.

Mr. Munnich moved, seconded by Ms. Coughlin to delete the bullet point “One representative nominated by the Board of Selectmen”. The amendment to the motion passed by majority vote.

Ms. Shea moved, seconded by Mr. Pierce to add a representative to the Committee nominated by the Recreation and Parks Commission. The amendment passed by majority vote.

Ms. Gloff rose to say that the Historic Commission should be the Historical Commission. The Moderator, without objection, changed the Historic Commission to the Historical Commission.

The amended main motion passed by majority vote.

**ARTICLE 16: Use of Shaw Park for Cultural, Educational, Historical, and Park Purposes
(Stephen Evers, et al)**

To see if the Town will vote to authorize the Board of Selectmen to petition the General Court to enact legislation which would allow the Town of Natick to use the Shaw Park property for cultural, educational or historic purposes, including location of historic buildings or reconstruction of historic buildings or structures thereon, in addition to use for park purposes, and to seek all other governmental approval necessary to accomplish the purposes of this article; 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 the petition. The Shaw Park property is described as 53 Eliot Street, Natick, Ma, is shown as Lot 61 on Town of Natick Assessors’ Maps 63, and is shown as Lot 1 on a plan entitled “Plan of Land in Natick, Mass. Owned By: Inhabitants of the Town of Natick (Parks & Recreation Department)”, Scale 1”=30’, dated March 13, 2014, Survey By: Sullivan Surveying Company, LLC, 209 West Central Street, Natick, Mass, a copy of which plan is on file with the office of the Natick Town Clerk, or otherwise act thereon.

Finance Committee Recommendation: *By a vote of 10-1-0 on September 18, 2014, the Finance Committee recommends No Action with regard to the subject of Article 16.*

MOTION (requires majority vote):

Moved by Mr. Evans seconded by Mr. Everett that no action be taken with regard to the subject of Article 16.

Mr. Wheeler moved, seconded by Ms. Evans that the Town vote to authorize the Board of Selectmen to petition the General Court to enact legislation that would allow the Town of Natick to use the Shaw Park property for cultural, educational, or historical purposes, including location of historic buildings or reconstruction of historic buildings or structures thereon, in addition to use for park purposes, and to seek all other governmental approvals necessary to accomplish the purposes of this article; 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 the petition.

Mr. Sidney moved, seconded by Ms. Collins to waive the reading of the motion. The motion to waive reading of the motion passed by majority vote.

Mr. Munnich raised a point of order regarding a defect in the article as it states “...a copy of which plan is on file with the office of the Natick Town Clerk, or otherwise act thereon” and there is no plan on file in the Town Clerk’s office and there has not been since the warrant closed through the close of business today. The Moderator consulted with Mr. Moss, Town Counsel and there was a brief recess. The Moderator ruled that Articles 16 and 17 were not correctly before the Meeting. There is and has not been a plan available in the Town Clerk’s office. In addition, it is not clear that the Assessor’s map, which is available, is exactly the same as the survey referred to in the motion. The Moderator ruled that the only action that could be taken

was No Action. Ms. Shea moved, seconded by Ms. Chinetti to move the question, closing debate. The motion to close debate passed by a two-thirds vote. The motion to take no action on the subject of Article 16 passed by majority vote.

ARTICLE 17: Long Term Lease of a Portion of Shaw Park for Cultural, Educational or Historical Purposes (Stephen Evers, et al)

To see if the Town will vote to authorize the Board of Selectmen to petition the General Court to enact legislation which would allow the Board of Selectmen to lease for cultural, educational or historic purposes a portion of the Shaw Park property for a term not to exceed ninety nine (99) years, notwithstanding the provisions of Chapter 40, Section 3 of the Massachusetts General Laws, or any other general law or special law to the contrary; 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 the petition. The Shaw Park property is described as 53 Eliot Street, Natick, MA, is shown as Lot 61 on Town of Natick Assessors' Maps 63, and is shown as Lot 1 on a plan entitled "Plan of Land in Natick, Mass. Owned By: Inhabitants of the Town of Natick (Parks & Recreation Department)", Scale 1"=30', dated March 13, 2014, Survey By: Sullivan Surveying Company, LLC, 209 West Central Street, Natick, Mass, a copy of which plan is on file with the office of the Natick Town Clerk, or otherwise act thereon.

Finance Committee Recommendation: *By a vote of 11-0-0 on September 18, 2014, the Finance Committee recommends No Action with regard to the subject of Article 17.*

MOTION (requires majority vote):

Moved by Mr. Evans, seconded by Mr. Everett that no action be taken on the subject of Article 17.

The motion to take no action on the subject matter of Article 17 passed by majority vote.

ARTICLE 14: Committee Article (Board of Selectmen)

To see if the Town will vote to receive the reports of town officers, boards, and committees; or otherwise act thereon.

MOTION (requires majority vote):

Moved by Mr. Sidney, seconded by Mr. Jennett to hear the report from the MBTA Station Advisory Committee. The motion to hear the report passed by majority vote. Mr. Ostroff made the report on behalf of the committee.

Moved by Mr. Sidney, seconded by Ms. Gloff to hear the report from the Strategic Planning Review Committee. The motion to hear the report passed by majority vote. Mr. Ostroff made the report on behalf of the committee.

ARTICLE 18: Codification of Town of Natick Home Rule Charter (Town Clerk)

To see if the Town will vote to amend the Town of Natick Home Rule Charter, said amendments being limited to administrative corrections, including but not limited to typographical errors, inconsistencies and grammatical errors; a copy of the Charter reflecting the proposed changes being available for review at the office of the Natick Town Clerk, or otherwise act thereon.

Finance Committee Recommendation: *By a vote of 12-0-0, on September 4, 2014, the Finance Committee recommends No Action with regard to the subject of Article 18.*

MOTION (requires majority vote):

Moved by Mr. Evans, seconded by Mr. Everett that no action be taken on the subject of Article 18.

The motion to take no action on the subject matter of Article 18 passed by majority vote.

Mr. Forshner moved, seconded by Mr. Sidney that Article 20 be taken before Article 19. The motion passed unanimously.

ARTICLE 20: Study Committee: Conservation Commission Fund (Julian Munnich, et al)

To see if the Town will vote to form a Study Committee to determine the nature of all revenues, deposits, interest, expenditures and appropriations to and from the Conservation Commission Fund and matters relating thereto; to issue reports, recommendations, and initiate warrant articles to town meeting; and appropriate funds for this purpose.

Finance Committee Recommendation: *By a vote of 12-0-0 on September 16, 2014, the Finance Committee recommends Favorable Action with regard to the subject of Article 20.*

MOTION (requires majority vote):

Moved by Mr. Evans, seconded by Mr. Everett that the Town establish a Study Committee to review the Conservation Commission Fund; to determine the nature of revenues, deposits, interest, expenditures and appropriations to and from said fund; to determine the requirements and restrictions of Massachusetts General Laws, the Town's Bylaws, and applicable regulations; and to determine the requirements and restrictions attached to grants, gifts, contributions, deposits, security deposits and permit decisions. Said committee to determine and recommend minimum due diligence procedures and/or guidelines for acquisition of open space lands using these funds, and to recommend what additional powers and duties the Conservation Commission may need. Said committee to determine the potential effects of accounting and expenditures on the ability to retain current funds, and on the ability to obtain future open space monies. Said Committee to recommend what form, content and manner of report on the Conservation Commission Fund and open space monies should regularly be prepared in future.

The Study Committee to consist of 7 members appointed by the Moderator comprised as follows:

One representative nominated by the Conservation Commission;

One representative nominated by the Planning Board;

One representative nominated by the Finance Committee;

One representative nominated by the Audit Advisory Committee; and three members of the public.

And; that the Moderator may appoint members of the public or other boards and committees in the event nominations are not made. And; that members of the public may be from other boards and committees or may be citizens of the town.

Said committee being a multiple member body under the Town Charter.

Said committee to have access to town counsel and to staff from within the administration for resource support, including the staff of the Comptroller's Office and the Treasurer/Collector's Office.

Said committee may utilize the services of outside consultants, for the technical review of its report, as well as the preparation of materials as may be utilized in a subsequent Comprehensive Annual Financial Report for the Town; such outside consultants to be engaged by the Finance Committee. And that a sum of \$1,500 be appropriated from free cash for the engagement of an outside consultant under the direction of the Finance Committee.

Said committee to return with its findings and recommendations in the form of a report and motion to 2015 Spring Annual Town Meeting. This shall not preclude any preliminary report to Town boards,

commissions or committees prior to such time.

The term of the Study Committee shall expire at the dissolution of 2015 Spring Annual Town Meeting.

Mr. Munnich spoke to this article. The main motion under Article 20 passed unanimously.

ARTICLE 19: Appropriate Funds to Audit Conservation Fund (Town Administrator)

To see if the Town will vote to appropriate and raise, or otherwise provide, a sum of money for the purpose of conducting an independent audit of the Conservation Fund; said audit to identify the sources and amounts of revenues deposited into said fund and the purposes and amounts of expenditures from said funds, as well as a determination as to the compliance of said expenditures with applicable state and local laws, or otherwise act thereon.

Finance Committee Recommendation: *The Finance Committee has no recommendation with regard to the subject of Article 19.*

MOTION (requires majority vote):

Mr. Forshner moved, seconded by Ms. Coughlin that the subject matter of Article 19 be referred to the Audit Advisory Committee.

Moved by Mr. Ostroff, seconded by Mr. Jennett that the Town vote to appropriate \$20,000 from Free Cash for the purpose of conducting an independent audit of the Conservation Fund under the authority of the Board of Selectmen and upon the request of the study committee established under Article 20 of 2014 Fall Annual Town Meeting; of the said audit to identify the sources and amounts of revenues deposited into said fund and the purposes and amounts of expenditures from said funds, as well as an evaluation as to the compliance of said expenditures with applicable state and local laws.

Mr. Ostroff spoke to the Article.

Mr. Sidney moved, seconded by Mr. Jennett to waive the reading of the motion. The motion to waive the reading of the motion passed unanimously. The referral motion failed. The main motion passed by majority vote.

Ms. Ball moved, seconded by Mr. Pierce to adjourn. The motion to adjourn passed by majority vote. The Meeting adjourned at 10:03 until Thursday, October 30th at 7:30 PM.

A record of the Third Session of
2014 Fall Annual Town Meeting
October 28, 2014

s/Diane Packer, Town Clerk

2014 Fall Annual Town Meeting
Fine and Performing Arts Center
Natick High School
October 30, 2014
Fourth Session

The fourth session of the 2014 Fall Annual Town Meeting was called to order at 7:45 PM by the Town Moderator, Frank W. Foss, who declared a quorum present. The Moderator welcomed residents, taxpayers, town officials, Town Meeting Members and interested parties to the fourth session of 2014 Fall Annual Town Meeting. The Moderator asked that all recently elected or appointed members of Town Meeting who have not yet been sworn in stand to take the oath of office. There were none. The meeting stood 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 on the stage and in the well of the auditorium. The following people were present: Diane Packer, Town Clerk; James Everett, Finance Committee Chair, Bruce Evans, Finance Committee Secretary; Martha White, Town Administrator; John Flynn, Town Counsel; and Josh Ostroff, Chair of the Board of Selectmen.

The Moderator reviewed the general rules and procedures of Town Meeting that were accepted at the last meeting. The proceedings of Town Meetings shall be governed by Town Meeting Time, the Town of Natick Home Rule Charter, the Natick By-laws and the General Laws of the Commonwealth of Massachusetts (MGL). No person shall speak upon any article 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 ten (10) minutes at one time without permission of Town Meeting. Consistent with the Natick By-laws, 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 thereon.

The motion to waive the reading of the text of all 2014 Fall Annual Town Meeting warrant articles and move to waive reading the text of motions, excluding the amounts to be appropriated and sources of said amounts to be appropriated when motions are provided in the text of Recommendations of the Natick Finance Committee publications remains in effect.

The Moderator announced that the first order of business would be Article 13 which had been postponed until this evening. Mr. Carew rose to offer a resolution honoring Mr. Ed Jolley and made the following presentation:

WHEREAS, Ed Jolley unselfishly served our country in the Marine Corps during the Korean Conflict, preserving our way of life that we so often take for granted, and

WHEREAS, Ed Jolley endlessly gave many hours of his own time during retirement to aid many veterans and their families until the very end, and

WHEREAS, Ed Jolley led the way for the Town of Natick to host the Vietnam Veterans Moving Wall on June 9-12, 2011, one of the greatest events that has happened in Natick for many years, and

WHEREAS, Ed Jolley has championed the naming of many squares in Natick in honor of veterans that made the supreme sacrifice for our freedom, and

WHEREAS, Ed Jolley has left us with a tremendous, positive impact to continue the Marine Corps motto, and that in Semper Fidelis to all of mankind

WHEREAS, after many years as President of the Natick Veterans Council, Ed Jolley passed away in October after a brave battle;

NOW THEREFORE Natick Town Meeting expresses its appreciation for the service, dedication and leadership of Ed Jolley, and expresses its condolences to his family and many friends.

Moved by Mr. Ostroff, seconded by Mr. Jennett to accept the resolution as presented by Mr. Carew. Moved by Mr. Sidney, seconded by Mr. Gath to waive the reading of the motion. The motion to waive the reading of the motion passed unanimously. The main motion as presented by Mr. Carew passed unanimously.

Mr. Ostroff rose to acknowledge, Mr. Reffett, Community Development Director, who will be leaving Natick for a new opportunity in early November.

ARTICLE 13: 22 Pleasant Street Rezoning Study Committee Update
(22 Pleasant Street Rezoning Study Committee)

To see what action the Town will take to hear and accept the report and recommendations of the 22 Pleasant Street Zoning Classification Study Committee created under Article 40 of Spring 2014 Town Meeting and/or to extend the term of said committee and/or to determine and to appropriate a sum of money for the study purposes of the committee including but not limited to retention of outside professionals as appropriate, or otherwise act thereon.

Finance Committee Recommendation: *By a vote of 10-0-0 on October 2, 2014, the Finance Committee recommends Favorable Action with regard to the subject of Article 13.*

MOTIONS (require majority vote):

Motion A moved by Mr. Evans seconded by Mr. Everett that the Town hear the report and recommendations of the Pleasant Street Change of Zoning Classification Study Committee created under Article 40 of 2014 Spring Annual Town Meeting.

Motion A to hear the report passed unanimously. Mr. Griesmer, Town Meeting Member and Chair of the Committee made a presentation.

Motion B moved by Mr. Evans, seconded by Mr. Everett to extend the term of the Pleasant Street Change of Zoning Classification Study Committee created under Article 40 of 2014 Spring Annual Town Meeting through the 2015 Spring Annual Town Meeting with the continued resource support of town departments and town counsel.

Mr. Griesmer continued his presentation. Discussion on the motion continued. Moved by Mr. Grindle, seconded by Mr. Chouinard to amend Motion B by adding “and to extend its remit to include an investigation of issues related to acquisition” at the end of the main motion. The amendment to Motion B failed. Motion B passed unanimously.

The next order of business was a continuation of Article 11: to amend the Town By-laws, Article 52: Solicitors – to Include Civil Fingerprinting Requirements. At the time this Article was postponed to this session there were two motions on the floor, one for positive action on an amended main motion and

the other for referral. The referral motion failed. The amended main motion as detailed below passed by majority vote.

ARTICLE 52

SOLICITORS AND CANVASSERS

This Article is for the purposes of protecting the privacy of the residents of the Town of Natick, to prevent fraud, to deter and protect the residents against crime, and to protect residents against annoyance. The provisions of this Article have neither the purpose nor intent of infringing upon or denying rights protected by the Constitutions of the United States and the Commonwealth of Massachusetts, and instead constitute reasonable time, place and manner restrictions on door-to-door soliciting and canvassing in the Town of Natick.

SECTION 52.1 DEFINITIONS

BONA FIDE RELIGIOUS, CHARITABLE, EDUCATIONAL OR POLITICAL ORGANIZATION

Any organization that is qualified under state or federal law as a tax-exempt, nonprofit organization, any religious, charitable, educational or political organization or group, or any organization or group that espouses or advocates a position or belief on any subject of public interest or on behalf of any candidate for public office.

CANVASS OR CANVASSING

Includes any one (1) or more of the following door-to-door activities:

Person-to-person distribution of literature, periodicals, or other printed materials, but shall not include placing or dropping off printed materials on the premises except as otherwise exempted by this Article.

Seeking to enlist membership in any organization except as otherwise exempted by this Article.

Seeking to present, in person, organizational information except as otherwise exempted by this Article.

LICENSE

The photo identification card issued to a licensee under this Article.

PERSON

Any individual, business entity, firm, partnership, corporation, company, association or joint-stock association, society, organization or league and includes any trustee, receiver, assignee, agent or other similar representative thereof, except as otherwise exempted by this Article.

SOLICIT or SOLICITATION

Includes any one (1) or more of the following activities:

Seeking to sell or obtain orders for the purchase of goods wares, merchandise, foodstuffs, and services of any kind, character or description whatever.

Seeking to obtain subscriptions to books, magazines, periodicals, newspapers and every other type or kind of publication.

Seeking to obtain gifts or contributions of money, clothing or any other valuable item for the support or benefit of any charitable or nonprofit association, business entity, organization, corporation, group or project except as otherwise exempted by this Article.

SECTION 52.2 LICENSE REQUIRED

No person, firm or corporation shall canvass, solicit, distribute circulars or other matters, or call from house to house in the Town of Natick to sell, promote the sale of or attempt to sell goods by sample, or to take or attempt to take orders for, the future delivery of goods, merchandise, wares or any other property, personal or real, of any nature whatsoever, or take or attempt to take orders for services to be furnished or performed

presently or in the future, or collect or attempt to collect contributions for any purpose, without first having obtained a written license from the Natick Chief of Police (“Chief of Police”) or his designee under the provisions of this Article (except as otherwise provided in Section 52.3 below).

SECTION 52.3 EXEMPTIONS

Any person, firm or corporation soliciting or canvassing on behalf of a bona fide religious, charitable, educational or political organization shall be exempt from the requirements of this Article, except for the Prohibited Activities set forth in Section 52.8.

Any person, firm or corporation delivering goods or performing services which have been previously ordered by the person owning, leasing or occupying the property where such delivery is made or service performed shall be exempt from the requirements of this Article.

Any minor employed by a newspaper as a carrier, or who has been previously registered with the Chief of Police by an employing newspaper, shall be exempt from the requirements of this Article.

The provisions of this Article shall not apply to any of the following groups:

Girl Scouts of America, Natick affiliates

Boy Scouts of America, Natick affiliates

Any youth activity/sports association affiliated with the Town of Natick or School Department of the Town of Natick

Any other organization designated by exemption by the Board of Selectmen

Any candidate for public office or person campaigning on behalf of such candidate, where such candidate is seeking election to an office to be voted upon by the registered voters, or any person campaigning on behalf of or in opposition to any federal, state or local ballot question, petition, referendum, or home rule charter or by-law amendment to be voted upon by the registered voters, shall be exempt from the requirements of this article.

SECTION 52.4 NON-EXEMPT LICENCE APPLICATIONS

Any person seeking a license to engage in any activity set forth in Article 52.2, except those persons and activities exempt under Article 52.3, shall file an application with the Chief of Police or his designee on a form used by him no less than thirty (30) days prior to the requested start date for such canvassing or soliciting.

The application form shall require, at a minimum, the following information:

Name of applicant.

Address of applicant (local and permanent home address).

Applicant’s date of birth.

Applicant’s height, weight, eye and hair color.

Applicant’s social security number.

The length of time for which the right to do business is desired.

A brief description of the nature of the business and the goods to be sold.

The name and home office address of the applicant’s employer or the person or entity on whose behalf the applicant is soliciting or canvassing. If self-employed, it shall so state.

If the applicant is operating a motor vehicle in connection with the soliciting or canvassing, the year, make, color, model, registration number, registered state, vehicle owner, and address.

Whether the applicant has been convicted of a crime or offense or violation of any municipal bylaw, ordinance or regulation relating to canvassing or soliciting and, if so when, where and the nature of the offense.

The names of other municipalities in the Commonwealth of Massachusetts where the applicant has been issued or granted a permit, license or similar authorization to solicit or canvass in the past two years. All applicants under this section shall be fingerprinted as set forth in Article 55, and photographed by the Chief of Police or his designee, and shall pay the application fee required under Article 55, in addition to the license application fee required under this Article 52.

The applicant shall permit the Natick Police Department to photograph said applicant for identification purposes. A copy of said photograph shall be kept on file in the Natick Police Department.

Within five (5) days of receiving applicants completed application under this Section 52.4. the Chief of Police shall submit an applicant's fingerprints for a fingerprint-based criminal record background check in accordance with Article 55. Within seven (7) days of receiving the results of such fingerprint-based criminal record background check, the Chief of Police or his designee shall issue or deny a license. In computing the time periods under this Section 52.4, Saturdays, Sundays and holidays shall be excluded. If the Chief of Police does not submit an applicant's fingerprints or render a decision within the applicable time periods under this Section 52.4, the license shall be deemed constructively granted.

Subject to the time requirements set forth in Section 52.4E above, the Chief of Police or his designee shall grant a license, except in the following circumstances:

An applicant fails to fully comply with the requisites established for issuance of a license, including submission of a completed application form and payment of the applicable filing fees.

Falsification of information required to be provided in the application process.

A conviction in any state or federal court of the United States or any court of a territory of the United States for any of the following crimes or offenses, by whatever named called, within seven years prior to the date of license application: burglary (armed or unarmed); stalking; breaking and entering; larceny; kidnapping; armed robbery (armed or unarmed); home invasion; buying, receiving or concealing stolen property; assault; fraud; conduct as specified in Massachusetts General Laws Chapter 265, Sections 13B and 22 through 24; and sexual assault, rape or other sex related offenses; unlawfully carrying weapons; or the attempt of any such crime or offense.

Violations of the provisions of this Article or any state law or regulation or municipal bylaw, ordinance or regulation regulating canvassing or soliciting, by whatever name called.

The Chief of Police or his designee may suspend or immediately revoke a license in the following circumstances:

The occurrence of any ground for denial as set forth in Section 52.4 F

Failure to comply with the other provisions of this Article

Any failure of a licensee to prominently display his license upon his person when soliciting or canvassing. The Chief of Police or his designee shall notify the licensee and shall provide the licensee an opportunity to be heard prior to suspending or revoking the license. Pending any such revocation hearing the Chief of Police or his designee may suspend the license.

Each applicant for a license shall pay a nonrefundable fee of ten dollars (\$10.00), in addition to any fees set

forth in Article 55. The license shall expire as set forth on each license but in no case shall the term of the license exceed one (1) year from the date of its issue. A licensee requesting renewal of a license must provide such information and pay the same nonrefundable fee as is required to obtain an initial license, prior to the expiration of the current license.

SECTION 52.5 SEPARATE LICENSE

In the case of a firm or corporation, each person representing or soliciting or canvassing on behalf of such firm or corporation shall be required to apply for and maintain a separate license.

SECTION 52.6 LICENSE TO BE NONTRANSFERABLE; DISPLAY

The license shall be nontransferable and shall entitle the licensee for the period indicated therein and for the purposes specified therein to solicit or canvass in the Town of Natick, unless otherwise exempted under this Article, provided that the licensee shall have the license in his/her possession at all times while soliciting or canvassing and shall further conspicuously display the license.

SECTION 52.7 POSTED PREMISES.

No person shall engage in soliciting or canvassing upon any premises without a prior invitation from the occupant thereof if there is posted or displayed on such premises by means of a notice prominently displayed upon which is printed the words "No Solicitors" or "No Canvassers" or words of similar import. For the purposes of this section, the premises shall be deemed posted or displayed against soliciting or canvassing if there is exhibited, on or near the main entrance to the premises or on or near the main door to any residence located thereon, a sign at least three (3") inches by four (4") inches in size which bears the above or similar words in letters at least one-third (1/3) inch in length.

SECTION 52.8 PROHIBITED ACTIVITIES.

There shall be no soliciting or canvassing upon the premises, other than upon prior invitation of the occupant of any such premises, prior to 8:30 a.m. or after 8:30 p.m. local time of any day, and it is hereby declared unlawful and shall constitute a nuisance for any person, whether licensed under this Article or not, to go upon any premises and ring the doorbell upon or near any door or create any sound in any other manner calculated to attract attention of the occupant of such residence, for the soliciting or canvassing as herein defined prior to 8:30 a.m. or after 8:30 p.m. of any day or at any time on a national holiday.

No person engaged in soliciting or canvassing shall, at the time of initial contact with a prospective customer or donor, fail to identify himself or herself and the purpose of the soliciting or canvassing.

No person engaged in soliciting or canvassing shall misrepresent the purpose of his or her soliciting or canvassing or use any false, deceptive or misleading representation to induce a sale or contribution, or use any plan, scheme or ruse which misrepresents the true status or mission of the person making the soliciting or canvassing.

No person engaged in making a soliciting or canvassing as defined in Article 52.1 shall violate any of the provisions of Chapter 93A of the Massachusetts General Laws, said chapter being entitled "Regulation of Business Practices for Consumers' Protection," the current provisions of which are hereby adopted and by reference made a part hereof.

SECTION 52.9 CERTAIN REPRESENTATIONS ARE PROHIBITED

No person, firm or organization having received a license to canvass or solicit within the Town of Natick shall use or exploit the fact of the license so as to lead the public to believe that such license in any manner constitutes an endorsement or approval by the Town of Natick or any of its officials.

SECTION 52.10 AUTHORITY OF CHIEF OF POLICE

The Chief of Police or his designee shall have the power and authority to grant, deny, suspend or revoke licenses as provided for and in accordance with the terms of this Article.

SECTION 52.11 APPEAL FOLLOWING ACTION BY CHIEF OF POLICE REGARDING REVOCATION OR DENIAL OF LICENSE

Any person whose license application has been denied or whose license has been revoked shall have the right of appeal to the Natick Board of Selectmen, subject to the same standards for denial or revocation set forth in this Article. Any such appeal must be commenced within fourteen (14) days of the date of the decision by the Chief of Police or his designee.

SECTION 52.12 VIOLATIONS AND PENALTIES

Any person, firm or corporation charged with violating any of the provisions of this Article shall, upon conviction thereof, be liable for a fine not exceeding three hundred dollars (\$300.00) for each violation. Each day on which a violation exists shall constitute a separate violation.

ARTICLE 12: Amend Town By-Laws Article 55: Civil Fingerprinting (Town Administrator)

To see if the Town will vote to amend Article 55 of the Town By-Laws, added by vote of the 2013 Natick Spring Annual Town Meeting under Article 40, as amended by vote of the 2014 Natick Spring Annual Town Meeting under Article 9, as follows:

In Sections 1, 3, and 4, delete the words “this Article 54”, wherever they appear, and insert in their place the words “this Article 55”; and

In Section 2, in the list of occupational activities which follows the first paragraph, in the second item, delete “and”, which appears before “Solicitors”, and insert “and Canvassers” after “Solicitors” so that said second item reads “Hawkers, Peddlers, Solicitors and Canvassers”, and

In Section 6, amend the license fee, or otherwise act thereon.

Finance Committee Recommendation: *By a vote of 12-1-0 on September, 2014, the Finance Committee recommends Favorable Action with regard to the subject of Article 12.*

MOTION (requires majority vote):

Moved by Mr. Evans, seconded by Mr. Everett that the Town vote to amend Article 55 of the Town By-Laws, added by vote of the 2013 Natick Spring Annual Town Meeting under Article 40, as amended by vote of the 2014 Natick Spring Annual Town Meeting under Article 9, as follows:

In Sections 1, 3, and 4, delete the words “this Article 54”, wherever they appear, and insert in their place the words “this Article 55”; and

In Section 2, in the list of occupational activities which follows the first paragraph, in the second item, delete “and”, which appears before “Solicitors”, and insert “and Canvassers” after “Solicitors” so that said second item reads “Hawkers, Peddlers, Solicitors and Canvassers”, and

In Section 6, amend the license fee from \$100.00 to \$50.00.

Chief Hicks spoke to this article. The main motion under Article 12 passed by majority vote.

ARTICLE 21: Rescind Authorized, Unissued Debt (Town Administrator)

To see if the Town will vote to rescind the authorization for unissued debt that has been determined is no longer needed for the completion of various projects; or otherwise act thereon.

Finance Committee Recommendation: *By a vote of 13-0-0 on September 2, 2014, the Finance Committee recommends Favorable Action with regard to the subject of Article 21.*

MOTION (requires majority vote):

Moved by Mr. Evans, seconded by Mr. Everett that the Town vote to rescind authorized unissued debt for a general fund capital project approved under Article 13 – Motion B#9 of the 2013 Spring Annual Town Meeting in the amount of \$142,000 for the purpose of DPW – Recycling Totes.

Mr. Towne spoke to this article. The main motion under Article 21 passed unanimously.

ARTICLE 22: 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.

Finance Committee Recommendation: *By a vote of 10-0-0 on September 30, 2014, the Finance Committee recommends No Action with regard to the subject of Article 22.*

MOTION (requires majority vote):

Moved by Mr. Evans, seconded by Mr. Everett that no action be taken with regard to Article 22.

The motion to take no action under Article 22 passed by majority vote.

Moved by Mr. Sidney, seconded by Ms. Collins that when we adjourn we do so until November 6th. The motion passed unanimously.

ARTICLE 23: Study Committee: Municipal Non Union Personnel Policies, Practices and Procedures (Michael J. Rourke, et al)

To see if the Town will vote to form a “Special Committee” to study and examine the Municipal Non-Union Personnel Policies, Practices and Procedures including the recruitment, selection, evaluation, job descriptions, classification and compensation, among other related aspects of the non union town employees. Said Special Committee to be appointed by the Moderator, to consist of no less than 5 residents of the Town of Natick who are not serving on any other multi- member elected or appointed board in the Town, except Town Meeting member. The Special Committee shall report its findings to the Moderator and Town Meeting at the earliest date possible, or otherwise act thereon.

Finance Committee Recommendation: *The Finance Committee has no recommendation with regard to the subject of Article 23.*

MOTION (requires majority vote):

Moved by Mr. Evans, seconded by Mr. Everett that no action be taken with regard to Article 23. Moved by Mr. Sidney, seconded by Mr. Linehan to indefinitely postpone the subject of Article 23. The motion for indefinite postponement failed. The motion to take no action passed by majority vote.

ARTICLE 24: Fiscal 2015 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, during Fiscal Year 2015 (July 1, 2014 through June 30, 2015) and to provide for a reserve fund for Fiscal Year 2015, and to see what budgets for Fiscal Year 2015 will be reduced to offset said additional appropriations, or otherwise act thereon.

Finance Committee Recommendation: *By a vote of 12-0-0 on September 30, 2014, the Finance Committee recommends Favorable Action with regard to the subject of Article 24 motion A and by a vote of 12-0-0, the Finance Committee recommends Favorable Action with regard to the subject of Article 24 motion B.*

MOTIONS (requires majority vote):

Motion A moved by Mr. Evans, seconded by Mr. Everett that the town vote to appropriate from free cash the sum of \$663,523, said sum to be distributed as follows:

To supplement the Health and Community Services budget as voted under Article 23 - Motion D of the 2014 Spring Annual Town Meeting by adding \$5,000 to Ordinary Expenses in support of the Citizen Leadership Academy

To supplement the Board of Selectmen budget as voted under Article 23 - Motion E of the 2014 Spring Annual Town Meeting by adding \$20,000 to Administrative Support Services to fund a survey of the Community Senior Center Site

To fund the Snow & Ice Deficit from June 30, 2014 - \$638,523

Ms. White gave a brief overview of the past and current year. She also introduced the new Treasurer/Collector, Mr. Stephen Price.

Ms. McKenzie, moved seconded by Mr. Brown to amend the main motion by decreasing the sum of \$663,523 to \$659,023 and in the first bullet point in the motion to decrease the amount from \$5000 to \$500. The amendment failed.

Mr. Griesmer moved, seconded by Ms. Collins to amend the main motion to appropriate the sum of \$20,000 from Free Cash to be expended under the authority of the Planning Board for professional and technical services for a peer review of the zoning by-law rewrite and to amend the total appropriation from \$663,523 to \$683,523. The amendment passed by majority vote. The amended main motion passed by majority vote.

Motion B moved by Mr. Evans, seconded by Mr. Everett that the town vote to appropriate from the Sassamon Trace Enterprise Fund Retained Earnings the sum of \$21,766, said sum to be distributed as follows:

To supplement the Sassamon Trace Fringe Benefits budget as voted under Article 23 – Motion I1 of the 2014 Spring Annual Town Meeting by adding \$17,783 to the Other Personal Services line item

To supplement the Sassamon Trace Debt Service budget as voted under Article 23 – Motion I1 of the 2014 Spring Annual Town Meeting by adding \$3,983 to the Interest line item

Motion B under Article 24 passed unanimously.

ARTICLE 25: Stabilization Fund (Town Administrator)

To see if the Town will vote to appropriate a sum of money from available funds for the purpose of supplementing the stabilization fund established under Article 22 of the warrant for Annual Town Meeting of 1961, as authorized by Chapter 40, Section 5B of the General Laws, as amended; or otherwise act thereon.

Finance Committee Recommendation: *By a vote of 11-1-0 on September 30 2014, the Finance Committee recommends Favorable Action with regard to the subject of Article 25.*

MOTION (requires two-thirds vote):

Moved by Mr. Evans seconded by Mr. Everett that the Town vote to appropriate \$150,000 from free cash for the purpose of supplementing the general stabilization fund established by vote of the 1961 Annual Town Meeting under Article 22, as authorized by Chapter 40, Section 5B of the General Laws, as amended. Mr. Towne spoke to this article. The main motion under Article 25 passed by two-thirds vote.

Moved by Mr. Pierce, seconded by Ms. Chinetti to adjourn. The motion to adjourn passed by majority vote. The meeting adjourned at 10:09 until Thursday, November 6th at 7:30 PM.

A record of the Fourth Session of
2014 Fall Annual Town Meeting
October 30, 2014

s/Diane Packer, Town Clerk

**2014 Fall Annual Town Meeting
Fine and Performing Arts Center
Natick High School
November 6, 2014
Fifth Session**

The fifth session of the 2014 Fall Annual Town Meeting was called to order at 7:43 PM by the Town Moderator, Frank W. Foss, who declared a quorum present. The Moderator welcomed residents, taxpayers, town officials, Town Meeting Members and interested parties to the fifth session of 2014 Fall Annual Town Meeting. The Moderator asked that all recently elected or appointed members of Town Meeting stand to take the oath of office. There were none. The meeting stood 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 on the stage and in the well of the auditorium. The following people were present: Diane Packer, Town Clerk; James Everett, Finance Committee Chair, Bruce Evans, Finance Committee Secretary; Martha White, Town Administrator; John Flynn, Town Counsel; and Joshua Ostroff, Chair of the Board of Selectmen.

The Moderator reviewed the general rules and procedures of Town Meeting that were accepted at the last meeting. The proceedings of Town Meetings shall be governed by ***Town Meeting Time***, the Town of Natick Home Rule Charter, the Natick By-laws and the General Laws of the Commonwealth of Massachusetts (MGL). No person shall speak upon any article 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 ten (10) minutes at one time without permission of Town Meeting. Consistent with the Natick By-laws, 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 thereon.

The motion to waive the reading of the text of all 2014 Fall Annual Town Meeting warrant articles and move to waive reading the text of motions, excluding the amounts to be appropriated and sources of said amounts to be appropriated when motions are provided in the text of Recommendations of the Natick Finance Committee publications remains in effect.

Mr. Ostroff rose to offer a resolution for Major General Greene. Moved by Mr. Ostroff, seconded by Mr. Gath:

WHEREAS Major General Harold J. Greene served our nation with great distinction, and in his command of the Natick Soldier Systems Center strengthened the bonds between the military base and the community; and

WHEREAS as a spirited innovator, Major General Greene has been awarded the Legion of Merit, the Distinguished Service Medal, a Meritorious Service Award and an Army Commendation Medal; and

WHEREAS General Greene gave his life in the defense of our nation on August 5, 2014 at the Marshal Fahim National Defense University in Kabul, Afghanistan, as the highest-ranking wartime casualty in many years; and

WHEREAS the Town of Natick will rename the road to the Soldier Systems Center in honor of General Greene upon its reconstruction in 2015;

NOW THEREFORE Natick Town Meeting joins the friends, family and colleagues of Major General Harold J. Greene in mourning his sacrifice in the service of our country, and expresses its condolences to the men and women of the Natick Soldier Systems Center on the loss of an American hero.

Following the reading of the resolution Brigadier General William Cole from the Natick Soldier Systems Center was recognized, accepted the resolution and thanked the community for the dedication of the road into the Natick Soldier Systems Center in honor Major General Greene. Mr. Sidney moved, seconded by Mr. Jennett to waive the reading of the motion. ***The motion to waive the reading of the motion passed by majority vote. The motion to accept the resolution passed unanimously.***

ARTICLE 26: Operational/Rainy Day Stabilization Fund (Town Administrator)

To see if the Town will vote to appropriate a sum of money from available funds for the purpose of supplementing the Operational Stabilization Fund established by vote of the 2011 Spring Annual Town Meeting under Article 4, as authorized by Chapter 40, Section 5B of the General Laws, as amended; or otherwise act thereon.

Finance Committee Recommendation: *By a vote of 11-0-0 on September 30, 2014, the Finance Committee recommends **Favorable Action** with regard to the subject of Article 26.*

MOTION (requires two-thirds vote):

Moved by Mr. Evans, seconded by Mr. Everett that the Town vote to appropriate \$625,000 from free cash for the purpose of supplementing the operational/rainy day stabilization fund established by the vote of the 2011 Spring Annual Town Meeting under Article 4, as authorized by Chapter 40, Section 5B of the General Laws, as amended.

Mr. Towne spoke to the article. ***The main motion under Article 26 passed by two-thirds vote.***

ARTICLE 27: Capital Stabilization Fund (Town Administrator)

To see if the Town will vote to appropriate a sum of money from available funds for the purpose of supplementing the Capital Stabilization Fund established under Article 2 of the warrant for Fall Annual Town Meeting of 2010, as authorized by Chapter 40, Section 5B of the General Laws, as amended, or otherwise act thereon.

Finance Committee Recommendation: *By a vote of 11-0-0 on September 30, 2014, the Finance Committee recommends **Favorable Action** with regard to the subject of Article 27.*

MOTION (requires two-thirds vote):

Moved by Mr. Evans, seconded by Mr. Everett that the Town vote to appropriate \$2,005,092 from free cash for the purpose of supplementing the Capital Stabilization Fund established by vote of the

2010 Fall Annual Town Meeting under Article 2, as authorized by Chapter 40, Section 5B of the General Laws, as amended.

Mr. Towne spoke to the article. *The main motion under Article 27 passed by two-thirds vote.*

ARTICLE 28: Inflow & Infiltration Stabilization Fund (Town Administrator)

To see if the Town will vote to appropriate a sum of money from available funds for the purpose of supplementing the Inflow & Infiltration Stabilization Fund established under Article 30 of the warrant for the Spring Annual Town Meeting of 2014, as authorized by Chapter 40, Section 5B of the General Laws, as amended, or otherwise act thereon.

Finance Committee Recommendation: *By a vote of 10-0-0 on September 30, 2014, the Finance Committee recommends Favorable Action with regard to the subject of Article 28.*

MOTION (requires two-thirds vote):

Moved by Mr. Evans, seconded by Mr. Everett that the Town vote to appropriate \$1,126,405.50 from Water Sewer Enterprise Fund Retained Earnings for the purpose of supplementing the Inflow & Infiltration Stabilization Fund established by the vote of the 2014 Spring Annual Town Meeting under Article 30, as authorized by Chapter 40, Section 5B of the General Laws, as amended.

Mr. Chenard spoke to this article. *The main motion under Article 28 passed unanimously.*

ARTICLE 29: One-to-One Technology Stabilization Fund (Town Administrator)

To see if the Town will vote to appropriate a sum of money from available funds for the purpose of supplementing the One-to-One Technology Stabilization Fund established under Article 31 of the warrant for the Spring Annual Town Meeting of 2014, as authorized by Chapter 40, Section 5B of the General Laws, as amended, or otherwise act thereon.

Finance Committee Recommendation: *By a vote of 11-1-0 on September 30, 2014, the Finance Committee recommends Favorable Action with regard to the subject of Article 29.*

MOTION (requires two-thirds vote):

Moved by Mr. Evans, seconded by Mr. Everett that the Town vote to appropriate \$100,000 from free cash for the purpose of funding the One-to-One Technology Stabilization Fund established by the vote of the 2014 Spring Annual Town Meeting under Article 31, as authorized by Chapter 40, Section 5B of the General Laws, as amended.

Dr. Sanchioni spoke to this article. Ms. Foss moved, seconded by Mr. Coffey to refer the article the Town Administrator. *The motion to refer this article failed. The main motion under Article 29 passed by two-thirds vote.*

ARTICLE 30: Other Post-Employment Benefits (OPEB) Fund (Town Administrator)

To see if the Town will vote to appropriate a sum of money from available funds for the purpose of funding the Other Post-Employment Benefits Liability Trust Fund authorized by vote of the 2011 Fall Annual Town Meeting under Article 8 pursuant to the provisions of Chapter 32B, Section 20 of the General Laws, as amended, or otherwise act thereon.

Finance Committee Recommendation: *By a vote of 10-0-0 on September 30, 2014, the Finance Committee recommends Favorable Action with regard to the subject of Article 30.*

MOTION (requires majority vote):

Moved by Mr. Evans, seconded by Mr. Everett that the Town vote to appropriate \$250,000 from free cash for the purpose of funding the Other Post-Employment Benefits Liability Trust Fund authorized by vote of the 2011 Fall Annual Town Meeting under Article 8, as authorized by Chapter 32B, Section 20 of the General Laws, as amended; or otherwise act thereon.

Mr. Towne spoke to this article. *The main motion under Article 30 unanimously.*

ARTICLE 31: Personnel Board Classification and 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, or otherwise act thereon.

Finance Committee Recommendation: *By a vote of 11-0-0 on October 22, 2014, the Finance Committee recommends **Favorable Action** with regard to the subject of Article 31.*

MOTION (requires majority vote):

Moved by Mr. Evans, seconded by Mr. Everett that the Town vote to amend the Town of Natick By-Laws by changing in its entirety the Classification and Pay Plan for Full Time Positions that is incorporated by reference into Article 24, Section 3, Paragraph 3.10. The new Classification and Pay Plan for Full Time Positions is as follows:

Town of Natick
 Classification and Pay Plan
 Fiscal Year 2015
 Effective July 1, 2014

Grade	Minimum	Point 1	Point 2	Maximum
6	\$ 100,000.00	\$ 115,000.00	\$ 128,000.00	\$ 145,000.00
5	\$ 85,000.00	\$ 98,333.33	\$ 111,666.67	\$ 125,000.00
4	\$ 70,000.00	\$ 81,666.67	\$ 93,333.33	\$ 105,000.00
3	\$ 55,000.00	\$ 63,333.33	\$ 71,666.67	\$ 80,000.00
2	\$ 47,000.00	\$ 55,000.00	\$ 62,500.00	\$ 70,000.00
1	\$ 32,000.00	\$ 40,500.00	\$ 49,000.00	\$ 57,500.00

GRADE 6

Chief of Police
 Deputy Town Administrator/Director Of Finance
 Deputy Town Administrator/Operations
 Fire Chief

GRADE 5

Comptroller
 Deputy Chief of Police
 Director of Community Development
 Director of Community Services
 Director of Facilities Management
 Director of Human Resources
 Director of Information Technology
 Director of Public Works

GRADE 4

Building Commissioner
 Director of Assessing
 Director of Council on Aging
 Director of Public Health
 Director of Recreation & Parks
 Morse Library Director
 Staff Accountant
 Treasurer/Collector

GRADE 3

Assistant Assessor (certified)
 Assistant Comptroller
 Assistant Director Council on Aging
 Assistant Director Recreation & Parks
 Assistant Library Director, Morse Library
 Assistant Treasurer/Collector
 Bacon Free Library Director
 Benefits Manager
 Communications/Information Officer
 Director of Recreation Programs/Special Events
 Economic Development Planner
 Environmental Health Agent
 Facility Custodial Manager

GRADE 3 Continued

Facility Maintenance Manager
 Farm Director
 Golf Course Manager
 Housing/General Planner
 Information Systems Data Base Administrator
 Information Systems Network Administrator
 Local Building Inspector (certified)
 Planner/Conservation Agent
 Procurement Manager
 Public Health Nurse
 Senior Environmental Health Specialist
 Sustainability Coordinator
 Veterans Agent

GRADE 2

Assistant Assessor (non-certified)
 Assistant Director, Bacon Free Library
 Assistant Farm Director
 Clinical Social Worker
 Data Analyst
 Executive Assistant
 Golf Course Superintendent
 Human Resources Coordinator
 Office Administrator, Farm
 Payroll Manager
 Sanitarian
 Senior Executive Assistant
 Social Worker
 Social Worker Coordinator
 Special Assistant to Director of Community Services
 Special Assistant to Director of Facilities Management
 Special Assistant to Director of Finance
 Special Needs Coordinator

GRADE 1

Animal Control Officer
 Golf Professional
 Outreach Coordinator
 Student Officer

Mr. Levinsky, Chair of the Personnel Board spoke to this article. *The main motion under Article 31 passed by majority vote.*

ARTICLE 32: Capital Equipment (Town Administrator)

To see if the Town will vote to appropriate and raise, or otherwise provide, a sum of money as may be required for capital equipment for the various departments of the Town of Natick; to determine whether this appropriation shall be raised by borrowing or otherwise, or otherwise act thereon.

Finance Committee Recommendation: *By a vote of 10-0-0 on October 2, 2014, the Finance Committee recommends **Favorable Action** with regard to the subject of Article 32.*

Mr. Chenard gave an overview of the capital budget as well as requests for this Town Meeting.

Motion A was moved by Mr. Evans and seconded by Mr. Everett:

Article 32 - Capital Equipment - 2014 Fall Annual Town Meeting

MOTION A: (Two-thirds vote required)

Move that the Town vote to appropriate the sum of \$497,100 to be expended under the direction of the Police Department for the purpose of replacing police cruisers, under the direction of the Fire Department for the purpose of replacing Fire Pickup #3, an automated stretcher, emergency training equipment, and crosswalk signals, under the direction of the Public Works Department for the purpose of purchasing furniture and fixtures, dumpsters, and a field utility tractor, under the direction of the Community Services Department for the purpose of purchasing software, and under the direction of the Town Clerk for the purpose of replacing voting booths and the preservation of historical records individually shown as items 1, 3, 4, 5, 6, 7, 9, 10, 11, 13, and 14 in Table A below, and that to meet this appropriation the sum of \$497,100 be raised from the Capital Stabilization Fund.

TABLE A - MOTION A: Article 32 - Capital Equipment - 2014 Fall Annual Town Meeting

<u>Item #</u>	<u>Department</u>	<u>Item</u>	<u>Funding Source</u>	<u>Amount</u>
1	Police Department	Cruiser Replacement	Capital Stab. Fund	\$ 120,000
3	Fire Department	Replace Fire Pickup #3 Plow	Capital Stab. Fund	\$ 75,000
4	Fire Department	Purchase Additional Automated Stretcher	Capital Stab. Fund	\$ 14,000
5	Fire Department	Emergency Training Equipment	Capital Stab. Fund	\$ 10,000
6	Fire Department	Install Crosswalk Systems	Capital Stab. Fund	\$ 30,600
7	Public Works	Furniture and Fixtures	Capital Stab. Fund	\$ 50,000
9	Public Works	Replace Dumpsters	Capital Stab. Fund	\$ 12,500
10	Public Works	Replace Field Utility Tractor	Capital Stab. Fund	\$ 20,000
11	Community Services	Purchase Software - Scheduling	Capital Stab. Fund	\$ 25,000
13	Town Clerk	Preservation of Historical Records	Capital Stab. Fund	\$ 100,000
14	Town Clerk	Voting Booths	Capital Stab. Fund	\$ 40,000

Appropriation under Article 32: MOTION A **\$ 497,100**

Motion A under Article 32 passed by two-thirds vote.

Motion B was moved by Mr. Evans and seconded by Mr. Everett.

MOTION B: (two-thirds vote required)

Move that the Town vote to appropriate the sum of \$1,020,200 to be expended under the direction of the Police Department for the purpose of purchasing parking meter upgrades, under the direction of the Public Works Department for purpose of replacing Truck M-2, under the direction the Information Technology Department for the purpose of replacing the telephone system, individually shown as items 2, 8, and 12, in Table B below, and that to meet this appropriation the Treasurer with the approval of the Board of Selectmen is authorized to borrow \$1,020,200 under Massachusetts General Laws Chapter 44, Section 7, as amended, or any other enabling authority and to issue bonds or notes of the Town therefore aggregating not more than \$1,020,200 in principal amount and that the Town Administrator with the approval of the Board of Selectmen is authorized to take any action necessary to carry out this program.

TABLE B, MOTION B: Article 32 - Capital Equipment - 2014 Fall Annual Town Meeting

<u>Item #</u>	<u>Department</u>	<u>Item</u>	<u>Funding Source</u>	<u>Amount</u>
2	Police Department	Parking Meter Upgrade	Tax Levy Borrowing \$	170,200
8	Public Works	Replace M-2 Truck	Tax Levy Borrowing \$	100,000
12	Information Tech	Telephone System Upgrade	Tax Levy Borrowing \$	750,000

Appropriation under Article 32: MOTION B **\$ 1,020,200**

Motion B under Article 32 passed by a two-thirds vote.

Motion C was moved by Mr. Evans and seconded by Mr. Everett:

MOTION C: (majority vote required)

Move that the Town vote to appropriate the sum of \$200,500 to be expended under the direction of the Department of Public Works for the purpose of replacing W-16 Backhoe, W-10 Truck, and replacing a message board, individually shown as items 15, 16, and 17 in Table C below, and that to meet this appropriation the sum of \$200,500 be raised from Water & Sewer Retained Earnings.

TABLE C, MOTION C: Article 32 - Capital Equipment - 2014 Fall Annual Town Meeting

<u>Item #</u>	<u>Department</u>	<u>Item</u>	<u>Funding Source</u>	<u>Amount</u>
15	Water & Sewer	Replace W-16 - Backhoe	W/S Retained Earning \$	135,000
16	Water & Sewer	Replace W-10 - 1 Ton Utility Body Truck	W/S Retained Earning \$	50,000
17	Water & Sewer	Message Board	W/S Retained Earning \$	15,500

Appropriation under Article 32: MOTION C **\$ 200,500**

Motion C under Article 32 passed unanimously.

ARTICLE 33: Capital Improvement (Town Administrator)

To see if the Town will vote to appropriate and raise, or otherwise provide, a sum of money to implement a Capital Improvement Program, to protect the physical infrastructure of the Town of Natick; to determine whether this appropriation shall be raised by borrowing or otherwise, or to otherwise act thereon.

Finance Committee Recommendation: *By a vote of 10-0-0 on October 2, 2014, the Finance Committee recommends Favorable Action with regard to the subject of Article 33.*

Motion A (two-thirds vote)

Motion A was moved by Mr. Evans and seconded by Mr. Everett. Without objection item numbers were corrected to read: 1, 3, 5, 8 and 9 with the existing item descriptions being correct. The numbers were changed without objection.

MOTION A: (Two-thirds vote required)

Move that the Town vote to appropriate the sum of \$153,050 to be expended under the direction of the Fire Department for the purpose of replacing the door security system, of studying Memorial Field Improvements, under the direction of the Department of Public Works for the purpose of replacing guardrails, under the direction of the Community Services Department for the purpose of historical monument restoration, and under the direction of the Facilities Management Department for the energy upgrades and exterior painting at 90 Oak Street, individually shown as items 1, 2, 3, 4, 5, and 9 in the Table A below, and that to meet this appropriation the sum of \$153,050 be raised from the Capital Stabilization Fund.

TABLE A, MOTION A: Article 33 - Capital Improvement - 2014 Fall Annual Town Meeting

<u>Item #</u>	<u>Department</u>	<u>Item</u>	<u>Funding Source</u>	<u>Amount</u>
1	Fire Department	Replace Door Security System	Capital Stab. Fund	\$ 44,250
2	Public Works	Replace Guardrail	Capital Stab. Fund	\$ 10,000
3	Community Services	Historical Monument Restoration	Capital Stab. Fund	\$ 15,000
4	Facilities	Energy Upgrades Morse Inst. & Comm. Sen. Cent.	Capital Stab. Fund	\$ 68,800
9	Facilities	Exterior Painting 90 Oak Street	Capital Stab. Fund	\$ 15,000

Appropriation under Article 33: MOTION A

\$ 153,050

Motion A under Article 33 passed by two-thirds vote.

Motion B was moved by Mr. Evans, seconded by Mr. Everett

MOTION B: (Two-thirds vote required)

Move that the Town vote to appropriate the sum of \$850,000 to be expended under the direction of the Department of Public Works for the purpose of road and sidewalk improvements, under direction of the Community Services Department for the replacement of the Dug Pond pier, Community Development Department for the purpose of Main Street Improvements, and under the direction of the Facilities Management Department for the purpose of replacing the air handler unit at the Cole Recreation Center, individually shown as items 2, 4, 6, and 7 in Table B below, and that to meet this appropriation the Treasurer with the approval of the Board of Selectmen is authorized to borrow \$850,000 under Massachusetts General Laws Chapter 44, Section 7, as amended, or any other enabling authority and to issue bonds or notes of the Town therefore aggregating not more than \$850,000 in principal amount and that the Town Administrator with the approval of the Board of Selectmen is authorized to take any action necessary to carry out this program.

TABLE B, MOTION B: Article 33 - Capital Improvement - 2014 Fall Annual Town Meeting

<u>Item #</u>	<u>Department</u>	<u>Item</u>	<u>Funding Source</u>	<u>Amount</u>
2	Public Works	Roads & Sidewalks	Tax Levy Borrowing	\$ 350,000
4	Community Services	Replace Dug Pond Pier	Tax Levy Borrowing	\$ 120,000
6	Community Devel.	Main Street Improvements	Tax Levy Borrowing	\$ 280,000
7	Facilities	Air Handler (Cole Center)	Tax Levy Borrowing	\$ 100,000

Appropriation under Article 33: MOTION B

\$ 850,000

Motion B under Article 33 passed by a two-thirds vote.

Motion C was moved by Mr. Evans and seconded by Mr. Everett.

MOTION C: (Two-thirds vote required)

Move that the Town vote to appropriate the sum of \$691,500 to be expended under the direction of the Department of Public Works for the purpose of replacing ground water wells, individually shown as items 13, 14 and 15 in Table C below, and that to meet this appropriation the Treasurer with the approval of the Board of Selectmen is authorized to borrow \$691,500 under Massachusetts General Laws Chapter 44, Section 8, as amended, or any other enabling authority and to issue bonds or notes of the Town therefore aggregating not more than \$691,500 in principal amount and that the Town Administrator with the approval of the Board of Selectmen is authorized to take any action necessary to carry out this program.

TABLE C, MOTION C: Article 33- Capital Improvement - 2014 Fall Annual Town Meeting

10	Water & Sewer	Replace Ground Water Wells	W/S Borrowing	\$	300,000
Appropriation under Article 33: MOTION C					\$ 300,000

There was some discussion as the written numbers and text in the motion don't match the chart. Mr. Connolly moved, seconded by Mr. Linehan to postpone consideration of Motion C until the end of the warrant. *The motion to postpone passed by majority vote.*

Motion D was moved by Mr. Evans, seconded by Mr. Everett.

MOTION D: (two-thirds vote required)

Move that the Town vote to appropriate the sum of \$969,000 to be expended under the direction of the Department of Public Works for the purpose of completing sewer system rehabilitation, and that to meet this appropriation the Treasurer with the approval of the Board of Selectmen is authorized to borrow \$969,000 under Massachusetts General Laws Chapter 44, Section 8, as amended, or any other enabling authority and to issue bonds or notes therefore aggregating not more than \$969,000 in principal amount, and that the Board of Selectmen is authorized to accept one or more grants or gifts from the Massachusetts Water Resources Authority or any other public or private funding source for the purposes of this article.

TABLE D, MOTION D: Article 33- Capital Improvement - 2014 Fall Annual Town Meeting

12	Water & Sewer	Sewer Main Relining(MWRA I&I Removal Grant)	W/S Borrowing	\$	969,000
Appropriation under Article 33: MOTION D					\$ 969,000

Motion D under Article 33 passed unanimously.

Motion E was moved by Mr. Evans, seconded by Mr. Everett.

MOTION E: (majority vote required)

Move that the Town vote to appropriate the sum of \$150,000 to be expended under the direction of the Public Works Department for the purpose of sewer main relining, individually shown as item 11 in the Table E below, and that to meet this appropriation the sum of \$150,000 be raised from Water/Sewer Retained Earnings.

Article 33, Motion E, Table E - Capital Improvement - 2014 Fall Annual Town Meeting

11	Water & Sewer	Sewer Main Relining	W/S Retained Earnings	\$	150,000
Appropriation under Article 33: MOTION E					\$ 150,000

Motion E under Article 33 passed unanimously.

ARTICLE 34: Amend Zoning By-Laws: Accessory Retail and/or Restaurants (Economic Development Committee)

To see if the Town will vote to amend the Zoning Bylaws to add a new use of "Accessory Use

Retail and/or Restaurant”, or otherwise act thereon.

Finance Committee Recommendation: *By a vote of 9-2-0 on September 23, 2014, the Finance Committee recommended **Referral to the Sponsor** with regard to the subject of Article 34. They voted to reconsider this article and by a vote of 9-2-0 on October 22, 2014, the Finance Committee recommended **Favorable Action** with regard to the subject of Article 34.*

Mr. Griesmer raised the following point of order: This article is not properly before Town Meeting because the Planning Board did not hold a properly advertised public hearing on Article 34, specifically MGL (Massachusetts General Laws) 40A Section 5 which requires that the advertisement of the Planning Board public hearing indicate where texts and maps of the proposed zoning change can be inspected. The advertisement for Article 34 did not indicate where either texts or maps thereof could be inspected. In addition, the text of the motion was not available until after 5:00 P.M. on the very same night as the Planning Board public hearing on Article 34 despite previous requests to see the text. Therefore it was not possible to determine which areas of town are affected by this article.

The Moderator said that he is not able to rule on the point of order at this time. He requested a motion to postpone this article until November 13th. Moved by Mr. Linehan, seconded by Ms. Foss, to postpone consideration of Article 34 until the first order of business on November 13th.

The motion to postpone consideration of this article until November 13th passed by majority vote.

ARTICLE 35: Housing Overlay Option Plan (HOOP-II) District for Area in West Natick Along West Natick Commuter Rail (Map 39, Lots 27,28,29) (Richard A. Glaser, et al)

To see if the Town will vote to amend the Zoning By-Laws to add certain lots along the West Natick Train Station on West Central Street to the Housing Overlay Option Plan (HOOP-II) and further define the applicant’s obligations as to administration, all as set forth below:

Add a new paragraph Area e): to Section II-B LOCATION OF DISTRICTS (Zones), Section 8.b., (below Area d):, the following:

Area e):

As shown on the Town of Natick 2013 Assessor’s Map 39 Lots 27, 28 and 29.

Add a new paragraph c) to Section III-A.6 AFFORDABLE HOUSING, B-HOUSING OVERLAY OPTION PLAN – (HOOP), Section 8. AFFORDABILITY, the following:

- c) The Applicant, upon approval and issuance of a Decision by the Special Permit Granting Authority (SPGA), shall be responsible for administration of affordable units as determined by the SPGA.

or otherwise act thereon.

Finance Committee Recommendation: *By a vote of 11-0-1 on September 18, 2014, the Finance Committee recommends **Referral to the Sponsor and the Planning Board** with regard to the subject of Article 35.*

MOTION (requires majority vote):

Moved by Mr. Evans, seconded by Mr. Sidney that the subject matter of Article 35 be referred to the Sponsor and the Planning Board.

Mr. Glaser gave a presentation on this article. Prior to his presentation, Mr. Glaser told Town Meeting that he owns this property. Moved by Mr. Levinsky, seconded by Mr. Jennett to move the question closing debate on this motion. ***The motion to close debate passed by a two-thirds vote. The referral motion on the subject matter of Article 35 passed by majority vote.***

ARTICLE 36: Housing Overlay Option Plan (HOOP-II) District for Area in West Natick Near West Natick Commuter Rail (Map 40 Lot 87) (George Richards, et al)

To see if the Town will vote to amend the Zoning By-Laws by including a certain lot near the West Natick Train Station on West Central Street into the Housing Overlay Option Plan (HOOP- II) district and further define the applicant's obligations as to administration, of the sale or rental of affordable units, all as set forth below:

Add a new paragraph Area f): to Section II-B LOCATION OF DISTRICTS (Zones), Section 8.b., (below Area e); the following:

Area f):

As shown on the Town of Natick 2013 Assessor's Map 40 Lot 87

Add a new paragraph c) to Section III-A.6 AFFORDABLE HOUSING, B-HOUSING OVERLAY OPTION PLAN – (HOOP), at the end of Section 8. AFFORDABILITY, the following:

c) The Applicant, upon approval and issuance of a Decision by the Special Permit Granting Authority (SPGA), shall be responsible for administration of affordable units as determined by the SPGA.

or otherwise act thereon.

Finance Committee Recommendation: *By a vote of 13-0-0 on September 18, 2014, the Finance Committee recommends Referral Sponsor and the Planning Board with regard to the subject of Article 36.*

MOTION (requires majority vote):

Moved by Mr. Evans, seconded by Mr. Everett that the subject matter of Article 36 be referred to the Sponsor and the Planning Board.

Mr. Richards spoke to this article. He told the meeting that he represents the owners of this property. Moved by Ms. Ball, seconded by Ms. Foss to move the question closing debate on the motion. ***The motion to close debate passed by a two-thirds vote. The referral motion on the subject matter of Article 36 passed by majority vote.***

Mr. Sidney moved, seconded by Ms. Merkwitz to adjourn. ***The motion to adjourn passed by a majority vote. The meeting adjourned at 10:05 PM until Thursday, November 13th at 7:30 PM.***

A record of the Fifth Session of
2014 Fall Annual Town Meeting
November 6, 2014

s/Diane Packer, Town Clerk

**2014 Fall Annual Town Meeting
Fine and Performing Arts Center
Natick High School
November 13, 2014
Sixth Session**

The sixth session of the 2014 Fall Annual Town Meeting was called to order at 7:35 PM by the Town Moderator, Frank W. Foss, who declared a quorum present. The Moderator welcomed residents, taxpayers, town officials, Town Meeting Members and interested parties to the sixth session of 2014 Fall Annual Town Meeting. The Moderator asked that all recently elected or appointed members of Town Meeting stand to take the oath of office. There were none. The meeting stood 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 on the stage and in the well of the auditorium. The following people were present: Diane Packer, Town Clerk; James Everett, Finance Committee Chair, Bruce Evans, Finance Committee Secretary; Martha White, Town Administrator; John Flynn, Town Counsel; and Charles Hughes, Vice Chair of the Board of Selectmen.

The Moderator reviewed the general rules and procedures of Town Meeting that were accepted at the last meeting. The proceedings of Town Meetings shall be governed by ***Town Meeting Time***, the Town of Natick Home Rule Charter, the Natick By-laws and the General Laws of the Commonwealth of Massachusetts (MGL). No person shall speak upon any article 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 ten (10) minutes at one time without permission of Town Meeting. Consistent with the Natick By-laws, 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 thereon.

The motion to waive the reading of the text of all 2014 Fall Annual Town Meeting warrant articles and move to waive reading the text of motions, excluding the amounts to be appropriated and sources of said amounts to be appropriated when motions are provided in the text of Recommendations of the Natick Finance Committee publications remains in effect.

Mr. Foss asked that all members to make sure that they picked up the handout from the Finance Committee regarding Special Town Meeting #1. The Finance Committee, at the request of the Sponsor, is recommending no action on these articles. Special Town Meeting must convene however, if a quorum is not reached and the Moderator does not believe that a quorum will be on any subsequent evening, he may dissolve the meeting.

Ms. White requested a minute to introduce Meena Jain, the new director of the Bacon Free Library.

The Moderator overruled the point of order which was raised by Mr. Griesmer at the previous meeting regarding the subject matter of Article 34. The first order of business will be Article 34. Moved by Mr. Everett, seconded by Mr. Evans to take Article 33, Motion C out of order and take it

as the first order of business. *The motion to take Article 33, Motion C out of order passed by two-thirds vote.* The positive main motion remained on the floor from the previous session.

Article 33 - Capital Improvement - 2014 Fall Annual Town Meeting

MOTION C: (Two-thirds vote required)

Move that the Town vote to appropriate the sum of \$300,000 to be expended under the direction of the Department of Public Works for the purpose of replacing ground water wells, individually shown as item 10 in Table C below, and that to meet this appropriation the Treasurer with the approval of the Board of Selectmen is authorized to borrow \$300,000 under Massachusetts General Laws Chapter 44, Section 8, as amended, or any other enabling authority and to issue bonds or notes of the Town therefore aggregating not more than \$300,000 in principal amount and that the Town Administrator with the approval of the Board of Selectmen is authorized to take any action necessary to carry out this program.

TABLE C, MOTION C: Article 33- Capital Improvement - 2014 Fall Annual Town Meeting

10	Water & Sewer	Replace Ground Water Wells	W/S Borrowing	\$	300,000
Appropriation under Article 33: MOTION C					\$ 300,000

Moved by Mr. Linehan, seconded by Ms. Gloff to amend the main motion and insert in its place the motion detailed above. Moved by Mr. Sidney, seconded by Mr. Gath to waive the reading of the motion. *The motion to waive the reading of the motion passed unanimously. The amendment to the main motion passed by majority vote. The amended main motion passed by two-thirds vote.*

ARTICLE 34: Amend Zoning By-Laws: Accessory Retail and/or Restaurants (Economic Development Committee)

To see if the Town will vote to amend the Zoning Bylaws to add a new use of “Accessory Use Retail and/or Restaurant”, or otherwise act thereon.

Finance Committee Recommendation: *By a vote of 9-2-0 on October 22, 2014, the Finance Committee recommends Favorable Action with regard to the subject of Article 34.*

MOTION (requires two-thirds vote):

Moved by Mr. Joseph, seconded by Mr. Gath that the Town vote to amend the Town of Natick Zoning Bylaws by adding a new use “37A. Accessory Use Retail / Restaurant” as follows:

In Section III-A.2 Use Regulations Schedule insert:

“Accessory Use Retail / Restaurant”: A retail and/or restaurant accessory use is allowed provided that: it is no larger than either 10% of the area of the total building in which it is contained or 1,000 sq. ft. - whichever is less; the principal purpose of the retail and/or restaurant accessory use is to sell and/or to serve the goods, services and/or food which is prepared in the balance of the building; and, the activity in the balance of the building be an allowed principal use under the zoning bylaw. The accessory use shall be conducted in such a manner that noise, smoke, dust, odor, vibration or similar objectionable features are confined to the premises.

	BUSINESS USES	RG	RM	RS	PC D	SH	AP	DM	CII	INI	INII	H
37A.	Accessory Use Retail / Restaurant	O	O	O	O	O	O	(*)	O	A	A	O

Mr. Joseph gave a presentation on this article. Discussion on the article ensued. Moved by Mr. Connolly, seconded by Ms. Brown to refer the subject matter of Article 34 to the Planning Board. Moved by Ms. Coughlin, seconded by Ms. Foss to amend the referral motion to add the Sponsor. ***The amendment to the referral motion passed by majority vote.*** Two motions remain on the floor; a positive main motion and the amended referral motion which will be discussed concurrently.

Moved by Mr. Griesmer, seconded by Mr. Sidney to amend the main motion to add after the word “premises” the words “(See Note 3)” and add the following note at the bottom of the page in the Use Regulation Schedule. “Note 3: Accessory Use Retail / Restaurant shall be allowed only on land in the Industrial 1 and Industrial 2 zones where such Industrial I and Industrial II land does not underlie an overlay zone.” ***The amendment failed.*** Moved by Mr. Hughes, seconded by Mr. Sidney to move the question closing debate on the motions. ***The motion to close debate on the question passed by two-thirds vote. The motion for referral failed.*** The vote on the main motion was taken and the Moderator announced that the vote would be counted. ***The counted vote announced by the Moderator as 60 affirmative to 44 negative. Such did not tally to the necessary two-thirds vote under Article 34.***

ARTICLE 37: Amend Zoning By-Laws: Facilitate Historic Building Preservation in Natick (Randy Johnson, et al)

To see if the Town will vote to amend the Zoning By-Laws to encourage the adaptive re-use of historic sites, structures and buildings by broadening and modifying use and dimensional regulations that may otherwise impede historic or architectural preservation efforts.

Finance Committee Recommendation: *By a vote of 10-1-1 on September 30, 2014, the Finance Committee recommends Referral to the Sponsor with regard to the subject of Article 37. The Finance Committee reconsidered this article and by a vote of 10-1-0 on October 22, 2014, recommended Favorable Action with regard to the subject of Article 37.*

MOTION (requires two-thirds vote):

Moved by Mr. Evans, seconded by Mr. Everett to amend the Town of Natick Zoning By Laws by adding a new section “III-J: Historic Preservation”, and a new Designation to section VI-DD 2. a).

“Section III-J: Historic Preservation

1. **Purpose.** The purpose of this Section III-J is:
 1. To encourage the preservation and continued use of buildings of historic or architectural significance.
 2. To protect the existing character of neighborhoods by the adaptive re-use of such buildings or structures.

2. **Applicability.** The Special Permit Granting Authority (“SPGA”) may grant a special permit for re-use, construction, and occupancy of buildings, and structures relating to qualifying buildings, if either of the following criteria are met:

1. Determination by the State Historical Commission that the building or structure is eligible for nomination on the National Register of Historic Places, or is already included in such.
 2. Unanimous vote of the Natick Historical Commission, subsequent to a public hearing, that the building or structure is of historic, architectural or cultural significance.
- 3. Permitted Uses.** Any use permitted as a matter of right or under a special permit in the District as set forth in the Table of Use Regulations may be undertaken on a parcel to which this Section III-J is to be applied; however, the SPGA may grant a special permit to allow the following additional uses:
1. Town Houses;
 2. Apartment House;
 3. Home Occupation/Customary Home Occupation
- 4. Jurisdiction.** Where the proposed uses of a parcel in any district under this Section would require obtaining a special permit, the Planning Board shall act as the SPGA.
- 5. Pre-Application Review.** To promote better communication and to avoid misunderstanding, the applicant is encouraged, prior to preparation of a formal application, to meet with the SPGA and Community Development Director for general discussion, using the aquifer protection, soil survey, drainage, topographic and other data available from the Town.
- 6. Application.**
1. The applicant for a Historic Preservation development project shall submit to the SPGA a formal application for a special permit and site plan review, which includes an Overall Development Plan, and is otherwise in compliance with Rules and Regulations especially established by the SPGA relative special permits and site plan review. The application shall be filed in the name of the record owner of the parcel to be developed. Date of application shall be the date when filing is made with the SPGA.
 2. Special Permit; Procedures. In addition to the requirements of the Rules and Regulations of the SPGA, the following additional requirements shall apply:
 - a. A fire prevention and fire suppression plan.
 - b. Hazardous materials assessment, removal or remediation plan.
 - c. Itemization of historic features and materials for preservation.
 3. The applicant may request in writing a waiver of any of the foregoing requirements in paragraph 2, above, which request shall be communicated by the SPGA within three (3) business days of its receipt to the Board of Health, the Historical Commission and the Design Review Board (hereinafter, the "Advisory Bodies"). Unless one of the Advisory Bodies communicates its decision to require the materials sought to be waived, within twenty two (22) days of the making of such request, the waiver may be granted by the SPGA.
 4. The SPGA shall provide copies of the application and all other submittals of the applicant within three business days of filing to the Advisory Bodies for their

recommendations. A public hearing on the application for a special permit may not be held prior to twenty two (22) days following the filing of the application.

5. All reports of any of the Advisory Bodies, whether favorable or unfavorable, shall be retained in the official files of the SPGA regarding the related application for a special permit and shall be made available to the public.

7. Requirements. A Historic Preservation development project must conform to the following:

1. **Number of Dwelling Units.** The maximum number of dwelling units allowed shall equal the net useable land area of the parcel divided by 3,500 square feet, rounded to the nearest whole number. Net Useable Land Area as used herein shall mean the area remaining after subtracting the areas of any bodies of water, wetland, or land lying within the 100 year flood elevation from the gross area of the parcel.
2. Notwithstanding 7.1 the number of dwelling units allowed shall be limited by the ability to provide adequate off-street parking, in accordance with the requirements of Section V-D of these By-Laws.
3. New construction shall be limited to 10 percent of the interior habitable floor area or above grade gross volume of the historic building. This shall exclude aspects of construction that pertain to components required for code compliance for access and egress, such as stairs and elevators.
4. **Intensity Regulations:** The SPGA may, for new construction, modify the dimensional requirements for the district by up to 10 percent.
5. **Flood Zones.** No construction shall take place within the 100 year flood elevation except in conformity with the requirements and procedures established by the Town for such areas pursuant to the National Flood Insurance Program (42 USC 4001-4128) and the regulations of the Secretary of Housing and Urban Development issued thereunder.

8. Modification and Waivers. Except as specifically stated in this Section III-J, the SPGA may modify and/or waive strict compliance with one or more of the regulations of the Districts in which a Historic Preservation project is located provided that it makes a specific finding, in writing, that such waiver and/or modification will not create conditions which are substantially more detrimental to the existing site and the neighborhood in which the site is located, than if the waiver and/or modification were not granted, and further that such waiver and/or modification is necessary in order to encourage the preservation of the historic building.

9. Special Permit Criteria. Approval of the application for a special permit to allow for a Historic Preservation project shall be granted only upon SPGA determination that the Plan is superior to a conventional site development. The following criteria shall be used to make the determination as to whether or not the plan is superior:

1. The proposed project substantially preserves the building or structure.
2. Determination that the development is not substantially more detrimental to abutting properties and neighborhood.
3. Appropriate use of materials and manner of construction.
4. Preservation of landscape features and scenic views.”

Mr. Johnson spoke to this article. Mr. Connolly moved, seconded by Mr. Hughes to refer the subject matter of Article 37 to the Planning Board and the Sponsor. Moved by Mr. Hughes, seconded by Mr. Awkward to move the question closing debate. ***The motion to close debate passed by a two-thirds vote. The referral motion failed. The main motion passed by a two-thirds vote.***

Moved by Mr. Joseph, seconded by Ms. Coughlin to take Articles 39 and 40 out of order. ***The motion passed by two-thirds vote.***

ARTICLE 39: Authorization for Selectmen to Establish a Tax Increment Financing Plan Standard for Designated Retail, Restaurant, and/or Manufacturing Uses within Natick Downtown Mixed Use Zone (Paul Joseph, et al)

To see if the Town will vote to authorize the Board of Selectmen to adopt a Tax Increment Financing Plan Standard (“Standard”) to provide guidelines for entering into a Tax Increment Financing Plan (“Plan”) for property within the Natick Downtown Mixed Use Zone.

Finance Committee Recommendation: *The Finance Committee has no recommendation with regard to the subject of Article 39.*

MOTION (requires majority vote):

Moved by Mr. Joseph, seconded by Mr. Gath to endorse a Tax Increment Financing (TIF) Standard for businesses located within the Downtown Mixed Use zone and whose primary industry classification(s) is (are) included in the following TIF Standard Table.

The terms of the TIF agreement(s) shall not exceed the “Maximum Allowable TIF” amount(s) and/or term(s) outlined in the “TIF Standard Table” below.

The Board of Selectmen shall collaborate with relevant departments, boards, committees and/or organizations prior to defining specific TIF terms (examples include, but are not limited to: Community Development Department, Economic Development Committee, Planning Board, and Natick Center Associates).

TIF Standard Table

Business Type	SIC	2012 NAICS	Maximum Allowable TIF
Grocery/Food Store (>=10,000 s.f.)	54	445110, 445299	100% of incremental tax, term of 20 years
Grocery/Food Store (less than 10,000 s.f.)	54	445110, 445299	100% of incremental tax, term of 20 years
Restaurants	5812	72251	100% of incremental tax, term of 20 years

Mr. Joseph made a presentation on this article and discussion ensued. Moved by Mr. Hughes, seconded by Mr. Jennett to move the question closing debate. ***The motion to close debate passed by a two-thirds vote. The main motion under Article 39 passed by majority vote.***

ARTICLE 40: Authorization for Selectmen to Establish a Tax Increment Financing Plan Standard for Designated Retail, Restaurant, and/or Manufacturing Uses within Industrial Zone I located within ½ mile radius of Natick Center (Intersection of Rte 27 and Rte 135) (Paul Joseph, et al)

To see if the Town will vote to authorize the Board of Selectmen to adopt a Tax Increment Financing Plan Standard (“Standard”) to provide guidelines for entering into a Tax Increment Financing Plan (“Plan”) for property within Industrial Zone I located within ½ mile radius of Natick Center (Intersection of Rte 27 and Rte 135).

Finance Committee Recommendation: *The Finance Committee has no recommendation with regard to the subject of Article 40.*

MOTION (requires majority vote):

Moved by Mr. Joseph, seconded by Mr. Jennett to endorse a Tax Increment Financing (TIF) Standard for businesses located within Industrial Zone I located within ½ mile radius of Natick Center (Intersection of Rte 27 and Rte 135) and whose primary industry classification(s) is (are) included in the following TIF Standard Table.

The terms of the TIF agreement(s) shall not exceed the “Maximum Allowable TIF” amount(s) and/or term(s) outlined in the “TIF Standard Table” below.

The Board of Selectmen shall collaborate with relevant departments, boards, committees and/or organizations prior to defining specific TIF terms (examples include, but are not limited to: Community Development Department, Economic Development Committee, Planning Board, and Natick Center Associates).

TIF Standard Table

Business Type	SIC	2012 NAICS	Maximum Allowable TIF
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Grocery/Food Store (less than 10,000 s.f.)	54	445110, 445299	100% of incremental tax, term of 20 years
Restaurants	5812	72251	100% of incremental tax, term of 20 years

Mr. Joseph spoke to the article. Moved by Mr. Sidney, seconded by Mr. Gath to waive the reading of the motion. ***The motion to waive the reading of the motion passed by majority vote.***

Moved by Mr. Griesmer, seconded by Ms. Collins to refer the article to the Board of Selectmen and the Sponsor. ***The referral motion under Article 40 passed by majority vote.***

At this time the Moderator thanked all the pages, the custodial staff at the High School, Pegasus the Town Clerk’s staff and all the other people who help to make sure that Town Meeting proceeds on schedule and smoothly.

ARTICLE 38: Authorization for Selectmen to Enter into Tax Increment Financing Plan for Infinium, Inc. Expansion in Natick (Paul Joseph, et al)

To see if the Town will vote to authorize the Board of Selectmen to enter into a Tax Increment Financing Plan, which Plan shall include, without limitation, an agreement between the Town and Infinium, Inc. pursuant to Chapter 40, Section 59 of the Massachusetts General Laws, in connection with Infinium Inc.’s expansion within (a) property located within the boundaries of Natick’s two designated Economic Opportunity Areas (EOAs) – East Natick Industrial Park and Natick Business

Park or (b) an otherwise suitably-zoned industrial structure in excess of 10,000 square feet, and which is the subject matter of a Certified Project Application prepared by Infinium, Inc., and to authorize the Board of Selectmen to execute such documents and to take such action as is necessary to obtain approval of the Certified Project Application and to implement said Tax Increment Financing Plan, a copy of which is on file in the office of the Natick Town Clerk, or to otherwise act thereon.

Finance Committee Recommendation: *By a vote of 11-0-0 on October 22, 2014, the Finance Committee recommends **No Action** with regard to the subject of Article 38.*

MOTION (majority vote):

Moved by Mr. Evans, seconded by Mr. Everett that no action be taken on the subject of Article 38.

The motion to take no action passed by majority vote.

Mr. Hughes moved, seconded by Mr. Sidney to dissolve 2014 Fall Annual Town Meeting. ***The motion to dissolve passed by a majority vote. The 2014 Fall Annual Town Meeting dissolved at 10:25 PM.***

A record of the Sixth Session of
2014 Fall Annual Town Meeting
November 13, 2014

s/Diane Packer, Town Clerk

**WARRANT
TOWN OF NATICK
SPECIAL TOWN MEETING NO. 1
NOVEMBER 18, 2014**

THE COMMONWEALTH OF MASSACHUSETTS

The following articles are to be acted upon and determined exclusively by Town Meeting Members in accordance with Chapter 2 of the Acts of 1938 and Amendments thereto and the Town Charter. Town Meeting will meet in the Natick High School Auditorium, Natick on **Tuesday Evening November 18, 2014 at 7:30 PM**, then and there to act on the articles listed below:

- Article 1 To Hear a Report from the Parking Advisory Committee
- Article 2 Home Rule Petition – Authorize Long-Term Lease of Middlesex
 Avenue Parking Garage
- Article 3 Home Rule Petition – Authorize Long-Term Lease of South Avenue
 Parking Lot

An attested copy may be viewed at the following locations: Precinct 1: Reliable Cleaners, 214 West Central Street; Precinct 2: Cole Center, Boden Lane; Precinct 3: Kennedy Middle School, 1 Philip J. Lucier Drive ; Precinct 4: TCAN, 14 Summer Street; Precinct 5: Wilson Middle School, 24 Rutledge Road; Precinct 6: East Natick Fire Station, 2 Rhode Island Avenue; Precinct 7: Lilja Elementary School, 41 Bacon Street; Precinct 8: Natick Senior High School, 15 West Street; Precinct 9: Community Senior Center, 117 East Central Street and Precinct 10: Memorial School, 107 Eliot Street; Natick Town Hall, 13 East Central Street, and the Natick U.S. Post Office, Bacon Free Library and Morse Institute Library.

Certified copies of the Warrant are available at the Office of the Town Clerk, Natick Town Hall, 13 East Central St., Natick, MA between the hours of 8:00 AM – 5:00 PM, Monday through Wednesday; 8:00 AM-8:00 PM on Thursday, and 8:00 AM-12:30 PM Friday and at the Town website www.natickma.gov.



Nicholas S. Mabardy, Clerk

**2014 Special Town Meeting #1
Fine and Performing Arts Center
Natick High School
Tuesday, November 18, 2014
First Session**

At 7:45 PM Moderator Frank W. Foss called the First Session of Special Town Meeting #1 to order. At that time the Moderator announced that there was no quorum present, as only seventeen members had checked in. He stated that he did not believe that a quorum would be reached at any subsequent meetings. Mr. Hughes moved, seconded by Mr. Griesmer to dissolve the 2014 Special Town Meeting #1. The vote was unanimous and the 2014 Special Town Meeting #1 was dissolved. No action was taken on any articles.

A record of the 2014 Special
Town Meeting #1
November 18, 2014

s/Diane Packer, Town Clerk