

**2017 Fall Annual Town Meeting  
Fine and Performing Arts Center  
Wilson Middle School  
November 14, 2017  
Eighth Session**

The Eighth Session of the 2017 Fall Annual Town Meeting was called to order at 7:40 PM by 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 Eighth Session of 2017 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 no new members. The Moderator asked the audience to stand for the Pledge of Allegiance and a moment of silence in recognition of all the men and women serving on our behalf throughout the world.

The Moderator introduced the officials present on the stage and in the well of the auditorium. The following people were present: Diane Packer, Town Clerk, Town Clerk; Patrick Hayes, Finance Committee Chair; Bruce Evans, Finance Committee Secretary; Martha White, Town Administrator; John Flynn, Town Counsel; and Jonathan Freedman, Chair, Board of Selectmen; Mr. Chenard, Deputy Town Administrator for Operations and Tim Lathwood, a representative from Option Technologies who will be operating the electronic voting system.

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.

The Moderator announced that he had made an error regarding the motion to postpone further consideration of Article 52 until Thursday, November 16<sup>th</sup>. He announced that it had failed, however it passed and therefore the remainder of Article 52 will be taken up as the first order of business on November 16<sup>th</sup>. The first order of business will be Article 53. The Moderator announced that he would not be able to preside over this article and recused himself. Ms. Packer, Town Clerk will serve as the Moderator for this article and Mr. Flynn the Clerk.

**ARTICLE 53: Amend Zoning By-Law to Address Technical Corrections, Partial Approvals and/or Disapprovals, if any, Raised by the Attorney General to Previous Votes of Town Meeting in 2017 (Cathleen Collins et al)**

“To see what action(s) the town will take to amend the Zoning By-Law to make technical corrections, amendments, modifications, or changes regarding the motions voted;

i) under Article 37 of the 2017 Spring Annual Town Meeting (voted on May 9, 2017) for any matter addressing Modifications and Waivers and /or the Aquifer Protection District, and/or;

ii) under Article 38 of the 2017 Spring Annual Town Meeting (voted on May 9, 2017) for any matter addressing Special Permit procedures, regulations and /or requirements and/or Special Permit Granting Authority and Site Plan Review designations and/or;

iii) under Article 3 of the 2017 Special Town Meeting #1 (voted May, 16, 2017) for any matter addressing the Reasonable Regulation of Uses Exempted from Permitting:

Provided that, and only in order to address, any comments, advice and/or disapprovals, in whole or in part, received from the Attorney General of the Commonwealth of Massachusetts and further providing that action under this article be limited to a) amending the votes of Spring 2017 Town Meeting and /or 2017 Special Town Meeting #1 respectively or b) providing entirely new and/or comprehensive motions solely to address and/or to resolve matters, if any, raised and/or identified by the Attorney General regarding the aforementioned votes, which action(s) may include but is/are not limited as follows:

A) For Waivers and Modifications (Article 37 of 2017 Spring Annual Town Meeting):

1) to eliminate, to restrict and/or to limit in whole or in part the ability of the Special Permit Granting Authority (SPGA) to grant or to make modifications or waivers with regard to the provisions of the

Zoning By-Law and the extent to which and/or the subject matter on which any modifications or waivers may be granted including but not limited to the following sections or subsections:

III-A.6 Affordable Housing B. Housing Overlay Option Plan (HOOP), 7. Modifications and Waivers

III-A.6 Affordable Housing C. Smart Growth Overlay District (SGO District), 11. Waivers

III-I Assisted Living Residences, Modifications and Waivers

III-J Historic Preservation, 8. Modifications and Waivers

Section 320 Highway Overlay Districts, 329 Administration, 329.2 Modifications and Wavers and/or

2) to move any and all language concerning modifications and waivers in the above sections to a new section or subsection in the Zoning By-Law in order to consolidate all language concerning modifications and waivers in one place and to make changes to eliminate, in whole or in part, and/or to restrict and/or limit, in that new section or subsection, the ability of and /or extent to which and/or the subject matter on which an SPGA may grant waivers and/or modifications and/or

3) to delete all existing language concerning modifications and waivers in the above sections and create a new section or subsection which consolidates and/or modifies any and all waiver and modification language and/or eliminates, in whole or in part, and/or restricts and/or limits the ability of and/or extent to which and/or the subject matter on which an SPGA may grant any waivers and or modifications in such new language and/or to specify in such new section or subsection which districts, zones, or uses may benefit from or obtain any waivers or modifications and/or to specify that such new section or subsection shall prevail, override, super cede and/or control over any other section of the Zoning By-Law notwithstanding any such other section of the Zoning By-Law to the contrary and/or

4) to eliminate, to restrict and/or to narrow the applicability of the exceptions in Section III-A.5 Aquifer Protection District (APD) of the Zoning By-Law which presently exempts any residentially used lot in the RG or RS zones from any or all of the requirements of the Aquifer Protection District and/or to limit the applicability of any such exceptions in the RG and RS districts to single family and two family type uses and/or uses allowed in single family and two family structures and/or

Provided that none of the above changes under this article may increase the ability of any SPGA to grant waivers or modifications or create the ability of any SPGA to grant waivers and/or modifications where none are currently allowed or make increases to any exemptions under the Aquifer Protection District section of the By-Law;

and/or

B) For Special Permits and SPGA Designation and Site Plan Review (Article 38 of 2017 Spring Annual Town Meeting)

1) to change the assignments of Special Permit Granting Authority (SPGA) in Section VI-DD-2 including changing existing SPGA assignments and/or

2) to insert, to specify and/or to provide for, within Section VI-DD-2, SPGA assignments for any zoning district(s), including overlay district(s), for which districts the existing Zoning By-Law i) provides for uses by Special Permit but ii) fails to designate, identify, specify and/or authorize any SPGA (including without limitation the Downtown Mixed Use zoning district) and/or

3) to establish, to provide for and/or to include language in Section VI-DD for purpose, intent, administration, applicability, general requirements, procedures, approval criteria, standards, etc. for Special Permits and /or

4) to clarify and/or to specify in Section VI-DD that the granting and/or issuance and/or processes for Special Permits are part of and/or included within the Site Plan Review process when uses allowed by Special Permit are involved and/or that the processes for granting or issuing Special Permits shall include the Site Plan Review Process

5) to create new definitions for Site Plan Review, Site Plan Review Procedures, Special Permit Granting and/or Special Permit Granting Procedures or Processes and/or to include these definitions in the Definitions Section of the Zoning By-Law and/or to have these definitions refer to Section VI-DD as revised for the above and /or to apply and use these definitions in Section VI-DD and/or

Make any other changes in the Zoning By Law consistent with the purpose of a) providing that an

SPGA is assigned the responsibility and authority for Special Permits and/or Site Plan Review for any and all districts and/or overlay districts where uses are allowed by special permit in the existing Zoning By-Law and b) providing that the Zoning By-Law has provisions covering the broad topics in 3), 4) and/or 5) above for Special Permits;

and/or

C) For the Reasonable Regulation of Uses Exempted from Permitting (Article 3 of the 2017 Special Town Meeting #1)

1) to amend the Zoning By-Law including but not limited to adding new sections and/or definitions, and/or amending existing sections and/or definitions and/or applying existing regulations in order to provide for Site Plan Review and reasonable regulations concerning the bulk and height of structures and determining yard size, lot area, setbacks, open space, parking, and building coverage requirements of land, structures, and uses as provided in and/or otherwise exempted from any local permitting and/or local zoning control per Massachusetts General Laws chapter 40A, section 3, the so-called Dover Amendment, relevant case law and/or other State or Federal statute;

or otherwise act thereon.”

#### **FINANCE COMMITTEE RECOMMENDATION**

The Finance Committee did not have a recommendation on this article.

#### **MOTION: (Requires majority vote)**

Ms. Collins moved, seconded by Mr. Sidney to take no action on the subject matter of Article 53.

Ms. Collins spoke to this article and explained that this article was filed in case the Attorney General came back with comments relating to Articles 37 and 38 of the 2017 Spring Annual Town Meeting and Article 3 of the 2017 Special Town Meeting #2. She explained that the Articles 37 and 38 were approved as submitted but the Attorney General’s office has requested extensions on Article 3 until December 2<sup>nd</sup>. It is unlikely that there will be a response from the Attorney General’s office prior to the dissolution of Town Meeting and therefore the sponsors are asking for no action.

*The motion to take no action under Article 53 passed by majority vote (101-3-0).*

The Moderator announced that the meeting would continue with Article 42.

#### **ARTICLE 42: Amend By-law Article 26: Historic District Commission (Charter & By-law Review Committee)**

To see whether the Town will vote to amend Article 26 of the Town of Natick By-laws as follows:

1. In Section 2 sub-section 1, change “Natick Community Development Office” to “Natick Community and Economic Development Office”, so that the section shall read:

“(1) **John Eliot Historic District**, as shown on a plan entitled "Proposed Enlargement of John Eliot Historic District", (scale 1" equals 100') dated August 28, 1975, and revised March 1, 1976, said plan being on record with the Natick Community and Economic Development Office.”; and

2. In Section 2 sub-section 2, change “Natick Community Development Office” to “Natick Community and Economic Development Office”, so that the section shall read:

“(2) **Henry Wilson Historic District**, as shown on "Plan of the Proposed Henry Wilson Historic District, Natick, Massachusetts", (scale 1" equals 100') dated August 10, 1977, and revised November 8, 1977, said plan being on record with the Natick Community and Economic Development Office.”;

or otherwise act thereon.

#### **FINANCE COMMITTEE RECOMMENDATION**

Motion A: By a vote of **12-0-0** on **September 12, 2017** the Finance Committee recommends **Favorable Action** on the motion as printed below.

Motion B: By a vote of **12-0-0** on **September 12, 2017** the Finance Committee recommends **Favorable Action** on the motion as printed below.

**MOTIONS:**

**Motion A: (Requires majority vote)**

Moved by Mr. Evans, seconded by Mr. Hayes to replace the words “Natick Community Development Office” with “Natick Community and Economic Development Office” in Section 2, sub-section 1 in Article 26 of the Town of Natick By-laws.

Ms. Gloff, Chair of the Charter and By-law Review Committee spoke to all the motions under this article.

*Motion A under Article 42 passed by majority vote (106-0-0).*

**Motion B: (Requires majority vote)**

Moved by Mr. Evans, seconded by Mr. Hayes to replace the words “Natick Community Development Office” with “Natick Community and Economic Development Office” in Section 2, sub-section 2 in Article 26 of the Town of Natick By-laws.

*Motion B under Article 42 passed by majority vote (104-1-1).*

**ARTICLE 43: Amend By-law Article 40: Town Reports and Records  
(Charter & By-law Review Committee)**

To see whether the Town will vote to amend Article 40 of the Town of Natick By-laws by replacing Section 3 with:

“In carrying out the provisions of Section 7-9 (b) of the Charter, each Town Board, Commission, Committee and Sub-Committee shall record the minutes of its proceedings in accordance with the Massachusetts Open Meeting Law, as amended. The minutes shall contain therein the body’s official name, date, time of opening and adjournment, members present, minutes of previous meeting corrected or approved, motions voted thereon as approved or denied, and that the meeting was duly posted by the Clerk or Secretary or, in the absence of the Clerk or Secretary, by the Chair or the Chair’s designee. The minutes shall be approved by the relevant Town Board, Commission, Committee or Sub-Committee.

Henceforth, each Town Board, Commission, Committee and Sub-Committee shall file its minutes with the Town Clerk, who will make the minutes available as public records.”;  
or otherwise act thereon.

**FINANCE COMMITTEE RECOMMENDATION**

By a vote of **8-0-0** on **September 19, 2017** the Finance Committee recommends *Favorable Action* on the motion as printed below.

**MOTION: (Requires majority vote)**

Moved by Mr. Evans seconded by Mr. Hayes to amend Article 40 of the Town of Natick By-laws by replacing Section 3 with:

“In carrying out the provisions of Section 7-9 (b) of the Charter, each Town Board, Commission, Committee and Sub-Committee shall record the minutes of its proceedings in accordance with the Massachusetts Open Meeting Law, as amended. The minutes shall contain therein the body’s official name, date, time of opening and adjournment, members present, minutes of previous meeting corrected or approved, motions voted thereon as approved or denied, and that the meeting was duly posted by the Clerk or Secretary or, in the absence of the Clerk or Secretary, by the Chair or the Chair’s designee. The minutes shall be approved by the relevant Town Board, Commission, Committee or Sub-Committee.

Henceforth, each Town Board, Commission, Committee and Sub-Committee shall file its minutes with the Town Clerk, who will make the minutes available as public records. And all such meeting minutes shall be retained by the Town Clerk in accordance with Mass General Laws”

Ms. Gloff, Chair of the Charter and By-law Review Committee spoke to this article. *The main motion under Article 43 passed by majority vote (109-1-0).*

**ARTICLE 44: Amend By-law Article 41: Contracts, Town Property, And Regulations of Town Boards And Officials (Charter & By-law Review Committee)**

To see whether the Town will vote to amend Article 41 of the Town of Natick By-laws as follows:

1. In Section 1,
  - a. add the phrase “all applicable federal, state, and local laws, rules and regulations, including, without limitation,” after the phrase “made in accordance with” and before the phrase “Mass. Gen. Laws Chapter 30B” in the first paragraph; and
  - b. add the phrase “, Sections 44A, et seq.” after the phrase “Chapter 149” in the first paragraph; and
  - c. add the phrase “successor legislation or other” after the phrase “or other” and before the phrase “applicable law” in the first paragraph; and
  - d. add the phrase “, and of Town Counsel, indicating approval as to form; however, the lack of such a signature by either official shall not otherwise invalidate any such contract” at the end of the third paragraph;

so that Section 1 shall 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 all applicable federal, state, and local laws, rules, and regulations, including, without limitation, Mass. Gen. Laws Chapter 30B; Chapter 30 Section 39M; Chapter 7C, Sections 44 et seq.; Chapter 149, Sections 44A et seq.; or other successor legislation or other applicable law, as may be amended. Administrative policies and/or procedures shall be established by the Town Administrator and the Superintendent of Schools as appropriate. Such policies and/or procedures shall, at a minimum, identify the municipal officials having the authority to legally bind the Town in a contract. Such policies shall prescribe procurement procedures for architectural and engineering services for which no procurement process is required by applicable Massachusetts law. No contract, and no purchase, service or work for which a contract is proposed, shall be split or divided for the purpose of evading any provision of this section. All contracts of the Town of Natick shall bear the signature of the Comptroller verifying the availability of funds in the full amount of the contract, and of Town Counsel, indicating approval as to form; however, the lack of such a signature by either official shall not otherwise invalidate any such contract.”; and

2. In Section 2, delete the phrase “or that no reasonable substitute for a purchase or service can be obtained”; so that section 2 shall read:

“To the extent permitted by applicable state procurement law, the Selectmen or the School Committee, as applicable, may exempt a purchase or contract from any or all of the provisions of the preceding section when, in their opinion, an emergency exists requiring immediate action on such purchase or contract to protect the health and safety of persons or property. Evidence indicating that such an emergency exists shall be furnished to the Selectmen or School Committee, as applicable, in writing by the officer, board, or committee making such purchase or contract as soon as practical, and shall be kept on file with other procurement records of such transactions.”; and
3. In Section 3,
  - a. replace the word “including” with the phrase “which shall include, without limitation” after the phrase “Town of Natick,” and before the phrase “solicitation(s), responses”; and
  - b. add the phrase “as well as every other document required to be retained by federal, state, or local law, rule, or regulation” at the end of the first sentence; so that section 3 shall read:

“The designated procurement officer shall retain complete files for every procurement of the Town of Natick, which shall include, without limitation solicitation(s), responses, contracts, and amendments thereto, if applicable, as well as every other document required to be retained by federal, state, or local law, rule, or regulation. Every Town board, official, employee or committee making or executing a contract on behalf of the Town shall furnish a copy of said documents to the procurement officer. The original contract, and original amendments thereto, if applicable, shall be submitted to the Town Comptroller within ten (10) days after the execution of all such documents. The procurement officer and the Town Comptroller shall keep such documents on file consistent with applicable public records laws.”; and
4. In Section 4,
  - a. replace the first word “No” of the section with the phrase “Notwithstanding the provisions of Mass. Gen. Laws Chapter 268A, or any other successor legislation with is hereby acknowledged, no”; and
  - b. replace the phrase “fees allowed by” with the phrase “other authorized compensation under” in the second sentence; so that the section shall read:

“Notwithstanding the provisions of Mass. Gen. Laws Chapter 268A, or any other successor legislation which is hereby acknowledged, no Town officer and no salaried employee of the Town shall receive any compensation or commission for work done by him for the Town, except his official salary and other authorized compensation under law, without permission of the Selectmen expressed in a vote which shall appear on their records with the reasons therefor. Employees whose additional compensation is through the Veterans’ or Senior Property Tax Work Program shall be exempt from this requirement.”; and

5. In Section 5,

- a. replace the phrase “abandon, to trade, or to sell” with the phrase “dispose of”; and
- b. replace the phrase “private or public sale” with the phrase “manner compliant with Mass. Gen. Laws Chapter 30B, or any successor legislation”; and
- c. Add the sentence “The use of an on-line auction site shall be deemed consistent with this policy, unless otherwise prohibited by law.” at the end of the section;

so that the section shall read:

“Whenever any property of the Town, other than real estate, the replacement value of which exceeds five hundred dollars (\$500.00), shall have become obsolete, disused, worn out or necessary to replace, the Town official or officials having jurisdiction thereof shall so certify in writing to the Board of Selectmen or School Committee, as applicable, who may reserve action relative to its disposal for consideration of a Town Meeting or may by vote authorize the official or officials to dispose of such property in a manner compliant with Mass. Gen. Laws Chapter 30B, or any successor legislation. The use of an on-line auction site shall be deemed consistent with this policy, unless otherwise prohibited by law.”; and

6. In Section 6,

- a. replace the first word “The” with the phrase “Unless otherwise specified by law, the” at the beginning of the section; and
- b. Add the sentence “The Town shall comply in all respects with any procedures specified by statute or special act for such sale.” before the last sentence of the first paragraph;

so that the section shall read:

“Unless otherwise specified by law, the Selectmen and Town Treasurer may sell at public auction and in such manner, upon such terms and for such consideration as in their judgment is for the best interest of the Town, lands held from time to time by the Town under tax titles the right of redemption from which has been foreclosed. Notice of such sales shall be advertised at least once in a newspaper published in the Town no less than fourteen (14) days prior to the date of the sale, and such notice shall include the location of such lands by street address or comparable description. The Town shall comply in all respects with any procedures specified by statute or special act for such sale. The Conservation Commission and the Historical Commission of the Town shall be notified of such sale at the time that the advertisement is prepared.

(For more precise requirements on such sales, see Mass. Gen. Laws, Chapter 60, Sections 37-84A or successor legislation, or as said laws may hereinafter be amended).”; and

7. In Section 9, replace the phrase “shall appear thereon the signatures of at least a majority of the Town board, commission, or committee authorized to make expenditures” with the phrase “has been full compliance with Mass. Gen. Laws Chapter 41, Section 52, or any successor legislation. The Town Comptroller shall exercise all duties imposed by statute, including, without limitation, those specified in Mass. Gen. Laws Chapter 41, Section 56, or any other successor legislation”; so that the section shall read:

“The Town Comptroller shall not approve for payment any warrant for the expenditure of public funds unless there has been full compliance with Mass. Gen. Laws Chapter 41, Section 52, or any successor legislation. The Town Comptroller shall exercise all duties imposed by statute, including, without limitation, those specified in Mass. Gen. Laws Chapter 41, Section 56, or any other successor legislation.”; and

8. In section 11,

- a. replace the phrase “Sections 23A through 23C of Chapter 39 of the General Laws” with the phrase “Sections 18 through 25 of Chapter 30A of the General Laws” in the first sentence; and
- b. replace the phrase “requiring a vote of the Board” with the phrase “requiring the vote of a board, commission, committee, or subcommittee” in the first paragraph; and
- c. add the phrase “, commissions,” after the word “boards” and before the words “and committees” in the first sentence of the second paragraph; and
- d. replace the phrase “The Town Clerk” with the phrase “Except in cases of emergency, in which case, as much notice as possible shall be provided, the Town Clerk” in the second paragraph; and
- e. delete the last paragraph;

so that the section shall read:

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

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

Appointed standing committees shall meet as required by their duties and shall notify the Town Clerk not less than forty-eight (48) hours before any meeting.”; and

9. In the table entitled “Town Regulations”, add the following at the bottom of the list:

Historic District Commission Rules and Regulations	Historic District Commission	Historic District Commission Chair (or designee)
Conservation Commission Rules and Regulations	Conservation Commission	Conservation Commission Chair (or designee)
Board of Selectmen Regulations	Board of Selectmen	Town Administrator

”;

or otherwise act thereon.

**FINANCE COMMITTEE RECOMMENDATION**

All votes were taken on September 14, 2017 and were for **Favorable Action**:

Motion A: By a vote of **13-0-0**

Motion B: By a vote of **12-0-1**

Motion C: By a vote of **13-0-0**

Motion D: By a vote of **13-0-0**

Motion E: By a vote of **13-0-0**

Motion F: By a vote of **13-0-0**

Motion G: By a vote of **13-0-0**

Motion H: By a vote of **13-0-0**

Motion I: By a vote of **13-0-0**

Motion J: By a vote of **13-0-0**

Motion K: By a vote of **13-0-0**

**MOTIONS (all require majority vote):**

**Motion A:**

Moved by Mr. Evans, seconded by Mr. Hayes to replace the first paragraph of Section 1 of Article 41 of the Town of Natick By-laws with:

“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 all applicable federal, state, and local laws, rules, and regulations, including, without limitation, Mass. Gen. Laws Chapter 30B; Chapter 30 Section 39M; Chapter 7C, Sections 44 *et seq.*; Chapter 149, Sections 44A *et seq.*; or other successor legislation or other applicable law, as may be amended. Administrative policies and/or procedures shall be established by the Town Administrator and the Superintendent of Schools as appropriate. Such policies and/or procedures shall, at a minimum, identify the municipal officials having the authority to legally bind the Town in a contract. Such policies shall prescribe procurement procedures for architectural and engineering services for which no procurement process is required by applicable Massachusetts law.”

Ms. Gloff, Chair of the Charter and By-law Review Committee spoke to all the motions under this article.

***Motion A under Article 44 passed by majority vote (108-1-0).***

**Motion B:**

Moved by Mr. Evans, seconded by Mr. Hayes to add the following phrase to the end of the last paragraph of Section 1 of Article 41 of the Town of Natick By-laws:

“and of Town Counsel, indicating approval as to form; however, the lack of such a signature by either official shall not otherwise invalidate any such contract”

***Motion B under Article 44 passed by majority vote (92-11-6).***

**Motion C:**

Moved by Mr. Evans, seconded by Mr. Hayes to delete the phrase “or that no reasonable substitute for a purchase or service can be obtained” from Section 2 of Article 41 of the Town of Natick By-laws.”

***Motion C under Article 44 passed by majority vote (108-1-0).***

**Motion D:**

Moved by Mr. Evans, seconded by Mr. Hayes to replace the first sentence of Section 3 of Article 41 of the Town of Natick By-laws with “The designated procurement officer shall retain complete files for every procurement of the Town of Natick, which shall include, without limitation solicitation(s), responses, contracts, and amendments thereto, if applicable, as well as every other document required to be retained by federal, state, or local law, rule, or regulation.”

***Motion D under Article 44 passed by majority vote (105-0-0).***

**Motion E:**

Moved by Mr. Evans, seconded by Mr. Hayes to replace the first sentence of Section 4 of Article 41 of the Town of Natick By-laws with “Notwithstanding the provisions of Mass. Gen. Laws Chapter 268A, or any other successor legislation which is hereby acknowledged, no Town officer and no salaried employee of the Town shall receive any compensation or commission for work done by him for the Town, except his official salary and other authorized compensation under law, without permission of the Selectmen expressed in a vote which shall appear on their records with the reasons therefor.”

***Motion E under Article 44 passed by majority vote (105-4-0).***

**Motion F:**

Moved by Mr. Evans, seconded by Mr. Hayes to replace the phrase “abandon, to trade, or to sell such property at a private or public sale” at the end of Section 5 of Article 41 of the Town of Natick By-laws with “dispose of such property in a manner compliant with Mass. Gen. Laws Chapter 30B, or any successor legislation. The use of an on-line auction site shall be deemed consistent with this policy, unless otherwise prohibited by law”

***Motion F under Article 44 passed by majority vote (107-0-0).***

**Motion G:**

Moved by Mr. Evans, seconded by Mr. Hayes to replace the first word “The” in the first paragraph of Section 6 of Article 41 of the Town of Natick By-laws with “Unless otherwise specified by law, the”

***Motion G under Article 44 passed by majority vote (108-1-0).***

**Motion H:**

Moved by Mr. Evans, seconded by Mr. Hayes to insert the sentence “The Town shall comply in all respects with any procedures specified by statute or special act for such sale.” before the last sentence of the first paragraph of Section 6 of Article 41 of the Town of Natick By-laws.”

***Motion H under Article 44 passed by majority vote (110-0-1).***

**Motion I:**

Moved by Mr. Evans, seconded by Mr. Hayes to replace Section 9 of Article 41 of the Town of Natick By-laws with:

“The Town Comptroller shall not approve for payment any warrant for the expenditure of public funds unless there has been full compliance with Mass. Gen. Laws Chapter 41, Section 52, or any successor legislation. The Town Comptroller shall exercise all duties imposed by statute, including, without limitation, those specified in Mass. Gen. Laws Chapter 41, Section 56, or any other successor legislation.”

***Motion I under Article 44 passed by majority vote (108-1-0).***

**Motion J:**

Moved by Mr. Evans, seconded by Mr. Hayes to replace Section 11 of Article 41 of the Town of Natick By-laws with:

“All meetings of Town boards, commissions, committees, and subcommittees, elected, appointed or otherwise constituted, shall be in accordance with the provisions of Section 7-9 of the Charter and Sections 18 through 25 of Chapter 30A of the General Laws or successor legislation, or as said laws



may hereinafter be amended. In addition, in any matter requiring a vote of a board, commission, committee, or subcommittee, the vote shall be by voice or roll call and no secret or written ballots shall be used, except as may otherwise be required or allowed by these By-Laws or the Charter of the Town.

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

Appointed standing committees shall meet as required by their duties and shall notify the Town Clerk not less than forty-eight (48) hours before any meeting.”

***Motion J under Article 44 passed by majority vote (107-1-0).***

**Motion K:**

Moved by Mr. Evans, seconded by Mr. Hayes to insert the following three lines at the bottom of the table of Town Regulations at the end of Article 41 of the Town of Natick By-laws:

Historic District Commission Rules and Regulations	Historic District Commission	Historic District Commission Chair (or designee)
Conservation Commission Rules and Regulations	Conservation Commission	Conservation Commission Chair (or designee)
Board of Selectmen Regulations	Board of Selectmen	Town Administrator

***Motion K under Article 44 passed by majority vote (104-0-0).***

**ARTICLE 45: Amend By-law Article 44: Conflict Between Town Agencies, Etc. (Charter & By-law Review Committee)**

To see whether the Town will vote to amend Article 44 of the Town of Natick By-laws as follows:

Add the following sentence to the end of Section 3:

“The provisions of this Section 3 shall not apply if the Board of Selectmen is a party or potential party to the legal proceeding.”,

so that the section shall read:

“It shall be the duty of the Board of Selectmen at any such joint meeting to act as mediators and as conciliators in an effort to resolve the differences between the parties involved, or if a resolution of the differences is not possible, to reduce the areas of difference to the smallest possible number in order to facilitate the disposition of the legal issues involved. The provisions of this Section 3 shall not apply if the Board of Selectmen is a party or potential party to the legal proceeding.”

or otherwise act thereon.

**FINANCE COMMITTEE RECOMMENDATION**

By a vote of 12-0-0 on September 12, 2017 the Finance Committee recommends *Favorable Action* on the motion as printed below.

**MOTION: (Requires majority vote)**

Moved by Mr. Evans, seconded by Mr. Hayes to add the following sentence at the end of Section 3 of Article 44 of the Town of Natick By-laws:

“The provisions of this Section 3 shall not apply if the Board of Selectmen is a party or potential party to the legal proceeding.”

Ms. Gloff, Chair of the Charter and By-law Review Committee spoke to this article. ***The main motion under Article 45 passed by majority vote (108-0-0).***

**ARTICLE 46: Amend By-law Article 50: Police Regulations (Charter & By-law Review Committee)**

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

1. replace Section 10 with the following text:  
“No person shall throw stones, snowballs, projectiles, or other dangerous articles within or across any street or way, nor participate in any activity within a street or way that poses a significant risk to the public.”; and
2. replace Section 11 with the following text:

“No person shall collect and transport for hire any garbage or refuse in and through the Town of Natick, unless duly licensed by the Board of Health upon such terms and conditions as said Board deems necessary for the health, comfort, and convenience of the Town. Said licensing requirement shall not apply to the occasional employment of junk removal service companies, not involving ongoing or regularly scheduled collection services.”; and

3. in Section 14 a, change the title of the Section to “Consumption or Possession of Alcoholic Beverages”, and add the phrase “any alcoholic beverages or possess any open container of” after the first word “drink” in the first sentence, so that the section shall read:

**“14 a Consumption or Possession of Alcoholic Beverages**

No person shall drink any alcoholic beverages or possess any open container of any alcoholic beverages as defined in Chapter 138, Section 1 of the Massachusetts General Laws while on, in or upon any public way or upon any way to which the public has a right of access, or any place to which members of the public have access as invitees or licensees, park or playground, or private land or place without consent of the owner or person of control thereof. All alcoholic beverages being used in violation of this By-Law shall be seized and safely held until final adjudication of the charge against the person or persons arrested or summoned before the court, at which time they shall be returned to the person entitled to lawful possession.”; and

4. in Section 17.1, replace the phrase “or on a vacant lot” with the phrase “on a vacant lot, or visible from the street”, so that the section shall read:

**“Unregistered Motor Vehicles** - Unless authorized by the Board of Selectmen, no person shall in a residential district store any unregistered motor vehicle or component part or parts thereof in a front yard, front driveway, on a vacant lot, or visible from the street; nor shall any person, without such authorization keep ungaraged on any lot in such a district more than one such unregistered motor vehicle or component parts thereof.”; and

5. replace Section 17.2 with the following text:

**“Unregistered Trailers** - Unless authorized by the Board of Selectmen, no person shall in a residential district store any unregistered trailer or component part or parts thereof in a front yard, front driveway, on a vacant lot, or visible from the street; nor shall any person, without such authorization keep ungaraged on any lot in such a district more than one such unregistered trailer or component parts thereof.”; and

6. in Section 18, sub-section b, replace the first word “plow” with the word “deposit”; so that the section shall read:

“No person shall deposit snow into any public way after it has been plowed.”; and

7. in Section 20, replace the word “refuse” with the word “trash”, so that the section shall read:

“Disposal of trash, bottles, cans, or rubbish on private land or public property is prohibited.”; and

8. in Section 21, replace the phrase “the By-law” in the first sentence of the fourth paragraph with the phrase “this Section of this by-law”, and replace the phrase “this By-law” in the second sentence of the fourth paragraph with the phrase “this Section of this by-law”, so that the fourth paragraph shall read:

“Whoever violates any provision of this Section of this by-law shall be subject to a fine of fifty dollars (\$50.00) for the first violation and one hundred fifty dollars (\$150.00) for each subsequent violation. Each day that a violation continues shall constitute a separate offense. Whoever violates any provision of this Section of this by-law shall be liable for payment to the Town of Natick of restitution in the full amount of damage to Town of Natick property which results from such violation.”; and

9. in Section 22.2, delete the table of Handicapped Spaces and replace the phrase “, according to the following formula:” with a period, followed by the sentence “The number of such spaces shall be determined by the Town Building Department in accordance with current Massachusetts laws and regulations.”, so that the section shall read:

**“22.2 Provision for** - Any person or body that has lawful control of a public or private way or of improved or enclosed property used as off-street parking areas for business, shopping, malls, theaters, auditoriums, sporting or recreational facilities, cultural centers, residential dwellings, or for any other place where the public has a right of access as invitees or licensees, shall be required to reserve parking spaces in said off-street parking areas for any

vehicle owned and operated by a disabled veteran or handicapped person whose vehicle bears the distinguishing license plate or placard authorized by Section two of Chapter 90 of the Massachusetts General Laws. The number of such spaces shall be determined by the Town Building Department in accordance with current Massachusetts laws and regulations.”; and  
10. in Section 22.5, replace the phrase “one hundred dollars (\$100.00)” with the phrase “three hundred dollars (\$300.00)”, so that the section shall read:

“22.5 **Penalty for Violation** - The penalty for violation of Paragraph 22.4 of this by-law shall be three hundred dollars (\$300.00). The vehicle may be removed according to the provisions of Section 120D of Chapter 266 of the General Laws.”;  
or otherwise act thereon.

### **FINANCE COMMITTEE RECOMMENDATION**

The Finance Committee recommended *Favorable Action* on all Motions A-K by a vote of **8-0-0** on **September 19, 2017**.

### **MOTIONS (all require majority vote):**

#### **Motion A:**

Moved by Mr. Evans, seconded by Mr. Hayes to replace Section 10 of Article 50 of the Town of Natick By-laws with: “No person shall throw stones, snowballs, projectiles, or other dangerous articles within or across any street or way, nor participate in any activity within a street or way that poses a significant risk to the public.”

Ms. Gloff, Chair of Charter and By-law Review Committee spoke to all of the motions under this article. *Motion A under Article 46 passed by majority vote (101-4-1)*.

#### **Motion B:**

Moved by Mr. Evans, seconded by Mr. Hayes to replace Section 11 of Article 50 of the Town of Natick By-laws with “No person shall collect and transport for hire any garbage or refuse in and through the Town of Natick, unless duly licensed by the Board of Health upon such terms and conditions as said Board deems necessary for the health, comfort, and convenience of the Town. Said licensing requirement shall not apply to the occasional employment of junk removal service companies, not involving ongoing or regularly scheduled collection services.”

*Motion B under Article 46 passed by majority vote (94-11-1)*.

#### **Motion C:**

Moved by Mr. Evans, seconded by Mr. Hayes to change the title of Section 14 a of Article 50 of the Town of Natick By-laws to “Consumption or Possession of Alcoholic Beverages”.

*Motion C under Article 46 passed by majority vote (74-32-11)*.

#### **Motion D:**

Moved by Mr. Evans, seconded by Mr. Hayes to add the phrase “any alcoholic beverages or possess any open container of” after the first word “drink” in the first sentence of Section 14 a of Article 50 of the Town of Natick By-laws.

*Motion D under Article 46 passed by majority vote (74-27-4)*.

#### **Motion E:**

Moved by Mr. Evans, seconded by Mr. Hayes to replace the phrase “or on a vacant lot” with the phrase “on a vacant lot, or visible from the street” in Section 17.1 of Article 50 of the Town of Natick By-laws.

*Motion E under Article 46 passed by majority vote (84-20-1)*.

#### **Motion F: (Requires majority vote)**

Moved by Mr. Evans, seconded by Mr. Hayes to replace Section 17.2 of Article 50 of the Town of Natick By-laws with: “Unregistered Trailers - Unless authorized by the Board of Selectmen, no person shall in a residential district store any unregistered trailer or component part or parts thereof in a front yard, front driveway, on a vacant lot, or visible from the street; nor shall any person, without such authorization keep ungaraged on any lot in such a district more than one such unregistered trailer or component parts thereof.”

*Motion F under Article 46 passed by majority vote (89-16-0)*.

#### **Motion G:**

Moved by Mr. Evans, seconded by Mr. Hayes to replace the first word “plow” with the word “deposit” in Section 18, sub-section b of Article 50 of the Town of Natick By-laws.

*Motion G under Article 46 passed by majority vote (99-3-0).*

**Motion H:**

Moved by Mr. Evans, seconded by Mr. Hayes to replace the word “refuse” with the word “trash” in Section 20 of Article 50 of the Town of Natick By-laws.

*Motion H under Article 46 passed by majority vote (104-0-0).*

**Motion I:**

Moved by Mr. Evans, seconded by Mr. Hayes to replace the phrase “the By-law” in the first sentence of the fourth paragraph with the phrase “this Section of this by-law”, and replace the phrase “this By-law” in the second sentence of the fourth paragraph with the phrase “this Section of this by-law” in the fourth paragraph of Section 21 of Article 50 of the Town of Natick By-laws.

*Motion I under Article 46 passed by majority vote (104-1-0).*

**Motion J:**

Moved by Mr. Evans, seconded by Mr. Hayes to replace the phrase “, according to the following formula:” with a period, and replace the table of Handicapped Spaces with the sentence “The number of such spaces shall be determined by the Town Building Department in accordance with current Massachusetts laws and regulations.” In Section 22.2 of Article 50 of the Town of Natick By-laws.

*Motion J under Article 46 passed by majority vote (104-1-0).*

**Motion K:**

Moved by Mr. Evans, seconded by Mr. Hayes to replace the phrase “one hundred dollars (\$100.00)” with the phrase “three hundred dollars (\$300.00)” in Section 22.5 of Article 50 of the Town of Natick By-laws.

*Motion K under Article 46 passed by majority vote (98-1-2).*

**ARTICLE 47: Amend By-law Article 51: Alarm Systems  
(Charter & By-law Review Committee)**

To see whether the Town will vote to amend Article 51 of the Town of Natick By-laws as follows:

1. add the phrase “; motor vehicle alarms are included” at the end of the first sentence of Section 1, sub-section a, so that the sub-section shall read:

“a. The term "Alarm System" means an assembly of equipment and devices or a single device such as a solid state unit which connects directly into a power source, arranged to signal the presence of a hazard requiring urgent attention and to which police are expected to respond; motor vehicle alarms are included. Fire alarm systems and alarm systems, which monitor temperature, smoke, humidity, or any other condition not directly related to the detection of an unauthorized intrusion into a premises or an attempted robbery at a premises are specifically excluded from the provisions of this by-law.”; and

2. delete Section 5 in its entirety, and replace it with the phrase “Section 5 – deleted”; and
3. delete the phrase “enter upon the property outside the home or building in which the alarm system is located and” in the first paragraph of Section 6 that follows sub-section c, so that the paragraph shall read:

“In the event that the Police Chief is unable to contact the alarm user, or member of the alarm user's family, or those persons designated by the alarm user under paragraph (a) of this section, or if the aforesaid persons cannot or will not curtail the audible signal being emitted by the alarm system, and if the Police Chief is otherwise unable to abate the nuisance, he may direct a police officer or a firefighter or a qualified alarm technician to take any reasonable action necessary to abate the nuisance.”;

4. delete the phrase “outside the home or building” in the second paragraph of Section 6 that follows sub-section c, and replace the phrase “home or building” with the phrase “home, building, or vehicle” in the second paragraph of Section 6 that follows sub-section c so that the paragraph shall read:

“If entry upon the property in which the alarm system is located is made in accordance with this section, the person so entering upon such property (1) shall not conduct, engage in, or undertake any search, seizure, inspection or investigation while he is upon the property; (2) shall not cause any unnecessary damage to the alarm system or to any part of the home, building, or vehicle; and (3) shall leave the property immediately after the audible system has ceased. After an entry upon property has been made in accordance with this section, the

Police Chief shall have the property secured, if necessary. The reasonable costs and expenses of abating a nuisance in accordance with this section may be assessed to the alarm user, said assessment not to exceed \$50.00.”;

or otherwise act thereon.

**FINANCE COMMITTEE RECOMMENDATION**

Motion A: By a vote of **8-0-0** on **September 19, 2017** the Finance Committee recommends **Favorable Action** on the motion as printed below.

Motion B: By a vote of **8-0-0** on **September 19, 2017** the Finance Committee recommends **Favorable Action** on the motion as printed below.

Motion C: By a vote of **8-0-0** on **September 19, 2017** the Finance Committee recommends **Favorable Action** on the motion as printed below.

Motion D: By a vote of **8-0-0** on **September 19, 2017** the Finance Committee recommends **Favorable Action** on the motion as printed below.

**MOTIONS (all motions require majority vote):**

**Motion A:**

Moved by Mr. Evans, seconded by Mr. Hayes to add the phrase “; motor vehicle alarms are included” at the end of the first sentence of Section 1, sub-section a of Article 51 of the Town of Natick By-laws.

Ms. Gloff, Chair of Charter and By-law Review Committee spoke to all of the motions under this article. ***Motion A under Article 47 passed by majority vote (92-4-0).***

**Motion B:**

Moved by Mr. Evans, seconded by Mr. Hayes to delete Section 5 in its entirety, and replace it with the phrase “Section 5 – deleted” in Article 51 of the Town of Natick By-laws.

***Motion B under Article 47 passed by majority vote (97-1-1).***

**Motion C:**

Moved by Mr. Evans, seconded by Mr. Hayes to delete the phrase “enter upon the property outside the home or building in which the alarm system is located and” in the first paragraph of Section 6 that follows sub-section c in Article 51 of the Town of Natick By-laws.”

***Motion C under Article 47 passed by majority vote (93-4-0).***

**Motion D:**

Moved by Mr. Evans, seconded by Mr. Hayes to delete the phrase “outside the home or building” in the second paragraph of Section 6 that follows sub-section c, and replace the phrase “home or building” with the phrase “home, building, or vehicle” in the second paragraph of Section 6 that follows sub-section c.

***Motion D under Article 47 passed by majority vote (94-4-0).***

**ARTICLE 48: Amend By-law Article 70: Public Works Regulations  
(Charter & By-law Review Committee)**

To see whether the Town will vote to amend Article 70 of the Town of Natick By-laws as follows:

1. replace the word “ploughing” with the word “plowing” in the first sentence of Section 5, so that the sentence shall read:

“The Director of Public Works or other officer having charge of ways, for the purpose of removing or plowing snow, or removing ice from any way, may remove or cause to be removed to some convenient place, including a public garage, any vehicle interfering with such work.”; and

2. replace the word “remove” with the word “reclaim” in the phrase “permitted to remove a vehicle” in the second paragraph of Section 5, so that the paragraph shall read:

“Before the owner or his agent shall be permitted to reclaim a vehicle which has been removed as aforesaid to a public garage or other convenient place, he shall:

- a. Furnish satisfactory evidence to the owner or person in charge of said public garage or to the Chief of Police of his identity and ownership or right to the possession of said vehicle.
- b. Pay the cost of removing and storing said vehicle, together with the cost of publishing or sending any notices as may be required.”; and

3. replace the phrase "Chapter Eighty" with the phrase "Chapter 80 of the General Laws, as amended" in the third paragraph of Section 6; and  
replace the phrase "twenty-five (\$25.00)" with the phrase "five hundred (\$500.00)" in the third paragraph of Section 6; and  
replace the phrase "ten (10)" with the phrase "twenty (20)" in the third paragraph of Section 6; so that the third paragraph of Section 6 shall read:

"The Town Administrator shall assess betterments upon the owners of estates which derive particular advantage from the making of such repairs on any such private way. Such assessment shall be a sum equal, in the aggregate, to the total cost of such repairs and, in the case of each such estate, in proportion to the frontage thereof on such way. Except as otherwise provided, the provisions of Chapter 80 of the General Laws as amended, relating to public improvements and assessments thereof shall apply to repairs to private ways ordered to be made under this Section; provided that no assessment amounting to less than five hundred dollars (\$500.00) shall be apportioned and no assessment may be apportioned into more than twenty (20) portions.";

or otherwise act thereon.

#### **FINANCE COMMITTEE RECOMMENDATION**

The Finance Committee voted *Favorable Action* on Motions A and B by a vote of **12-0-0** and Motion C by a vote of **11-0-1** on **September 12, 2017**.

#### **MOTIONS (all motions require majority vote):**

##### **Motion A:**

Moved by Mr. Evans, seconded by Mr. Hayes to replace the word "ploughing" with the word "plowing" in the first sentence of Section 5 of Article 70 of the Town of Natick By-laws."

Ms. Gloff, Chair of Charter and By-law Review Committee spoke to all of the motions under this article. *Motion A under Article 48 passed by majority vote (88-4-0).*

##### **Motion B:**

Moved by Mr. Evans, seconded by Mr. Hayes to replace the word "remove" with the word "reclaim" in the phrase "permitted to remove a vehicle" in the second paragraph of Section 5 of Article 70 of the Town of Natick By-laws.

*Motion B under Article 48 passed by majority vote (90-1-0).*

##### **Motion C:**

Moved by Mr. Evans, seconded by Mr. Hayes to replace Section 6 of Article 70 of the Town of Natick By-laws with "The Town Administrator shall assess betterments upon the owners of estates which derive particular advantage from the making of such repairs on any such private way. Such assessment shall be a sum equal, in the aggregate, to the total cost of such repairs and, in the case of each such estate, in proportion to the frontage thereof on such way. Except as otherwise provided, the provisions of Chapter 80 of the General Laws as amended, relating to public improvements and assessments thereof shall apply to repairs to private ways ordered to be made under this Section; provided that no assessment amounting to less than five hundred dollars (\$500.00) shall be apportioned and no assessment may be apportioned into more than twenty (20) portions."

*Motion C under Article 48 passed by majority vote (86-2-1).*

#### **ARTICLE 49: Amend By-law Article 75: Remedy of Public Nuisance (Charter & By-law Review Committee)**

To see whether the Town will vote to amend Article 75 of the Town of Natick By-laws as follows:

1. add the phrase "the property occupant, if different;" after the phrase "which is the subject of the hearing;" in Section 2, sub-section 2, so that the sub-section shall read:

"(2) **Interested Parties:** In connection with the notification requirements of this by-law, interested parties are the owner(s) of the property which is the subject of the hearing; the property occupant, if different; the Town Administrator or his designee; owners of property directly opposite the subject property on any public or private street or way; abutters of the subject property; and abutters of abutters within three hundred feet of the property line of the subject property. Ownership of land shall be determined by the most recent tax list."; and

2. replace the phrase "twenty dollars (\$20.00)" with the phrase "one hundred dollars (\$100.00)" in Section 9, so that the section reads:

"An owner or occupant shall forfeit one hundred dollars (\$100.00) for every day during which he willfully violates such order.";

or otherwise act thereon.

**FINANCE COMMITTEE RECOMMENDATION**

The Finance Committee recommends *Favorable Action* Motions A and B by a vote of **8-0-0** on **September 19, 2017**.

**MOTIONS (all motions require majority vote):**

**Motion A:**

Moved by Mr. Evans, seconded by Mr. Hayes to add the phrase “the property occupant, if different;” after the phrase “which is the subject of the hearing;” in Section 2, sub-section 2 of Article 75 of the Town of Natick By-laws.

Ms. Gloff, Chair of the Charter and By-law Review Committee spoke to all the motions under this article. *Motion A under Article 49 passed by majority vote (89-0-0)*.

**Motion B:**

Moved by Mr. Evans, seconded by Mr. Hayes to replace the phrase “twenty dollars (\$20.00)” with the phrase “one hundred dollars (\$100.00)” in Section 9 of Article 75 of the Town of Natick By-law.

*Motion B under Article 49 passed by majority vote (84-3-0)*.

**ARTICLE 54: Amend By-law Regulating Use of Motion for the Previous Question  
(Paul Connolly et al)**

To see if the Town will vote to amend the rule related to use of the motion for the previous question at Town Meeting which supposedly is intended to insure sufficient discussion before voting but too often is being used by a few to unreasonably extend repetitious discussion when most at Town Meeting wish to proceed with the vote; and, specifically, to amend the Town of Natick By-Laws, Article 3, Section 11 Motion for the Previous Question as follows:

Delete the existing sentence and insert the following two paragraphs:

The motion for the previous question is a subsidiary motion that a Town Meeting Member may make to request the Moderator to ask Town Meeting Members if they think debate on the immediately pending motion has been sufficient and they are ready to vote on that motion.

The motion for the previous question is not in order, as determined by the Moderator, when the Moderator has received advance notification from Town Meeting Members of their intention to offer a main motion under an article or amendments or other subsidiary motions related to a main motion that is expected to be made and there has been insufficient opportunity for them to seek recognition to do so; or, similarly, when the Moderator has received advance notification from Town Meeting Members or other persons desiring to be recognized to speak under an article and there has been insufficient opportunity for them to seek recognition to do so.

**FINANCE COMMITTEE RECOMMENDATION**

By a vote of **8-3-1** on **September 7, 2017** the Finance Committee recommends *Indefinite Postponement* on the motion as printed below.

**MOTION: (Requires majority vote)**

Moved by Ms. Foss, seconded by Mr. Connolly that the Town vote to amend the Town of Natick By-law’s Article 3, Section 11 motion for the previous question as follows:

1. Delete the existing sentence and insert a new sentence: The motion for the previous question may be used to stop debate and proceed with the vote on the immediately pending motion.

Mr. Sidney moved, seconded by Mr. Hayes to waive the reading of the motion. *The motion to waive the reading of the motion passed by majority vote (by hand count). The main motion under Article 54 failed (10-69-3)*.

The Moderator announced that there are 3 articles left, the remainder of Article 52, 55 and 56.

Mr. Sidney questioned the quorum. The Moderator counted and there was no quorum. The meeting adjourned at 10:31 PM until Thursday, November 16<sup>th</sup> at 7:30 PM at Wilson Middle School.

A record of the Eighth Session of  
2017 Fall Annual Town Meeting  
November 14, 2017



Diane Packer, Town Clerk