

**2018 Special Town Meeting #1  
Marshall Lebowitz Town Meeting Hall  
Wilson Middle School  
February 27, 2018  
First Session**

The First Session of the 2018 Special Town Meeting #1 was called to order at 7:35 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 First Session of 2018 Special Town Meeting #1. 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 any recently elected or appointed members of Town Meeting stand to take the oath of office. There were no new Town Meeting 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; Patrick Hayes, Finance Committee Chair; Bruce Evans, Finance Committee Secretary; John Flynn, Town Counsel; Cindy Amara, Town Counsel; Bill Chenard, Acting Town Administrator and Jonathan Freedman, Chair, Board of Selectmen; John Townsend, Deputy Town Administrator 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.

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. Without objection, the preceding statements were accepted as rules of 2018 Special Town Meeting #1.

The Moderator suggested a motion to waive the reading of articles and motions. Moved by Mr. Sidney, seconded by Mr. Gath to waive reading the text of all 2018 Special Town Meeting #1 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: Appropriate, borrow or transfer from available funds, an amount of money to be expended under the direction of the School Building Committee to design, construct, equip and furnish the new John F. Kennedy Middle School (School Superintendent)**

To see if the Town will vote to appropriate, borrow or transfer from available funds, an amount of money to be expended under the direction of the School Building Committee to design, construct,

equip and furnish the new John F. Kennedy Middle School, 165 Mill Street, Natick, Massachusetts, 01760, including all necessary site improvements which school facility shall have an anticipated useful life as an educational facility for the instruction of school children of at least 50 years, for which the Town may be eligible for a school construction grant from the Massachusetts School Building Authority ("MSBA"). The Town acknowledges that the MSBA's grant program is a non-entitlement, discretionary program based on need, as determined by the MSBA, and any project costs the Town incurs in excess of any grant approved by and received from the MSBA shall be the sole responsibility of the Town. Any grant that the Town may receive from the MSBA for the Project shall not exceed the lesser of (1) the percent of eligible, approved project costs, as determined by the MSBA, or (2) the total maximum grant amount determined by the MSBA.

**FINANCE COMMITTEE RECOMMENDATION:**

The Finance Committee recommended favorable action by a vote of 10-0-0 on February 27, 2018 on the motion detailed below.

**MOTION (requires two-thirds vote):**

Moved by Mr. Evans, seconded by Hayes that the Town of Natick vote to appropriate the sum of \$105,835,000 which, in addition to the previously appropriated sum not to exceed \$3,725,000 for the feasibility, schematic design and design development work under Article 9 of the warrant for the 2013 Fall Annual Town Meeting and Article 17 of the warrant for the 2017 Fall Annual Town Meeting, brings the total appropriation to the sum of One Hundred Nine Million, Five Hundred and Sixty Thousand Dollars (\$109,560,000) for the purpose of paying costs to design, construct, equip and furnish the new John F. Kennedy Middle School, 165 Mill Street, Natick, Massachusetts, 01760, including all necessary site improvements which school facility shall have an anticipated useful life as an educational facility for the instruction of school children for at least 50 years, said sum to be expended under the direction of the School Building Committee, and to meet said appropriation the Treasurer, with the approval of the Board of Selectmen, is authorized to borrow said sum under M.G.L. Chapter 44, or any other enabling authority; that the Town of Natick acknowledges that the Massachusetts School Building Authority's ("MSBA") grant program is a non-entitlement, discretionary program based on need, as determined by the MSBA, and any project costs the Town of Natick incurs in excess of any grant approved by and received from the MSBA shall be the sole responsibility of the Town of Natick; provided further that any grant that Town of Natick may receive from the MSBA for the Project shall not exceed the lesser of (1) 48.21percent ( %) of eligible, approved project costs, as determined by the MSBA or (2) the total maximum grant amount determined by the MSBA; provided that any appropriation hereunder shall be subject to and contingent upon an affirmative vote of the Town to exempt the amounts required for the payment of interest and principal on said borrowing from the limitations on taxes imposed by M.G.L. 59, Section 21C (Proposition 2 1/2); and that the amount of borrowing authorized pursuant to this vote shall be reduced by any grant amount set forth in the Project Funding Agreement that may be executed between the Town of Natick and the MSBA. Any premium received upon the sale of any bonds or notes approved by this vote, less any such premium applied to the payment of the costs of issuance of such bonds or notes, may be applied to the payment of costs approved by this vote in accordance with Chapter 44, Section 20 of the General Laws, thereby reducing the amount authorized to be borrowed to pay such costs by a like amount.

Mr. Meyler, Chair of the John F. Kennedy Middle School Building Committee gave a presentation regarding this project. Mr. Meyler's presentation was followed by a presentation by Dr. Nolin, Assistant Superintendent for Natick Public Schools. Dr. Nolin made a presentation including the history and need for this project as well as the educational programming components of the project. After Dr. Nolin spoke, Mr. Chenard, Acting Town Administrator made a presentation on the financial aspects of the program including the financial costs to the Town if it were to not build a new school through the MSBA. Mr. Chenard introduced Mr. Bonafatti, of Compass Management, Owner's Project Manager (OPM) who spoke next. Town Meeting voted to allow him to speak as he is not a Natick resident. Mr. Bonafatti addressed the timeline for the project from the beginning (in 2017) through to completion. He also spoke to the MSBA reimbursement. Mr. Jordan, a partner at Ai3 the architects for the project. Town Meeting voted to allow him to speak although he is not a Natick resident. Mr. Jordan addressed the design of the building. Ms. Lisa Tabenkin, Chair of the School Committee spoke on behalf of the School Committee and urged support for this project. Representative David Linsky spoke on behalf of this project urging Town Meeting's support.

After these presentations there was some discussion on the motion. ***The main motion under Article 1 passed by a two-thirds vote (123-1-0).***

The next order of business is Article 2. The Moderator announced that Town Meeting would not be able to take action on Articles 2-4 as the Planning Board has not held the required public hearing and rendered a recommendation on the articles as required under Massachusetts General Law. The Planning Board is holding a hearing on the articles tomorrow evening, February 28, 2018. Mr. Hayes moved, seconded by Mr. Evans to postpone consideration of Article 2, 3 and 4 until Thursday, March 1, 2018. Moved by Mr. Linehan, seconded by Mr. Yang to amend the postponement of these articles until Tuesday, March 6<sup>th</sup>. ***The amendment failed (vote taken by hand count). The motion to postpone consideration of Articles 2-4 until Thursday, March 1<sup>st</sup> passed by majority vote (by hand count).***

Mr. Sidney moved, seconded by Mr. Coffey to adjourn. ***The motion to adjourn passed by majority vote. The meeting adjourned at 9:10 PM until Thursday, March 1, 2018 at 7:30 PM.***

A record of the First Session of  
2018 Special Town Meeting #1  
February 27, 2018

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Diane Packer, Town Clerk