



Natick Finance Committee

Pursuant to Chapter 40, Section 3 of the Town of Natick By-Laws, I attest that the attached copy is the approved copy of the minutes for the following meeting:

Town of Natick Finance Committee

Meeting Date: March 13, 2018

The minutes were approved through the following action:

Motion:	Approval (as amended)
Made by:	Mr. Hayes
Seconded by:	Ms. Collins
Vote:	11 - 0 - 0
Date:	4/24/18

Respectfully submitted,

Bruce Evans

Secretary

Natick Finance Committee

NATICK FINANCE COMMITTEE MEETING MINUTES

March 13, 2018

Natick Town Hall

School Committee Meeting Room 3rd Floor

This meeting has been properly posted as required by law.

MEMBERS PRESENT:

Patrick Hayes, Chairperson
Cathleen Collins, Vice-Chairman
Bruce Evans, Clerk, arrived at 9:26 p.m.
Michael Linehan, Member
Robert McCauley, Member
Philip Rooney, Member
Jim A. Scurlock, Member
Dirk Coburn, Member, arrived 7:20 p.m.
Kristine Van Amsterdam, Member
Daniel Sullivan, Member
Jerry Pierce, Member
David Gallo, Member

MEMBERS ABSENT:

David Coffey, Member
Cathy Coughlin, Member
Linda Wollschlager, Member

AGENDA:

1. Public Concerns/Comments
2. Meeting Minutes
 - a. Meeting Minutes for February 27, 2018 – Review and Approve
3. Town Administrator’s FY2018 Budget – Public Hearing
 - a. Update on Revenue/Expense Forecasting and Budget Gap
4. 2018 Spring Annual Town Meeting Warrant Articles – Public Hearing
 - a. Article 23 – Amend By-Law Regulating Use of Motion for the Previous Question
 - b. Article 25 – North Main Street Right of Way Acquisition (Corrected the article #)
 - c. Article 8 – Morse Institute Library Budget
 - d. Article 9 – Bacon Free Library Budget
 - e. Article 4 – Personnel Board: Personnel Classification & Pay Plan
 - f. Article 5 – Collective Bargaining
 - g. Article 18 – Amend By-Law Article 24 Regarding Procedure for Appointment of Police Chief
 - h. Article 19 – Amend By-Law Article 24 Regarding Procedure for Appointment of Fire Chief
 - i. Article 26 – Cochituate Rail Trail Right of Way Acquisition
 - j. Article 28 – 4 Temple Street/Middlesex Path Easement

k. Article 34 – Amend Zoning By-Laws: Assisted Living Overlay Option Plan (Postponed to March 29)

l. Article 14 – Capital Improvements (Motion C Only)

5. Adjourn

CALL TO ORDER

Meeting called to order at 7:03 p.m. by Chairman, Patrick Hayes

Mr. Hayes: Under the Town Meeting Public Hearing Articles as listed on the Agenda.

ANNOUNCEMENTS/CITIZENS CONCERNS:

Mr. Hayes: The Board of Selectmen earlier this evening voted to appoint as new Town Administrator Melissa Malone. As Finance Committee Chair, I would like to publicly thank Bill Chenard for the work he has done. I have worked with him for a long time and he has done wonderful things to make this job and other people’s jobs a whole lot easier. I want to publicly acknowledge how important he is to our success as a committee. Members of this committee don’t always agree with him and I think that’s okay because that way we get to a better answer.

Mr. Hayes – on behalf of the Transportation Committee and others: There’s a Save the Date for May 23, 2018 at 7:00 p.m. for the Natick Center MBTA Station Public Information Meeting. It is planned to be held at the Morse Institute Library – this is the first public information meeting that will be held for the Natick Center MBTA Station. The meeting is intended to share design features, get public comments and answer questions prior to the submission of the 30% design in June.

Mr. Dirk Coburn, Citizen of Natick

At the recent meeting of the Steering Committee of Your Town - Your Schools to support positive action by the electorate for the Kennedy Middle School project, I was informed that a number of current and former members of the former and current Finance Committee TAPE was asked to convey to members of the Finance Committee have expressed interest to the leadership of that campaign in drafting a letter to the editor in support of the Kennedy project and was asked to convey to members again in your capacity as citizens the opportunity to contact Your Town Your Schools if you are interested in being a signatory to such a thing. The letter is currently being drafted and it was inappropriate to approach us before we considered this and took action and made an official recommendation. That’s been done and there’s no expectation that any individual to act one way or another but I present the opportunity for you. In the letter draft it will be quite clear that it is the advocacy of individual signatories and not a position of the Finance Committee. If you’re interested contact Your Town Your Schools.

MOTION

Move to open the Natick Finance Committee 2018 Spring Annual Town Meeting Warrant Articles – Public Hearing

Moved/Motioned by:	Ms. Collins
Seconded by:	Ms. Van Amsterdam
Motions or Debates:	None.
Vote:	10-0-0

Article 25 – North Main Street Right of Way Acquisition (Corrected the article #)

Jamie Errickson, Director of Community and Economic Development

The proposed North Main Street (Rt. 27) corridor project. The construction funding process for this project is for us to seek this vote along with funding to support that project up to but not including construction. The town has supported this project through various efforts – the former town engineer is working as project manager of this project. We've had several appropriations at Town Meeting and various mitigation funds from various private projects that have happened along the corridor through the years and this is the next step in moving this project to construction.

The project includes the reconstruction of North Main Street, North Avenue just north of the train tracks to the Wayland town line, excluding the Route 9 and Route 27 interchange. So just north of the Bacon Street, the intersection to Rutledge Road is excluded from this project. This would include complete reconstruction of the street, new sidewalks, new bike lanes and underground utility work under the entire corridor including drainage. Key intersections will be upgraded with lights, signalization and turn lane improvements, a new roundabout at Pine Street, and better pedestrian and bike mobility. The vote that is being requested is – the wording is actually “required by Mass DOT and the Federal Government” the construction of this project is going to be funded through the Massachusetts Planning Organization’s Transportation and Improvement Program (TIP). It’s federal and state funded construction, but the obligation through that program is that the Town needs to do everything else: design, acquisition of right-of-ways, appraisal work, and taking a series of votes through Town Meeting to gain authorization to do that. The Motion is two parts: the first part is to authorize the Selectmen “to acquire, by gift, purpose or taking” the necessary parcels for the support of right-of-way on the project and then the second part is an appropriation of funding that will support the right-of-way work including appraisals and other legal documents we need to have prepared to do some of these acquisitions or takings.

The federal funding and state funding for construction is currently programmed on the federal FY 2019 budget that starts this October. It’s possible that it could be pushed out one year because of some of the onerous steps we might have to go through for permitting at the federal level. Mass DOT is concerned that they might not be able to meet our advertising date of next August. We are not going to change our schedule based on what Mass DOT does. In the end, if it gets pushed out a fiscal year the advertising date would go from August to October/November – which actually doesn’t change our construction time, it would still likely be Spring 2021.

We have completed 25% design, the public hearing back in June and the Mass DOT approval. We’re on target to submit our 75% design to Mass DOT in July 2018. Once that happens, we can start doing appraisal work which would start late summer early fall, then we can start full right of way work. The federally outlined methodology required for right-of-way to assure property owners know their rights means we can’t pre-negotiate anything; we can seek donations but have to offer payment to property owners. The requested funding of \$285,000 is based on the anticipated appraisal costs of which the estimate is \$190 - \$200,000 which needs to go through a bid process and the legal documents. There are two legal components of right-of-way: one is the actual legal language and two - the legal plan document which are the survey plans which need to be filed with the Register of Deeds and are prepared by a legal professional. That’s what the \$65,000 is going to be used for. We also need documents to be provided to the property owner at the time of discussion about the right-of-way work. There are over 200 parcels along the corridor that are impacted. Of those, only 50 are permanent easements so a lot

of the impact is only temporary construction easements. Of the 50 permanent easements, the land acquisition and permitting easements for a portion of the sidewalk, utility poles, more significant impacts to property owners near some intersections.

Moving forward we will need to get full design funding for the contract. Right now, the full design contract \$882,000 contract with BETA – we have \$675,000 of funds in our hands that we're spending that came to us through mitigation funds: Modera, Primrose and Mathworks' Apple Hill expansion projects. But we need the additional \$207,000 to fully fund the design contract and we will be asking for those funds in the fall. We're also looking at a right-of-way acquisition of about \$1 million to \$1.3 million dollars which is a rough estimate at this time.

Motion as posted on Novus Agenda 3/14/2018

Move that the Town authorize the Board of Selectmen to acquire by gift, purchase, taking by eminent domain, or otherwise, to accept a deed or deeds to the Town of fee simple, easements or other interests in any land, and to dedicate all or portions of Town owned parcels of land, necessary for the construction of the North Main Street roadway improvements project located on North Main Street (Route 27) from the Town Center to the Wayland town line, as shown and identified on a set of plans entitled "Massachusetts Department of Transportation Highway Division, Roadway Improvements Project, North Main Street (Route 27), In The Town of Natick In Middlesex County, Preliminary Right of Way Plans" dated March 20, 2017, prepared by BETA, Inc., as revised or amended.

Further, move that \$285,000 be appropriated from free cash under the direction of the Board of Selectmen to fund all legal and appraisal costs associated with the obtaining any interests in land necessary for the construction of the North Main Street (Route 27) roadway improvements project.

Questions

Ms. Collins: We have to provide easements to put up telephone poles?

Mr. Errickson: Yes.

Ms. Collins: Has the revised motion been prepared by Town Counsel

Mr. Errickson: Yes - It's been reviewed and approved by Town Counsel.

Ms. Collins: Has there been discussion with the Moderator? Because the "further move" is not usually phrased that way – it's usually small and "further that." Rather than a separate "move." So I don't know whether he's going to consider this one Motion or two? I just wanted to point that out.

Mr. Errickson: I wouldn't have a problem making that editing change.

Ms. Collins: Normally doesn't it say where these plans are on file?

Mr. Errickson: It does say "as shown on identified plans" and it does reference the actual name of the Plans. This is language that we got from Mass DOT that they approved for us so the location of Community Development Office Town Hall could have been added.

Ms. Collins: Just trying to backfill the details.

Mr. Linehan: Regarding burying utilities?

Mr. Errickson: Underground existing utilities – we're not burying any new utilities – overhead utilities are staying overhead.

Mr. Linehan: Why is that?

Mr. Errickson: That would be an additional cost to the town. The TIP program would not cover that multi- multi-million dollar effort.

Mr. Linehan: The utilities wouldn't absorb that cost?

Mr. Errickson: My understanding is that the town would bear that responsibility if we want to have it done in conjunction with this project.

Mr. Linehan: Could we get that as a takeaway? What the alternatives are to burying the utilities?

Mr. Errickson: I will look into the cost of burying utilities and who would be responsible.

Mr. Linehan: Regarding bike lanes – what will the configuration of the bike lanes/auto lanes?

Mr. Errickson: Right now it's variable width along the entire corridor for the automobile lanes. This will standardize the width of the auto lanes to 11 feet and a 5' bike lane on both sides in both directions plus 6' sidewalks at most locations.

Mr. Rooney: Would the \$1.3 million directly correlate to the 50 residences and businesses in that corridor.

Mr. Errickson: I have to get more detail on the one-page memo I received from the state in order to answer your question more directly.

Mr. Rooney: So it's about \$26,000 per piece of property but depending on the property it could vary significantly?

Mr. Errickson: Right - there are many different size parcels.

Mr. Rooney: Would someone please ask the utilities that are going to be involved if they would like to bury any of their utilities while we have the project open – but we're not paying for it?

Mr. McCauley: Was there an inactive period where this project was shut down for a while since 2008 or was it just strung out?

Mr. Errickson: I don't know the exact reason, but there was a component at Kansas Street that was built ahead of the project and received MathWorks funding – I suspect when that was going on this project was delayed.

Mr. McCauley: Regarding the 80/20 split – is this an iron-clad commitment from the federal and state government?

Mr. Errickson: As iron-clad as any commitment from them can be.

Mr. McCauley: If for whatever reason, the program gets cancelled we would be out the money we've already spent?

Mr. Errickson: Technically that could happen at any time with any of these projects. We would still have a very valuable design. We are trying to use the Federal and State resources to do all the construction – if that were to fall through we would have to take other action.

Mr. Sullivan: Do you know approximately how long this project would take?

Mr. Errickson: It will take approximately 2 or 3 construction seasons – so two years or so.

Mr. Sullivan: Would you say this is one of the heavily trafficked roadway in the town?

Mr. Errickson: Outside of Route 9 and the Mass Pike yes.

Mr. Sullivan: Is it fair to say that approximately 1,800 to 2,000 students can travel through that very narrow pathway to get to two of the three largest schools in the community?

Mr. Errickson: I don't know the student count at the schools but I'm trusting your figure is accurate.

Mr. Rooney: What happens if one of the property owners along the right-of-way held out if they didn't like what they were being offered?

Mr. Errickson: The way the motion is worded, it allows the Board of Selectmen to take the property by eminent domain.

Mr. Linehan: If there were a way to accelerate the construction and if this might require some more temporary easements would that impact what we would need to put in here.

Mr. Errickson: I don't anticipate that no.

MOTION

Recommend favorable action on the subject matter of Amended Article 25 – North Main Street Right of Way Acquisition as distributed 3/13/18 (but dated 3/14/2018) by the Finance Committee Chair

Moved/Motioned by:	Ms. Collins
Seconded by:	Ms. Van Amsterdam
	Ms. Collins: This is a large project and hopefully this moves it forward. It's an ugly project while it happens but because we only have three north/south roads in this town we have to do what we need to do to make it passable for our residents.
Motions or Debates:	Ms. Van Amsterdam: It will be an interesting ride.
Vote:	10-0-1

Mr. Hayes: The Sponsor is seeking no action. I posted the email from the Sponsor which included Mr. Errickson the email to me dated Tuesday, March 13th at 9:00 p.m. has some language in it, the third paragraph, which I will paraphrase: the Sponsor of this Article is asking for a "no action" with the clear notation that reconsideration may be requested, as appropriate. They are requesting no action because it's unclear yet that some of things that have to happen such as completion of one or more appraisals and some other timing things will occur before the start of Town Meeting or by the completion of Town Meeting though everyone is anticipating they will. My request to the sponsor was that until they have a firm date, I'm not going to reschedule them. If members are comfortable acting on the Sponsor's request for no action without prejudice (allowing them to reserve the right to come back for reconsideration) and with that I would respectfully request that if anyone has any issue with allowing a reconsideration vote, please state so now. You are entitled to do that but I'm going to postpone any action on this article until a time that the Sponsor can join us. (Committee members and public had no questions or objections).

FIX THIS!

Article 26 – Cochituate Rail Trail Right of Way Acquisition

Mr. Hayes: Members will know that the Sponsor is seeking no action. I posted the email from sponsor, Mr. Ostroff, I will paraphrase the email: "the main sponsor of this article as appropriate." The reason they're asking for no action at this time is it's unclear at this

time It’s not clear whether they will occur by the start of Town Meeting. I’m not going to reschedule them until they have a firm date. If members are comfortable acting on the sponsor’s request for no action without prejudice, If anyone will have

Questions

None.

MOTION

Move no action on Article 26 – Cochituate Rail Trail Right of Way Acquisition

Moved/Motioned by:	Mr. Pierce
Seconded by:	Ms. Collins
Motions or Debates:	None.
Vote:	11-0-0

Mr. Hayes: Mr. Bob SanClements and Mr. Tony DeVilla are the citizen sponsors of this citizen petition. There was a revised motion that I posted this afternoon – if anyone did not see that I have hard copies (Mr. Hayes passed out copies of the proposed Motion).

Article 28 – 4 Temple Street/Middlesex Path Easement

Mr. SanClements 50% owner of the property at 4 Temple Street and Mr. DeVilla 50% owner of the property at 4 Temple Street

Mr. SanClements: We are trying to build a house on Temple Street right off 135. The Town wants us to get an easement to hook up the sewer line up to a town sewer line on Middlesex Path. There’s a manhole right behind our property and we’re trying to hook up to that sewer line. The Town Engineer is for this but he told us we need to get an easement from the town because it’s on town property.

Mr. DeVilla: We’ve had the easement drawn up and engineered. It’s been approved by the DPW, Board of Health and the Building Department. They did grant us a building permit with the understanding that we would go to Town Meeting to get the easement approved.

Mr. Hayes: I had conversations with Mr. Chenard twice in the last couple of weeks and I neglected to ask him for a memo to the Finance Committee to let them know that the Town Administrator and the Town supports this. To the extent that members are comfortable accepting my word about the conversation I had with Mr. Chenard – he is acting Town Administrator and was 100% in support of this and that an easement is the way to go.

Motion from the handout received at March 14, 2018 Financial Committee meeting:

Move that the Town vote to authorize the Board of Selectmen to grant to the owner(s) of the property at 4 Temple Street, shown on Town of Natick Assessors Map 43 as Lot 324, which property abuts the Middlesex Path property, an easement over a portion of said Middlesex Path Property located at 111 West Central Street, Natick, MA., shown on Town of Natick Assessors Map 42 as Lot 37. Said easement shall be for the purpose of installing a sewer line to connect said property to the Town of Natick sewer System.

Questions

Ms. Collins: You also spoke to Conservation Commission as they have jurisdiction over Middlesex Path? How long is the easement?

Mr. DeVilla: The easement is 32’ on one side and 23’ on the other side. Mr. SanClements: The manhole itself is probably about 10’ off the property but they allowed a little more so we can do work around it if we have to.

Ms. Collins: This would be at no expense to the Town. Is there an amount that the Town plans to charge for the easement?

Mr. DeVilla: No one has mentioned charging us.

Mr. Hayes: Ms. Collins when I asked Mr. Chenard about financial considerations, a paraphrase of what he said is, “he Town is not looking to receive anything in terms of financial compensation for the giving of the easement, and the town actually believes, in the long run, the town will save costs by allowing the property owner to connect to the sewer line at that locations versus having to come into West Central and connect there having to disrupt other things.

Ms. Collins: Has anyone raised the issue that it would impact the dog park on Middlesex Path?

Mr. DeVilla: Nobody has raised that issue. It’s my understanding that the dog park is way down on the opposite end of Middlesex Path

Mr. Hayes: For those who are trying to understand the location of the property being discussed this is about 2 to 2 ½ blocks west of the intersection of Middlesex Path and Washington Avenue.

Ms. Collins: So everybody in town has voiced support on this issue?

Mr. Hayes: Yes.

Mr. Linehan: This property will be on Town Water?

Mr. SanClements: Yes.

MOTION

Recommend favorable action on the subject matter of Article 28 – 4 Temple Street/Middlesex Path Easement

Moved/Motioned by:	Ms. Collins
Seconded by:	Mr. Sullivan
Motions or Debates:	Ms. Collins: I think that moving from septic to sewer should be encouraged. I applaud the Town for not making this a profit center. Mr. Sullivan: I echo those comments. Mr. Pierce: Thank you for your good homework in presenting this to us.
Vote:	11-0-0

MOTION

Move to open the Town Administrator’s FY2018 Budget – Public Hearing

Moved/Motioned by:	Mr. Linehan
Seconded by:	Ms. Van Amsterdam
Motions or Debates:	None.

Vote:	11-0-0
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Mr. Hayes: Members should have gotten the updated revenue and expense information on Novus today.

Update on Revenue/Expense Forecasting and Budget Gap

John Townsend, Deputy Town Administrator/Finance Director

Our initial budget deficit was \$3,676,575! You'll note that's slightly more than the original gap. We went through the numbers and found two errors: we double-counted the parking and emergency management budgets in the Police Department and DPW had an adjustment of \$4,300.

Debt Service: We are proposing to delay the parking garage, the 22 Pleasant Street acquisition, and some roadway and sidewalk work on Main Street. That would be an adjustment to the expense line of \$1,101,750. The next adjustment we propose is a reduction in the projected increase to the cost of the health plans cost and reserve plans and this hits the shared budget for both town and school \$384,277 and \$2,000 in proposed Medicare costs— I'll be coming back next Thursday to go into more detail on that. We propose to reduce the Capital Stabilization funding of \$1 million dollars. New initiatives on the town side were reduced by \$102,450 that was the budget for the DPW Administrative Assistant, Facilities Interns, Facilities Floater Positions. and the Teen Center Supplies. The Teen Center FTE is still in there but supplies were cut.

There also are a couple of additions we're making to the budget:

- \$50,000 for the Affordable Housing Trust
- \$24,000 for the Opioid Task Force.
- We had a mixed bag with regard to our State Aid: there was tear sheet offsets of \$55,082.

School budget reductions:

- The final budget of Keefe Tech, Mr. Chenard did an excellent job of forecasting, but we need to add \$18,784.
- NPS agreed to reduce their number of requested new positions by 7.5 FTE, a \$401,977 reduction in their budget.
- Reduced their new tech initiatives by moving the freshmen laptops to the one-to-one stabilization fund for a savings of \$100,000,
- Reduced NPS Textbook line by \$251,000 which was moved to the Capital Stabilization Fund;
- Principal requests were reduced by \$90,000
- Lowered the repairs and maintenance line by \$60,000;
- Eliminated funding for "Let's Talk" software \$14,000;
- the iPad replacement money to elementary schools was reduced by \$88,05;
- "Watson Project" has been delayed by one year \$175,000 and the "Watson/IBM Training" was also delayed \$8,651.

So those total cuts on the expenses side – the Town was \$2,170,502 the School was \$1,096,678 and the shared expenses was \$386,277.

We also made some adjustments on the revenue side:

- We increased the parking ticket late fees raising additional revenue of \$15,975,
- took out \$800,000 in free cash,
- increased overlay surplus \$500,000,
- raised investment income \$25,000,

- increased tax levy by \$220,709 (reflects the debt exclusion portion of the school project),
- State aid increased \$70,028.

This yielded an overall adjustment of \$74,712. This leaves \$51,594 on the plus side of the budget.

Questions:

Mr. Rooney: Why are textbooks being paid for by the stabilization fund? Is this permissible?

Mr. Townsend: No. I don't believe it's ever been used for textbooks. Evidently this is what many public schools do on a regular basis so it is definitely allowable. It will not have detrimental effects on other capital stabilization spending down the road.

Mr. Hayes: This is a state mandated curriculum reset - that's why the school asked for this.

Mr. Pierce: Where is the teen center?

Mr. Hayes: I believe it's in operation at the Cole Center.

Mr. Pierce: It seems every year we have a \$3.something million dollar deficit. Is there really any valid reason for us to panic in January when we're told there's going to be a budget deficit?

Mr. Townsend: No, we are aware that we have these continuing gaps and we are looking into and trying to understand the fundamental concerns with the budget try to address the structural problems in our budget and finances and address these so we don't have this on a continuing basis. It will take some time.

Ms. Van Amsterdam: Did we get a copy of the breakdown that Mr. Townsend just gave us?

Mr. Hayes: The version that I uploaded yesterday or earlier today ... I scanned it in ... it's in NovusAgenda.

Ms. Collins: Will send a recap of the original information now.

Mr. McCauley: Do you know how this impacts the split between the two sides of the budget – it seems like the larger cut comes from the town side?

Mr. Townsend: The larger comes from the Town side.

Ms. Collins: But it's medical care which is actually shared.

Mr. Linehan: When numbers get reported to the state for example on what our expenditures for the schools are, would this \$250,000 be considered a school expenditure or is this a number that because it comes through a stabilization fund rather than through a school budget this would not reflect on a town expense within the schools?

Mr. Townsend: That would be a town expense on behalf of the schools. It would be reported as a school expense.

Ms. Collins: There are special rules around capital but in the first four years it is a one-time, it's a single capital expenditure.

Mr. Rooney: You're addressing the reason why the structural imbalance happens each year – you're addressing that in terms of how the budget is put together?

Mr. Townsend: It is being addressed. The gaps in the budget are not sustainable so it has to be addressed.

Mr. Rooney: This doesn't reflect well on the process or the people involved in it?

Mr Townsend It reflects on the fact that we do need to adjust our process and we do need to focus on the larger expenditures and make sure that they're appropriate.

Mr. Hayes: On this agenda we're not taking motions so we're not going into debate per se. If a member feels strongly that there's some initial guidance – a take away that you want before they come back to us next Thursday – next Thursday in part we will be doing the Fiscal 18 Omnibus Budget adjustments which are making puts and takes to the current year's budget and then we will be doing the Fiscal 19 Omnibus Budget. If there's something specific based on what you've heard this evening that you'd like more information on the town side now would be a good time to address that to Mr. Townsend.

Mr. Sullivan: The question about whether this is a flawed process – as much as I think it may be the fact is there's a level of resolution to this that comes to us 4 -6 weeks earlier than it usually does and I want to commend all the folks in both school and town administration who really sat down and hashed a lot of this out. Thank you for getting this to us in the most substantive way that I've seen in the last few budget seasons.

Ms. Van Amsterdam: Would the type of question Mr. Rooney asked Mr. Townsend be asked tomorrow of the schools?

Mr. Sullivan: Yes.

Article 8 – Morse Institute Library Budget

John Townsend, Deputy Town Administrator/Finance Director

Mr. Hayes: Article 8 is a motion for the Morse Institute Library Budget which this committee has recommended favorable action to Town Meeting earlier this year. The amount that we recommended was \$2,244,799 . . . (member pointed out that there was a mistake in the motion language “tax levy of 2010” when it should say “tax levy of 2019” – confirmed by Mr. Townsend to change to 2019). The reason we're voting a Warrant Article for the each library is that Town Counsel said that we have to have separate articles for each library.

From Novus Agenda 3/14/2018

Motion: Move that the Town vote to appropriate the sum of \$2,244,799 as shown below to be expended under the direction of the Morse Institute Library Board of Trustees for the operation of the Morse Institute Library, for the Fiscal Year July 1, 2018 through June 30, 2019.

Questions

None.

MOTION

Recommend favorable action on Article 8 – Morse Institute Library Budget from Tax Levy of Fiscal Year 2019 for salaries and expense of \$2,244,799 from the tax levy of Fiscal Year 2019.

Moved/Motioned by:	Mr. Sullivan
Seconded by:	Ms. Van Amsterdam
Motions or Debates:	None
Vote: Carried	11-0-0

Article 9 – Bacon Free Library Budget

John Townsend, Deputy Town Administrator/Finance Director

Mr. Hayes: Members will note that the source of funding is the Tax Levy for Fiscal Year 2019.

From Novus Agenda 3/14/2018

Move that the Town vote to appropriate the sum of \$184,503 as shown below to be expended under the direction of the Bacon Free Library Maintenance Committee for the operation of the Bacon Free Library, for the Fiscal Year July 1, 2018 through June 30, 2019.

Questions

Mr. Linehan: This is the same amount as we voted before?

Mr. Hayes: I believe it is.

Mr. Linehan: It says “the direction of the Bacon Free Library Maintenance Committee for the Operation includes salaries and expenses...” do salaries go through the maintenance committee?

Mr. Hayes: No, salaries go through the town. The Bacon Free Library Maintenance Committee signs the warrants authorizing and requesting the payment of all bills – all costs including salaries.

Mr. Hayes: Just so all members know the Bacon Free Library Maintenance Committee is a five member committee they are appointed by the Board of Selectmen, they serve, I think 3 year terms (possibly 5-year) and while there may be members of the Maintenance Committee who are also Trustees of the Library the last time I looked not all Committee members were also Trustees.

MOTION

Recommend favorable action on Article 9 – Bacon Free Library Budget in the amount of \$184,503 sourced from Tax Levy of Fiscal Year 19

Moved/Motioned by:	Ms. Collins
Seconded by:	Ms. Van Amsterdam
Motions or Debates:	None.
Vote:	11-0-0

Article 18 – Amend By-Law Article 24 Regarding Procedure for Appointment of Police Chief

Mr. Hayes: This is a motion submitted by the Board of Selectmen. It was voted at a recent meeting for the motion that you see in front of you and is a wording change to add one sentence to the former motion.

Mr. Townsend: I’d like to point out that this is a similar change to what was taking place to the Town Administrator appointment language.

Questions

None.

MOTION

Recommend favorable action on Article 18 – Amend By-Law Article 24 Regarding Procedure for Appointment of Police Chief

Moved/Motioned by:	Mr. Coburn
Seconded by:	Ms. Collins
Motions or Debates:	Mr. Coburn: None Ms. Collins: Having been on the Town Administrator screening committee, 180 days can create problems depending on when it falls in the year so the option I think is a good idea.
Vote:	11-0-0

Article 19 – Amend By-Law Article 24 Regarding Procedure for Appointment of Fire Chief

Mr. Hayes: This is very similar to Article 18.

Questions

None.

MOTION

Move to recommend favorable action on Article 19 – Amend By-Law Article 15 Regarding Procedure for Appointment of Fire Chief

Moved/Motioned by:	Mr. Coburn
Seconded by:	Ms. Collins
Motions or Debates:	Mr. Sullivan: I applaud the fact that we identified the flaw in the process with one screening committee and that we’re going forward to adjust a couple of others before starting the process on those.
Vote:	11-0-0

Article 4 – Personnel

Mr. Hayes: Sponsors are requesting no action. Last year we changed the motion for the personnel classification and pay plan. It used to have an identifier in the header of the motion that included the designation of the fiscal year that it applied to. That required that motion to be voted here and on the floor of Town Meeting every year even though there wasn’t a change. The reason we’re not voting as we have in the past is because the fiscal year designation is no longer there and there are no changes to the pay plan.

Questions

None.

MOTION

Move to recommend no action on Article 4 – Personnel Board: Personnel Classification & Pay Plan

Moved/Motioned by:	Mr. Linehan
Seconded by:	Ms. Van Amsterdam

Motions or Debates:	None
Vote: Carried	11-0-0

Article 5 – Collective Bargaining

Mr. Hayes: Sponsor, Town Administration, has requested no action without prejudice – meaning he reserves the right to come back if necessary before the conclusion of Town Meeting if there’s a chance that any contract is settled and with that settlement a modification that would require funding and changes to specific budgets. Currently we will accept the request for no action with the right for reconsideration.

Questions

Mr. Coburn: Should the facts change we would need to vote reconsideration in order to – if we have voted no action?

Mr. Hayes: Yes.

MOTION

Move to recommend no action on Article 5 – Collective Bargaining

Moved/Motioned by:	Mr. Linehan
Seconded by:	Ms. Collins
Motions or Debates:	None.
Vote:	11-0-0

Article 23 – Amend By-Law Regulating Use of Motion for Previous Question

Sponsor Mr. Paul Connolly, Precinct 6

Mr. Connolly: Intended to Amend the Motion for Previous Question that is in Article 3 of the By Laws and talks about various things that have been added for procedures at Town Meeting. The Article contains both the current wording of Section 11 – that would be deleted and it shows the two paragraphs that would be in place of the one that’s being deleted. Why do we want to do this? The current By Law that we have doesn’t work the way it was intended to work. The Motion for Previous Question is to cut off debate when debate has been sufficient and then someone in the Town Meeting will recommend no further debate and request to proceed on the motion. The one that we have suggests the way you figure out that you’ve had sufficient debate is to count the number of people who still want to speak to it – so it doesn’t have anything to do with the content of the debate – it basically says if we have 3 more people who haven’t spoken go ahead and you’re supposed to go on and on. I haven’t seen another town in Massachusetts that has By Law to modify the motion for previous question. If we put this new By Law in place the Moderator will not be violating a By-Law by stopping debate when it is repetitive and not adding any new information to inform the decision of Town Meeting on the motion.

Motion from Novus Agenda 3/14/2018

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 paragraph: The motion for the previous question shall not be entertained by the Moderator if three or more persons are seeking

recognition who have not previously spoken to the question. Insert the following two paragraphs: The motion for the previous question is a subsidiary motion used to request the Moderator to stop debate on the immediately pending motion and proceed with the vote on that motion. The motion for the previous question is not in order when there has been insufficient opportunity, as determined by the Moderator, for persons to ask questions and obtain information pertaining to the immediately pending motion; or when use of the motion could effectively result in never even considering amendments or other subsidiary motions that the Moderator expects to be introduced.

Questions:

Mr. Coburn: Did you consider putting in something – a time threshold that would trigger the removal of the requirement that currently exists?

Mr. Connolly: Sufficient opportunity was intended to essentially to be a call from the Moderator.

Mr. Coburn: There are people who make a succinct and concise point and there are people who speak for too long of a time and my sense is that’s when people start thinking about closing off debate. I don’t see anything here that puts any structure around the decision you’re asking the Moderator to make with regard to sufficiency. Would you consider any other concrete guidelines that would help the Moderator make that judgment?

Mr. Connolly: I’d prefer that to be loose –

Mr. Pierce: I’ve been a Town Meeting Member for over 20 years and I’m still confused as to why this is termed “move the question” as opposed to “move the motion.” Where is the question on these articles?

Mr. Connolly: Whether it’s called a motion or a question depends on who writes the book- they use either term.

Mr. Pierce: So you would agree it is confusing? Mr. Connolly: Yes.

Mr. Linehan: Do you have any concern that a Moderator could in a specific instance misuse their determinative power as to when to cut off debate?

Mr. Connolly: That the Moderator would cut off debate? I’m against that. The Moderator’s work primarily is to say it’s premature to take this motion to question now as it seems to me we haven’t heard both sides of a particular thing.

Mr. Linehan: Right now if someone moves the question and the Moderator sees three hands then the Moderator cannot accept the motion under this if there were 20 hands if the Moderator determines to himself that it was sufficiently discussed that the Moderator could take the previous motion – but is it your thought that because it requires a 2/3rds vote from Town Meeting that even if the Moderator happened to be biased it would still require the 2/3rds vote of Town Meeting that would essentially protect Town Meeting from a biased Moderator?

Mr. Connolly: No the Moderator never shuts down the debate he basically allows Town Meeting to make the decision but he makes sure that there’s no unfairness.

MOTION

Recommend favorable action on Article 23 – Amend By-Law Article Regulating Use of Motion for Previous Question (Mr. Hayes: Move the Town Amend the Town of Natick By-Laws, Article 3, Section 11, as printed in the text of the Warrant Article)

Moved/Motioned by:	Mr. Linehan
Seconded by:	Mr. Gallo
Motions or Debates:	Mr. Linehan: It’s an issue that only happens occasionally but when it happens it goes on forever. I think that this is an attempt

	<p>to prevent some of the long drawn out discussion – I think this is worth a shot because the current By Law does not solve the issue when it needs to be addressed.</p> <p>Mr. Gallo: I’m not sure that this particular proposal was the best way to deal with it but I appreciate your putting something in here to help us move along at Town Meeting when it does get bogged down. Sometimes we even have an issue getting a quorum for Town Meeting because of long hours and it is volunteer so I appreciate your making an effort here. I like the idea that we’re talking about this.</p>
<p>Vote: Not Voted</p>	<p>Indefinite Postponement Carried</p>

Move indefinite postponement on Article 23 – Amend By-Law Article Regulating Use of Motion for Previous Question

<p>Moved/Motioned by:</p>	<p>Ms. Collins</p>
<p>Seconded by:</p>	<p>Mr. Sullivan</p>
<p>Motions or Debates:</p>	<p>Mr. Collins: I respectfully disagree that the system is broken. I do not automatically agree to move the question – it depends on what has been said and whether I believe both sides have seen a fair opportunity. I know that some people just want to rush through it – I don’t know that we want to rush through very important questions that come before us. I also don’t want to put the Moderator as facilitator in a position of dictating whether or not or determining whether or not a motion or question can be in order. The way I read this it would be his or her determination of whether there’s been insufficient opportunity and/or they’re aware of other subsidiary motions that may come. I think the way to address this is to encourage fellow town meeting members to not pontificate. It is a behavior thing but I don’t believe that the Moderator should be determining for Town Meeting when it has or has not had sufficient opportunity. That’s the call of the entire collective body. I would like the By Law to stay as it is and for Town Meeting to act as it wishes.</p> <p>Mr. Sullivan: Town Meeting is far from a perfect process. I think we’re at an interesting crossroads in this town. We have a process that enables the Moderator to read the room, figure out the best circumstance, maintain a quorum late into the night, get the opinions appropriately iterated while getting us through the process. I do not think at any point in my attendance at town meeting have I seen a point where an individual who doesn’t speak on a regular basis on town meeting floor or has an opinion they believe would be different or germane to the conversation has been impeded or impaired in any way from being able to share that opinion. I would like the Moderator to have as much flexibility as s/he can have. I’m not in favor of trying to legislate perfection on the floor of Town Meeting I think it’s a fool’s errand.</p> <p>Mr. Coburn: I would note that Town Meeting in New England is one of the highest achievements of the ideal of democracy, in the words of Winston Churchill, it’s a worse system accept for</p>

	all the others. It was noted in the Q&A and in the proponent’s presentation that there is a By-Law that prohibits the Moderator from shutting off debate and there’s a reason for that. There could someday be a Moderator who might want to violate the spirit of that prohibition and what this By Law change essentially does is gut that prohibition. So I think there’s still some work to do although I do appreciate the effort to solve this problem.
Vote: Carries	9-2-0

Article 34 – Amend Zoning By-Laws: Assisted Living Overlay Option Plan (Postponed to March 29)

Mr. Hayes: We have four articles on March 29th on the 22nd we’re doing the Omnibus and on the 20th we’re doing the school article itself.

Article 14 – Capital Improvement (Motion C Only)

Mr. Hayes: Update on the Selectmen’s Meeting. Short story was we set aside the Motion to April 27th to get more information.

Ms. Collins: It was a very productive discussion.

Mr. Sullivan: It became clear through the free flowing conversation that some compromises were voted on and made by the Building Committee on the premise of do this or not get anything at all as opposed to what’s in the best interest and best investment for ultimately what we need. I found the conversation to be very productive because everyone stopped and thought about the original charge rather than shoe-horning this into a pre-determined number. This was very productive and kudos to everyone involved.

Mr. Scurlock: A number of people said that this helped clarify facts versus rumors in particular so, again very productive.

Questions

Ms. Van Amsterdam: What will the expectation be on April 27th?

Mr. Hayes: My expectation is that the Building Committee as well as the Selectmen will reaffirm their decision or they will come to a decision on what’s the right program and its cost.

Mr. Hayes: The funding decision is really the Town Administrator’s decision. But it’s the Selectmen who have to authorize that. There’s no Article language that precludes a debt exclusion from happening.

MOTION

Close the 2018 Spring Annual Town Meeting Warrant Articles – Public Hearing

Moved/Motioned by:	Ms. Collins
Seconded by:	Mr. Pierce
Motions or Debates:	None.
Vote:	12-0-0

OLD BUSINESS

MEETING MINUTES

ADJOURN

MOTION

Motion to adjourn.

Moved/Motioned by:	Mr. Pierce	
Seconded by:	Ms. Collins	
Motions or Debates:	None	
Vote	12-0-0	

Meeting adjourned at 9:45 p.m.