

**2013 Fall Annual Town Meeting
Fine and Performing Arts Center
Natick High School
October 17, 2013
Second Session**

The Second Session of the 2013 Fall Annual Town Meeting was called to order at 7:35 PM by the Town Moderator, Frank W. Foss, who declared a quorum present. The Moderator welcomed residents, taxpayers, town officials, Town Meeting Members and interested parties to the Second Session of 2013 Fall Annual Town Meeting. Mr. Foss presented the official, duly posted warrant signed by the Board of Selectmen with the officer's return thereon to the Town Clerk to be entered into the official record of the town. The Moderator asked that all recently elected or appointed members of Town Meeting stand to take the oath of office. The oath was given to new Town Meeting Members and then all Town Meeting Members stood for the Pledge of Allegiance and a moment of silence in recognition of those serving on our behalf around the world.

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

The Moderator reviewed the general rules and procedures of Town Meeting. He indicated that all residents and taxpayers of the town and town officers and employees, whether or not residents, have the same right to speak as Town Meeting Members; however they do not have the right to submit motions for consideration at Town Meeting, nor vote on any matter before Town Meeting. Non-residents may only speak at Town Meeting after approval by Town Meeting Members. The proceedings of Town Meetings shall be governed by ***Town Meeting Time***, the Town of Natick Home Rule Charter, the Natick By-Laws and the General Laws of the Commonwealth of Massachusetts.

All motions offered for consideration of Town Meeting shall be in writing if required by the Moderator; and all motions involving the expenditure of money shall be in writing when required by any Town Meeting Member. 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 thereon. The motion for the previous question shall not be entertained by the Moderator if three or more persons, who have not previously spoken to the question, are seeking recognition. By rule, indefinite postponement shall be considered a negative main motion and may be entered by the Moderator whenever any main motion or subsidiary motion is in order. This shall not change the order of precedence of motions as specified in Article 3, Section 6 of our By-Laws or any other practice regarding indefinite postponement as specified in the Natick Home Rule Charter, the Natick By-Laws or ***Town Meeting Time***. Without objection, the preceding statements were accepted as rules of 2013 Spring Annual Town Meeting.

At that time the Moderator suggested a motion to waive the reading of articles and motions. Moved by Mr. Sidney, seconded by Ms. Ball to waive reading the text of all 2013 Fall Annual Town Meeting warrant articles and move to waive reading the text of motions, excluding the

amounts to be appropriated and sources of said amounts to be appropriated when motions are provided in the text of Recommendations of the Natick Finance Committee publications. *The motion passed unanimously.*

The Moderator made several announcements regarding upcoming events.

Ms. Collins rose for the following point of order: The Town of Natick Home Rule Charter, Article 2 Section 2-11(b) Initiation of Articles states: The board of selectmen shall receive all petitions which are addressed to it and which request the submission of particular subject matter to the representative town meeting and which are filed by: (1) any elected town officer, (2) any multiple member body, acting by a majority of its members, (3) any ten voters, (4) such other persons or agencies as may be authorized by law, or by by-law.

Since the "Retirement Board," sponsor of Articles 20, 21, and 22, doesn't fall into any of these categories, I suggest that articles 20, 21, and 22 are not properly before this body and therefore should not be taken up by Town Meeting. I recognize that the sponsor has requested a vote of "no action" however since these articles should never have been placed on the warrant in the first place, I believe that even a vote of "no action" would be improper.

The Moderator told Town Meeting that he became aware of this issue during the Finance Committee deliberations and since we are not likely to take up Articles 20, 21 and 22 this evening he will rule on this point of order at the next meeting.

ARTICLE 1: Report from South Middlesex Regional Vocational Technical School District Regarding Roof Replacement Project (Town Administrator)

To see if the Town will vote to receive a report from the South Middlesex Regional Vocational Technical School District regarding the Massachusetts School Building Authority's invitation for said School to participate in the Accelerated Repair Program in conducting a feasibility study for a roof replacement project, or otherwise act thereon.

RECOMMENDATION: By a vote of 14-0-0 on September 3, 2013, the Finance Committee recommends favorable action with regard to the subject of Article 1.

MOTION (requires majority vote):

Moved by Mr. Everett, seconded by Mr. Freedman that the Town vote to receive a report from the South Middlesex Regional Vocational Technical School District regarding the Massachusetts School Building Authority's invitation for said School to participate in the Accelerated Repair Program in conducting a feasibility study for a roof replacement project.

The motion to hear the report under Article 1 passed by majority vote. Superintendent Lynch spoke to this article. Prior to the presentation Mr. Lynch announced that he is retiring this year and introduced Mr. Jonathan Edwards who will be the next Superintendent of the South Middlesex Regional Vocational School District. Mr. Lynch gave a presentation on the accelerated roof repair project.

ARTICLE 2: Personnel Board Classification and Pay Plan (Town Administrator)

To see if the Town, pursuant to the authority contained in Section 108A of Chapter 41 of the General Laws, will vote to amend the By-Laws by amending the Classification and Pay Plan as referenced in Article 24, Section 3, by deleting certain position titles, adding new position titles and effecting changes in the salary ranges as presently established, or otherwise act thereon.

RECOMMENDATION: By a vote of 11-0-0 on September 12, 2013, the Finance Committee recommends favorable action with regard to the subject of Article 2.

MOTION (requires majority vote):

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

Full-Time Positions

Town of Natick
Classification and Pay Plan
Fiscal Year 2014
Effective July 1, 2013

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

GRADE 6

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

GRADE 5

Comptroller
Deputy Chief of Police
Deputy Town Administrator
Director of Community Development
Director of Community Services
Director of Facilities Management
Director of Finance
Director of Information Technology
Director of Public Works

GRADE 4

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

GRADE 3

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

GRADE 3 Continued

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

GRADE 2

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

GRADE 1

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

Mr. Levinsky moved, seconded by Mr. Yang to amend Article 2 by deleting the position of "Director of Finance" in Grade 5 and adding "/Operations" to the end of the title of Deputy Town Administrator also in grade 5. The new title will read "Deputy Town Administrator/Operations". Mr. Levinsky detailed the changes that were being made. Discussion on the main motion and the amendment ensued at the same time. Ms. Williamson Ostroff moved, seconded by Mr. Sidney to amend Article 2 by deleting Assistant Director of Council on Aging from Grade 2. Ms. White noted that the position had been moved to Grade 3 and should not appear in Grade 2. The Moderator ruled that Town Meeting would vote on the last amendment separately.

The motion to amend Article 2 by deleting Assistant Director of Council on Aging from Grade 2 passed by majority vote.

Discussion ensued on the amended main motion. Moved by Mr. Pierce, seconded by Mr. Gath to move the question and close debate on this question. *The motion to close debate passed by two-thirds vote. The amendment to the amended main motion under Article 2 passed by majority vote. The amended main motion to Article 2 passed by majority vote.*

ARTICLE 3: Street Acceptance – Portion of Summer Street (Board of Selectmen)

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

RECOMMENDATION: By a vote of 10-2-0 on September 26, 2013, the Finance Committee recommends favorable action with regard to the subject of Article 3.

MOTION (requires two-thirds majority vote):

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

Mr. Coviello, the Town Engineer, spoke to this article. *The main motion under Article 3 passed unanimously.*

ARTICLE 4: Committee Article (Board of Selectmen)

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

RECOMMENDATION: By a vote of 12-2-0 on September 3, 2013, the Finance Committee recommends favorable action with regard to the subject of Article 4.

MOTION (requires majority vote):

Moved by Mr. Everett, seconded by Mr. Freedman that the Town vote to receive the reports from: the MBTA Advisory Committee, the Zoning By-Law Review Committee, the Strategic Planning Review Committee, the Natick Center Cultural District Advisory Board.

The main motion to hear the reports passed by majority vote. Mr. Ostroff made the presentation for the MBTA Station Advisory Committee; Mr. Hughes made the presentation for the Zoning By-Law Review Committee; Ms. Adelman Foster made the presentation for the Strategic Planning Review Committee and Mr. Levinsky made the presentation for the Natick Center Cultural District Advisory Board.

ARTICLE 5: Amend Zoning By - Laws: Limited Salesroom for Motor Vehicles (Planning Board)

To see if the Town will vote to amend the Zoning Bylaws to add a new use of “Limited Salesroom for Motor Vehicles”; or otherwise act thereon.

RECOMMENDATION: By a vote of 8-0-3 on September 24, 2013, the Finance Committee recommends favorable action with regard to the subject of Article 5.

MOTION (requires two-thirds majority vote):

Moved by Mr. Everett, seconded by Mr. Freedman that the Zoning Bylaws be amended by adding a new use “Limited Salesroom for Motor Vehicles” as follows:

In Section 200 – DEFINITIONS insert:

“Limited Salesroom for Motor Vehicles: A retail establishment for the sale of Motor Vehicles with Class I license per MGL c. 140 s. 59 having no more than four vehicles on site for sale, test driving or display, with no repair services.“

In Section III-A.2 Use Regulations Schedule insert:

	BUSINESS USES	RG	RM	RS	PCD	SH	AP	DM	CII	INI	INII	H
23A	Limited salesroom for motor vehicles	O	O	O	O	O	O	(*)	A	O	O	O

In Section III-D USE REGULATIONS FOR LC DISTRICTS insert a new subsection:

“1.k.1. Limited salesroom for motor vehicles.”

In Section III-E DOWNTOWN MIXED USE DISTRICT DM insert a new subsection:

“2.b.10.a. Limited salesroom for motor vehicles.””

Mr. Munnich spoke to this article. *The main motion under Article 5 passed by a two-thirds vote.*

Mr. Ostroff moved, seconded by Ms. Gloff to postpone consideration of Article 6 until Tuesday, October 22, 2013. *The motion to postpone consideration of Article 6 until Tuesday, October 22nd passed unanimously.*

ARTICLE 7: Senior Tax Work Program (to Specify up to 125 Hours of Work vs Current \$1,000 Dollar Limit (Council on Aging)

To see if the Town will vote, pursuant to Massachusetts General Laws Chapter 59, Section 5K, which Section was previously accepted by the Town of Natick, to adjust the maximum reduction of the real property tax bill to be based on 125 volunteer service hours to the Town in a given tax year, rather than \$1,000, or otherwise act thereon.

RECOMMENDATION: By a vote of 13-0-0 on September 24, 2013, the Finance Committee recommends favorable action with regard to the subject of Article 7.

MOTION (requires majority vote):

Moved by Mr. Everett, seconded by Mr. Freedman that the Town vote, pursuant to Massachusetts General Laws Chapter 59, Section 5K, which Section was previously accepted by the Town of Natick, to adjust the maximum reduction of the real property tax bill to be based on 125 volunteer service hours to the Town in a given tax year, rather than \$1,000.

Ms. Salamoff, Chair of the Council Aging Board spoke to this article. *The main motion under Article 7 passed by majority vote.*

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

To see if the Town will vote to amend the Town By-Laws, Specifically Article 41, Section 1, by deleting in their entirety the second, third and fifth paragraphs therein, or otherwise act thereon.

RECOMMENDATION: By a vote of 9-2-0 on September 12, 2013, the Finance Committee recommends favorable action with regard to the subject of Article 8.

MOTION (requires majority vote):

Moved by Mr. Everett, seconded by Mr. Freedman that the Town vote to amend the Town By-Laws, specifically Article 41, Section 1, by deleting in their entirety the second, third and fifth paragraphs therein, and by adding at the end of the first paragraph the following sentence: “Such policies shall prescribe procurement procedures for architectural and engineering consulting services for which no procurement process is required by applicable Massachusetts law.”

Ms. White spoke to this article. Mr. Connolly moved, seconded by Mr. Maguire to amend the main motion by removing all the text after the word “therein,” and inserting “.”. The amendment to the main motion did not pass. ***The main motion under Article 8 passed by majority vote.***

Dr. Salamoff moved, seconded by Mr. Gath to adjourn. ***The motion to adjourn passed by a two-thirds vote. The meeting adjourned at 10:05 PM until Tuesday, October 22nd at 7:30 PM.***

A record of the Second Session of
2013 Fall Annual Town Meeting
October 17, 2013

Diane Packer, Town Clerk