

**2012 Fall Annual Town Meeting
Natick High School Auditorium
October 23, 2012
Third Session**

The Third Session of the 2012 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 Third Session of 2012 Fall Annual Town Meeting. The Moderator asked that all recently elected or appointed members of Town Meeting stand to take the oath of office. There were none. The members of Town Meeting stood for the Pledge of Allegiance and a moment of silence for all those serving overseas.

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

The Moderator reminded Town Meeting that the general rules and procedures governing Town Meeting remain in effect. In addition, the Moderator reiterated that any person having a monetary or equitable interest in any matter under discussion at a Town Meeting, and any person employed by another having such an interest, shall disclose the fact of his/her interest or employment before speaking thereon.

The Moderator made several announcements regarding upcoming events in the community.

The Moderator announced that the order of business would be Article 1 and then Article 9 and then Article 22 until the warrant has been completed.

ARTICLE 1: Fiscal 2013 Omnibus Budget Article (Town Administrator)

To determine what sum or sums of money the Town will appropriate and raise, or transfer from available funds, for the operation of the government of the Town of Natick, including debt and interest, during Fiscal Year 2013 (July 1, 2012 through June 30, 2013) and to provide for a reserve fund for Fiscal Year 2013, and to see what budgets for Fiscal 2013 will be reduced to offset said additional appropriations, or otherwise act thereon.

RECOMMENDATION:

By a vote of 14-0-0 on September 24, 2012, the Finance Committee recommends favorable action with regard to the subject of Article 1, Motion A.

By a vote of 10-4-0 on September 24, 2012, the Finance Committee recommends favorable action with regard to the subject of Article 1, Motion B.

The motion below is the same as the one that was on the table at the October 16th session of Town Meeting.

MOTION A (Requires Majority Vote):

Moved by Mr. Everett and seconded by Mr. Freedman that the Town vote to reduce certain appropriations voted by the 2012 Spring Annual Town Meeting under Article 14 by the following amounts:

Article 14, Motion E	Finance Salaries	\$ (75,000)
Article 14, Motion G	Debt Service Interest	\$ (163,684)
Article 14, Motion I	Sassamon Trace Debt Service Interest	\$ (10,601)
Total		\$ (249,285)

Mr. Coburn moved, seconded by Mr. Glater to waive the reading of any motions which are included in the handout that was provided this evening for Articles 1 and 9. ***The motion to waive the reading of the motions passed unanimously.***

Ms. White spoke to both Motions A and B at the same time.

Motion A under Article 1 passed unanimously.

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

MOTION B: (Requires a Majority Vote)

Move that the Town vote to appropriate the sum of \$898,593 as amendments to the following appropriations voted at the Annual Spring Town Meeting commencing on April 12, 2012 under Article 14 as follows:

Article 14, Motion A	Natick Public Schools	\$358,200
Article 14, Motion B	Fire Department Expenses	\$5,500
Article 14, Motion D	Community Services Salaries	\$8,500
Article 14, Motion E	Selectmen Contract Settlements	\$214,451
Article 14, Motion E	Finance Expenses	\$75,000
Article 14, Motion G	Debt Service Principal	\$100,290
Article 14, Motion H1	Water/Sewer Debt Service Principal	\$88,569
Article 14, Motion H1	Water/Sewer Debt Service Interest	\$42,683
Article 14, Motion I	Sassamon Trace Debt Service Principal	\$5,400
Total		\$898,593

And that to meet this appropriation, the sum of \$761,941 be raised from the Tax Levy, \$91,883 from Water/Sewer Retained earnings, \$39,369 from Inflow & Infiltration Fund and \$5,400 from Sassamon Trace User Fees.

Motion B under Article 1 passed by majority vote.

Article 9: Collective Bargaining (Town Administrator)

To see if the Town will vote to raise and appropriate, or otherwise provide, the funds necessary to implement the Terms of Agreements reached between the Town and the following collective bargaining units:

- a) Public Employees Local Union 1116 of the Laborers International Union of North America – Clerical Employees
- b) Public Employees Local Union 1116 of the Laborers International Union of North America – Public Works’ Laborers Employees
- c) Public Employees Local Union 1116 of the Laborers International Union of North America – Library Employees
- d) Supervisors and Administrators Association (DPW)
- e) The Natick Patrol Officers’ Association
- f) New England Police Benevolent Association, AFL-CIO, Local 182
- g) New England Police Benevolent Association, Inc. Local 182, Dispatchers
- h) Local 1707 International Association of Firefighters
- i) The Deputy Fire Chiefs Association
- j) Public Employees Local Union 1116 of the Laborers International Union of North America – Facility Management Employees

Or otherwise act thereon.

RECOMMENDATION:

By a vote of 13-0-0 on September 24, 2012, the Finance Committee recommends favorable action with regard to the subject of Article 9, Motion A.

By a vote of 13-0-0 on September 24, 2012, the Finance Committee recommends favorable action with regard to the subject of Article 9, Motion B.

By a vote of 13-0-0 on September 24, 2012, the Finance Committee recommends favorable action with regard to the subject of Article 9, Motion C.

Article 1 - FY 2013 Omnibus Operating Budget

MOTION A (Requires a Majority Vote):

Moved by Mr. Everett, seconded by Mr. Freedman that the Town vote to appropriate from the Tax Levy the sum of \$80,114 to implement the Fiscal Year 2013 terms of the agreement reached between the Town of Natick and the Natick Patrol Officers' Association, said funds to be added to the Fiscal Year 2013 Salaries line item within the Police Department budget approved at the 2012 Spring Annual Town Meeting under Article 3, Motion B.

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

Motion A under Article 9 passed by majority vote.

MOTION B (Requires a Majority Vote):

Moved by Mr. Everett, seconded by Mr. Freedman that the Town vote to appropriate from the Tax Levy the sum of \$17,473 to implement the Fiscal Year 2013 terms of the agreement reached between the Town of Natick and the Public Employees Local Union 1116 of the Laborers International Union of North America - Library Employees, said funds to be added to the Fiscal Year 2013 Salaries and Expenses line-item within the Morse Institute Library budget approved at the 2012 Spring Annual Town Meeting under Article 12.

Mr. Golden moved, seconded by Mr. Goldman to end debate on the Motion B. ***The motion to end debate passed by a 2/3/ vote. Motion B under Article 9 passed by majority vote.***

MOTION C (Requires a Majority Vote):

Moved by Mr. Everett, seconded by Mr. Freedman that the Town vote to appropriate from the Tax levy the sum of \$25,965 to implement the Fiscal Year 2013 terms of the agreement reached between the Town of Natick and the Public Employees Local Union 1116 of the Laborers International Union of North America – Clerical Employees, said funds to be added to the Fiscal Year 2013 departmental budgets as shown in the table attached hereto and incorporated by reference.

Motion - Budget Changes	Amount to be added
Police Salaries (Article 14, Motion B)	\$1,219
Fire Salaries (Article 14, Motion B)	\$2,206
DPW Administration Salaries (Article 14, Motion C)	\$2,920
Community Services Salaries (Article 14, Motion D)	\$4,825
Board of Health Salaries (Article 14, Motion D)	\$1,319
Finance Salaries (Article 14, Motion E)	\$4,893
Town Clerk Salaries (Article 14, Motion E)	\$2,356
Community Development Salaries (Article 14, Motion E)	\$6,227
Total	\$25,965

Motion C under Article 9 passed by majority vote.

MOTION D1 (Requires a Majority Vote):

Moved by Mr. Everett, seconded by Mr. Freedman that the Town vote to appropriate from the Tax Levy the sum of \$31,353 to implement the Fiscal Year 2013 terms of the agreement reached between the Town of Natick and the Public Employees Local Union 1116 of the Laborers International Union of North America – Public Works' Laborers Employees, said funds to be added to the Fiscal Year 2013 departmental budgets as shown in the table attached hereto and incorporated by reference.

Motion - Budget Changes	Amount to be added
DPW Engineering Salaries (Article 14, Motion C)	\$ 364
DPW Equipment Maintenance Salaries (Article 14, Motion C)	\$ 3,880
DPW Highway & Sanitation Salaries (Article 14, Motion C)	\$20,952
DPW Land, Facilities & Nat. Resources Salaries (Article 14, Motion C)	\$ 6,157
Total	\$31,353

Motion D1 under Article 9 passed by majority vote.

MOTION D2 (Requires a Majority Vote):

Moved by Mr. Everett seconded by Mr. Freedman that the Town vote to appropriate from Water/Sewer Retained Earnings the sum of \$18,130 to implement the Fiscal Year 2013 terms of the agreement reached between the Town of Natick and the Public Employees Local Union 1116 of the Laborers International Union of North America – Public Works’ Laborers Employees, said funds to be added to the Fiscal Year 2013 departmental budgets as shown in the table attached hereto and incorporated by reference.

Motion - Budget Changes	Amount to be added
Water & Sanitary Sewer Operations Salaries (Article 14, Section H1)	\$18,130
Total	\$18,130

Motion D2 under Article 9 passed by majority vote.

MOTION E1 (Requires a Majority Vote):

Moved by Mr. Everett seconded by Mr. Freedman that the Town vote to appropriate from the Tax Levy the sum of \$11,835 to implement the Fiscal Year 2013 terms of the agreement reached between the Town of Natick and the Supervisors and Administrators Association (DPW), said funds to be added to the Fiscal Year 2013 departmental budgets as shown in the table attached hereto and incorporated by reference.

Motion - Budget Changes	Amount to be added
DPW Engineering Salaries (Article 14, Motion C)	\$ 4,970
DPW Equipment Maintenance Salaries (Article 14, Motion C)	\$ 2,769
DPW Highway & Sanitation Salaries (Article 14, Motion C)	\$ 2,799
DPW Land, Facilities & Nat. Resources Salaries (Article 14, Motion C)	\$ 798
Employee Fringe Other Personnel Services (Article 14, Motion G)	\$ 499
Total	\$11,835

Motion E1 under Article 9 passed by majority vote.

MOTION E2 (Requires a Majority Vote):

Moved by Mr. Everett seconded by Mr. Freedman that the Town vote to appropriate from Water/Sewer Retained Earnings the sum of \$10,733 to implement the Fiscal Year 2013 terms of the agreement reached between the Town of Natick and the Supervisors and Administrators Association (DPW), said funds to be added to the Fiscal Year 2013 departmental budgets as shown in the table attached hereto and incorporated by reference.

Motion - Budget Changes	Amount to be added
Water & Sanitary Sewer Operations Salaries (Article 14, Section H1)	\$10,733
Total	\$10,733

Motion E2 under Article 9 passed by majority vote.

MOTION F (Requires a Majority Vote):

Moved by Mr. Everett seconded by Mr. Freedman that the Town vote to appropriate from the Tax Levy the sum of \$590 to implement the Fiscal Year 2013 terms of the agreement reached between the Town of Natick and the New England Police Benevolent Association, Inc. Local 182, Dispatchers, said funds to be added to the Fiscal Year 2013 Salaries line item within the Police Department budget approved at the 2012 Spring Annual Town Meeting under Article 14, Motion B.

Motion F under Article 9 passed by majority vote.

MOTION G (Requires a Majority Vote):

Moved by Mr. Everett seconded by Mr. Freedman that the Town vote to appropriate from the Tax Levy the sum of \$29,837 to implement the Fiscal Year 2013 terms of the agreement reached between the Town of Natick and the Public Employees Local Union 1116 of the Laborers International Union of North America – Facility Management Employees, said funds to be added to the Fiscal Year 2013 Salaries line item within the Police Department budget approved at the 2012 Spring Annual Town Meeting under Article 14, Motion G.

Motion G under Article 9 passed by majority vote.

ARTICLE 22: Natick 360 Progress Report (Town Administrator)

To see if the Town will hear a report from the Town and/or sponsoring boards and committees on progress with respect to the Natick 360 Strategic Plan, or otherwise act thereon.

RECOMMENDATION:

By a vote of 13-0-0 on September 13, 2012, the Finance Committee recommends favorable action with regard to the subject of Article 22.

MOTION (Requires Majority Vote):

Moved by Mr. Everett seconded by Mr. Freedman that the Town vote to hear a report from the Town and/or sponsoring boards and committees on progress with respect to the Natick 360 Strategic Plan.

The main motion under Article 22 passed by majority vote.

Mr. Ostroff gave a presentation on the progress of Natick 360.

ARTICLE 23: Street Acceptance: Karen Lane (Extension of), Kylie Lane (Board of Selectmen)

To see if the Town will vote to accept Kylie Lane and Karen Lane (the extension of) as public ways, and any appurtenant easements thereto, as laid out by the Board of Selectmen and as shown on a plan or plans, copies of which are 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 said ways, and any appurtenant drainage, utility or other easements related to said ways, 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 purpose of this article, or otherwise act thereon.

RECOMMENDATION:

By a vote of 13-0-0 on September 4, 2012, the Finance Committee recommends no action with regard to the subject of Article 23.

MOTION (Requires Majority Vote):

Moved by Mr. Everett seconded by Mr. Freedman that no action be taken on Article 23.

Ms. White spoke to this article.

The motion to take no action on Article 23 passed unanimously.

ARTICLE 24: Superior Drive: Alteration of Street Layout (Board of Selectmen)

To see if the Town will vote to alter the 1959 Accepted Street Layout of Superior Drive, and any appurtenant easements thereto, as laid out by the Board of Selectmen and as shown on a plan or plans, copies of which are 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 said way, and any appurtenant drainage, utility or other easements related to said way, 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 13-0-0 on September 4, 2012, the Finance Committee recommends no action with regard to the subject of Article 24.

MOTION (Requires Majority Vote):

Moved by Mr. Everett seconded by Mr. Freedman that no action be taken on Article 24.

Ms. White spoke to this article.

The motion to take no action on Article 24 passed unanimously.

ARTICLE 25: Street Acceptance: Main Street (Board of Selectmen)

To see if the Town will vote to accept Main 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 Main Street, and any appurtenant drainage, utility or other easements related to said Main 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 9-5-0 on September 24, 2012, the Finance Committee recommends favorable action with regard to the subject of Article 25.

MOTION (Requires Majority Vote):

Moved by Mr. Everett, seconded by Mr. Freedman that the Town vote to accept Main Street as a public way, and any appurtenant easements thereto, as laid out by the Board of Selectmen and as shown on 2-sheet set of plans entitled "Street Acceptance Plan of Main Street in Natick, Mass." dated August 27, 2012, prepared by Sullivan Surveying Company, LLC, 209 West Central Street, Natick, Mass. 01760; 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 Main Street, and any appurtenant drainage, utility or other easements related to said Main 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.

Ms. White gave an overview of this article.

Moved by Mr. Coburn, seconded by Mr. Sidney to strike the words "to see if the Town will vote" after the first semi colon in the motion. *The amendment passed by majority vote.*

The meeting recessed and Mr. Flynn and Mr. Foss conference. Mr. Flynn addressed Town Meeting and said that the intent of the article was not to authorize any action other than that which is proposed to be taken at this time.

Moved by Mr. Ostroff, seconded by Mr. Sidney, to strike the words "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 Main Street, and any appurtenant drainage, utility or other easements related to said Main Street, and/or to accept grants thereof;"

The amendment passed unanimously. The amended main motion passed by majority vote.

ARTICLE 26: Community Choice Aggregation (Town Administrator)

To see if the Town will vote to authorize the Board of Selectmen to enter into a Community Choice Aggregation Program and contract for electric supply for Natick residents and businesses as per MGL 164, Section 134, or otherwise act thereon.

RECOMMENDATION: By a vote of 9-0-5 on September 4, 2012, the Finance Committee recommends favorable action with regard to the subject of Article 26.

MOTION (Requires Majority Vote):

Moved by Mr. Everett, seconded by Mr. Freedman that the Town vote to authorize the Board of Selectmen to enter into a Community Choice Aggregation Program and contract for electric supply for Natick residents and businesses as per MGL 164, Section 134.

Ms. White made a presentation regarding this article. Discussion on this article ensued.

Moved by Mr. Sidney, seconded by Mr. Gath, to allow Mr. Leo Sullivan, a non resident to speak at Town Meeting. ***The motion to allow Mr. Sullivan to speak passed unanimously.***

Ms. Foss moved, seconded by Mr. Sidney to end debate on this article. ***The motion to close debate passed by 2/3vote.***

The main motion under Article 26 passed by majority vote.

Mr. Goldman moved, seconded by Mr. Sidney to adjourn. ***The motion to adjourn passed unanimously. The meeting adjourned at 10:30 PM.***

A record of the Third Session of
2012 Fall Annual Town Meeting, October 23, 2012

Diane Packer, Town Clerk