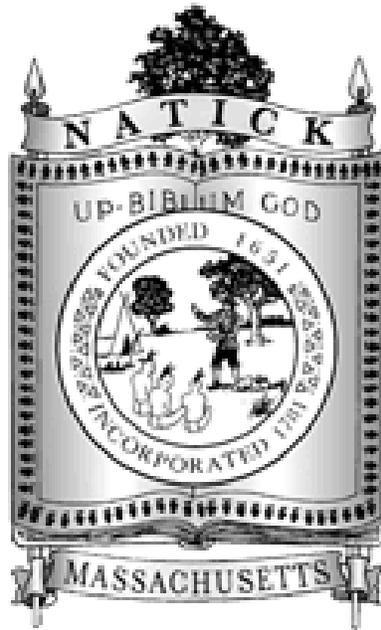


# *Town of Natick*

## *2015 Fall Annual Town Meeting*



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## **Recommendations of the Natick Finance Committee**

October 20, 2015 – Natick High School – Natick, MA



## *Town of Natick*

2015 Fall Annual Town Meeting – Town Meeting Information Book

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# **Please bring this book with you to the 2015 Fall Annual Town Meeting**

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### **\*\*\*PLEASE NOTE\*\*\***

**In accordance with the Town Charter and By-Laws, the Fall Annual Town Meeting must commence on the 3<sup>rd</sup> Tuesday of October each year, which is October 20, 2015.**



**Finance Committee**  
**Town of Natick, Massachusetts**  
**October 7, 2015**

Greetings to all Town Meeting Members and Citizens of Natick,

This report contains the Natick Finance Committee recommendations for all of the articles appearing on the Fall 2015 Annual Town Meeting Warrant.

Under the Town's Charter and By-Laws, the Finance Committee is required to "consider all matters of business included within the articles of any warrant for a Town Meeting, and shall, after due consideration, report thereon, in print, its recommendation as to each article" (Natick By-Laws, Chapter 23, Section 4). In accordance with the Town of Natick By-Laws, this report and recommendations are respectfully submitted for your consideration. This warrant contains a variety of financial and non-financial articles for consideration.

A number of warrant articles deal with recurring matters, including adjustments to the Fiscal Year 2016 operating budget, appropriation to the Town's stabilization funds, and capital equipment and improvements. There are also requests, recommended by the Finance Committee, for rescinding the unused authority to issue additional debt, funding for snow and ice deficits and budgets, certain FY 2016 operating budget adjustments, capital and I&I stabilization funds, capital equipment and improvements, implementation of one collective bargaining agreement, intersection design money, the initial phases of a comprehensive Master Plan and construction of a sewer force main for two affordable housing units to be constructed by the Town's Affordable Housing Trust Fund. In addition, one article recommended by the Finance Committee seeks to establish a new special purpose stabilization fund for FAR Bonus funds, to transfer the remaining balance of the FAR Bonus funds from the Conservation Commission to the new fund and to appropriate free cash to the new fund.

Other articles recommended by the Finance Committee involve recurring or continuing matters such as the Personnel Board Pay Plan and committee reports including the reports of the Sawin House Study Committee and the Conservation Fund Study Committee. New matters recommended by the Finance Committee authorizing the Board of Selectmen to seek legislative approval for a home rule petition to enforce fines and removal of utility poles and endorsing the Board of Health's initiative to develop reasonable regulations to reduce the use of plastic bags.

To fulfill its responsibilities under Section 23 of the By-Laws, the Finance Committee met 8 times during the month of September and October. All of the Finance Committee recommendations were made during duly noticed open meetings after due consideration of information presented as part of public hearings on each article.

In reaching its recommendations the Finance Committee has considered the information and comments presented from all of the article sponsors, Town department heads, Town and School Administrations, Town Boards and Commissions, and the public at large.

As in previous years, extensive and constructive discussions were held on these articles, and the narratives in this Recommendation Book strive to provide a summary of the key points from those discussions to provide information and analysis behind the recommendations to Town Meeting members for their consideration and study in preparation for Town Meeting.

The Finance Committee heard all articles on the Fall 2015 Town Meeting Warrant before this recommendation book was written. Two articles did not achieve the eight Finance Committee votes needed for a recommendation as is noted in this book. In addition, eight articles are requests and/or recommendations for No Action. Of the remaining twenty-five articles, twenty-three have recommendations for Favorable Action. Referral is recommended for one article and Indefinite Postponement is recommended for another.

As part of the process of considering matters within the Fall 2015 Town Meeting warrant, the Finance Committee received a report from the administration on the free cash amount certified in early September. The certified free cash balance as of July 1, 2015 was \$9,212,607. Significant contributors to the free cash balance were \$4,951,000 in local receipts revenue above budget and \$2,114,000 in budget turn backs and a free cash balance carried forward from the previous year of \$661,000. Local receipts items in excess of budgeted amounts included \$734,000 in Motor Vehicle Excise Taxes, \$1,582,000 in Local Option Taxes, \$1,105,000 in License and Permits and \$824,000 in Tax Title Collections above budgeted amounts.

This Recommendation Book is the result of a large group effort. Many volunteers, especially the fifteen members of the Finance Committee as well as members of other committees and boards and Town staff, worked diligently to help bring all this information to Town Meeting. A number of meetings lasted late into the night and again required a considerable amount of effort and commitment on the part of committee members, Town officials, citizen petitioners, other volunteers, families, and friends that should not go unrecognized.

We would like to express our thanks and appreciation for all of the hard work and dedication contributed by all of the Town officials, members of boards, committees and departments, as well as many concerned citizens, for their cooperation, participation,

and openness during our public hearings. Natick is fortunate and well served to have the high quality of professionals and volunteers acting on our behalf.

We would also like to express our appreciation and respect to Ms. Lisa Smith, our recording secretary, for the consistently high quality of our meeting minutes. Her efforts are instrumental in assisting us to make information about our meetings as transparent and accessible as possible.

The Finance Committee's report to Annual Town Meeting is also required under Article 23 Section 4 of the By-Laws to "contain a statement of the doings of the Committee during the year, with any such recommendations or suggestions as it may deem advisable on any matters pertaining to the welfare of the Town." Because Article 2-12 of the Charter requires two annual Town Meetings (by practice Spring and Fall), this letter includes a report on other matters since Spring 2015 Town Meeting that are not included in the Fall 2015 Town Meeting Warrant.

These matters include so called 3% budget transfers in June 2015 for a partial payment on the Snow and Ice Deficit and \$74,000 transfer to the Board of Selectmen's budget for transfer the Natick Center Cultural District. This latter transfer resulted from an 8-7-0 vote and was contentious and controversial. Supporters felt that it was a necessary economic development cause and was time sensitive in order for the Cultural District to proceed with essential programs. Opponents felt among other items that it should have been part of the FY 2015 Omnibus budget at Town Meeting where the budget is to be "a complete plan of all Town funds." The Finance Committee notes that without this transfer, the free cash balance would have been \$9,286,607.

In June 2015, the Finance Committee also voted to create a sub committee to study and to recommend whether or not the Finance Committee should take the substantial step of conducting an audit of the Natick Public Schools. This study committee was to have reported by September 10, 2015. The study committee requested an extension until December 2015 but received an extension to October 29, 2015 so that the results of its study could be reported to the entire Finance Committee while Fall 2015 Town Meeting is still in session.

The Finance Committee also held a retreat on September 1, 2015, to consider a number of matters. The Finance Committee prepared a checklist of analyses to be recommended to the Financial Planning Committee as part of considerations concerning future budget planning. These items are provided at the conclusion of this letter.

The Finance Committee also reviewed the provisions of the MGL, the Charter and the By Laws about the role of both the Finance Committee and Town Meeting. The Finance Committee reiterated its role of providing due diligence and recommendations to Town Meeting. The Finance Committee also reiterated its recognition that Town Meeting is the decision maker (i.e. the policy maker) on any matter requiring a vote of Town Meeting ( including Town Meeting's right to know of all available revenue and to

decide matters of appropriating that revenue), that Town Meeting is the sole authority to decide on the use of stabilization funds and free cash and that Town Meeting is the sole authority with regard using other funds to subsidize voter debt exclusions that have been approved by the voters. The Finance Committee committed, to the best of its ability, to providing Town Meeting with all relevant facts and analysis necessary for Town Meeting to make informed decisions. The attached report and recommendations include information in this regard.

The Finance Committee also decided to review the format in which the budget is considered and voted by Town Meeting. Historically, Town Meeting voted all departmental budgets separately in approximately 55 separate votes. Recent practice has been to consider the budget in 9 very large consolidated budgets. Finance Committee members noted certain pro's and con's with each approach.

One approach dramatically reduces the number of votes for Town Meeting to take and reduces associated debate. This approach results in less opportunity for scrutiny by town Meeting members especially within the constraint of the three question and ten minute rules. The consolidated approach also results in Town Meeting considering the budgets differently than the Finance Committee which must hear budgets on an individual departmental basis as required by Article V of the Charter.

The other approach while increasing the number of votes, associated debate and time involved, increases the ability of Town Meeting to scrutinize and consider each budget. The Finance Committee will continue to consider the matter and would appreciate input and feedback on this matter from Town Meeting members.

Information relating to the Finance Committee may be found on the Town's public website. Any questions or comments about the Finance Committee may also be submitted to us via a link on that web page.

Respectfully Submitted;

Paul Griesmer  
Chairperson

Jimmy Brown, Vice Chair  
Bruce Evans, Secretary  
Jonathan Freedman  
Tony Lista  
Jennifer Sack

Cathi Collins  
James Everett  
Patrick Hayes  
Jerry Pierce  
Ed Shooshanian

Cathy Coughlin  
David Gallo  
Michael Linehan  
Chris Resmini

Finance Committee: Suggestions for Financial Planning Committee

1. Fully Account for, Estimate and Include All Revenue
2. Identify and Evaluate All Material Line Item Contributions to Free Cash Generated for Recent Fiscal Years and Determine What is “One Time” vs. “Recurring”
3. Evaluate Annual Turn Backs from Departments for Potential Over Appropriation/Under Appropriation/Budget Transfers
4. Adjust All Department Budgets from FY 2009 to FY 2016 for Inflation and Volume Changes and Compare to FY 2016 Budgets; Adjust for Reorganizations, Movement or Renaming of Positions
5. Benchmark Spending on Departments to Other Towns (Note: This might be more easily done for Schools than General Government Departments.)
6. Identify and Evaluate All New Positions Created or Enhanced Since FY 2009 Including Benefits Cost
7. Consider Reducing or Eliminating Subsidy(ies) to Voter Approved Debt Exclusions
8. Consider One Year (or Other Capital) Spending Holiday (i.e. Essential or Time Sensitive Capital Only)
9. Consider the Use of Reserves
10. Plan, Account For and Report On Amounts Available from Debt Retirement and Debt Service Reduction from Downtown Municipal Complex and 1990;s Elementary School Projects – Whether Such Amounts Available Have Already Been Used or Not
11. Consider a Level Payment Alternative to Annually Increasing PERAC Requirements
12. Conduct Post audit on Cast Savings From Consolidation of Facilities Maintenance
13. Identify All Capital Spending, if any, Within the Operating Budgets of the Schools and General Government Departments for Recent Fiscal Years
14. Identify and Evaluate “Year End” Spending by School Department for Recent Fiscal Years
15. Either Provide Additional Time and Process for Detailed Public Hearings on School and Health Care and Other Budgets OR Wait and Use the Fiscal Procedures Established by the Voters in Article V Fiscal Procedures of the Charter and MGL Chapter 71 Section 38 N

16. Analyze Use and Balances of Revolving Funds
17. Provide Backup Support for Services Analysis Conclusion on page 2 of Draft Report; Provide Utilization Data by Service
18. Analyze Funding of Capital by Lease, vs. Purchase for Equipment Borrowing vs. Free Cash / Tax Levy
19. Provide All in Cost Analysis for Union Contracts (Compensation, Benefits, Incentive Compensation, Stipends, COLA's, etc.) vs. Simple %'s on Base
20. Identify and Analyze Positions, if any, that Have Been Vacant for Possible Savings
21. Consider and Evaluate Part Time or Temporary Contract Employees for Future New Positions
22. Identify Cost to the Town of Additional Building Especially Multi Family
23. Evaluate the Continued Validity and Use of the "Split" Used for Budget Planning Purposes

FINANCE COMMITTEE  
REPORT, RECOMMENDATIONS AND MOTIONS  
FALL 2015 ANNUAL TOWN MEETING

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## Summary of Finance Committee Recommendations and Votes for Fall 2015 Town Meeting

Article	Title	Action	Vote	Funding Amount	Funding Source
1	Rescind Authorized, Unissued Debt	Favorable Action	11--0--0		
2	Fiscal 2016 Omnibus Budget	Favorable Action	Varies by SubMotion	\$1,268,934	
3	Stabilization Fund	No Action	10--0--0		
4	Operational/Rainy Day Stabilization Fund	No Action	10--0--0		
5	Capital Stabilization Fund	Favorable Action	9--1--0	\$1,343,888	Free Cash
6	Inflow & Infiltration Stabilization Fund	Favorable Action	11--0--0	\$156,586	Water & Sewer Retained Earnings
7	One--to--One Technology Stabilization Fund	No Action	10--0--0		
8	Other Post--Employment Benefits (OPEB) Fund	No Action	10--0--0		
9	Capital Equipment	Favorable Action	Varies by SubMotion	\$1,000,500	Various
10	Capital Improvement	Favorable Action	Varies by SubMotion	\$2,263,600	Various
11	Collective Bargaining	Favorable Action	11--0--2	\$15,374	Various
12	Establish Charter and By--Law Review Committee	Favorable Action	13--0--0		
13	Reduce Property Tax Deferral Program Interest Rate	Favorable Action	11--0--0		
14	Increase Gross Receipts for Eligibility for Property Tax Deferral Program	Favorable Action	11--0--0		
15	Amend By--Law Article 50 Section 16 (Animal Control)	Favorable Action	13--0--0		
16	Personnel Board Classification and Pay Plan	Favorable Action	10--0--0		
17	Elected Officials' Salary	Favorable Action	12--0--0		
18	Amend Prior Town Meeting Vote Regarding MathWorks Mitigation Funds (Route 27 Design)	Referral	9--2--0		
19	Amend Prior Town Meeting Vote Regarding MathWorks Mitigation Funds (Affordable Housing)	No Recommendation			
20	Endorse Board of Health Initiative Regarding Regulations to Reduce the Use of Plastic Bag	Favorable Action	13--1--0		
21	Home Rule Petition Authorizing the Town to Assess Fines for Failure to Remove Utility Poles	Favorable Action	10--0--0		
22	Hear Report, Propose Action(s) and Appropriate Funds for Sawin House Study Committee	Favorable Action to Hear Report	13--0--0		
23	Hear Report, Extend Term and Appropriate Funds for Conservation Fund Study Committee	Favorable Action to Hear Report & Extend Term	12--0--0		
24	Create New Fund and Transfer Funds	Favorable Action	12--0--0	\$5,185,313; \$432,453	Transfer from ConCom; Free Cash
25	Committee Article	Favorable Action	12--1--0		

26	Home Rule Petition: Shade Trees on Unaccepted Roads	No Action	10--0--0		
27	Appropriate Funds for Route 30/Speen Street Intersection Design	Favorable Action	13--0--0	\$12,600	Free Cash
28	Establish Tax Title Collection Revolving Fund	Favorable Action	11--0--0		
29	Appropriate Funds for Comprehensive Master Plan	Favorable Action	12--0--0	\$200,000	Free Cash
30	Appropriate Local Option Taxes Toward Economic Development	No Action	13--0--0		
31	Transfer of Land to Conservation Commission	No Action	13--0--0		
32	Appoint Tiny House Study Committee	No Recommendation			
33	Appropriate Funds for Sewage Disposal System for Affordable Home	Favorable Action	10--3--0	\$35,000	Free Cash
34	Restrict Use of Middlesex Path as Dog Park	Indefinite Postponement	10--4--0		
35	Thomas Sawin Homestead Preservation	No Action	9--3--0		

**ARTICLE 1**  
**Rescind Authorized, Unissued Debt**  
**(Town Administrator)**

To see if the Town will vote to rescind the authorization for unissued debt that has been determined is no longer needed for the completion of various projects; or otherwise act thereon.

**PURPOSE OF ARTICLE**

To rescind Town Meeting's previous authorizations for issuance of debt to the extent that such authorizations are no longer needed

**FINANCE COMMITTEE RECOMMENDATION, DISCUSSION AND INFORMATION**

**Recommendation:**

By a vote of 11-0-0 on September 3, 2015, the Finance Committee recommends **Favorable Action** with regard to the subject matter of Article 1 as indicated in the motions below. The Finance Committee voted 11-0-0 for each of the five motions below.

**Discussion and Information:**

The Finance Committee held a public hearing for this article on September 3, 2015. The Finance Committee heard from Mr. Towne, Deputy Town Administrator for Finance who presented the article. The following information was noted.

- The Town has 5 bond authorizations that are no longer needed
- These authorizations involve
  - 1) Natick High School,
  - 2) Cole Field Improvements,
  - 3) Portable classrooms at Kennedy Middle School,
  - 4) Construction of addition to the DPW Building
  - 5) Dug Pond Pier

**Natick High School:**

- Town Meeting authorized \$88,990,000 in debt
- This authorization was automatically reduced by the MSBA Grant of \$35,268,692 to a remaining authorization of \$53,721,308
- The Town has issued five bonds for the High School totaling \$45,585,000 or \$8,136,308 less than the \$53,721,308
- According to the Finance Department, the High School project is completed and closed out pursuant to a final audit and the \$8,136,308 is no longer needed

- As a point of additional information, the administration reported that the High School borrowing consisted of four debt issuances on 6/15/2011 in the amounts of \$38,500,000 for construction, \$947,000 for plans, \$520,000 for design and \$118,000 for feasibility study and one debt issuance on 6/05/2013 of \$5,500,000 for construction which comprise the \$45,585,000 of issued debt

**Cole Fields:**

- Town Meeting authorized \$1,200,000 in debt issuance
- The project is complete and under budget by \$88,000
- The Town has also received \$367,000 in donations from the Natick Soccer Club (NSC) as part of pledge commitment totaling \$517,000 with \$150,000 expected to be contributed by NSC over the next 5 years
- The administration requests that the existing authorization of \$1,200,000 be reduced by the \$88,000 under budget amount and the \$367,000 cash actually received or a total reduction in authorization of \$455,000
- As future contributions are received from NSC, further reductions in the authorization will be proposed to Town Meeting
- However, until those additional contributions are actually received, the Town cannot further reduce the authorization

**Portable Classrooms at Kennedy Middle School:**

- Town Meeting authorized \$215,000 in debt
- The project is complete and cost \$212,000 resulting in a proposed \$3,000 reduction in the existing authorization

**DPW Building:**

- Town Meeting authorized \$248,500 for additional construction at the DPW
- The project is complete at a cost of \$248,000 resulting in a \$500 proposed reduction to the existing authorization

**Dug Pond Pier:**

- Town Meeting authorized \$120,000 in debt
- The project is complete at a cost of \$115,000 resulting in a proposed reduction of \$5,000 to the existing authorization

**MOTIONS: (Requires majority vote)**

**Motion A**

Move that the Town vote to rescind authorized debt for a general fund capital project approved under Article 12 of the 2008 Spring Annual Town Meeting, Article 2 of the October 2008 Special Town Meeting, Article 33 of the 2009 Spring Annual Town Meeting, Article 6 of the 2010 Special Town Meeting #1 and Article 1 of the 2010 Special Town Meeting #2 in the amount of \$8,136,308 for the purpose of High School Design and Construction.

**Motion B**

Move that the Town vote to rescind authorized debt for a general fund capital project approved under Article 19B #3 of the 2013 Fall Annual Town Meeting in the amount of \$455,000 for the Cole North Field improvements.

**Motion C**

Move that the Town vote to rescind authorized debt for a general fund capital project approved under Article 35 B #14 of the 2014 Spring Annual Town Meeting in the amount of \$3,000 for the Kennedy Middle School Portable Classrooms

**Motion D**

Move that the Town vote to rescind authorized debt for a general fund capital project approved under Article 36 B #12 of the 2014 Spring Annual Town Meeting in the amount of \$500 for the Public Works Building Construction

**Motion E**

Move that the Town vote to rescind authorized debt for a general fund capital project approved under Article 33 B #4 of the 2014 Fall Annual Town Meeting in the amount of \$5,000 for the Dug Pond Pier

**ARTICLE 2**  
**Fiscal 2016 Omnibus Budget**  
**(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 2016 (July 1, 2015 through June 30, 2016) and to provide for a reserve fund for Fiscal Year 2016, and to see what budgets for Fiscal Year 2016 will be reduced to offset said additional appropriations, or otherwise act thereon.

**PURPOSE OF ARTICLE**

To make changes to any or all budgets voted as part of the FY 2016 budget in the Spring of 2015 for the current fiscal year (FY 2016)

**FINANCE COMMITTEE RECOMMENDATION, DISCUSSION AND INFORMATION**

**Recommendation:**

By various votes, as indicated below, on September 24, 2015 and October 1, 2015, the Finance Committee recommends ***Favorable Action*** with regard to the subject matter of Article 2 as presented in the voted recommended motions below.

**Discussion and Information:**

The Finance Committee held a public hearing for this article on September 24, 2015 and October 1, 2015. The Finance Committee heard from the Town Administrator, the Deputy Town Administrator for Finance and the Deputy Town Administrator for Operations who presented the article. The Finance Committee also heard from members of the Economic Development Committee and the Director of Community and Economic Development. Adjustments were proposed to appropriate and/or transfer funds for variety of budgets as discussed below. Additionally, the Finance Committee is further evaluating, with the administration, the possibility and/or need for Town Meeting to approve transfer from the Employee Fringe Benefit line in the Shared Services budget for merit increases and bonuses to separate general government departments. The following information was noted regarding FY 2016 budgets that are proposed for adjustment.

**Public Works Snow and Ice Deficit FY 2015**

- The unpaid snow and ice deficit from the winter of 2014 -2015 (FY 2015) is \$699,569

- This deficit needs to be funded and closed and is recommended by the Finance Committee by a vote of 10-0-0

### **Fire Department**

- The final negotiation of the contract with the new Fire Chief resulted in an amount \$13,500 more than included in the budget voted at Spring 2015 Town Meeting for the Fire Department
- The Finance Committee voted on 9/24/2015 to recommend Favorable Action by a vote of 10-0-0

### **Public Works – Municipal Energy**

- The administration is looking to supplement the Municipal Energy – Contract Services budget by adding \$22,900 for contract services involving solar energy
- The contracts contemplated involve professional or consulting services to assist in negotiating or structuring power purchase agreements to reduce the Town's electricity costs
- The administration indicated that these power purchase agreements are very technical and involve specific very specialized knowledge and expertise which the town does not possess
- The Finance Committee voted on 9/24/2015 to recommend Favorable Action by a vote of 10-0-0

### **Community Services - Council on Aging**

- The administration is requesting the addition of \$5,000 to this budget to pay for the costs of printing the Sentinel newsletters which are available to all persons over 60 years of age
- The printing expense was previously funded by the Friends of the Natick Senior Center
- The Finance Committee voted on 9/24/2015 to recommend Favorable Action by a vote of 9-1-0

### **Finance Department – Comptrollers Department**

- The administration is seeking \$12,000 to supplement Salaries line item in the Comptrollers Department for the position of Assistant Comptroller
- The current budget contains \$78,000 for this position in which a person was hired at a cost of \$90,000
- The Finance Committee voted on 9/24/2015 to recommend Favorable Action by a vote of 10-0-0

## **Shared Expenses - Facilities Department**

- The administration is requesting an addition of \$16,000 to the Facilities – Salaries – Operational Staff Overtime budget
- The request is being made because of an oversight or omission from the Spring for the FY 2016 budget in which a contract day had been omitted from the budget calculation and in which the incorrect overtime rate was used
- The administration is also requesting an addition of \$54,965 to the Facilities – Expense budget consisting of \$51,465 for Repairs and Maintenance – Facilities and \$3,500 for Contract Cleaning
- The administration indicated that the Repairs and Maintenance budget has been level funded and consistently come in between \$330,000 to \$340,000 resulting in the need for budget transfers
- The Finance Committee checked the FY 2016 budget approved in the Spring which indicates this line item is currently budgeted at \$288,000
- The requested increase is sought to provide adequate funding to maintain town buildings
- The Finance Committee voted on 9/24/2015 to recommend Favorable Action by a vote of 10-0-0

## **Board of Selectmen – Other Charges and Expenditures**

- The administration is seeking \$40,000 to conduct economic development studies
- This request was originally proposed under Article 30 of the Fall 2015 Town Meeting warrant by the Town Administrator on behalf of the Economic Development Committee (EDC)
- The Finance Committee noted that the EDC is not a town agency created by Town Meeting as required under Article 6 of the Charter to deliver services or administer any part of the government but is instead an advisory committee to the Board of Selectmen
- Finance Committee members inquired under Article 30 as to which town department would control the funds and were informed that such control would be under the Board of Selectmen
- At the suggestion of the Finance Committee, the administration decided to request No Action on Article 30 and to seek the funds under the Board of Selectmen's budget in Article 2
- The public hearing on the proposed economic development money generated considerable discussion and debate at the Finance Committee's meeting on September 10, 2015 under Article 30, on September 24, 2015 under Article 2, and again on October 1, 2015

- Because the underlying subject matter is the same, all of the discussion is summarized here.
- The \$40,000 request would be coupled with \$10,000 in remaining monies under a previous appropriation for economic development efforts that included development of a website for economic development
- The original request was presented to the Finance Committee on September 10, 2015 by the Economic Development Committee (EDC) was made under Article 30 where the EDC made a case for a study to help the Town compete with economic development efforts from Framingham and Marlborough
- According to the EDC, the request is seeking to “appropriate money for funding (and initiating action based on) the creation of an Economic Development Strategy/Action Plan (ED Strategy) for the Town of Natick”
- The EDC reported that this strategy would “be completed in conjunction with, and designed to advance the economic development goals/recommendations of, the proposed Comprehensive Master Plan and that further, the ED Strategy will more clearly define the role for the Economic Development Committee, including identifying the tasks and responsibilities of both the EDC and the Department of Community and Economic Development (among others) with regards to economic development work within the Town of Natick”
- The proposal anticipates “a consultant firm (or team) specializing in economic development for municipalities will be secured through an RFP process to complete this work”
- The “bulk of the funding requested will be used to cover the work to be completed by the consultant team, with any remaining funding to be used to advance the outcomes of the strategy”
- The presentation from the EDC did not split the estimated cost of the study from the cost of advancing the study’s recommendations
- The EDC reported that Framingham recently allocated \$120,000 each of the last three years for economic development and marketing related consulting services and plan development of which \$60,000 has been used to study specific development opportunities (planning for zoning changes and business site development).
- The EDC indicated that Framingham spent \$25,000 in 2010 for marketing consulting services to create its branding – logo, brochure, and framework for its “Choose Framingham” website and related materials.
- The EDC reported that City of Marlborough has designated the use of its Local Options Taxes into an Economic Development Fund. For FY16, the transfer of more than \$730,000 was made to “...allow the MEDC to continue its work in promoting the economic development of the City...”
- The EDC summarized the benefits of the EDC Strategy to:
  - “Help identify new economic development opportunities, advancing the goals of the Comprehensive Master Plan;

- Help identify new trends and strategies to support sustainable economic development;
  - Identify ways to facilitate communication, deliver information, etc. within the economic development community and with/through regional/state partners, working to promote Natick as a business-friendly community;
  - Identify and outline the process for implementing program and project-specific economic development initiatives;
  - Act as a catalyst for promoting new economic development opportunities in Natick;
  - Identify and recommend new/improved policies and procedures for the Town of Natick to develop and advance the economic development goals of the community.
  - Most effectively and efficiently utilize its financial and staff resources for positive economic development
  - Provide a clear focus for economic development within the community, for the Economic Development Committee, and the Department of Community and Economic Development;
  - Effectively communicate and promote the message that Natick is a business-friendly community to invest
  - Increase commercial tax revenues (i.e. grow its tax base) and thereby contribute to easing the burden on residential tax payers
  - Be in a better position to obtain non-local funding for projects and initiatives
  - More effectively capitalize on the Town's location within the greater Boston region for positive economic growth.
  - More effectively compete with regional municipalities that are investing in economic development and creating greater visibility and stronger reputations for business location and expansion”
- Finance Committee members expressed concerns that the EDC's website is not functional or online and questioned whether the newly requested monies would be effectively spent
  - Other members obtained the tax rates for Marlborough (Residential rate of \$15.76 per \$1,000 and Commercial & Industrial rates of \$27.53 per \$1,000) and Framingham (Residential rate of \$17.82 per \$1,000 and Commercial % Industrial rates of \$38.00 per \$1,000) compared to Natick's single rate of \$13.82 per \$1,000.
  - Members noted that these Commercial and Industrial tax rate differentials create \$137,100 and \$251,700 of additional annual cost on a \$10,000,000 building in Marlborough and Framingham respectively
  - Members felt that Framingham and Marlborough need to fund extra economic development activities because of their burdensome tax rates and that Natick's single tax rate has been a long standing, proven and extremely effective economic development tool maintained by the Board of Selectmen

- Members provided actual vacancy rates collected by and available from the Town Assessor and asked whether any comparison of these actual vacancy had been made to similar vacancy rates collected by assessors from other communities and was informed that the analysis had not yet been prepared
- A further request was made for all work product prepared by the EDC since its formation in March 2009
- Several members questioned the case made by the EDC and requested the analysis and work product of the EDC as to specifically what economic development problem Natick had that the study was going to solve
- The Finance Committee was informed by the chair of the EDC that the purpose of the study would be to determine whether or not Natick had an economic development problem and then what to do about it
- The Finance Committee recommended No Action on Article 30 and had further consideration of the request under Article 2 on 9/24/2105 when the matter was tabled to 10/01/2105 after a brief presentation by the new EDC chair
- On 10/1/15 the Committee heard from the Director of Community and Economic Development
- Prior to this meeting, members were informed that no work product was available from the EDC since its formation other than website that has yet to be unveiled
- Members were also provided with detailed current listings for lease and sale of available office, retail and industrial properties and available commercial land in Natick that indicate very limited vacancy with many spaces ranging from 500 to 2,500 sq.ft. and only three large building exceptions consisting of 22 Pleasant St. ( 44,500 sq.ft.), the former Boston Scientific ( now Mathworks owned building of 150,000 sq.ft.) and a 44,000 sq.ft office /industrial building on West Central St.
- This diligence was provided so that Town Meeting members would know the composition and profile behind the vacancy signs that have been previously cited as an indication of a deep economic development need
- Committee members also listed recent economic development activity in the Town ranging from the
  - purchase of the former St. Patrick's school,
  - contract within 48-72 hours of initial listing on the former American Legion building,
  - current proposal to redevelop the former Town Paint site,
  - new construction at the site of the former BJ's Wholesale property behind Sherwood Plaza,
  - new office/retail building on West Central St.,
  - proposed backfill of former JC Penney's at the Natick Mall with a Wegman's,
  - proposal to redevelop the former Boston Scientific building,
  - expansion of Total Wines at the Cloverleaf Mall,

- demolition of a former old office building and new construction of a bank building just west of the former American Legion property,
  - together with other factors cited above as an indication that Natick does not have a current economic development problem
- The Director of Community and Economic Development articulated a different plan for the study money which would focus on the town's future needs and the emerging highest and best use of various commercial districts and the infrastructure serving these districts
  - The study would examine current conditions as a baseline and evaluate the future fit of Natick's commercial districts with projected economy and trends to develop responsive economic development strategies
  - Committee members observed that much of the study's baseline data could and should be assembled by the EDC members themselves since information such as vacancy rates, building ages and sizes, building permit and renovation history, use variance, dimensional variance, etc. are readily available from the Town's records
  - The Director committed to leverage the study money with these volunteer efforts
  - The Finance Committee voted on 10/01/2015 to recommend Favorable Action by a vote of 10-3-0 on the revised plan as presented by the Director of Community and Economic Development

### **Town Clerk/Registrar of Voters**

- The Town Administrator, in Article 17, recommended setting the elected official salary at \$85,000 and the Finance Committee recommended favorable action under Article 17, Elected Official Salaries, in the same amount as recommended by the Town Administrator
- Town Meeting members will recall that this salary was level funded in Spring 2015 Town Meeting for FY 2016 with the commitment of the Town Administrator to revisit the salary in the fall retroactive to July 1, 2015
- Chapter 44 Section 68 of the MGL permits retroactive salary increases to the beginning of a current fiscal year
- Town Meeting members may recall that the elected official salaries are not part of the Personnel Pay Plan and are not eligible for the Merit/Bonus compensation administered as part of the Personnel Pay Plan
- The elected official salary has been previously compared to a Grade 4 on the Personnel Pay Plan which has a minimum of \$70,000, a Point One of \$81,666.67, a Point 2 of \$93,333.33 and a maximum of \$105,000
- The FY 2016 budget currently contains \$80,000 for elected official salary
- The administration is requesting an increase to the Town Clerk – Salaries budget of \$5,000 for FY 2016 to fund the increase in salary
- For further findings and observations by the Finance Committee, please see the write up for Article 17

- The Finance Committee voted on 10/06/2015 to recommend Favorable Action by a vote of 11-0-0 consistent with the Finance Committee’s recommendation of 12-0-0 under Article 17

**Public Works Snow and Ice Budget FY 2016**

- The FY 2016 Snow and Ice Budget currently contains \$150,000
- The administration is requesting an increase in the current FY 2016 Snow and Ice Budget of \$400,000 to a revised total of \$550,000
- The administration presented a 15 year analysis as follows:

Snow and Ice Expenditures	
Fiscal Year	Actual Expenses
2000	\$220,944
2001	\$546,000
2002	\$223,385
2003	\$595,726
2004	\$449,537
2005	\$895,551
2006	\$449,626
2007	\$352,978
2008	\$882,778
2009	\$827,744
2010	\$670,901
2011	\$867,663
2012	\$299,507
2013	\$862,114
2014	\$1,042,022
2015	\$1,264,319

- During this period the annual Snow and Ice budgeted appropriation was \$150,000 according to the administration
- Deficits in Snow and Ice are allowed under MGL Chapter 44 Section 31 D which states “Any city or town may incur liability and make expenditures in any fiscal year in excess of available appropriations for snow and ice removal, provided that such expenditures are approved ....by the selectmen and the finance or advisory committee, ....provided, however, that the

appropriation for such purposes in said fiscal year equaled or exceeded the appropriation for said purposes in the prior fiscal year. “

- When deficits are incurred they must either be funded before the close of the Fiscal Year in which they occurred (typically from free cash or so called 3% year end transfers) or funded as priority in the subsequent fiscal year
- Traditionally, the Town has maintained a low level of budgeted appropriation 1) to allow the majority of snow and ice to be paid in arrears, 2) to prevent increases in the budgeted snow and ice appropriation from using appropriation capacity needed for other departments and 3) to prevent raising the minimum required budget amount per the statute
- Snow and Ice expenses fall into the category of “pay it now or pay it later”
- Large deficits in snow and ice play havoc with municipal budgets and are essentially “wild card” amounts
- Since payment is required, large deficits absorb otherwise available appropriating capacity when the deficits must be paid whether payment occurs in same year as the snow and ice removal or in the following year
- Although the proposed increase in appropriation will establish a new minimum budget requirements going forward, the new level will reduce future deficits and therefore lessen the impact of snow and ice deficits on future fiscal years
- Some members noted that in some recent years (FY 2007 and FY 2012), actual snow and ice expenses have been less than \$550,000 i.e. approximately \$197,000 and \$250,000 below \$550,000 for FY 2007 and FY 2012 respectively
- These members questioned whether a smaller increase would be a better proposal
- Other members noted that the most recent three years have been considerably higher than the current \$150,000 budget i.e. deficits of approximately \$712,000, \$892,000 and \$1,114,000 for FY 2013, 2014 and 2015 respectively
- These members noted that such deficits would have been approximately \$312,000, \$492,000 and \$714,000 if the budgeted appropriation had been \$550,000
- These members also noted that any unused snow and ice budgets would fall to free cash
- Other members noted that any excess snow and ice budget could also be available for so called year end 3% transfers and possibly other uses within the total DPW budget
- The Finance Committee will examine moving snow and ice to its own separate budget under the DPW as part of the FY 2017 budget process to increase Town Meeting’s control
- Committee members observed that reducing future deficits would not only benefit future year town wide budgets but also make budget planning more

predictable and less susceptible to the potential wild card effect of large snow and ice deficits

- Committee members also noted that the amount of free cash of approximately \$9.2 million and increased Motor Vehicle Excise Tax going into Town Meeting provides an opportunity to adjust snow and ice without adversely affecting currently available funds for other departments and to then reduce the effects of future deficits on available for funding for these other departments
- The Finance Committee voted on 9/24/2015 to recommend Favorable Action by a vote of 8-2-0

### **Other Possible Approaches to Adjusting FY 2016 Budgets**

- With the exception of the economic development and snow and ice appropriations requests, some members inquired about the level of budget turn backs within the respective departments and whether there might be availability within in existing budgets to transfer appropriations from over budget line items to fund the requested increases
- Inquiries were also made about whether money might be available from other departments to transfer to the requested line items
- The committee acknowledged that this approach is a legitimate solution to the extent funds are available for such transfer and was informed that the level of turn backs in certain departments was at an amount in excess of some of the above requests
- The unanimous consent of the committee was to pursue the amount of turn backs as part of the FY 2017 budget hearing process

### **Debt Exclusion Subsidies**

- The Finance Committee believes that Town Meeting should be informed that Town Meeting, and Town Meeting only, determines what if any monies from any source shall be used to subsidize the principal and interest expense of any Debt Exclusion and that such subsidy(ies) are part of the Omnibus Budget. Town Meeting makes this determination when it votes the source of funds for principal and interest payments on voter approved debt exclusions as being 1) exclusively from the debt exclusion tax levy, 2) partly from the debt exclusion tax levy and partly from other sources or 3) exclusively from other sources
- The Assessors are obligated by statute to levy the amount of debt exclusion source of funds voted by Town Meeting provided that the debt exclusion itself has been previously approved by the voters
- The Finance Committee is not recommending a change in the debt exclusion subsidy voted at Spring 2014 town Meeting under Article 15 Motion G which motion includes the subsidy as one part of a complex, combined

motion covering 11 different budgets from 11 different sources of funds in which the current subsidy for FY 2016 is approximately \$ 635,000

- At the Finance Committee retreat on September 1, 2015, most members were not aware of Town Meeting's role in determining any subsidies
- As a result, the Finance Committee is informing Town Meeting members that the representative Town Meeting is the sole decision maker regarding such subsidies not only as a matter of statute but also as a matter of Section 2-1 of the Charter which states the representative Town meeting shall "meet, deliberate, act and vote in the exercise of the legislative powers of the town."

### **Excess Borrowing**

- Although not part of Article 2, Article 10 has some relevance to the subject matter of Article 2 as discussed below
- Town Meeting members should note the report of the Finance Committee under Article 10 and the report of the Deputy Town Administrator for Finance in connection with these articles that the Town administration borrowed more money under certain debt exclusions than was necessary to complete the projects authorized by the voters
- Town Meeting members should note that the Town is permitted to assess additional taxes under a debt exclusion only for the principal and interest payments on the actual cost of the project borrowings
- Approximately \$190,000 of principal and interest relates to the excess borrowing under the debt exclusions
- According to the administration, DOR requires that any excess borrowing be re-appropriated to other projects or similar useful life within the 2.5% tax levy as discussed in Article 10
- Article 10 seeks to re-appropriate some of the excess borrowing to other projects that would have been funded with separate borrowing with further re-appropriation to other projects to be proposed in Spring 2016 as discussed in that Article
- The Finance Committee inquired as to whether any changes were necessary under Article to the FY 2016 Debt Service budget as a result and whether taxpayers had been overcharged
- The Finance Committee was informed that the previous and current subsidies to the debt exclusion have significantly exceeded the cost of the excess borrowing such that neither a change to the Debt Service budget nor a refund to the taxpayers under Article 2 are required
- The Finance Committee accordingly has no motion in either regard and includes this information here only in anticipation of possible questions by Town Meeting members
- No action is needed on this matter under Article 2

**MOTIONS: (Require majority vote)**

**Motion A:** Move that the Town vote to appropriate from free cash the sum of \$699,569, said sum to be used to fund the Snow & Ice Deficit from June 30, 2015.

**Motion B 1:** Move that the Town vote to appropriate the sum of \$124,365, said sum to be distributed as follows:

- To supplement the Public Safety budget as voted under Article 15 – Motion B of the 2015 Spring Annual Town Meeting by adding \$13,500 to Fire Salaries for a contractual obligation for the Fire Chief’s salary.
- To supplement the Public Works budget as voted under Article 15 – Motion C of the 2015 Spring Annual Town Meeting by adding \$22,900 to Municipal Energy budget - Contract Services for solar energy work
- To supplement the Health and Community Services budget as voted under Article 15 – Motion D of the 2015 Spring Annual Town Meeting by adding \$5,000 to Community Services - Council on Aging budget – Purchase of Services (Printing) for the purpose of printing.
- To supplement the Administrative Services budget as voted under Article 15 – Motion E of the 2015 Spring Annual Town Meeting by adding \$12,000 to Finance Salaries (Comptroller Division) in the amount of \$12,000 to supplement the amount for the Assistant Comptroller Position
- To supplement the Shared Expenses budget as voted under Article 15 – Motion G of the 2015 Spring Annual Town Meeting by adding \$16,000 to Facilities - Salaries – Operational Staff Overtime and \$54,965 to Facilities – Expenses as follows:
  - Repairs and Maintenance Facilities - \$51,465
  - Contract Cleaners - \$3,500

The source of the amount of \$124,365 is from the following sources net together:

- Increase in State Aid in the amount of \$133,136
- Decrease in Property Tax Levy (New Growth) in the amount of \$8,771

**Motion B 2:** Move that the Town vote to appropriate the sum of \$40,000 from increased state aid, said sum to be spent as follows:

- To supplement the Administrative Services budget as voted under Article 15 – Motion E of the 2015 Spring Annual Town Meeting by adding \$40,000 to Board of Selectmen / Town Administrator – Other Charges & Expenditures

in the amount of \$40,000 – for the purposes of professional economic development studies.

**Motion C:** Move that the Town vote to appropriate the sum of \$400,000 to supplement the Public Works budget as voted under Article 15 – Motion C of the Spring Annual Town Meeting - Snow & Ice budget with the source of funding from additional Motor Vehicle Excise Tax.

**Motion D:** Move that the Town vote to appropriate the sum of \$5,000 from free cash to supplement the Town Clerk’s budget as voted under Article 15 – Motion E of the Spring Annual Town Meeting – Town Clerk – Salaries

**ARTICLE 3**  
**Stabilization Fund**  
**(Town Administrator)**

To see if the Town will vote to appropriate a sum of money from available funds for the purpose of supplementing the stabilization fund established under Article 22 of the warrant for Annual Town Meeting of 1961, as authorized by Chapter 40, Section 5B of the General Laws, as amended; or otherwise act thereon.

**PURPOSE OF ARTICLE**

To increase the amount of money in the Stabilization Fund of the Town.

**FINANCE COMMITTEE RECOMMENDATION, DISCUSSION AND INFORMATION**

**Recommendation:**

By a vote of 10 - 0 - 0 on September 24, 2015, the Finance Committee recommends **No Action** with regard to the subject matter of Article 3 as presented in the voted recommended motion below.

**Discussion and Information:**

The Finance Committee held a public hearing for this article on September 24 , 2015. The Finance Committee heard from the town administration who presented the article and requested No Action. The following information was noted.

- The \$9.2 million in available free cash and the current amount of money in this stabilization account provides an opportunity for the Town to approach the FY 2017 budget process with a significant amount of free cash remaining after Fall Town Meeting (even assuming that all proposed uses of free cash are voted) to avoid a possible operating override question for FY 2017 and use free cash and or other reserves for the needs of operating departments
- Although no decisions have been made regarding the FY 2017 budget, the No Action request allows unspent free cash after Fall Town Meeting to remain in the free cash balance and be available for future appropriation by majority vote of Town Meeting
- Transfers into and from stabilization accounts each require a 2/3's Town Meeting vote

**MOTION: (Requires majority vote): No Action**

**ARTICLE 4**  
**Operational/Rainy Day Stabilization Fund**  
**(Town Administrator)**

To see if the Town will vote to appropriate a sum of money from available funds for the purpose of supplementing the Operational Stabilization Fund established by vote of the 2011 Spring Annual Town Meeting under Article 4, as authorized by Chapter 40, Section 5B of the General Laws, as amended; or otherwise act thereon.

**PURPOSE OF ARTICLE**

To increase the amount of money in the Operational/Rainy Day Stabilization Fund of the Town.

By a vote of 10 -0 - 0 on September 24, 2015, the Finance Committee recommends **No Action** with regard to the subject matter of Article 4 as presented in the voted recommended motion below.

**Discussion and Information:**

The Finance Committee held a public hearing for this article on September 24 , 2015. The Finance Committee heard from the town administration who presented the article and requested No Action. The following information was noted.

- The \$9.2 million in available free cash and the current amount of money in this stabilization account provides an opportunity for the Town to approach the FY 2017 budget process with a significant amount of free cash remaining after Fall Town Meeting (even assuming that all proposed uses of free cash are voted) to avoid a possible operating override question for FY 2017 and use free cash and or other reserves for the needs of operating departments
- Although no decisions have been made regarding the FY 2017 budget, the No Action request allows unspent free cash after Fall Town Meeting to remain in the free cash balance and be available for future appropriation by majority vote of Town Meeting
- Transfers into and from stabilization accounts each require a 2/3's Town Meeting vote

**MOTION: (Requires majority vote): No Action**

**ARTICLE 5**  
**Capital Stabilization Fund**  
**(Town Administrator)**

To see if the Town will vote to appropriate a sum of money from available funds for the purpose of supplementing the Capital Stabilization Fund established under Article 2 of the warrant for Fall Annual Town Meeting of 2010, as authorized by Chapter 40, Section 5B of the General Laws, as amended, or otherwise act thereon.

**PURPOSE OF ARTICLE**

To provide additional money for the Capital Stabilization Fund of the Town.

**FINANCE COMMITTEE RECOMMENDATION, DISCUSSION AND INFORMATION**

**Recommendation:**

By a vote of 9- 1-0 on September 24, 2015, the Finance Committee recommends ***Favorable Action*** with regard to the subject matter of Article 5 as presented in the voted recommended motion below.

**Discussion and Information:**

The Finance Committee held a public hearing for this article on September 24, 2015. The Finance Committee heard from town administration who presented the article. The following information was noted.

- The administration is requesting that \$1,343,888 be appropriated from free cash to the capital stabilization fund consistent with past practice which has been to appropriate the previously un-appropriated amount of local option taxes from the previous fiscal year to this account
- The administration reported that the actual amount of such previously un-appropriated local option taxes from FY 2015 was \$1,343,888
- This amount was included in the free cash total as of July 1, 2015

**MOTION: (Requires two thirds vote)**

**“Move that the Town vote to appropriate \$1,343,888 from free cash for the purpose of supplementing the Capital Stabilization Fund established by the vote of Article 2 of the 2010 Fall Annual town Meeting, as authorized by chapter 40, Section 5B of the General Laws, as amended.”**

**ARTICLE 6**  
**Inflow & Infiltration Stabilization Fund**  
**(Town Administrator)**

To see if the Town will vote to appropriate a sum of money from available funds for the purpose of supplementing the Inflow & Infiltration Stabilization Fund established under Article 30 of the warrant for the Spring Annual Town Meeting of 2014, as authorized by Chapter 40, Section 5B of the General Laws, as amended, or otherwise act thereon.

**PURPOSE OF ARTICLE**

To add money to the Inflow and Infiltration (I&I) Stabilization Fund

**FINANCE COMMITTEE RECOMMENDATION, DISCUSSION AND INFORMATION**

**Recommendation:**

By a vote of 11 - 0 - 0 on September 3, 2015, the Finance Committee recommends ***Favorable Action*** with regard to the subject matter of Article 6 as presented in the voted recommended motion below.

**Discussion and Information:**

The Finance Committee held a public hearing for this article on September 3, 2015. The Finance Committee heard from the Deputy Town Administrator for Finance who presented the article. The following information was noted.

- The Inflow and Infiltration Stabilization Fund is maintained for the purpose of supporting I&I removal operations
- Each year the town collects revenues from new or expanding sewer connections through sewer connection fees
- Prior to FY 2014 these funds were held in a receipts reserved fund for the purpose of I&I removal of preventing ground water and surface water from entering the Natick sewer system
- The Inflow & Infiltration (I&I) Stabilization Fund was necessitated by a change in Department of Revenue policy which no longer allowed funds to be carried forward in retained earnings from year-to-year to cover Inflow and Infiltration projects
- Members asked why these funds need to be placed in the I&I Stabilization fund and whether they can be used for a different purposes
- The monies are part of the Water & Sewer Enterprise Fund and cannot be used for general fund purposes
- Per the administration, the connection fees are collected expressly for I&I purposes

- If the Town were to use the funds for a non I&I purpose in the Water & Sewer Enterprise Fund, the town could be forced to refund the money to developers.
- The money must be used to reduce I&I which benefits all of the rate payers by reducing such I&I.
- The administration is requesting the sum of \$156,586 representing the sewer connection fees collected in FY 2015 be moved to the I&I Stabilization fund

**MOTION: (Requires two thirds vote)**

**“Move that the Town vote to appropriate a sum of \$156,586 from available funds in the Water Sewer Enterprise Fund Retained Earnings for the purpose of supplementing the Inflow & Infiltration Stabilization Fund established by vote of the 2014 Spring Annual Town Meeting under Article 30, as authorized by Chapter 40, Section 5B of the General Laws, as amended.”**

**ARTICLE 7**  
**One-to-One Technology Stabilization Fund**  
**(Town Administrator)**

To see if the Town will vote to appropriate a sum of money from available funds for the purpose of supplementing the One-to-One Technology Stabilization Fund established under Article 31 of the warrant for the Spring Annual Town Meeting of 2014, as authorized by Chapter 40, Section 5B of the General Laws, as amended, or otherwise act thereon.

**PURPOSE OF ARTICLE**

To increase the amount of money in the One-to-One Technology Stabilization Fund of the Town.

By a vote of 10 - 0 - 0 on September 24, 2015, the Finance Committee recommends **No Action** with regard to the subject matter of Article 7 as presented in the voted recommended motion below.

**Discussion and Information:**

The Finance Committee held a public hearing for this article on September 24 , 2015. The Finance Committee heard from the town administration who presented the article and requested No Action. The following information was noted.

- The \$9.2 million in available free cash and the current amount of money in this stabilization account provides an opportunity for the Town to approach the FY 2017 budget process with a significant amount of free cash remaining after Fall Town Meeting (even assuming that all proposed uses of free cash are voted) to avoid a possible operating override question for FY 2017 and use free cash and or other reserves for the needs of operating departments
- Although no decisions have been made regarding the FY 2017 budget, the No Action request allows unspent free cash after Fall Town Meeting to remain in the free cash balance and be available for future appropriation by majority vote of Town Meeting
- Transfers into and from stabilization accounts each require a 2/3's Town Meeting vote

**MOTION: (Requires majority vote): No Action**

**ARTICLE 8**  
**Other Post-Employment Benefits (OPEB) Fund**  
**(Town Administrator)**

To see if the Town will vote to appropriate a sum of money from available funds for the purpose of funding the Other Post-Employment Benefits Liability Trust Fund authorized by vote of the 2011 Fall Annual Town Meeting under Article 8 pursuant to the provisions of Chapter 32B, Section 20 of the General Laws, as amended, or otherwise act thereon.

**PURPOSE OF ARTICLE**

To increase the amount of money in the OPEB fund of the Town.

By a vote of 10 - 0 - 0 on September 24, 2015, the Finance Committee recommends **No Action** with regard to the subject matter of Article 8 as presented in the voted recommended motion below.

**Discussion and Information:**

The Finance Committee held a public hearing for this article on September 24 , 2015. The Finance Committee heard from the town administration who presented the article and requested No Action. The following information was noted.

- The \$9.2 million in available free cash provides an opportunity for the Town to approach the FY 2017 budget process with a significant amount of free cash remaining after Fall Town Meeting (even assuming that all proposed uses of free cash are voted) to avoid a possible operating override question for FY 2017 and use free cash and or other reserves for the needs of operating departments
- Although no decisions have been made regarding the FY 2017 budget, the No Action request allows unspent free cash after Fall Town Meeting to remain in the free cash balance and be available for future appropriation by majority vote of Town Meeting
- Transfers into and from stabilization accounts each require a 2/3's Town Meeting vote
- Committee members requested a follow up analysis from the administration on the current and projected OPEB requirements through FY 2030 when the Town is scheduled to achieve full funding requirements (other than ongoing normal costs thereafter) of the pension fund
- The requested analysis would evaluate the ability of the town to redirect the catch up pension funding appropriations (mandated by PERAC through FY 2030) after FY 2030 to fund OPEB liabilities

- These latter two points are not part of this Article 8 but are provided for additional background information for Town Meeting members with the requested analysis intended to inform a future Town Meeting on OPEB funding needs

**MOTION: (Requires majority vote): No Action**

**ARTICLE 9**  
**Capital Equipment**  
**(Town Administrator)**

To see if the Town will vote to appropriate and raise, or otherwise provide, a sum of money as may be required for capital equipment for the various departments of the Town of Natick; to determine whether this appropriation shall be raised by borrowing or otherwise, or otherwise act thereon.

**PURPOSE OF ARTICLE**

To appropriate funds for capital equipment and determine amounts to be sourced from available revenue, free cash or borrowing

**FINANCE COMMITTEE RECOMMENDATION, DISCUSSION AND INFORMATION**

**Recommendation:**

By an overall vote of 11 - 2 - 0 on September 17, 2015, the Finance Committee recommends ***Favorable Action*** with regard to the subject matter of Article 9.

**Discussion and Information:**

The Finance Committee held a public hearing for this article on September 17, 2015. The Finance Committee heard from the town administration who presented the article and from members of the Capital Sub-Committee of the Finance Committee. The following information was reported and noted.

- Nine separate requests are being made under this article as discussed below
- The Finance Committee heard the specifics of each request including the age, mileage, hours history and utilization of key pieces of equipment
- A replacement of two cruisers for \$80,000 was recommended by the capital sub committee by a vote of 6-0-0 and by the Finance Committee by a vote 13-0-0
- Replacement of a front end loader for \$245,000 was recommended by a vote of 4-2-0 of the capital subcommittee and by a vote of 11-2-0 of the Finance Committee
- This piece of front line equipment reportedly has significant corrosion and become unreliable however some members questioned its utilization and the need to replace it
- The replacement of dumpsters for \$12,500 was recommended by the capital subcommittee by a vote of 6-0-0 and by the Finance Committee by a vote of 13-0-0

- The purchase of a cardboard compactor at the recycling center for \$37,000 was recommended by the capital subcommittee by a vote of 5-1-0 and by the Finance Committee by a vote of 13-0-0
- This purchase is intended to allow the town's trucks individually to haul more cardboard once compacted and to reduce trips to dispose of cardboard
- The administration plans to apply for a \$7,5000 grant to offset the cost of the cardboard compactor but reportedly needs the full appropriation in order to proceed
- The administration prepared a payback analysis regarding the investment in the cardboard compactor
- The replacement of a wood chipper for \$70,000 was recommended by the capital subcommittee by a vote of 6-0-0 and the Finance Committee by a vote of 13-0-0
- Replacement of lighting at the DPW with LED retrofit for \$15,000 was recommended by the capital subcommittee by a vote of 6-0-0 and the Finance Committee by a vote of 13-0-0
- The \$100,000 continuation of the ongoing multi year project to preserve the town's historical records to comply with state law for document retention was recommended by the capital subcommittee by a vote of 6-0-0 and the Finance Committee by a vote of 13-0-0
- The replacement of a Vactor truck for \$410,000 for the water and sewer division was not supported by the capital subcommittee which wanted further information and which voted 2-0-4 on the purchase
- The Vactor replacement was recommended by the Finance Committee by a vote of 12-1-0 after further presentation by the administration
- The Vactor truck generated significant discussion with opponents observing that it is expensive, one of two such trucks and appears to have low utilization
- The administration stressed that two Vactors are essential to dealing with sewer backups (one fills and hauls away while the other steps in and fills are the first returns to take over when the second is full and must haul away etc.), that this Vactor is beyond its useful life and that Vactor trucks perform other front line duties
- The replacement of a 2004 Ford Explorer in water and sewer department for \$31,000 was recommended by the capital subcommittee by a vote of 4-2-0 and the Finance Committee by a vote of 11-2-0
- The administration reported that this vehicle has 85,000 miles, is 12 years old and will not pass another vehicle inspection
- The details as presented by the administration are presented below

## Article 9 - Capital Equipment - 2015 Fall Annual Town Meeting

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<u>Item #</u>	<u>Department</u>	<u>Item</u>	<u>Funding Source</u>	<u>Amount</u>
1	Police Department	Cruiser Replacement	Capital Stab. Fund	\$ 80,000
2	Public Works	Replace H-57 (Front End Loader)	Tax Levy Borrowing	\$ 245,000
3	Public Works	Replace Dumpsters	Capital Stab. Fund	\$ 12,500
4	Public Works	Cardboard Compactor	Capital Stab. Fund	\$ 37,000
5	Public Works	Replace LF-10 (Wood Chipper)	Capital Stab. Fund	\$ 70,000
6	Facilities Management	Replace Public Works Exterior Lighting - LED Retrofit	Capital Stab. Fund	\$ 15,000
7	Town Clerk	Preservation of Historical Records	Capital Stab. Fund	\$ 100,000
8	Water Sewer Enterprise	Replace W - 19 Vactor	W/S Borrowing	\$ 410,000
9	Water Sewer Enterprise	Replace W - 2 (Vehicle)	W/S Retained Earnings	\$ 31,000

### Funding Sources for Appropriations under Article 9

<b>Capital Stabilization Fund</b>	<b>\$314,500</b>
<b>Tax Levy Borrowing</b>	<b>\$245,000</b>
<b>Water &amp; Sewer Borrowing</b>	<b>\$410,000</b>
<b>Water &amp; Sewer Retained Earnings</b>	<b>\$31,000</b>

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<b>Total Funding for Appropriations under Article 9</b>	<b>\$1,000,500</b>
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**Article 9  
Capital Equipment  
2015 Fall Annual Town Meeting  
Project Descriptions**

9/16/2015

<b>#</b>	<b><u>Appropriated Item</u></b>	<b><u>Amount</u></b>	<b><u>Funding Source</u></b>
<b>1</b>	<b>POLICE DEPARTMENT</b>		
	CRUISER REPLACEMENT	\$ 80,000	Capital Stab. Fund
	<i>Priority Area A: Imminent threat to the health and safety of citizens or property</i>		
	This is an annual request to replace front-line cruisers for the Natick Police Department. This year we reduced the request to four (4) cruisers. Two (2) cruisers in Spring and two (2) in the Fall. All cruisers are run to 100,000 miles and then get replaced or if they remain under 100,000 miles are transferred to another function in the Police Department. As the Crown Victoria is no longer available, we are now be purchasing the Ford Police Interceptor utility vehicle.		
<b>2</b>	<b>PUBLIC WORKS HIGHWAY</b>		
	REPLACE H-57 (FRONT-END LOADER)	\$ 245,000	Tax Levy Borrowing
	<i>Priority Area: B. Timely Improvement/replacement of a capital asset to avoid inevitable additional future costs incurred through deferment</i>		
	These funds would be used for the replacement of a 1998 front end loader with front and wing snow plows. This piece of equipment is used daily for construction, maintenance and pit operations. This loader is used to load and move materials such as gravel, stone, waste asphalt, street sweepings, catch basin cleanings and excavate at various Public Works Facilities. This equipment is also critical during all aspects of a snow and ice incident response to plow snow and to load/haul snow from roadways and municipal lots. This unit is assigned to Plow Route #6 which covers the Downtown area, South Main Street, and portions of Route 135. This piece of equipment is proposed to be replaced with a Front End Loader and equipped with snow plows, warning lights, front-end attachments, and a two way radio. The proposed unit will be compatible with the recently purchased snow blower attachment that will be replacing an aging truck/chassis blower.		
<b>3</b>	<b>PUBLIC WORKS HIGHWAY</b>		
	REPLACE DUMPSTERS	\$ 12,500	Capital Stab. Fund
	<i>Priority Area: B. Timely Improvement/replacement of a capital asset to avoid inevitable additional future costs incurred through deferment</i>		
	This is an annual request from the Department of Public Works to replace rotted and unsafe dumpsters at municipal and school facilities. This ongoing capital equipment purchase should be made regularly, as it and is important to maintain safe and hygienic trash collection on municipal properties. The Equipment Maintenance division patches and welds dumpsters until such efforts are no longer effective.		
<b>4</b>	<b>PUBLIC WORKS HIGHWAY</b>		
	CARDBOARD COMPACTOR	\$ 37,000	Capital Stab. Fund
	<i>E: Improvement of Productivity/Efficiency.</i>		
	These funds would be used for the purchase and installation of a cardboard compactor at the Recycling Center on West Street. The compactor would be used to consolidate cardboard to increase the amount of cardboard delivered per haul to the recycling company. Natick currently collects approximately 184 tons of cardboard annually, making on average 11 trips to the recycling company each month. The new equipment has the potential to reduce the number of cardboard hauls by 75%.		

<b>5</b>	<b>PUBLIC WORKS LND FAC/NAT RES</b>		
	REPLACE LF-10 WOOD CHIPPER	\$	<b>70,000</b>
	<i>Priority Area: B. Timely Improvement/replacement of a capital asset to avoid inevitable additional future costs incurred through deferment.</i>		<b>Capital Stab. Fund</b>
	This wood chipper is an essential piece of equipment for Public Works. This chipper is used for debris clean up, for scheduled tree maintenance, sidewalk brush maintenance, and most importantly tree or branch removal from the roadway during emergency response. Public Works responds to all downed tree calls during inclement weather. The chipper is an essential piece of equipment used for processing of brush and woody wastes, including the annual fall clean-up and the collection of christmas trees. The current wood chipper is a 1999 Model with 1,406 engine hours. The existing chipper has substaintual body rot, corrosion, and metal fatiuge and is becoming a safety concern. The clutch mechanisim is severely worn and malfunctions repeatedly, which results in a greater risk of injury during operation. This equipment is essential for roadway egress operations. A new machine would be similar in size and horsepower, and provide an increased reliabilty for emergency response and operation.		
<b>6</b>	<b>FACILITIES MANAGEMENT</b>		
	PUBLIC WORKS EXTERIOR LIGHTING - LED RETROFIT	\$	<b>15,000</b>
	<i>E: Improvement of Productivity/Efficiency.</i>		<b>Capital Stab. Fund</b>
	The Funds appropriated would be used to convert approximately 40 existing exterior light fixtures located at the Public Works Building (75 West Street) to energy efficient and low maintenance LED fixtures. The project is eligible for and will recieve funding incentives through Eversource Energy. The project will reduce energy consumption and provide long life lighting fixtures to the parking and storage areas surrounding the Public Works Building.		
<b>7</b>	<b>TOWN CLERK</b>		
	PRESERVATION OF HISTORICAL RECORDS	\$	<b>100,000</b>
	<i>Priority Area: B. Timely Improvement/replacement of a capital asset to avoid inevitable additional future costs incurred through deferment.</i>		<b>Capital Stab. Fund</b>
	This is an annual request for a multi-year project to restore and protect permanent records for the Town of Natick. This includes, but is not expressly limited to, all Town Meeting Records, Birth, Marriage and Death Certificates, as well as other permanent records which the Town is legally required to keep in perpetuity. Nearly two centuries of records have not been restored. The scope of the project includes an information log for the record, dismantling the existing book, cleaning the pages, repairing the pages, deacidifying the paper, resewing and rebinding the books, as well as providing a 35mm security film and scanned CD image of the record. Many of these records require affirmative action now to preserve them if the Town Clerk's office is to continue performing its mandated function of protecting these resources. Once preserved these records should not need further upkeep for another 300-400 years.		
<b>8</b>	<b>WATER SEWER ENTERPRISE</b>		
	REPLACE W-19 VACTOR	\$	<b>410,000</b>
	<i>Priority Area A: Imminent threat to the health and safety of citizens or property.</i>		<b>W/S Borrowing</b>
	The W-19 is an essential piece of equipment for the Water and Sewer Division. This vehicle is used in response to emergencies and to perform preventative maintenance to the Town's wastewater and water systems. This vehicle works daily with the video inspection crews cleaning wastewater lines, responding to water/wastewater emergencies, root control, sewer grease control and pump station wet well maintenance. Additionally this vehicle performs vacuum excavations for water main and service breaks, assists with flood control, and can be used in emergencies for trench rescues assisting the Fire Department. The vactor also provides assistance with the maintenance of the Town's stormwater drainage system. The existing truck and vactor unit was bought used by the department and will be over 10 years old at replacement. The equipment unit has reached the end of its useful life. Replacement of this unit will allow for more efficient maintenance and care for the Town's infrastructure.		

<b>9</b>	<b>WATER SEWER ENTERPRISE</b>		
	REPLACE W-2 (VEHICLE)	\$ 31,000	W/S Retained Earn.
	<i>Priority Area: B. Timely Improvement/replacement of a capital asset to avoid inevitable additional future costs incurred through deferment.</i>		
	This unit is used daily by the Water Treatment Plant Manager for work throughout the town in the operations of the town's water supply wells, water treatment plants, and water storage tanks. The vehicle is used to respond to water main leaks, respond to water service issues, service main valves, and maintain fire hydrants. This vehicle transports tools, parts and equipment needed for maintenance and daily inspections of the town's water and wastewater facilities. This unit responds to emergencies for system repairs and maintenance. The existing truck will be 12 years old at replacement and has reached the end of its useful life. Replacement of this unit will allow for more efficient maintenance and care for the Town's infrastructure.		

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**Total**

**\$ 1,000,500**

**Funding Sources**

Capital Stabilization Fund	\$ 314,500
Tax Levy Borrowing	\$ 245,000
Water & Sewer Borrowing	\$ 410,000
Water & Sewer Retained Earnings	\$ 31,000
Reappropriated Funds	\$ -
Free Cash	\$ -

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**Total Funding for Appropriations under Article 9**

**\$ 1,000,500**

## Article 9 - Capital Equipment - 2015 Fall Annual Town Meeting

### MOTION A: (Two-thirds vote required)

Move that the Town vote to appropriate the sum of \$314,500 to be expended under the direction of the under the direction of the Police Department for the purpose of replacing cruisers, under the direction of the Public Works Department for the purpose of replacing dumpsters, purchasing a cardboard compactor, and replacing LF - 10 (wood chipper), under the direction of the Facilities Management Department to replace the Publics Works exterior lighting, under the direction of the Town Clerk for the preservation of historical records individually shown as items 1, 3, 4, 5, 6, and 7 in Table A below, and that to meet this appropriation the sum of \$314,500 be raised from the

#### TABLE A - MOTION A: Article 9 - Capital Equipment - 2015 Fall Annual Town Meeting

<u>Item #</u>	<u>Department</u>	<u>Item</u>	<u>Funding Source</u>	<u>Amount</u>
1	Police Department	Cruiser Replacement	Capital Stab. Fund	\$ 80,000
3	Public Works	Replace Dumpsters	Capital Stab. Fund	\$ 12,500
4	Public Works	Cardboard Compactor	Capital Stab. Fund	\$ 37,000
5	Public Works	Replace LF-10 (Wood Chipper)	Capital Stab. Fund	\$ 70,000
6	Facilities Management	Replace Public Works Exterior Lighting - LED Retrofit	Capital Stab. Fund	\$ 15,000
7	Town Clerk	Preservation of Historical Records	Capital Stab. Fund	\$ 100,000

**Appropriation under Article 9: MOTION A** **\$ 314,500**

### MOTION B: (two-thirds vote required)

Move that the Town vote to appropriate the sum of \$245,000 to be expended under the direction of the Public Works Department for purpose of replacing H - 57 front end loader, individually shown as item 2, in Table B below, and that to meet this appropriation the Treasurer with the approval of the Board of Selectmen is authorized to borrow \$245,000 under Massachusetts General Laws Chapter 44, Section 7, as amended, or any other enabling authority and to issue bonds or notes of the Town therefore aggregating not more than \$245,000 in principal amount and that the Town Administrator with the approval of the Board of Selectmen is authorized to take any action

#### TABLE B, MOTION B: Article 9 - Capital Equipment - 2015 Fall Annual Town Meeting

<u>Item #</u>	<u>Department</u>	<u>Item</u>	<u>Funding Source</u>	<u>Amount</u>
2	Public Works	Replace H-57 (Front End Loader)	Tax Levy Borrowing	\$ 245,000

**Appropriation under Article 9: MOTION B** **\$ 245,000**

**MOTION C: (two-thirds vote required)**

Move that the Town vote to appropriate the sum of \$410,000 to be expended under the direction of the Public Works Department for purpose of replacing W - 19 Vactor, individually shown as item 8, in Table C below, and that to meet this appropriation the Treasurer with the approval of the Board of Selectmen is authorized to borrow \$410,000 under Massachusetts General Laws Chapter 44, Section 8, as amended, or any other enabling authority and to issue bonds or notes of the Town therefore aggregating not more than \$410,000 in principal amount and that the Town Administrator with the approval of the Board of Selectmen is authorized to take any action necessary to carry out this program.

**TABLE C, MOTION C: Article 9 - Capital Equipment - 2015 Fall Annual Town Meeting**

<u>Item #</u>	<u>Department</u>	<u>Item</u>	<u>Funding Source</u>	<u>Amount</u>
8	Water Sewer Enterprise	Replace W - 19 Vactor	W/S Borrowing	\$ 410,000

**Appropriation under Article 9: MOTION C** **\$ 410,000**

**MOTION D: (majority vote required)**

Move that the Town vote to appropriate the sum of \$31,000 to be expended under the direction of the Department of Public Works for the purpose of replacing W - 2 Vehicle, individually shown as item 9 in Table D below, and that to meet this appropriation the sum of \$31,000 be raised from Water & Sewer Retained Earnings.

**TABLE D, MOTION D: Article 9 - Capital Equipment - 2015 Fall Annual Town Meeting**

<u>Item #</u>	<u>Department</u>	<u>Item</u>	<u>Funding Source</u>	<u>Amount</u>
9	Water Sewer Enterprise	Replace W - 2 (Vehicle)	W/S Retained Earnings	\$ 31,000

**Appropriation under Article 9: MOTION D** **\$ 31,000**

**ARTICLE 10**  
**Capital Improvement**  
**(Town Administrator)**

To see if the Town will vote to appropriate and raise, or otherwise provide, a sum of money to implement a Capital Improvement Program, to protect the physical infrastructure of the Town of Natick; to determine whether this appropriation shall be raised by borrowing or otherwise, or to otherwise act thereon.

**PURPOSE OF ARTICLE**

To appropriate funds for capital equipment and determine amounts to be sourced from available revenue, free cash or borrowing

**FINANCE COMMITTEE RECOMMENDATION, DISCUSSION AND INFORMATION**

**Recommendation:**

By an overall vote of 11 - 0 - 2 on September 17, 2015, the Finance Committee recommends ***Favorable Action*** with regard to the subject matter of Article 10 regarding new capital expenditures.

As discussed below, the Finance Committee was not able to hear two matters involving the reworking of previous capital appropriations voted at prior Town Meetings because the information was not available from bond counsel and Town Counsel when Article 10 was heard by the Capital Sub Committee and the entire Finance Committee.

**Discussion and Information:**

The Finance Committee held a public hearing for this article on September 17 , 2015. The Finance Committee heard from town administration who presented the article and from the Capital Sub-Committee of the Finance Committee and members of the public. The following information was reported and noted.

- Eleven separate requests are being made under this article as discussed below
- The Finance Committee heard the specifics of each request
- The requested funds, included here, for purchase and installation of portable classrooms at Brown School are a supplemental appropriation of \$583,600 in addition to the funds previously voted by Town Meeting

- The supplemental appropriation was recommended by the capital sub committee by a vote of 5-1-0 and by the Finance Committee by a vote of 13-0-0
- The cost of portables has increased as a result of several factors including a superior product being sought than can last 20 or more years, an insufficient amount perhaps having been previously estimated based on bids received and changes to the work site location as a result of abutter and neighborhood input that was not sought before the previous funding request
- The change in location results in needing to relocate a kindergarten playground and a connection to the building
- The administration could not attribute specific amounts individually to these factors
- A member of the public noted that no previous effort was made to work with the Planning Board on required permits and that such process would have resulted in more timely neighborhood input
- A request for \$300,000 for various roads and sidewalks throughout town was recommended by the capital sub committee by a vote of 6-0-0 and by the Finance Committee by a vote of 13-0-0
- The administration will present Town Meeting with the list, which includes Brook St., Pumpkin Pine Rd., Atherton St., Kelley Way, Bee St., Tech Circle, Michigan Drive, Farm Hill Road, Ingleside Rd., Parson Way, Peterson Rd., Florence St., and LaGrange St. from Lake St. to Washington Ave.
- A request for engineering study for restoration work on the Charles River bridge in the amount of \$250,000 was recommended by the capital sub committee by a vote of 6-0-0 and by the Finance Committee by a vote of 13-0-0
- The administration explained that previous work on the bridge in 2009 involved a surface restoration only that is beginning to degrade
- A request for guardrail funding in the amount of \$10,000 and a request for a memorial at DPW for \$5,000 were each recommended by the capital sub committee by a vote of 6-0-0 and by the Finance Committee by a vote of 13-0-0
- Funds for field renovation in the amount of \$75,000 were recommended by the capital sub committee by a vote of 6-0-0 and by the Finance Committee by a vote 11-1-1
- The Finance Committee plans to, and Town Meeting members may want to, inquire further since the department head could identify only two of several fields to be renovated with this money
- The department head said the fields will be determined by the field study which should be complete by Town Meeting and asked for the funds so that work could be done in the spring

- Funding for the Lilja roof replacement \$550,000 was recommended by the capital sub committee by a vote of 6-0-0 and by the Finance Committee by a vote 13-0-0
- This represents moving the roof replacement up by one year but is requested to allow for installation of solar panels funded by a grant that will not be available after 2016
- The replacement of the barn roof at the Natick Community Organic Farm for \$65,000 was recommended by the capital sub committee by a vote of 5-0-1 and by the Finance Committee by a vote 12-1-0
- The administration will be available to answer questions about the Town's arrangement and obligations under the lease of the organic farm property
- Funding for repairs and upgrades to the water distribution system in the amount of \$250,000 was recommended by the capital sub committee by a vote of 6-0-0 and by the Finance Committee by a vote 13-0-0
- Upgrading the sewer collection system in the amount of \$ 150,000 was recommended by the capital sub committee by a vote of 6-0-0 and by the Finance Committee by a vote 13-0-0
- Restoration of HVAC units in the amount of \$25,000 at the Bennett Hemenway School was recommended by the capital sub committee by a vote of 6-0-0 and by the Finance Committee by a vote 13-0-0
- The Finance Committee also heard from the Deputy Town Administrator for Finance who reported on the amount of money borrowed in excess of project costs under certain debt exclusions and the need to re-appropriate these excess borrowings to projects with similar useful lives
- As discussed under Article 2, Town Meeting's subsidy of these debt exclusions has exceeded the debt service amounts on the excess borrowing
- As a result, the taxpayers have not been assessed taxes under the debt exclusions in violation of Prop 2 and 1/2
- Article 10 also includes motions to re-appropriate \$2,231,400 in excess borrowing for Natick High School, \$210,484 in excess borrowing for the Community Senior Center and \$120,000 of excess borrowing for generators for the Community Senior Center to projects with similar useful lives of approximately 20, 10 and 7 years respectively
- Approximately \$220,593 of excess debt on Natick High School will need to be re-appropriated at a future Town Meeting
- These excess proceeds are the result of the Town not using short term, one year Bond Acceptance Notes (BAN's) for the completion of these projects and for borrowing for generators that were already included in the Community Senior Center project
- Town Meeting members should note that these re-appropriations are different than rescinding the authority for unissued debt that is the subject matter of Article 1
- Article 1 deals with rescinding authority to issue further debt whereas Article 10 involves the re-appropriation of already issued debt

- The administration reported DOR does not permit this debt to be refunded to bondholders but requires that such excess borrowings be re-appropriated
- The administration reports that the motions for Article 10 have been reviewed by both Bond Counsel and Town Counsel
- These motions include two matters that involve previous capital appropriations voted by Town Meeting
- The Finance Committee does not have a recommendation on these two matters because the information was received after the scheduled meetings of the Capital Sub Committee and the Finance Committee on Article 10 due to the need of the administration to coordinate and to obtain the somewhat technical and detailed guidance of both bond counsel and Town Counsel on these two matters
- Further explanation to Town Meeting members should be available from bond counsel and/or Town Counsel at Town Meeting; however, a brief attempt to provide an overview is discussed immediately below
- On one matter, the previous appropriation and bonding authorization at Spring 2015 Town Meeting for \$1,097,800 for portable classrooms is being reworked in the motions from bond counsel and Town Counsel to apply a portion of the previously issued excess debt on Natick High School to reduce the amounts not yet borrowed under the Spring 2015 vote for portables
- The amount of \$1,097,800 is not new capital spending unlike the additional \$583,600 which is an increased or supplemental appropriation for portables which increased appropriation (This increased appropriation is also requested to be funded by applying a portion of previously issued excess debt on Natick High School
- The second matter involves reworking a \$120,000 portion of a previous appropriation from Spring 2011 Town Meeting for parking meters to be funded by applying the previously issued excess debt for generators at the Community Senior Center
- The \$120,000 of excess long term debt for generators is proposed to be used to pay off a portion of the short term BAN's that have already issued for parking meters
- Details on the proposed new expenditures from the administration are presented below
- The Finance Committee did not review the motions provided further below were supplied through the administration from bond counsel and town counsel
- The Finance Committee will be scheduling a further meeting before Town Meeting to consider these two matters

## Article 10 - Capital Improvements - 2015 Fall Annual Town Meeting

<u>Item #</u>	<u>Department</u>	<u>Item</u>	<u>Funding Source</u>	<u>Amount</u>
1	Public Schools	Purchase & Install Portable Classrooms and Playground Equipment	Reappropriation	\$ 583,600
2	Public Works	Roads and Sidewalks	\$200 K Reap/\$100K TL Bor	\$ 300,000
3	Public Works	Engineering Charles River Bridge	Tax Levy Borrowing	\$ 250,000
4	Public Works	Guardrail	Capital Stab. Fund	\$ 10,000
5	Public Works	DPW Memorial	Free Cash	\$ 5,000
6	Public Works	Field Renovations	Capital Stab. Fund	\$ 75,000
7	Facilities Management	Lilja School Roof	Reappropriation	\$ 550,000
8	Facilities Management	Community Farm Roof	Capital Stab. Fund	\$ 65,000
9	Water Sewer Enterprise	Water Distribution System Repairs and Upgrades	W/S Borrowing	\$ 250,000
10	Water Sewer Enterprise	Sewer Collection System and Upgrades	I & I Stabilization Fund	\$ 150,000
11	Facilities Management	Restore HVAC Units at Bennett Hemenway School	Capital Stab. Fund	\$ 25,000
				<b>\$ 2,263,600</b>

### Funding Sources for Appropriations under Article 10

Capital Stabilization Fund	\$ 175,000
Tax Levy Borrowing	\$ 350,000
W/S Enterprise Borrowing	\$ 250,000
Inflow and Infiltration (I&I) Stabilization Fund	\$ 150,000
Free Cash	\$ 5,000
Reappropriated Funds	\$ 1,333,600
<b>Total Funding for Appropriations under Article 10</b>	<b>\$ 2,263,600</b>

**Article 10  
Capital Improvement  
2015 Fall Annual Town Meeting  
Project Descriptions**

9/16/2015

**# Appropriated Item**

**Amount**

**Funding Source**

#	Appropriated Item	Amount	Funding Source
<b>1</b>	<b>Public Schools</b>		
	INSTALL MODULAR CLASSROOMS <i>E: Improvement of Productivity/Efficiency</i>	\$ 583,600	Reappropriation
	At the 2015 Spring Annual Town Meeting, \$1,097,800 was approved to purchase six portable classrooms at the Brown School due to enrollment increases and capacity issues projected into the future. The School Department working with the Town submitted two Requests for Proposals. The first request only received one responder that was above our approved amount. To solicit more bids and better pricing, we sent a second request out which received three responses from qualified vendors with results attached here. Due to several changes in the scope of the project including location, removal and installation of playground equipment, a connecting corridor for security and physical appearance characteristics desired, the current approved budget of \$1,097,800 is not sufficient to deliver the quality product the school department and community desires. Although two of the base bids are under the approved amount, additional costs to deliver the final product have resulted in being over our approved amount. We believe it is imperative to add these modular classrooms which we would expect may be ready by the end of this school year, and in the meantime, Brown has constructed a temporary wall in the Media/Library to house an additional classroom for the school year if needed. The School Department is requesting an additional \$583,600 from the original request.		
<b>2</b>	<b>PUBLIC WORKS ENGINEERING</b>		
	ROADS AND SIDEWALKS <i>Priority Area: B. Timely Improvement/replacement of a capital asset to avoid inevitable additional future costs incurred through deferment.</i>	\$ 300,000	200,000 Reappropriat.  100,000 Tax Levy Bor.
	It is proposed to use this funding source to supplement Chapter 90 funding. Under this project roadway & Sidewalk improvements will be made to various roads. Roads Selected based on need and engineering judgment. The pavement management plan used as a guide in selecting roads based on a rating system. These funds will make various roadway and sidewalk improvements to several town streets (consistent with Complete Streets principles). These improvements will improve the vehicle ride ability and safety for the those traveling at these locations. These improvements will also reduce the maintenance costs to the Public Works Department for these roads and sidewalks. Roads and/or sidewalks that require restoration could be considered unsafe or create a driving and/or walking hazard if left to deteriorate further.		
<b>3</b>	<b>PUBLIC WORKS ENGINEERING</b>		
	ENGINEERING CHARLES RIVER BRIDGE <i>Priority Area: B. Timely Improvement/replacement of a capital asset to avoid inevitable additional future costs incurred through deferment.</i>	\$ 250,000	Tax Levy Borrowing
	Project consists of repairs and alterations to the existing town owned stone arch bridge over the Charles River at Pleasant Street. The project will address deficiencies noted in state bridge inspections, and will improve roadway safety concerns (guardrail, sidewalk, drainage & pavement issues). The requested funds would be used to complete the necessary engineering and design of repairs and rehabilitation. It is anticipated that funding for construction will be requested at the 2016 Spring ATM. The project would preserve the historic nature of the bridge, increase the useful life of the bridge, improve traffic/pedestrian safety, improve pavement conditions, and improve roadway drainage. This project would correct problems noted in biennial (every other year) bridge inspections performed by the Massachusetts Department of Transportation. A previous preliminary engineering study that was funded by Chapter 90 has been completed.		

<b>4</b>	<b>PUBLIC WORKS HIGHWAY</b>		
	GUARDRAIL	\$ 10,000	Capital Stab. Fund
	<i>Priority Area: B. Timely Improvement/replacement of a capital asset to avoid inevitable additional future costs incurred through deferment</i>		
	This is an annual funding request from the Department of Public Works to replace unsafe guardrails along various streets and highways within the Town. This ongoing capital purchase should be made regularly to ensure that motorists, pedestrians, and bicyclists are properly protected along Natick roadways.		
<b>5</b>	<b>PUBLIC WORKS HIGHWAY</b>		
	DPW MEMORIAL	\$ 5,000	Free Cash
	<i>D: IMPROVEMENT OF INFRASTRUCTURE</i>		
	This memorial is dedicated to two members of the public works staff that were killed in the line of duty; Michael McDaniel (2/4/2014) and Joseph Webster (3/1/1976). It will be built at 75 West Street. This is only a portion of the funds required to build the memorial. The remainder will hopefully be funded by private donations.		
<b>6</b>	<b>PUBLIC WORKS LND FAC/NAT RES</b>		
	FIELD RENOVATIONS	\$ 75,000	Capital Stab. Fund
	<i>Priority Area: B. Timely Improvement/replacement of a capital asset to avoid inevitable additional future costs incurred through deferment</i>		
	Allocated funds would be used to fund athletic field projects identified in the Natick Field Feasibility Study expected to be completed this fall. These funds would be used to fund smaller critical deficiency projects such as player benches, backstop fencing and other similar small defects with a high risk. These funds are not intended to fund all projects but to allow the Public Works Department and the Recreation Department to address some essential critical needs expeditiously which are expected to be highlighted as a result of the study. The funding helps provide safe playing conditions that comply with sport specifications, improves user experience, and increases space utilization.		
<b>7</b>	<b>Facilities Management</b>		
	LILJA SCHOOL ROOF	\$ 550,000	Reappropriation
	<i>Priority Area: B. Timely Improvement/replacement of a capital asset to avoid inevitable additional future costs incurred through deferment and E: Improvement of Productivity/Efficiency</i>		
	Strip off old roof and install new. The EDPM is in fair condition. This Roof is nearing twenty years old (1997) A leaking roof can cause mold problems. Areas where Leaks appear can become unusable. Leaks can cause future Structural problems. Maintenance will become excessive and costly. Replacing the roof in the spring of 2016 will allow us to add a solar array to the roof in the summer of 2016 capturing incentives that reduce town energy costs.		
<b>8</b>	<b>FACILITIES MANAGEMENT</b>		
	COMMUNITY FARM ROOF	\$ 65,000	Capital Stab. Fund
	<i>Priority Area: B. Timely Improvement/replacement of a capital asset to avoid inevitable additional future costs incurred through deferment</i>		
	This is a gable roof with three tab shingles. The roof is in poor condition. Not Shingles are dry, brittle, curling and have a lot of growth on them. This roof will fail very quickly.		

<b>9</b>	<b>WATER SEWER ENTERPRISE</b>		
	WATER DISTRIBUTION SYSTEM REPAIRS AND UPGRADES	\$ 250,000	W/S Borrowing
	<i>Priority Area: B. Timely Improvement/replacement of a capital asset to avoid inevitable additional future costs incurred through deferment</i>		
	This is the first annual request to cover costs related to various water system improvements. Projects may include replacement of bridge crossings; (2) Mill Street, Cochituate Street, Washington Avenue, Spring Street; and the installation of several isolation gate valves. The bridge pipe replacement would include removal of existing un-insulated pipe and installation of modern insulated pipe with proper thermal expansion joints. These existing un-insulated water mains are exposed to the weather and require gate isolation and running water bleeders during the winter season to prevent the water main from freezing. The installation of insulated pipe eliminates the need for gate isolation and running bleeders. The isolation gate valve installation is planned for the 16" diameter water main on Eliot Street. Isolation gates allow shorter sections of water main to be isolated should there be a break in the water main, thus reducing the number of residences to lose water during a break occurrence.		
<b>10</b>	<b>WATER SEWER ENTERPRISE</b>		
	SEWER COLLECTION SYSTEM REPAIRS AND UPGRADES	\$ 150,000	I & I Stabilization Fund
	<i>Priority Area: B. Timely Improvement/replacement of a capital asset to avoid inevitable additional future costs incurred through deferment</i>		
	This is an annual request to provide funds for the repair of structural deficiencies in the sewer collection system. Examples of work would include sewer main relining, sewer main cleaning and video inspection, manhole sealing, and manhole cover replacement. The result of this work would increase the structural integrity of the Town's sewer system and reduce sources of inflow and infiltration. Reducing the amount of inflow and infiltration helps mitigate the increasing cost of Assessments charged by the Massachusetts Water Resources Authority for the treatment of the Town's municipal sewer flow.		
<b>11</b>	<b>FACILITIES MANAGEMENT</b>		
	RESTORE HVAC UNITS AT BENNETT HEMENWAY SCHOOL	\$ 25,000	Capital Stab. Fund
	<i>Priority Area: B. Timely Improvement/replacement of a capital asset to avoid inevitable additional future costs incurred through deferment.</i>		
	The RTU's have had their protective paint fail. This would Allow us to recoat them to better protect the units from Rust. This would prolong the life span of the RTU's.		

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**Total** **\$ 2,263,600**

**Funding Sources**

Capital Stabilization Fund	\$ 175,000
Tax Levy Borrowing	\$ 350,000
W/S Enterprise Borrowing	\$ 250,000
Inflow & Infiltration (I & I) Stabilization Fund	\$ 150,000
Free Cash	\$ 5,000
Reappropriated Funds	\$ 1,333,600

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**Total Funding for Appropriations under Article 10** **\$ 2,263,600**

## **Article 10 - Capital Improvement - 2015 Fall Annual Town Meeting**

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### **MOTION A: (Two-thirds vote required)**

Move that the sum of \$1,097,800 is appropriated to pay costs of purchasing and installing portable classrooms, and for the payment of all costs incidental and related thereto, which project was approved by vote of the Town under Article 22, Motion B, Item 1 of the Warrant at the April 30, 2015 Annual Town Meeting, and that to meet this appropriation, said amount is transferred from a portion of the balance of the amount previously appropriated and borrowed by the Town under Article 6 of the Warrant at the February 23, 2010 Annual Town Meeting to pay costs of the High School Project, which amount is no longer needed to complete the project for which it was originally borrowed. The amount authorized to be borrowed by the Town pursuant to Article 22, Motion B, Item 1 of the Warrant at the April 30, 2015 Annual Town Meeting, but not yet borrowed by the Town, shall be reduced to the extent of the funds transferred to this project by this vote.

### **MOTION B: (Two-thirds vote required)**

Move that the sum of \$583,600 is appropriated to pay costs of installing portable classrooms, and for the payment of all costs incidental and related thereto, and that to meet this appropriation, said amount is transferred from a portion of the balance of the amount previously appropriated and borrowed by the Town under Article 6 of the Warrant at the February 23, 2010 Annual Town Meeting to pay costs of the High School Project, which amount is no longer needed to complete the project for which it was originally borrowed. The amount appropriated by this motion shall be expended in addition to all other amounts appropriated by the Town for this purpose.

### **MOTION C: (Two-thirds vote required)**

Move that the sum of \$550,000 is appropriated to pay costs of making repairs to the Lilja Elementary School Roof, and for the payment of all costs incidental and related thereto, and that to meet this appropriation, said amount is transferred from a portion of the balance of the amount previously appropriated and borrowed by the Town under Article 6 of the Warrant at the February 23, 2010 Annual Town Meeting to pay costs of the High School Project, which amount is no longer needed to complete the project for which it was originally borrowed. The amount appropriated by this motion shall be expended in addition to all other amounts appropriated by the Town for this purpose.

### **MOTION D: (Two-thirds vote required)**

Move that the sum of \$300,000 is appropriated to pay costs of making roadway and sidewalk repairs, and for the payment of all costs incidental and related thereto, and that to meet this appropriation, (i) \$200,000.00 is transferred from the balance of the amount previously appropriated and borrowed by the Town under Article 10 of the Warrant at the February 23, 2010 Annual Town Meeting to pay costs of Senior Center design and construction, which amount is no longer needed to complete the project for which it was originally borrowed, and (ii) the Treasurer, with the approval of the Selectmen, is authorized to borrow \$100,000.00 under and pursuant to Chapter 44, Section 7(6) of the General Laws, or pursuant to any other enabling authority, and to issue bonds or notes of the Town therefore.

### **MOTION E: (Two-thirds vote required)**

Move that the sum of \$120,000 is appropriated to pay costs of purchasing and installing parking meters, and for the payment of all costs incidental and related thereto, and that to meet this appropriation, said amount is hereby transferred from a portion of the balance of the amount previously appropriated and borrowed by the Town under Article 12 of the Warrant at the April 12, 2011 Annual Town Meeting to pay costs of purchasing and installing a generator for the Senior Center, which amount is no longer needed to complete the project for which it was originally borrowed. The amount appropriated by this vote shall be applied to retire a portion of the \$170,000 outstanding bond anticipation notes of the Town issued in accordance with a vote of the Town under Article 32, Motion B, Item 2 of the Warrant at the November 6, 2014 Town Meeting, to temporarily pay costs of purchasing and installing such parking meters.

## Article 10 - Capital Improvement - 2015 Fall Annual Town Meeting

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### MOTION F: (Two-thirds vote required)

Move that the Town vote to appropriate the sum of \$175,000 to be expended under the direction of the Department of Public Works for the purpose of replacing guardrail and field renovations, under the direction of the Facilities Management Department for the purpose of replacing the Community Farm Roof and restoring HVAC units at the Bennett Hemenway school, individually shown as items 4, 6, 8 and 11 in the Table F below, and that to meet this appropriation the sum of \$175,000 be raised from the Capital Stabilization Fund.

### TABLE F, MOTION F: Article 10 - Capital Improvement - 2015 Fall Annual Town Meeting

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<u>Item #</u>	<u>Department</u>	<u>Item</u>	<u>Funding Source</u>	<u>Amount</u>
4	Public Works	Guardrail	Capital Stab. Fund	\$ 10,000
6	Public Works	Field Renovations	Capital Stab. Fund	\$ 75,000
8	Facilities Management	Community Farm Roof	Capital Stab. Fund	\$ 65,000
11	Facilities Management	Restore HVAC Units at Bennett Hemenway School	Capital Stab. Fund	\$ 25,000

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**Appropriation under Article 10: MOTION F** **\$ 175,000**

### MOTION G: (Two-thirds vote required)

Move that the Town vote to appropriate the sum of \$250,000 to be expended under the direction of the Department of Public Works for the purpose of engineering the Charles River Bridge, individually shown as item 3 in Table G below, and that to meet this appropriation the Treasurer with the approval of the Board of Selectmen is authorized to borrow \$250,000 under Massachusetts General Laws Chapter 44, Section 7, as amended, or any other enabling authority and to issue bonds or notes of the Town therefore aggregating not more than \$250,000 in principal amount and that the Town Administrator with the approval of the Board of Selectmen is authorized to take any action necessary to carry out this program.

### TABLE G, MOTION G: Article 10 - Capital Improvement - 2015 Fall Annual Town Meeting

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<u>Item #</u>	<u>Department</u>	<u>Item</u>	<u>Funding Source</u>	<u>Amount</u>
3	Public Works	Engineering Charles River Bridge	Tax Levy Borrowing	\$ 250,000

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**Appropriation under Article 10: MOTION G** **\$ 250,000**

### MOTION H: (Two-thirds vote required)

Move that the Town vote to appropriate the sum of \$250,000 to be expended under the direction of the Department of Public Works for the purpose of Water Distribution System Repairs and Upgrades, individually shown as item 9 in Table H below, and that to meet this appropriation the Treasurer with the approval of the Board of Selectmen is authorized to borrow \$250,000 under Massachusetts General Laws Chapter 44, Section 8, as amended, or any other enabling authority and to issue bonds or notes of the Town therefore aggregating not more than \$250,000 in principal amount and that the Town Administrator with the approval of the Board of Selectmen is authorized to take any action necessary to carry out this program.

### TABLE H, MOTION H: Article 22 - Capital Improvement - 2015 Spring Annual Town Meeting

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9	Water Sewer Enterprise	Water Distribution System Repairs and Upgrades	W/S Borrowing	\$ 250,000
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**Appropriation under Article 10: MOTION H** **\$ 250,000**

## Article 10 - Capital Improvement - 2015 Fall Annual Town Meeting

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### MOTION I: (majority vote required)

Move that the Town vote to appropriate the sum of \$5,000 to be expended under the direction of the Department of Public Works for the purpose of the constructing a Memorial, individually shown as item 5 in Table I below, and that to meet this appropriation the sum of \$5,000 be raised from Free Cash.

**TABLE I, MOTION I: Article 10 - Capital Improvement - 2015 Fall Annual Town Meeting**

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<u>Item #</u>	<u>Department</u>	<u>Item</u>	<u>Funding Source</u>	<u>Amount</u>
5	Public Works	DPW Memorial	Free Cash	\$ 5,000

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**Appropriation under Article 10: MOTION I** **\$ 5,000**

### MOTION J: (Two-thirds vote required)

Move that the Town vote to appropriate the sum of \$150,000 to be expended under the direction of the Department of Public Works for the sewer collection system and upgrades, individually shown as item 10 in the Table J below, and that to meet this appropriation the sum of \$150,000 be raised from the Inflow and Infiltration (I&I) Stabilization Fund.

**TABLE J, MOTION J: Article 10 - Capital Improvement - 2015 Fall Annual Town Meeting**

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<u>Item #</u>	<u>Department</u>	<u>Item</u>	<u>Funding Source</u>	<u>Amount</u>
10	Water Sewer Enterprise	Sewer Collection System and Upgrades	I & I Stabilization Fund	\$ 150,000

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**Appropriation under Article 10: MOTION J** **\$ 150,000**

**ARTICLE 11**  
**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) Massachusetts Laborers' District Council Public Employees Local Union 1116 of the Laborers International Union of North America – Clerical Employees
- b) Massachusetts Laborers' District Council Public Employees Local Union 1116 of the Laborers International Union of North America – Public Works' Department
- c) Massachusetts Laborers' District Council Public Employees Local Union 1116 of the Laborers International Union of North America – AFL CIO Library Employees
- d) Massachusetts Laborers' District Council Public Employees Local Union 1116 of the Laborers International Union AFL CIO – Facility Management Employees
- e) Supervisors and Administrators Association (DPW)
- f) The Natick Patrol Officers' Association
- g) New England Police Benevolent Association, Local 82, IUPA, AFL CIO
- h) New England Police Benevolent Association, Inc. Local 182, Dispatchers
- i) Local 1707 International Association of Firefighters, AFL CIO
- j) The Deputy Fire Chiefs Association

Or otherwise act thereon.

**PURPOSE OF ARTICLE**

To provide the funds necessary to implement the collective bargaining agreements which have been settled between the Town and the respective collective bargaining unit(s)

**FINANCE COMMITTEE RECOMMENDATION, DISCUSSION AND INFORMATION**

**Recommendation:**

By a vote of 11 - 0 - 2 on September 29, 2015, the Finance Committee recommends **Favorable Action** with regard to the subject matter of Article 11 as presented in the voted recommended motion below.

## **Discussion and Information:**

The Finance Committee held a public hearing for this article on September 29, 2015. The Finance Committee heard from the Town Administrator who presented the article. The following information was noted.

- The Town has reached agreement with only one collective bargaining unit i.e. the Clerical Employees union who have ratified their contract
- The Contract provides for a 1.0% COLA increase effective July 1, 2015 and an additional COLA 0.5% increase effective January 1, 2016
- The contract includes a “wage reopener” which entitles the Clerical union to the same retroactive COLA or health insurance premium that the Town negotiates with any other union
- The contract also changes to an accrual method for vacation based on length of service effective 7/01/2016
- Other administrative changes were negotiated such as reflecting the actual schedule of Town Hall hours, adding the Director of Human Resources as a person to whom a grievance may be filed, and changing the recall period for any employee who is laid off from 12 months to 6 months
- The contract covers the clerical staff of the general government and does not include the school department
- A request was made for additional information regarding the effect of this contract on pensions and steps within the Compensation Plan which is an attachment to the contract
- The administration indicated it would prepare/provide this information before or at Town Meeting
- Town Meeting members may note that the Finance Committee received both a copy of the Memorandum of Understanding (MOU) which contains the changes to the previous contract and a copy of the previous contract without the Compensation Plan

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

**Move that the Town vote to appropriate the total sum of \$15,374 of which \$13,519 shall be transferred from the Selectmen’s Contract Settlement line item, as approved by vote of the 2015 Spring Annual Town Meeting under Article 15, Motion E and \$1,855 shall be appropriated from Water/Sewer Enterprise Fund Retained Earnings for distribution to members of the Public Employees Local Union 1116 - Clerical for payment of wages effective July 1, 2015 through June 30, 2016 pursuant to the terms of the Collective Bargaining Agreement reached between the Town of Natick and the Public Employees Local Union 1116 - Clerical. The total sum of \$15,374 shall be**

transferred to the following departmental line items, as detailed below, to supplement appropriations that were previously voted at the 2015 Spring Annual Town Meeting under Article 15 as follows:

<b>Fire Department – Salaries</b>	<b>\$612</b>
<b>Police Department – Salaries</b>	<b>\$1,064</b>
<b>Department of Public Works – Salaries</b>	<b>\$652</b>
<b>Health &amp; Community Services</b>	
<b>– Board of Health Salaries</b>	<b>\$1,175</b>
<b>Health &amp; Community Services</b>	
<b>– Community Services – Salaries</b>	<b>\$3,021</b>
<b>Administrative Support Services – Finance Salaries</b>	<b>\$2,594</b>
<b>Administrative Support Services – Town Clerk Salaries</b>	<b>\$1,294</b>
<b>Administrative Support Services – Elections Salaries</b>	<b>\$612</b>
<b>Administrative Support Services</b>	
<b>– Community Development Salaries</b>	<b>\$2,277</b>
<b>Shared Expenses – Employee Fringe</b>	<b>\$218</b>
<b>Water/Sewer – Salaries</b>	<b>\$1,855</b>

**ARTICLE 12**  
**Establish Charter and By-Law Review Committee**  
**(Town Moderator)**

To see if the Town will vote to establish a special committee, The Charter and By-Laws Review Committee (CBRC), consistent with The Natick Home Rule Charter, Article 7, Section 7-6. In addition to the authorization of and charge for said committee, the Town may include in the CBRC charge authorization to review and suggest modifications to The Natick Town Meeting Member Handbook, Revision; or otherwise act thereon.

**PURPOSE OF ARTICLE**

To establish a Charter & By-Law Review Committee consistent with the requirements of Section 7-6 of the Charter

**FINANCE COMMITTEE RECOMMENDATION, DISCUSSION AND INFORMATION**

**Recommendation:**

By a vote of 13 - 0 - 0 on September 8, 2015, the Finance Committee recommends ***Favorable Action*** with regard to the subject matter of Article 12 as presented in the voted recommended motion below.

**Discussion and Information:**

The Finance Committee held a public hearing for this article on September 8, 2015. The Finance Committee heard from the Moderator who presented the article. The following information was noted.

- Section 7-6 of the Charter provides for periodic review of the Charter and By-Laws as follows:
  - (a) Establishment of Committee - The town meeting shall provide for the establishment of a special committee to be appointed by the Moderator, unless otherwise directed by vote of town meeting. Said committee shall review the provisions of the charter and the by-laws and shall make a report, with recommendations, to the town meeting, concerning any proposed amendments or revisions, which said committee may deem to be necessary or desirable. The town meeting shall establish the committee at least within five years of the time the previous committee was dissolved and, at any time, may vote to extend the term of the committee or the time by which the committee is required to submit a report.

- (b) Review Procedures - The committee shall conduct its review with the assistance of town counsel or, if the town meeting so directs, special counsel retained for that purpose. A report, with recommendations, shall be submitted to the town meeting not more than ten months following the date such committee is appointed or as otherwise provided by town meeting vote.
- Town Meeting members may remember the Moderator indicating to Spring 2015 Town Meeting that five years has elapsed since the previous Charter & By-Law Review Committee and that this article was expected for the Fall
  - The article also provides for review and possible revision of the Town Meeting Member Handbook
  - This handbook was prepared by a previous special committee of Town Meeting and adopted by Town Meeting
  - Several provisions of the handbook need to be updated including reference to where Town Meeting is held and where Town Meeting members, department heads and officials and members of the public may sit
  - On September 17, 2015, the Finance Committee considered and voted (13-0-0) a proposed motion, provided below, from the Moderator
  - The motion was recommended consistent with the Favorable Action recommendation from 9/08/2015

**MOTION: (Requires majority vote)**

**Move that the Town vote to establish a special committee, The Charter and By-Laws Review Committee (CBRC), consistent with The Natick Home Rule Charter, Article 7, Section 7-6.**

**Said committee shall consist of no less than five (5) and no more than seven (7) residents appointed by the Town Moderator, of which at least four (4) members shall be current or former Town Meeting Members. The term of said committee members shall expire upon the dissolution of 2017 Spring Annual Town Meeting, unless otherwise extended by Town Meeting.**

**The CBRC shall submit a report no later than the dissolution of 2017 Spring Annual Town Meeting, which may include suggested modifications to the Natick Home Rule Charter and or the Natick By-Laws. In addition to the authorization of and charge for said committee, the CBRC shall be authorized to review and suggest modifications to The Natick Town Meeting Member Handbook.**

**ARTICLE 13**  
**Reduce Property Tax Deferral Program Interest Rate**  
**(Board of Selectmen)**

To see if the Town will vote, pursuant to Chapter 59, Section 5, Clause 41A of the Massachusetts General Laws, as amended by Chapter 136, Section 1 of the Acts and Resolves of 2005, to determine a lower rate of interest than the current adopted rate of 4.5% per annum currently provided by law applicable to the payment of real estate taxes upon the sale or transfer of real property, which real estate taxes have been deferred pursuant to a tax deferral and recovery agreement between the Natick Board of Assessors and the owner(s) of the subject property; or otherwise act thereon.

**PURPOSE OF ARTICLE**

To lower the interest rate that is charged on the portion of real estate taxes that are deferred by eligible seniors under the provisions of applicable property tax deferral programs

**FINANCE COMMITTEE RECOMMENDATION, DISCUSSION AND INFORMATION**

**Recommendation:**

By a vote of 11 - 0 - 0 on September 3, 2015, the Finance Committee recommends ***Favorable Action*** with regard to the subject matter of Article 13 as presented in the voted recommended motion below.

**Discussion and Information:**

The Finance Committee held a public hearing for this article on September 3, 2015. The Finance Committee heard from the Town Assessor who presented the article. The following information was noted.

- Currently the Town of Natick offers to its older citizens/taxpayers a means to delay payment of their real estate taxes. This would be called a Clause 41A Tax Deferral Exemption.
- In order to qualify, a taxpayer
  - Must be over 65 years of age as of July 1 of the fiscal year of filing.
  - Must have primary residence in Massachusetts for ten years, owned the property in the state for five years and must have occupied the property as of July 1st
  - Must have an income of less than \$40,000 per year.
- Properties held in trust are not eligible however life estates are eligible

- The following is a breakdown of how this exemption has been utilized over the past five years:

Number of Applicants	Year	Total Amount Deferred
18	2011	\$58,720.93
21	2012	\$81,255.68
19	2013	\$79,516.00
18	2014	\$66,866.85
16	2015	\$60,450.51

- The percentage rate for deferring the taxes is currently 4.5% per annum. This was lowered at Town Meeting on April 11th, 2006 effective for Fiscal Year 2007.
- The Town of Natick has the opportunity to review Section 5 of Chapter 59 of the General Laws as appearing in the 2004 Official Edition which dictates this law which allows “ such lesser rate as may be determined by the legislative body of the city or town, subject to it's charter, no later than the beginning of the fiscal year in which the tax relates”
- The benefit of the Tax Deferral Program is that a senior may live in their home and not worry about making a tax payment
- All unpaid taxes and accrued interest become a first lien on the property and are due upon recovered transfer or sale of the property or the passing of the owner
- As soon as deferred taxes and accrued interest are due, the interest rate increases to 16% by statute
- Eligible homeowners must make an annual election about participating in the deferral program
- There are currently only 16 applicants; however a lowered interest rate may result in the Town getting additional applicants.
- The current rate is above market rates of interest and results in some eligible seniors using their savings accounts (which earn a lesser rate of interest) instead of using the deferral program
- The Town has the option to raise the rate at a future Town Meeting if market interest rates rise

**MOTION: (Requires majority vote)**

**Move that the Town of Natick reduce the rate of interest that accrues on property taxes deferred by eligible seniors under Massachusetts General Law, Chapter 59 Section 5, Clause 41A from 4.5% to 2% with such reduced rate to apply to any fiscal year beginning on or after July 1, 2016.**

**ARTICLE 14**  
**Increase Gross Receipts for Eligibility for Property Tax Deferral Program**  
**(Board of Selectmen)**

To see if the Town will vote to increase the gross receipts that seniors may have in the prior calendar year to be eligible to defer property taxes under G.L. c. 59§ 5, Clause 41A from \$40,000 to \$56,000, with such increase to be effective for deferrals granted for taxes assessed for any fiscal year beginning on or after July 1, 2016.

**PURPOSE OF ARTICLE**

To increase the gross receipts limit for seniors to be eligible for the Property Tax Deferral Program.

**FINANCE COMMITTEE RECOMMENDATION, DISCUSSION AND INFORMATION**

**Recommendation:**

By a vote of 11 - 0 - 0 on September 3, 2015, the Finance Committee recommends ***Favorable Action*** with regard to the subject matter of Article 14 as presented in the voted recommended motion below.

**Discussion and Information:**

The Finance Committee held a public hearing for this article on September 3, 2015. The Finance Committee heard from the Town Assessor who presented the article. The following information was reported and noted.

- The article pertains solely to the income limit for the property tax deferral program
- The current gross income limit in Natick is \$40,000 and applies to both married and single seniors
- Gross receipts includes income from all sources without deduction for personal expense, exemptions or itemized deductions under the Federal Income tax code
- Social Security payments are included within the definition of gross receipts
- No asset test exists for the property deferral program
- Under the MGL, the Town can vote to increase the gross receipts limit to the same amount used in the separate senior circuit breaker program which limit is \$56,000 for single taxpayers
- The circuit breaker program is administered by the state when eligible taxpayers file their Massachusetts income tax forms

**MOTION: (Requires majority vote)**

**Move that the Town of Natick increase the gross receipts that seniors may have in the prior calendar year to be eligible to defer property taxes under M.G.L. c. 59§ 5, Clause 41A from \$40,000 to \$56,000, with such increase to be effective for deferrals granted for taxes assessed for any fiscal year beginning on or after July 1, 2016.**

**ARTICLE 15**  
**Amend By-Law Article 50 Section 16 (Animal Control)**  
**(Town Administrator)**

To see if the Town will vote to amend the Town of Natick By-Law, specifically Article 50, Section 16 therein, as follows:

1. At the end of Section 16.6 add the following words: "The process for regulating dangerous or nuisance dogs shall comply with Massachusetts General Laws Chapter 140, §157."

2. Change the schedule of fines within Section 16.7 to read as follows:

First offense	\$ 50.00
Second offense	\$ 75.00
Third and subsequent offenses	\$100.00
Unrestrained dog found on school or park property	\$100.00
Dog unlicensed	\$100.00
Dog unvaccinated for rabies	\$300.00

Or otherwise act thereon

**PURPOSE OF ARTICLE**

To change the schedule of fines, listed in the Town's By-Laws for failure to license dogs, to comply with the provisions of state law

**FINANCE COMMITTEE RECOMMENDATION, DISCUSSION AND INFORMATION**

**Recommendation:**

By a vote of 13 - 0 - 0 on September 17, 2015, the Finance Committee recommends **Favorable Action** with regard to the subject matter of Article 15 as presented in the voted recommended motion below.

**Discussion and Information:**

The Finance Committee held a public hearing for this article on September 10, 2015 and September 17, 2015. The Finance Committee heard from the Town Clerk on 9/10/2015 and from the Town Administrator on 9/17/2015 who presented the article. The following information was reported and noted.

- The article is required to change the schedule of fines in the Town's By Laws to be consistent with the schedule of fines in state law
- Relevant sections of state law regarding animal control including MGL Chapter 140 Sections 136,137, 137 A, 138, 141 and 157 were presented by the Town Clerk

- The Finance Committee requested and the Town Clerk provided a motion drafted by Town Counsel to implement the changes
- For the convenience of Town Meeting members, the following redline section of the current by law section with the proposed changes is presented below

## **Section 16 Animal Control**

16.1 **Disturbing the Peace** - No person shall own or keep in the Town any pet which, by barking, howling or in any other manner, disturbs the peace of another by reason of excessive noise for a prolonged period.

16.2 **Threat to Health and Safety** - No person shall own or keep in the Town any pet which, by biting, maiming, killing, chasing, or vicious disposition, threatens the health or safety of persons or property.

16.3 **Removal of Feces** - The person owning a pet shall be responsible for the prompt removal of any feces deposited on public or private property, except on the property of the owner of the pet or with the permission of the owner or occupant of the property.

16.4 **Restraint of Pets** - No person shall allow a pet, other than a cat, to run at large anywhere in the Town, except on the property of the owner of the pet or with the permission of the owner or occupant of the property.

16.5 **Leashing of Dogs** - No dog shall be permitted in any street or public way in the Town unless effectively restrained by a leash or chain not exceeding seven (7) feet in length.

16.6 **Complaint of Nuisance** - If any person shall make a complaint to the animal control officer or, in the case of after-hours complaints, to the police, concerning a violation of this Section 16, the investigating officer shall investigate such complaint and may prescribe fines, confinement, muzzlement, or removal and recommend disposal in accordance with this section. The process for regulating dangerous or nuisance dogs shall comply with Massachusetts General Laws Chapter 140, §157.

16.7 **Fines** - If the investigating officer determines that a violation of this section has occurred, fines may be levied according to the following schedule:

First offense	<del>\$25.00</del> 50.
Second offense	<del>\$50.00</del> 75.
Third <del>offense</del> and subsequent offense	<del>\$75.00</del> 100
	.0
<del>Fourth and subsequent offenses</del>	<del>\$100.00</del>
Unrestrained dog found on school or	\$100.00
Dog unlicensed	\$100.00
Kennel unlicensed	\$300.00
Dog unvaccinated for rabies	\$300.00

~~In addition to the foregoing fines, pursuant to Chapter 140, Sections 147A and 173 of the Massachusetts General Laws, a dog owner shall license his or her dogs in the Town of Natick annually by March 1, and shall pay the required license fee. Any dog owner who fails to do so shall pay to the Town of Natick a fine in the amount of twenty five dollars per dog in addition to the annual license fee.~~

In addition to the foregoing fines, pursuant to Chapter 140, Sections 137 and 138 of the Massachusetts General Laws, a dog owner shall license his or her dogs in the Town of Natick annually by March 1, and shall pay the required license fee. Any dog owner who fails to do so shall pay to the Town of Natick a fine in the amount of \$50.00 per dog in addition to the annual license fee as pursuant to Chapter 140, Section 141 of the Massachusetts General Laws.”

- Town Counsel, the Town Administrator and the Town Clerk are available to Town Meeting’s questions for further information

**MOTION: (Requires majority vote)**

**Move that the Town vote to amend By-law Article 50, Section 16 as follows:**

**Add the following sentence at the end of Section 16.6 “The process for regulating dangerous or nuisance dogs shall comply with Massachusetts General Laws Chapter 140§ 157.”**

**Amend section 16.7 Fines as follows in the fine chart:**

**Change First Offense to \$50.00**

**Change Second Offense to \$75.00**

**Change Third and subsequent offenses to \$100.00**

**Delete the fourth line which says “ Fourth and subsequent offenses - \$100”**

**Delete the second paragraph of section 16.7 and replace it with the following:**

**“In addition to the foregoing fines, pursuant to Chapter 140, Sections 137 and 138 of the Massachusetts General Laws, a dog owner shall license his or her dogs in the Town of Natick annually by March 1, and shall pay the required license fee. Any dog owner who fails to do so shall pay to the Town of Natick a fine in the amount of \$50.00 per dog in addition to the annual license fee as pursuant to Chapter 140, Section 141 of the Massachusetts General Laws.”**

**Delete the third paragraph of section 16.7 and replace it with the following:**

**“In addition to the foregoing fines, pursuant to Chapter 140, Section 137A of the Massachusetts General Laws, a person maintaining a kennel shall license his or her kennel in the Town of Natick annually by March 1, and shall pay the required license fee. Any kennel owner who fails to do so shall pay to the Town of Natick a fine in the amount of \$50.00 in addition to the annual license fee as pursuant to Chapter 140, Section 141 of the Massachusetts General Laws.”**

**ARTICLE 16**  
**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 adding to Article 24, Section 3, a new paragraph deleting certain position titles, adding new position titles and effecting changes in the salary ranges as presently established, or otherwise act thereon.

**PURPOSE OF ARTICLE**

To make changes to Section 3 Classification of Article 24, Town Employees and Personnel Board, of the Town's By Laws

**FINANCE COMMITTEE RECOMMENDATION, DISCUSSION AND INFORMATION**

**Recommendation:**

By a vote of 10 - 0 - 0 on September 24, 2015, the Finance Committee recommends ***Favorable Action*** with regard to the subject matter of Article 16 as presented in the voted recommended motion below.

**Discussion and Information:**

The Finance Committee held a public hearing for this article on September 24, 2015. The Finance Committee heard from Chairperson of the Personnel Board who presented the article. The following information was reported and noted.

- There are no proposed changes to the Full Time Personnel Pay Plan under this article
- The proposed changes are solely to the Part Time Pay Plan
- The changes presented by the Personnel Board were as follows:
- Elimination of titles not used or anticipated to be used
  - Grade 1:
    - Assistant Instructor (Camp)
    - Instructor
    - Junior Counselor
    - Library Clerk (Bacon)
    - Senior Counselor (Camp)
  - Grade 2:
    - Equipment Manager (Golf)
    - Manager (Camp)
    - Nurse (LPN)
- Position titles added or modified

- Grade 2:
  - Bookkeeper (added)
  - Bus Coordinator retitled to Transportation Coordinator
  - Bus Dispatcher reclassified to Grade 1
  - Bus Driver reclassified to Grade 1
  - Poll Workers reclassified to Grade 2
  - Seasonal Construction Engineer (added)
  - School Crossing Guard I reclassified to Grade 2
- Grade 1:
  - Bus Dispatcher reclassified to Grade 1
  - Bus Driver reclassified to Grade 1
  - Poll Workers reclassified to Grade 2
  - School Crossing Guard I reclassified to Grade 2
  - School Crossing Guard I (1<sup>st</sup> Year) (added)
- Paid per session:
  - Town Meeting Page reclassified from Grade 1
- A bookkeeper position was a union position that is transferring to the Part-Time Pay Plan.
- This position worked at the Morse Library as a part time bookkeeper and had been part of bargaining unit
- The position is reportedly transferred to the part time pay plan because of its access to management records
- The minimum of Grade 1 will be raised from \$9.00 to \$10. 00 effective January 1, 2016 in response to the State's change in minimum wage laws
- The Finance Committee reviewed the current and the proposed part time pay plans
- In addition to these reported changes, Committee members identified the addition of a Receptionist and requested a clarifying change to the footnote on the part time pay plan pertaining to the change in minimum wage effective January 1, 2016
- For the convenience of Town Meeting members a copy of the current part time pay plan is presented below

Town of Natick  
Part-Time Classification and Pay Plan  
Fiscal Year 2016  
Effective July 1, 2015

**Hourly Wage Scale**

Grade	Minimum	Point 1	Point 2	Maximum
1	\$ 9.00	\$ 11.00	\$ 13.00	\$ 17.00
2	\$ 17.00	\$ 21.00	\$ 24.00	\$ 28.00
3	\$ 28.00	\$ 32.00	\$ 36.00	\$ 40.00

**Grade 1**

- Assistant Instructor (Camp)
- Assistant Leader (Camp)
- Assistant Swim Coach
- Attendant (Rec)
- Building Monitor I (Rec)
- Cart Attendant (Golf)
- Clerical Assistant
- Clerk
- Club House Attendant (Golf)
- Club House Supervisor (Golf)
- Concession Manager (Camp)
- Custodian
- Deputy Animal Control Officer
- Equipment Operator (Golf)
- Farm Instructor
- Instructor
- Junior Counselor
- Laborer I
- Leader (Camp)
- Library Clerk (Bacon)
- Library Page (Morse)
- Lifeguard
- Parking Clerk
- Poll Workers
- Ranger/Starter (Golf)
- School Crossing Guard I
- Senior Counselor (Camp)
- Senior Counselor (Certified- Camp)
- Specialist (Camp)
- Timer/Scorer
- Town Meeting Page

**Grade 2**

- Administrative Support (Grants)
- Assistant Director (Camp)
- Beach Manager
- Building Monitor II (Rec)
- Bus Coordinator
- Bus Dispatcher
- Bus Driver
- Camp Woodtrail Director
- Community Garden Coordinator
- Conservation Agent
- Director Medium Sized Programs (Camp)
- Equipment Manager (Golf)
- Golf Course Mechanic
- Head Lifeguard
- Laborer II
- Library Assistant (Bacon)
- Manager (Camp)
- Meter Enforcement Operator
- Nurse (LPN)
- Plumbing and Wiring Inspector
- Police Matron
- Police Transcriber
- Program Assistant
- Recycling Attendant
- School Crossing Guard II
- Social Worker
- Supervisor Major Programs (Camp)
- Swim Coach
- Volunteer Coordinator I
- Warden
- Water Safety Instructor

**Grade 3**

- Adult Contractor
- Building Inspector
- Certified Sports Official
- Laborer III
- Nurse (RN)
- Volunteer Coordinator II
- Yoga Instructor

Position	Annual Rate
Inspector of Animals	\$ 3,750.00
Registrar of Voters	\$ 625.00

5/5/2015

**MOTION: (Requires majority vote)**

**Moved that the Town vote to amend the By-Laws by changing in its entirety the table entitled Part Time Classification and Pay Plan that is incorporated by reference into Article 24, Section 3, Paragraph 3.10. The new Part Time Classification and Pay Plan is as follows:**

Town of Natick  
Part-Time Classification and Pay Plan  
Fiscal Year 2016  
Effective July 1, 2015

**Hourly Wage Scale**

Grade	Minimum	Point 1	Point 2	Maximum
1	\$ *10.00	\$ 11.00	\$ 13.00	\$ 17.00
2	\$ 17.00	\$ 21.00	\$ 24.00	\$ 28.00
3	\$ 28.00	\$ 32.00	\$ 36.00	\$ 40.00

**Grade 1**

- Assistant Leader (Camp)
- Assistant Swim Coach
- Attendant (Rec)
- Building Monitor I (Rec)
- Bus Dispatcher
- Bus Driver
- Cart Attendant (Golf)
- Clerical Assistant
- Clerk
- Club House Attendant (Golf)
- Club House Supervisor (Golf)
- Concession Manager (Camp)
- Custodian
- Deputy Animal Control Officer
- Equipment Operator (Golf)
- Farm Instructor
- Laborer I
- Leader (Camp)
- Library Page (Morse)
- Lifeguard
- Parking Clerk
- Ranger/Starter (Golf)
- Receptionist
- Senior Counselor (Certified- Camp)
- School Crossing Guard I (1st Year)
- Specialist (Camp)
- Timer/Scorer

**Grade 2**

- Administrative Support (Grants)
- Assistant Director (Camp)
- Beach Manager
- Bookkeeper
- Building Monitor II (Rec)
- Camp Woodtrail Director
- Community Garden Coordinator
- Conservation Agent
- Director Medium Sized Programs (Camp)
- Golf Course Mechanic
- Head Lifeguard
- Laborer II
- Library Assistant (Bacon)
- Meter Enforcement Operator
- Plumbing and Wiring Inspector
- Police Matron
- Police Transcriber
- Poll Workers
- Program Assistant
- Recycling Attendant
- School Crossing Guard I
- School Crossing Guard II
- Seasonal Construction Engineer
- Social Worker
- Supervisor Major Programs (Camp)
- Swim Coach
- Transportation Coordinator
- Volunteer Coordinator I

**Grade 3**

- Adult Contractor
- Building Inspector
- Certified Sports Official
- Laborer III
- Nurse (RN)
- Volunteer Coordinator II
- Yoga Instructor

Position	Annual Rate
Inspector of Animals	\$ 3,750.00
Registrar of Voters	\$ 625.00
Town Meeting Page	\$50.00 / Session

- Warden
- Water Safety Instructor

\*Minimum Wage rate of \$9.00 effective through December 31, 2015 and \$10.00 effective January 1, 2016.

**ARTICLE 17**  
**Elected Officials' Salary**  
**(Town Administrator)**

To see if the Town will vote to fix the salary and compensation of all elected officers of the Town of Natick for Fiscal Year 2016 (July 1, 2015 through June 30, 2016) as provided by Section 108 of Chapter 41 of the General Laws, as amended; or otherwise act thereon.

**PURPOSE OF ARTICLE**

To establish the salary of elected officials in the Town of Natick

**FINANCE COMMITTEE RECOMMENDATION, DISCUSSION AND INFORMATION**

**Recommendation:**

By a vote of 12 - 0 - 0 on September 29, 2015, the Finance Committee recommends ***Favorable Action*** with regard to the subject matter of Article 17 as presented in the voted recommended motion below.

**Discussion and Information:**

The Finance Committee held a public hearing for this article on September 24, 2015 and September 29, 2015. The Finance Committee heard from the Town Administrator who presented the article. The following information was noted.

- The Town Administrator is recommending a salary of \$85,000 retroactive to July 1, 2016
- The Finance Committee was presented with salary survey information at its meeting of September 24, 2015 but voted to postpone consideration of this article to September 29, 2015 to allow time for members to review the information
- The salary survey information provided a large sampling of other Massachusetts communities of the position of Town Clerks. The conclusion drawn was that the salary requested by the administration was reasonable and appropriate when compared to other like sized communities with similar Town Clerk responsibilities
- Town Meeting members will recall that this salary was level funded in Spring 2015 Town Meeting for FY 2016 with the commitment of the Town Administrator to revisit the salary in the fall retroactive to July 1, 2015
- Spring 2015 Town Meeting voted a motion with language to this effect

- Chapter 44 Section 68 of the MGL permits retroactive salary increases to the beginning of a current fiscal year
- Town Meeting members may recall that the elected official salaries are not part of the Personnel Pay Plan and are not eligible for the Merit/Bonus compensation administered as part of the Personnel Pay Plan
- The elected official salary has been previously compared to a Grade 4 on the Personnel Pay Plan which has a minimum of \$70,000, a Point One of \$81,666.67, a Point 2 of \$93,333.33 and a maximum of \$105,000
- The FY 2016 budget currently contains \$80,000 for elected official salary
- The administration is recommending a salary of \$85,000 and is also requesting an increase to the Town Clerk – Salaries budget of \$5,000 for FY 2016 under Article 2 in order to fund the increase in salary within the department budget
- The associated transfer of \$5,000 to fund the salary increase is included in Article 2 – Fiscal Year 2016 Omnibus Budget

**MOTION: (Requires majority vote)**

**Move that the Town vote to fix the salary and compensation of the following elected officer of the Town for the Fiscal Year July 1, 2015 through June 30, 2015 as provided by Section 108 of Chapter 41 of the Massachusetts General Laws: Town Clerk - \$85,000 retroactive to July 1, 2015**

**ARTICLE 18**  
**Amend Prior Town Meeting Vote Regarding MathWorks Mitigation**  
**Funds (Route 27 Design)**  
**(Town Administrator)**

To see if the Town will vote to amend the vote taken under Article 23 of the 2013 Spring Annual Town Meeting, which vote appropriated MathWorks mitigation funding in the amounts of \$380,000 and \$68,000 for signalization and turning lane improvements at Route 27/Bacon Street, such that said funds may instead be used for Route 27 design and associated costs; or otherwise act thereon.

**PURPOSE OF ARTICLE**

To redirect the appropriation of a previous Town Meeting of mitigation money, obtained under a special permit for the MathWorks expansion, from traffic and signalization improvements at Rt. 27/ Bacon St. to design of Rt. 27 overall

**FINANCE COMMITTEE RECOMMENDATION, DISCUSSION AND INFORMATION**

**Recommendation:**

By a vote of 9 - 2 - 0 on September 17, 2015, the Finance Committee recommends ***Referral*** with regard to the subject matter of Article 18 as presented in the voted recommended motion below.

**Discussion and Information:**

The Finance Committee held a public hearing for this article on September 17, 2015. The Finance Committee heard from the Town Administrator who presented the article and from a member of the public. The following information was reported and noted.

- The article seeks to amend a prior Town Meeting vote which appropriated the MathWorks mitigation funds to allow for a more flexible use of that mitigation funding
- The prior use of the funds included specific infrastructure improvements at Route 27 and Bacon Street (including signalization and turning lanes)
- While these improvements are still warranted, it is more advantageous to complete them in conjunction with the larger Route 27 corridor project due to construction funding source requirements
- Further, the town needs funds to continue the design work of the Route 27 corridor project and would like to use these MathWorks mitigation funds for that redirected purpose

- That redirected purpose would be to complete the design work for the Route 27 corridor reconstruction project (from Town Center to Wayland town line).
- The administration feels that completing the design will position the Town to receive \$14,000,000 to construct the project, as provided through the Metropolitan Planning Organization (MPO), which administers the region's federal transportation funding
- The administration reported that the Town is slated to receive the funding in Federal Fiscal Year 2019 for construction
- The administration requested that Town Meeting amend its vote under Article 23 of Spring 2013 Annual Town Meeting which vote appropriated \$380,000 and \$68,000 for signalization and turning lane improvements at Rt.27/Bacon St such that the funds may be used for Route 27 design and associated costs
- The administration provided a letter from the CFO of MathWorks indicating their willingness to support the redirected purpose
- The administration reported that the originally planned turning lane was to be coordinated with the relocation of the Felch House further away from the road as discussed in more detail in Article 19
- The cost of relocating the Felch House has reportedly increased considerably as discussed in Article 19 such that the Town will now not move the Felch House at all
- Without comparative plans, the Finance Committee could not determine the extent to which the canceled Felch House relocation would effect the ability to mitigate the Rt. 27 /Bacon St. intersection
- The Director of Community and Economic Development reported that if the Town were to improve Rt. 27 /Bacon St. with signalization and to create a left hand turning lane from Rt. 27 onto Bacon St. that the Town would score lower on the list for State funds to re do Rt. 27
- It was not clear if this potential change in scoring was due to recent improvement at Kansas St coupled with the originally planned mitigation at Rt. 27 and Bacon or was due to change in State scoring or due to a revised assessment from the Community Development office
- However, the risk of lower scoring was reported to be only if the original mitigation actually proceeded and not from the Town continuing to hold the funds
- The administration reported that the left hand turning lane from Rt. 27 onto Bacon and the improved signalization would be in the State funded project for Rt. 27
- The Finance Committee heard strong objections from a member of the public who indicated that the original mitigation funds were obtained from MathWorks for specific traffic mitigation purposes under the special permit that permitted the MathWorks expansion on Rt.9

- The Finance Committee was informed that the Planning Board would need to modify the special permit in order for the redirected appropriation to have effect
- The Town Administrator and the member of the public disputed whether the Planning Board's revision of the special permit needed to occur first or Town Meeting's vote could take place first
- The Finance Committee was informed that not only had the Planning Board not yet started the public hearing process to revise the special permit but that no application from MathWorks had been received and no letters mailed to abutters as required under the special permit process in MGL 40A Section 9
- The Finance Committee was informed that any of the abutters had legal standing in the original special permit process and would have similar standing in the required public hearing for the revision of that special permit
- Unlike the Town Meeting Warrant which provides some general notification to the public, abutters must receive individual letters indicating where and when a special permit is being heard
- Some Finance Committee members expressed general support for the proposed idea
- However, there was considerable concern about either the Finance Committee recommending or Town Meeting acting before abutters were heard
- Some Finance Committee members observed that nothing would have stopped the administration and the Planning Board from beginning the special permit revision process even before the warrant closed and allowing interested abutters the opportunity to be heard before the Planning Board or Town Meeting voted
- The Finance Committee felt that referral was appropriate to protect and respect the rights of abutters and that referral would allow the matter to be brought back to a future Town Meeting after more thorough preparation process including adequate opportunity for abutters to be heard

**MOTION: (Requires majority vote)**

**Move to refer the subject matter of Article 18 to the Town Administrator and the Planning Board**

**ARTICLE 19**  
**Amend Prior Town Meeting Vote Regarding MathWorks Mitigation**  
**Funds (Affordable Housing)**  
**(Town Administrator)**

To see if the Town will vote to amend the vote taken under Article 23 of the 2013 Spring Annual Town Meeting, which vote appropriated MathWorks mitigation funding in the amount of \$240,000 for creation of affordable housing at 165 North Main Street, such that the remaining balance of said funds (\$237,125) may instead be used for creation of affordable housing within the Town of Natick; or otherwise act thereon.

**PURPOSE OF ARTICLE**

To redirect the appropriation of a previous Town Meeting of mitigation money, obtained under a special permit for the MathWorks expansion, from the creation of affordable housing units at the specific site of the Felch House (165 North Main St.) to a broader purpose for the creation of affordable housing town-wide

**FINANCE COMMITTEE RECOMMENDATION, DISCUSSION AND INFORMATION**

**Recommendation:**

By votes of 6 -4-0 for Favorable Action and 4-6-0 on September 17, 2015, the Finance Committee has **No Recommendation** with regard to the subject matter of Article 19.

**Discussion and Information:**

The Finance Committee held a public hearing for this article on September 17, 2015. The Finance Committee heard from the town administration who presented the article and from a member of the public who opposed the article. The following information was noted.

- The article seeks to redirect the previous affordable housing mitigation funds from the narrow specific purpose of the Felch House to affordable housing uses town wide
- The previously approved and appropriated use of the funds was site specific to 165 North Main Street (Felch House)
- Affordable units were going to be created in conjunction with the reconstruction of Route 27, which required the relocation of the Felch House structure on site

- Due to a reevaluation of the design, the administration feels the relocation of the structure is no longer needed and the ability to create affordable units at that specific property is no longer applicable
- The Finance Committee was not provided with either earlier or revised designs
- The administration wants to broaden the use of these funds for the creation of affordable housing town-wide.
- The administration reported that the original calculations of cost to create affordable housing at and relocate the Felch house have increased very significantly from the original estimate
- The new Director of Community and Economic Development reviewed the original estimate and concluded that it did not contain costs required under the Federal Relocation Act
- That Act reportedly requires that the Town 1) pay for the moving expenses and rent of the current occupants of the Felch House while they are relocated such that the house can be moved, 2) pay to move the Felch House, 3) pay the lost income to the owner during the relocation process, 4) pay the releasing expenses of the owner upon relocation and 5) pay certain ongoing rent of the original tenants if they are unable to move back to the Felch House once relocated
- As a result the cost estimate has been revised to approximately \$750,000 for the relocation
- The funding will either not be used and remain in its current status, or will be turned back to MathWorks, since these funds were mitigation funding as required by the Zoning Bylaw
- The administration requested that Town Meeting amend the vote taken under Article 23 of the 2013 Spring Annual Town Meeting, which vote appropriated MathWorks mitigation funding in the amount of \$240,000 for the creation of affordable housing at 165 North Main Street, such that the remaining balance of said funds (\$237,125) may be used for the creation of affordable housing within the Town of Natick
- The Finance Committee heard strong objections from a member of the public similar to those expressed on Article 18
- However, an additional point was made that the affordable housing money under the original MathWorks special permit could have been FAR Bonus money, that the public could request the money for FAR Bonus purposes at the required Planning Board hearing to revise the special permit
- Some Finance Committee members observed that nothing would have stopped the administration and the Planning Board from beginning the special permit revision process even before the warrant closed and allowing interested abutters or the public the opportunity to be heard before the Planning Board or Town Meeting voted

- This article has linkage to Article 33 which seeks money for the Affordable Housing Trust Fund for a sewer force main to enable the construction of two affordable housing units
- The administration indicated an intent to have some of the money, if redirected under this Article 19, to be used for the purposes sought under Article 33 and to request No Action on Article 33

**The Finance Committee has NO RECOMMENDATION on Article 19**

**ARTICLE 20**  
**Endorse Board of Health Initiative Regarding Regulations to Reduce the Use**  
**of Plastic Bags**  
**(Town Administrator)**

To see if the Town will vote to endorse the Board of Health's initiative to promulgate and endorse reasonable regulations to reduce the use of plastic bags in the Town of Natick, or otherwise act thereon.

**PURPOSE OF ARTICLE**

To see if Town Meeting will support or not support an initiative by the Board of Health to develop reasonable efforts to reduce plastic bag use in Natick

**FINANCE COMMITTEE RECOMMENDATION, DISCUSSION AND INFORMATION**

**Recommendation:**

By a vote of 13 - 1 - 0 on September 8, 2015, the Finance Committee recommends ***Favorable Action*** with regard to the subject matter of Article 20 as presented in the recommended motion below.

**Discussion and Information:**

The Finance Committee held a public hearing for this article on September 8, 2015. The Finance Committee heard from the Director of Health who presented the article. The following information was presented and noted.

- The article was sponsored by the Town Administration on behalf of the Board of Health that did not have a scheduled meeting before the warrant closed
- The Board of Health wants to know whether Town Meeting is interested in having the Board of Health undertake education efforts to obtain voluntary reductions in use/ increases in proper disposal and develop reasonable regulations, enforce them and educate the public to reduce plastic bag use
- The Board has the authority under MGL Chapter 111, Section 31 to regulate in this area but wishes to get the input of Town Meeting.
- Consideration is timely because of efforts at the two previous Town Meetings where proposals were made only to regulate plastic bag use through outright prohibitions
- These efforts involved detailed references to scientific and ASTM standards which are better left to the Board and its staff
- The Board and its staff are also in a better position not only to adopt reasonable regulations but to adapt efforts of the Town as efforts proceed.

- The Board of Health will have to develop, hold hearings on and promulgate regulations that will then need to be phased in and enforced. This effort and ongoing enforcement and monitoring will require increased cost and staffing on the part of the Town. Funding is not determined or estimated at this point.
- The Board of Health will need to balance such efforts with considerations of economic consequences to businesses and needs of consumers.
- The Board of Health reported it will also need to maintain its focus and resources on its daily operations, as well as other and what it considers to be higher priorities such as decreasing and discouraging Opioid use
- The efforts of the Board would include efforts involving education, appropriate disposal and recycling, and efforts to limit use
- The Director indicated that this article has the support not only of the citizen sponsor of two previous articles at Town Meeting but also the support of the local merchants who opposed those articles
- The Director produced e mails to this effect including statement by the previous citizen sponsor that if this article does not pass that future Town Meetings will see further citizens petitions
- The Finance Committee heard from the Director that The Board of Health believes that regulations , if any, should be developed by the Board with the assistance of staff all of whom are knowledgeable on the science, specifics and practicality of efforts to reduce plastic bag use; the primary problem being more improper disposal than actual use.
- The Board recognizes that higher volume use can lead to higher volumes of improper disposal if efforts at 1) education and promotion of voluntary proper disposal and recycling and 2) reasonable regulations are not made
- The Director acknowledged that there may be an additional cost for the Town's Health Department associated with these efforts and Finance Committee members requested that the cost of the regulations be estimated before the regulations are finalized
- The Director also indicated that without Town Meeting's support the Board of Health would most likely not take up the matter of plastic bags given the Board's other priorities

**MOTION: (Requires majority vote)**

**Move that the Town vote to endorse the Board of Health's initiative to promulgate and endorse reasonable regulations to reduce the use of plastic bags in the Town of Natick.**

**ARTICLE 21**  
**Home Rule Petition Authorizing the Town to Assess Fines for Failure to**  
**Remove Utility Poles**  
**(Board of Selectmen)**

To see if the Town will vote to authorize the Board of Selectmen to petition the General Court to enact legislation in substantially the following form, provided that the General Court may reasonably vary the form and substance of the requested legislation within the scope of the general public objectives of the petition.

“AN ACT authorizing the town of Natick to assess fines  
for failure to relocate or remove utility poles and wires

*Be it enacted in the Senate and house of Representatives in General  
Court assembled, and by the authority of the same as follows:*

*SECTION 1. For purposes of this act, a “utility company” shall mean a company, department or other entity that distributes and/or supplies electricity, telephone, telegraph, gas, communication, cable television services, and/or other utilities, and shall include the owner of utility wires, cables, attachments, and poles used for such purposes.*

*SECTION 2. Notwithstanding the provisions of M.G.L. c. 164, § 22, M.G.L. c. 164, § 34B, M.G.L. c. 166, § 22A, or any other general or special law to the contrary, the town of Natick shall have the authority to assess fines to any utility company which fails to relocate utility wires, cables and attachments which it is responsible or otherwise required or authorized to relocate to an adjacent or nearby pole within twenty-one (21) days of the date on which said relocation is practical as defined in this act, in an amount not to exceed the sum of two hundred fifty dollars (\$250.00) per location per day after the twenty-first (21<sup>st</sup>) day, and one thousand dollars (\$1,000.00) per location per day after the sixtieth (60<sup>th</sup>) day.*

*SECTION 3. For purposes of this act, the relocation of a utility wire, cable or attachment is practical in circumstances in which the wire, cable or attachment is the highest mounted wire, cable or attachment on a pole, a replacement pole or conduit has been installed at a nearby location, no lighting or other fixture impedes the relocation, and any permits, grants of location or other approvals necessary for such relocation have been provided.*

*SECTION 4. Notwithstanding the provisions of M.G.L. c. 164, §34B, or any other general or special law to the contrary, the town of Natick shall have the authority to assess fines to any utility company which fails to remove a utility pole which it is responsible or otherwise required or authorized to remove as part of a relocation within ninety (90) days of the date on which said relocation is practical as defined in this act, in an amount not to exceed the*

sum of two hundred fifty dollars (\$250.00) per location per day after the twenty-first (21<sup>st</sup>) day, and one thousand dollars (\$1,000.00) per location per day after the sixtieth (60<sup>th</sup>) day.

*SECTION 5. For purposes of this act, removal of a utility pole is practical in circumstances in which all wires, cables and attachments have been removed from the pole and/or relocated to one (1) or more adjacent utility poles or locations, and any permits, grants of location or other approvals necessary for such relocation have been provided.*

*SECTION 6. Notwithstanding the provisions of M.G.L. c. 164, § 34B, or any other general or special law to the contrary, the town of Natick shall have the authority to assess fines to any utility company which fails to initiate the installation of a new utility pole which it is responsible or otherwise required or authorized to install within ninety (90) days of the date on which said installation is requested or ordered by the town as defined in this act, in an amount not to exceed the sum of two hundred fifty dollars (\$250.00) per location per day after the ninetieth (90<sup>th</sup>) day, and one thousand dollars (\$1,000.00) per location per day after the one hundred and twentieth (120<sup>th</sup>) day.*

*SECTION 7. For purposes of this act, installation of a new utility pole is practical in circumstances where the company responsible for installing a pole has been formally requested or ordered to do so by the town of Natick or its authorized representative for reasons of compliance with the Americans With Disabilities Act, the Massachusetts Architectural Access Board, other applicable state or federal law or regulation, the requirements of a roadway project, or compliance with town of Natick policy, and for which any permits, grants of location or other approvals necessary for such installation have been provided.*

*SECTION 8. Notwithstanding the provisions of M.G.L. c. 164, § 22, M.G.L. c. 164, § 34B, or any other general or special law to the contrary, the town of Natick shall have the authority to assess fines to any utility company which fails to remove or fully secure a utility wire, cable or attachment under its ownership or authority that has been disconnected from a customer location and which remains attached to a utility pole or an adjoining fixture within twenty one (21) days of the date on service has been discontinued, in an amount not to exceed the sum of two hundred fifty dollars (\$250) per location per day after the twenty-first day, and one thousand dollars (\$1,000) per location per day after the sixtieth day.*

*SECTION 9. For purposes of this act, removal or securing of a utility wire, cable or attachment is practical in circumstances in which the service has been discontinued from a customer location, and the wire, cable or attachment has been disconnected from the customer location, and remains attached to, but is not fully secured to a utility pole or fixtures attached thereto.*

*SECTION 10. A utility company may request an exemption from provisions of this act, which may be granted only following a duly posted public meeting of the Natick board of selectmen, who shall have sole authority to grant such exemption.*

*SECTION 11. Fines that are collected in accordance with this act shall be issued by the Natick board of selectmen or their designee, and shall be deposited in the town of Natick general fund, or in a fund lawfully established for the improvement of public ways. The issuance of a fine shall not preclude the town of Natick from seeking or obtaining any or all other legal and equitable remedies to prevent or remove a violation of this act. The fines set forth herein may be annually revised by the Natick board of selectmen.*

*SECTION 12. This act shall take effect upon its passage.”*

or otherwise act thereon.

### **PURPOSE OF ARTICLE**

To authorize the Board of Selectmen to petition the Legislature to permit the Town of Natick to impose fines for failure of utility companies to move utility poles.

### **FINANCE COMMITTEE RECOMMENDATION, DISCUSSION AND INFORMATION**

#### **Recommendation:**

By a vote of 10 - 0 - 0 on September 17, 2015, the Finance Committee recommends **Favorable Action** with regard to the subject matter of Article 21.

#### **Discussion and Information:**

The Finance Committee held a public hearing for this article on September 17, 2015. The Finance Committee heard from a member of the Board of Selectmen who presented the article. The following information was reported and noted.

- The purpose of this article is to give the Town of Natick additional leverage through legislative authority in causing the relocation of wires and poles, so as to facilitate town-sponsored transportation and other infrastructure projects, and to hasten the removal of “double poles” and loose utility wires
- The Town frequently seeks to move poles to allow for roadway and sidewalk reconstruction and improved mobility, with inadequate cooperation by utility companies while in other cases, a damaged pole is not replaced in a timely manner
- Current state law on this matter requires utilities to comply with relocation orders, and to complete pole relocation within 90 days, but there is no provision for enforcement

- Delays that the Town, its residents and visitors have experienced present a safety, cost and quality of life burden.
- The Town has a process by which it initiates and tracks the requests that would be subject to this legislation so the Town already documents the activity that would be involved if the legislation passed
- Natick is also participating in a new system (National Joint Utilities Notification System, or NJUNS) that tracks utility pole relocation, making this task more straightforward, at least in theory
- The time of a code enforcement officer may be required if a utility is not compliant, however, the town already has a code enforcement officer so additional staff would not be required
- The proposed legislation provides for the option that funds received from fines issued in connection with this article may be deposited in an account established for roadway improvements
- This would require a separate article to come before the Finance Committee and Town Meeting
- The failure of utility companies to move poles on a timely basis has caused significant delays for multiple projects in the Town and has created serious safety issues in the Town
- Projects have been mobilized with multiple contractors and subcontractors ready to start only to repeatedly demobilize because of the failure of utility companies to move their poles
- Utility companies are routinely informed of the projects and the required schedules and indicate they will cooperate with the schedules
- The situation on Pine St. where a utility pole is in the middle of the newly improved road is one of the serious safety issues created by the failure to move poles
- The MGL statutes reportedly do not allow towns to fine utility companies
- The Board of Selectmen believe that the ability to fine these companies is the only way to get their attention

**MOTION: (Requires majority vote)**

**Move to authorize the Board of Selectmen to petition the General Court to enact legislation in substantially the following form, provided that the General Court may reasonably vary the form and substance of the requested legislation within the scope of the general public objectives of the petition.**

**“AN ACT authorizing the town of Natick to assess fines  
for failure to relocate or remove utility poles and wires**

**Be it enacted in the Senate and house of Representatives in General Court assembled, and by the authority of the same as follows:**

**SECTION 1. For purposes of this act, a “utility company” shall mean a company, department or other entity that distributes and/or supplies electricity, telephone, telegraph, gas, communication, cable television services, and/or other utilities, and shall include the owner of utility wires, cables, attachments, and poles used for such purposes.**

**SECTION 2. Notwithstanding the provisions of M.G.L. c. 166, § 22, M.G.L. c. 164, § 34B, M.G.L. c. 166, § 22A, or any other general or special law to the contrary, the town of Natick shall have the authority to assess fines to any utility company which fails to relocate utility wires, cables and attachments which it is responsible or otherwise required or authorized to relocate to an adjacent or nearby pole within twenty-one (21) days of the date on which said relocation is practical as defined in this act, in an amount not to exceed the sum of two hundred fifty dollars (\$250.00) per location per day after the twenty-first (21st) day, and one thousand dollars (\$1,000.00) per location per day after the sixtieth (60th) day.**

**SECTION 3. For purposes of this act, the relocation of a utility wire, cable or attachment is practical in circumstances in which the wire, cable or attachment is the highest mounted wire, cable or attachment on a pole, a replacement pole or conduit has been installed at a nearby location, no lighting or other fixture impedes the relocation, and any permits, grants of location or other approvals necessary for such relocation have been provided.**

**SECTION 4. Notwithstanding the provisions of M.G.L. c. 164, §34B, or any other general or special law to the contrary, the town of Natick shall have the authority to assess fines to any utility company which fails to remove a utility pole which it is responsible or otherwise required or authorized to remove as part of a relocation within ninety (90) days of the date on which**

said relocation is practical as defined in this act, in an amount not to exceed the sum of two hundred fifty dollars (\$250.00) per location per day after the ninetieth (90th) day, and one thousand dollars (\$1,000.00) per location per day after the one hundred and twentieth (120th) day.

**SECTION 5.** For purposes of this act, removal of a utility pole is practical in circumstances in which all wires, cables and attachments have been removed from the pole and/or relocated to one (1) or more adjacent utility poles or locations, and any permits, grants of location or other approvals necessary for such relocation have been provided.

**SECTION 6.** Notwithstanding the provisions of M.G.L. c. 164, § 34B, or any other general or special law to the contrary, the town of Natick shall have the authority to assess fines to any utility company which fails to initiate the installation of a new utility pole which it is responsible or otherwise required or authorized to install within ninety (90) days of the date on which said installation is requested or ordered by the town as defined in this act, in an amount not to exceed the sum of two hundred fifty dollars (\$250.00) per location per day after the ninetieth (90th) day, and one thousand dollars (\$1,000.00) per location per day after the one hundred and twentieth (120th) day.

**SECTION 7.** For purposes of this act, installation of a new utility pole is practical in circumstances where the company responsible for installing a pole has been formally requested or ordered to do so by the town of Natick or its authorized representative for reasons of compliance with the Americans With Disabilities Act, the Massachusetts Architectural Access Board, other applicable state or federal law or regulation, the requirements of a roadway project, or compliance with town of Natick policy, and for which any permits, grants of location or other approvals necessary for such installation have been provided.

**SECTION 8.** Notwithstanding the provisions of M.G.L. c. 166, § 22, M.G.L. c. 164, § 34B, or any other general or special law to the contrary, the town of

**Natick shall have the authority to assess fines to any utility company which fails to remove or fully secure a utility wire, cable or attachment under its ownership or authority that has been disconnected from a customer location and which remains attached to a utility pole or an adjoining fixture within twenty one (21) days of the date on service has been discontinued, in an amount not to exceed the sum of two hundred fifty dollars (\$250) per location per day after the twenty-first (21st) day, and one thousand dollars (\$1,000) per location per day after the sixtieth (60th) day.**

**SECTION 9. For purposes of this act, removal or securing of a utility wire, cable or attachment is practical in circumstances in which the service has been discontinued from a customer location, and the wire, cable or attachment has been disconnected from the customer location, and remains attached to, but is not fully secured to a utility pole or fixtures attached thereto.**

**SECTION 10. A utility company may request an exemption from provisions of this act, which may be granted only following a duly posted public meeting of the Natick Board of Selectmen, who shall have sole authority to grant such exemption.**

**SECTION 11. Fines that are collected in accordance with this act shall be issued by the Natick Board of Selectmen or their designee, and shall be deposited in the town of Natick general fund, or in a fund lawfully established for the improvement of public ways. The issuance of a fine shall not preclude the town of Natick from seeking or obtaining any or all other legal and equitable remedies to prevent or remove a violation of this act. The fines set forth herein may be annually revised by the Natick board of selectmen.**

**SECTION 12. This act shall take effect upon its passage.”**

**ARTICLE 22**  
**Hear Report, Propose Action(s) and Appropriate Funds for Sawin House Study**  
**Committee**  
**(Sawin House Study Committee)**

To see what action the Town will take

- a.) To hear and accept the report and recommendation of the Sawin House Study Committee created under Article 15 of Fall 2014 Town Meeting and Article 36 of Spring 2015 Annual Town Meeting, and/or
- b.) To take action relative to said report, including but not limited to,
  - 1.) Memorializing the Sawin House site,
  - 2.) Dismantle the Sawin House,
  - 3.) Preservation of the Sawin House on its current site,
  - 4.) Removal and/or relocation of the Sawin House from its current site, and/or
  - 5.) Act consistent with any recommendation of the report, whether approved by the majority or minority committee members, and/or
- c.) To determine and appropriate or approve borrowing of a sum of money for approved action hereunder,

Or otherwise act thereon.

**PURPOSE OF ARTICLE**

To hear and act upon the report and recommendations of the Sawin House Study Committee

**FINANCE COMMITTEE RECOMMENDATION, DISCUSSION AND INFORMATION**

**Recommendation:**

By a vote of 13 - 0 - 0 on September 10, 2015, the Finance Committee recommends **Favorable Action** with regard to the subject matter of Article 22 part (a) as presented in the voted recommended motion below.

**Discussion and Information:**

The Finance Committee held a public hearing for this article on September 10, 2015. The Finance Committee heard from the Chairperson of the Study Committee who presented the article and the committee's report and from members of the minority who presented a minority report. The following information was reported and noted.

- The Study Committee majority reported on the condition of the house and provided extensive material in its reports but primarily in the appendices to its report which are reportedly available online
- The Chairperson reported that the house is not in good shape, is not original and has been an attractive nuisance with people trespassing on the property
- The house has reportedly been rebuilt and modified several times with components being reused and added and is not in its original 1690 saltbox condition or configuration but was converted to a hip roof colonial in the mid 1800's
- The majority supports rebuilding/building a replica of the house at another location but memorializing the original site
- Mass Audubon reportedly agrees with this recommendation
- The committee's majority and minority differed on how long the house would last with the minority believing it could be stabilized to last another 50 years
- The minority believes that insufficient effort was made to explore ways to preserve the house, that eminent domain was not explored and that the majority was too focused on moving the house at the request of the Historical Society
- The majority reported that the Historical Society is still interested in the relocation/ replication of the house but not at the Shaw Park site
- The minority commented on the significance of the house both historically and culturally and that many town's have 'an oldest house' but very few communities have 'a first house'
- The majority recommends the actions in part (b) of Article 22
- The minority opposed anything that would be a terminal action for the house's existence and stressed the importance of other preservation efforts
- Several Finance committee members had similar reluctance
- The Chairperson of the Study Committee acknowledged and thanked the donor of the property, Carl Stillman, whose grant preserved not only the land but also the house which both could have long ago been developed into a modern subdivision
- The Finance Committee noted the provisions of the Stillman deed with donated the property as part of an approximately 240 acre gift comprised of at least 9 separate parcels to Mass Audubon
- The provisions of the deed require Mass Audubon to use the entire property ,of which the house is a small part, as a nature preserve and to limit construction to educational, observational and interpretive facilities
- The deed provides for the Town of Natick to become the owner in the event Mass Audubon does not comply and then require the Town of Natick to operate the property under the same restrictions as Mass Audubon
- The Stillman deed provides that Mass Audubon does not forfeit the property in the event that any portion of the property is taken by eminent domain

- The Finance Committee was also advised by Town Counsel that the provisions of part (c) of Article 22 to appropriate money for any items listed in part (b) of Article 22 would violate the Anti-aid amendment of the Massachusetts Constitution unless and until the Town acquired the property
- The Anti-aid amendment prohibits any public money or property from being given to any private organization or non-profit organization
- The Finance Committee is providing this information to Town Meeting if any Town Meeting members want to make motions beyond part (a) of Article 22
- The Finance Committee by a vote of 13-0-0 recommended hearing the reports of the majority and minority
- Further information will be available from the majority and minority reports

**MOTION: (Requires majority vote)**

**Move that the Town vote to hear the majority and minority reports of the Sawin House Study Committee.**

**ARTICLE 23**  
**Hear Report, Extend Term and Appropriate Funds for Conservation Fund**  
**Study Committee**  
**(Conservation Fund Study Committee)**

To see what action(s) the Town will take:

- a) to hear and accept the report and recommendations of the Conservation Commission Fund Study Committee created under Article 20 of Fall 2014 Town Meeting and/or
- b) to extend the term and/or revise the charge of said committee and/or
- c) to determine and to appropriate a sum of money for the study purposes of the committee including but not limited to retention of outside professionals as appropriate

Or otherwise act thereon.

**PURPOSE OF ARTICLE**

To hear the report of the Conservation Commission Fund Study Committee and to extend the term of the Committee

**FINANCE COMMITTEE RECOMMENDATION, DISCUSSION AND INFORMATION**

**Recommendation:**

By a vote of 12 - 0 - 0 on September 29, 2015, the Finance Committee recommends ***Favorable Action*** with regard to the subject matter of Article 23 as presented in the voted recommended motion below.

**Discussion and Information:**

The Finance Committee held a public hearing for this article on September 29, 2015. The Finance Committee heard from the Chairperson of the Study Committee who presented the article. The following information was reported and noted.

- The results of a detailed analysis of the Zoning Bylaw reveal that the FAR Bonus money should not be sitting in the Conservation Commission Fund because of the requirements in the Zoning Bylaw for such funds to be used for active or passive recreation
- The conclusion of this detailed review is that the FAR monies are for the creation of additional parks

- The requirements of MGL Chapter 45 Sections 1, 2 and 3 designate the Board of Selectmen as the Parks Commissioners and call for park expenditures to occur under their authority
- The requirements of MGL Chapter 44 Section 53 require Town Meeting to appropriate the FAR Bonus money
- MGL Chapter 40 Section 14 requires a 2/3 vote of Town Meeting for acquisition of land including parks
- Town Counsel met with the Chair of the Board of Selectmen, the Town Administrator, the Chair of Conservation Commission and the Chair of the Study Committee to preview his and the Study Committee's preliminary findings and was instructed by the Chair of the Board of Selectmen to discuss the matter with DOR
- In August 2015, DOR determined that the remaining FAR Bonus money needs to be transferred into a newly created special stabilization fund by 6/30/2016 and subject to future Town Meeting appropriation
- The need to transfer the FAR Bonus money creates an inability to spend these monies until they are transferred into the new special purpose stabilization fund
- Outstanding issues for the Study Committee to evaluate include
  - whether Town Meeting needs to vote a retroactive appropriation for the FAR Bonus monies that have already been spent,
  - whether property transferred from the Board of Selectmen to the Conservation Commission needs to be transferred back as part of that retroactive appropriation process,
  - whether such transferred property would automatically be subject to the protection of Article 97 of the Massachusetts Constitution or require 2/3's legislative approval and
  - whether the Study Committee should vote, as required under Article 19 of Fall 2014 Town Meeting, to authorize an audit of the funds once the other matters are resolved
- Further information is available in the report of the study committee

**MOTIONS: (Require majority vote)**

**Motion A: Move that the Town hear the report of the Conservation Commission Fund Study Committee created under Article 20 of Fall 2014 Town Meeting**

**Motion B: Move that the Town vote to extend the term of said committee through the end of Spring 2016 Town Meeting**

**ARTICLE 24**  
**Create New Fund and Transfer Funds**  
**(Conservation Fund Study Committee)**

To see if the Town will vote:

A) to create a newly designated fund, stabilization fund, special purpose stabilization fund and/or other appropriate fund and/or to transfer FAR Bonus funds and related interest and other income to such fund and/or to determine the amount(s) to be so transferred and/or appropriated

and/or

B) to see what sum of money the Town will vote to raise and appropriate, transfer from available funds, or otherwise provide including without limitation to replace funds expended from Conservation Commission funds and/or FAR Bonus funds and/or interest income foregone

Or otherwise act thereon.

**PURPOSE OF ARTICLE**

To establish a new special purpose stabilization fund for the FAR Bonus monies, to transfer the remaining balance of the FAR Bonus funds from the Conservation Commission Fund to the newly created special stabilization fund and to appropriate an amount of free cash to replace certain FAR Bonus monies

**FINANCE COMMITTEE RECOMMENDATION, DISCUSSION AND INFORMATION**

**Recommendation:**

By a vote of 12 - 0 - 0 on September 29, 2015, the Finance Committee recommends **Favorable Action** with regard to the subject matter of Article 24 as presented in the voted recommended motion below.

**Discussion and Information:**

The Finance Committee held a public hearing for this article on September 29, 2015. The Finance Committee heard from Chair of the Study Committee who presented the article. The following information was reported and noted.

- As discussed and presented under Article 23, the Town needs to create a special stabilization fund for FAR Bonus funds received by the Town and to transfer the remaining balance of such FAR Bonus funds to the new special stabilization fund

- The study committee conducted a detailed review of the transactions, expenditures and accounting of the Conservation Commission Fund
- The amount of FAR Bonus money remaining in the Conservation Commission Fund is \$ 5,185,313
- This amount needs to be transferred from the Conservation Commission Fund to the special stabilization fund to prevent these funds from falling to free cash on 6/30/2016 and to allow the Town Meeting to vote appropriations from these funds on future open space and park projects
- The FAR Bonus funds also need to be transferred to the new special purpose stabilization fund instead of falling to free cash to preclude legal challenges from 1) developers who might demand the return of the funds which were paid for the separate purpose of mitigating extra density and 2) citizens of the Town who would not be getting the required mitigation
- The Study Committee identified certain expenditures that should have been charged to the General Fund and recommends appropriating \$423,453 from free cash to the special stabilization fund to cover these transactions which did not meet the criteria for spending FAR Bonus monies.

**MOTION: (Requires two thirds vote)**

**Move to establish a special purpose stabilization fund into which would be deposited money (hereinafter designated FAR money) paid to the Town of Natick as a public benefit amenity to qualify for bonus density in the form of increased floor area ratio (FAR) not otherwise permitted under the Natick Zoning By-Laws, as set forth in Section 328 of the Natick Zoning By-Laws;**

**and, further, to transfer \$5,185,313.00 from the Conservation Fund to said special purpose stabilization fund, representing the amount of FAR money, with interest accumulated thereon, presently held in the Conservation Fund;**

**and, further, to appropriate \$432,453.00 from free cash to said special purpose stabilization fund.**

**ARTICLE 25**  
**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.

**PURPOSE OF ARTICLE**

To receive the reports of town officers, boards and committees

**FINANCE COMMITTEE RECOMMENDATION, DISCUSSION AND INFORMATION**

**Recommendation:**

By a vote of 12 -1 - 0 on September 10, 2015, the Finance Committee recommends ***Favorable Action*** with regard to the subject matter of Article 24 as presented in the voted recommended motion below.

**Discussion and Information:**

The Finance Committee held a public hearing for this article on September 10, 2015. The Finance Committee heard from the Town Administrator who presented the article. The following information was reported and noted.

- As of the date of the Finance Committee meeting, there were no officers or committees other than those under Articles 22, 23 and 24 looking to report to Town Meeting
- The Town Administrator commented that some officers or committees might have a report by the time of Town Meeting
- The Finance Committee voted to recommend that Town Meeting hear such committee reports as are prepared to be made

**MOTION: (Requires majority vote)**

**Move that the Town receive the reports of town officers, boards and committees.**

**ARTICLE 26**  
**Home Rule Petition: Shade Trees on Unaccepted Roads**  
**(Board of Selectmen)**

To see if the Town will vote to authorize the Board of Selectmen to petition the General Court to enact legislation in substantially the following form, provided that the General Court may reasonably vary the form and substance of the requested legislation within the scope of the general public objectives of the petition.

“AN ACT authorizing the town of Natick to establish regulations, policies and funding for trimming, cutting, maintenance or removal of shade trees on unaccepted ways.

*Be it enacted in the Senate and house of Representatives in General Court assembled, and by the authority of the same as follows:*

*SECTION 1. Notwithstanding the provisions of M.G.L. c. 87, or any other general or special law to the contrary, the town of Natick, acting by its board of selectmen, shall have the authority to set forth regulations and policies regarding the trimming, cutting, maintenance and/or removal of shade trees on unaccepted ways for purposes of public safety, health, and/or welfare, and to obtain such insurance as is necessary for the administration of said regulations and policies.*

*SECTION 2. The town of Natick shall have the authority to assess and collect fees from property owners on unaccepted ways upon whose land the trimming, cutting, maintenance or removal of shade trees is performed by or on behalf of the town of Natick, in accordance with regulations and policies set forth as provided herein, and to deposit said fees in a fund established for this purpose. If any such fees remain unpaid when the assessors are preparing a real estate tax list and warrant to be committed under section fifty-three of chapter fifty-nine, the board of selectmen shall certify such charge or fee to the assessors, who shall forthwith add such charge or fee to the tax on the property to which it relates and commit it with their warrant to the collector of taxes as part of such tax. If the property to which such charge or fee relates is tax exempt, such charge or fee shall be committed as the tax.”*

*SECTION 3. This act shall take effect upon its passage.”*

*Or otherwise act thereon.*

**PURPOSE OF ARTICLE**

To authorize the Board of Selectmen to file petition for special legislation to allow the Town to remove shade trees on unaccepted ways

**FINANCE COMMITTEE RECOMMENDATION, DISCUSSION AND INFORMATION**

**Recommendation:**

By a vote of 10 - 0 - 0 on September 17, 2015, the Finance Committee recommends **No Action** with regard to the subject matter of Article 26 as presented in the voted recommended motion below.

**Discussion and Information:**

The Finance Committee held a public hearing for this article on September 17, 2015. The Finance Committee heard from a member of the Board of Selectmen who presented the article. The following information was noted.

- The Board of Selectmen are not seeking action on this article

**MOTION: ( Requires Majority Vote): No Action**

**ARTICLE 27**  
**Appropriate Funds for Route 30/Speen Street Intersection Design**  
**(Town Administrator)**

To see if the Town will vote to appropriate \$12,600 from Free Cash for design work associated with Route 30/Speen Street intersection improvements, said amount having been paid to the Town of Natick by the Town of Framingham for Natick's release of easements on behalf of the Town of Framingham; or otherwise act thereon.

**PURPOSE OF ARTICLE**

To appropriate funds to the design of the Rt.30/Speen St intersection

**FINANCE COMMITTEE RECOMMENDATION, DISCUSSION AND INFORMATION**

**Recommendation:**

By a vote of 13 - 0 - 0 on September 10, 2015, the Finance Committee recommends ***Favorable Action*** with regard to the subject matter of Article 27 as presented in the voted recommended motion below.

**Discussion and Information:**

The Finance Committee held a public hearing for this article on September 10, 2015. The Finance Committee heard from the Town Administrator who presented the article. The following information was reported and noted.

- The Town is jointly funding the design of improvements to the Rt.30 /Speen St. intersection with Framingham
- The design of improvements to this intersection is a high priority for both towns
- Between \$100,000 to \$150,000 has been jointly accumulated to fund conceptual plans and then conceptual design
- The project will ultimately be completed by Mass DOT
- The \$12,600 that is the subject of this article came from a payment from Framingham to Natick for Natick's release of a sewer bed easement on land in Framingham
- According to the Town Administrator, Framingham believed it owed Natick a payment for the fair value of the easement
- The payment was received in FY 2015 and became part of the free cash balance as of July 1, 2015

- Based on the need to accumulate funds for the design improvements and as a gesture to the Town of Framingham, the administration requests that this money be appropriated to the project design

**MOTION: (Requires majority vote)**

**Move that the Town appropriate \$12,600 from Free Cash for design work associated with Route 30/Speen Street intersection improvements to be expended under the authority of the Board of Selectmen.**

**ARTICLE 28**  
**Establish Tax Title Collection Revolving Fund**  
**(Town Administrator)**

To see if the Town will vote, pursuant to Chapter 44, Section 53E ½ of the Massachusetts General Laws, to establish a Tax Title Collection Revolving Fund in order to utilize monies received from fees, charges and costs collected upon the redemption of tax titles and sales of real property acquired through foreclosures of tax titles to pay for expenses associated with a tax taking or tax title foreclosure, including but not limited to, fees and costs of recording or filing documents and instruments, searching and examining titles, mailing, publishing or advertising notices or documents, petitioning the land court, serving court filings and documents and paying legal fees; to authorize the Treasurer/Collector, under the supervision of the Deputy Town Administrator/Finance Director, to expend money from such revolving fund; and to limit the total amount which may be expended from such fund up to and including \$100,000 during the fiscal year beginning July 1, 2015; or to otherwise act thereon.

**PURPOSE OF ARTICLE**

To establish a revolving fund for the expenses incurred by the Town in collecting real property taxes through the tax title process

**FINANCE COMMITTEE RECOMMENDATION, DISCUSSION AND INFORMATION**

**Recommendation:**

By a vote of 11 - 0 - 0 on September 3, 2015, the Finance Committee recommends ***Favorable Action*** with regard to the subject matter of Article 28 as presented in the voted recommended motion below.

**Discussion and Information:**

The Finance Committee held a public hearing for this article on September 3, 2015. The Finance Committee heard from Deputy Town Administrator for Finance who presented the article. The following information was reported and noted.

- The tax title process is used by the Town pursuant to state law to collect property taxes
- The tax title process involves mailing and printing notices, publishing notices in the newspaper, legal notices, legal fees and recording filings at the Registry of Deeds to record tax amounts on the property title
- The town pays for these costs while it works with taxpayers to clear back tax amounts

- These costs are added to the tax bill and are part of the payment from the taxpayer
- The process is distinctly different from taking property through property tax foreclosure which involves similar costs and fees but is a much lengthier and less frequent process
- This article seeks to place the recovered fees and costs (but neither the taxes themselves nor the interest due on the taxes) in a revolving fund
- The revolving fund would then be used to pay for future tax title process costs
- Unpaid taxes and associated interest when collected would not go to the revolving fund but would be general fund revenue
- The purpose includes to allocate fees, charges and costs collected not only upon the redemption of tax titles and but also upon sales of real property acquired through foreclosures of tax titles
- If the revolving fund is established, funds will no longer need to be appropriated as part of the omnibus budget for these costs
- Instead the Treasurer/Collector can charge the fees required by law and use the revolving fund to pay for future tax title related expenses without further appropriation from Town Meeting
- This revolving fund became an option under the Massachusetts General Laws in 2015 for the first time.
- The budget for tax title costs was reduced in the FY 2016 budget
- If the revolving fund is not created, the Finance Department will require an operating budget supplement to cover these costs for the tax title process required by law
- The Deputy Town Administrator for Finance reported that the Finance Department made significant progress in FY 2015 collecting a three year backlog of over \$800,000 in back taxes interest and associated costs
- The Deputy Town Administrator for Finance indicated that a limit of money placed in and expended from the revolving fund could range from \$75,000 to \$100,000
- However, the request was made for \$100,000 for the first year to ensure adequate funding
- Town Meeting can reportedly adjust the limit at a future Town Meeting if it is too high or too low
- The administration can report on actual balances and activity to future Town Meetings which should monitor this revolving fund

**MOTION: (Requires majority vote)**

**Move that the Town vote, pursuant to Chapter 44, Section 53E ½ of the Massachusetts General Laws, to establish a Tax Title Collection Revolving Fund in order to utilize monies received from fees, charges and costs**

**collected upon either i) the redemption of tax titles and ii) sales of real property acquired through foreclosures of tax titles to pay for expenses associated with a tax taking or tax title foreclosure, including but not limited to, fees and costs of recording or filing documents and instruments, searching and examining titles, mailing, publishing or advertising notices or documents, petitioning land court, serving court filings and documents and paying legal fees; to authorize the Treasurer/Collector, under the supervision of the Deputy Town Administrator / Finance Director, to expend money from such revolving fund; and to limit the total amount which may be expended from such fund up to and including \$100,000 during the fiscal year beginning July 1, 2015.**

**ARTICLE 29**  
**Appropriate Funds for Comprehensive Master Plan**  
**(Planning Board and Board of Selectmen)**

To see what sum the town will appropriate and raise, or otherwise provide for the procurement of professional services to develop a Comprehensive Master Plan consistent with Massachusetts General Law Chapter 41, Section 81D; or otherwise act thereon.

**PURPOSE OF ARTICLE**

To appropriate money for professional services for a Master Plan for the Town

**FINANCE COMMITTEE RECOMMENDATION, DISCUSSION AND INFORMATION**

**Recommendation:**

By a vote of 12 - 0 - 0 on October 1, 2015, the Finance Committee recommends ***Favorable Action*** with regard to the subject matter of Article 29 as presented in the voted recommended motion below.

**Discussion and Information:**

The Finance Committee held a public hearing for this article on October 1, 2015. The Finance Committee heard from the Chairperson of the Planning Board, the Director of Community and Economic Development and a member of the Board of Selectmen who presented the article and from a member of the public who supported the article. The following information was reported and noted.

- The Finance Committee identified a number of questions regarding the process for developing a Master Plan and obtained the advice and opinion of Town Counsel regarding which Town boards or committees have the authority to spend money for a master plan and to direct the work of a professional consultant in this regard
- These issues were identified as a result of a) the Board of Selectmen's creation and appointment of the previous Natick 360 Committee as the "Master Plan Steering Committee" and b) the wording of a proposed motion from the Board of Selectmen and the Planning Board for Article 29
- The charge of the Master Plan Steering Committee (MPSC) in part is to "Assist with the Master Planning process, including creation of an updated Plan, work with Town and outside agencies, consultants and the public, and make reports to other town agencies and the public"
- The motion proposed by the Board of Selectmen and the Planning Board read:

- “Move to appropriate the sum of \$200,000 from Free Cash for the procurement of professional services for the first phases of developing a Comprehensive Master Plan consistent with Massachusetts General Law Chapter 41, Section 81D; to be expended under the direction of the Board of Selectmen with the concurrence of the Planning Board, with professional services to be provided subject to the oversight of the Master Planning Steering Committee, or other committee so charged by the Board of Selectmen and Planning Board; and to provide regular reports back to the Planning Board and a report on the progress of said Comprehensive Master Plan at each following Spring and Fall Annual Town Meeting until said plan is completed and accepted by the Planning Board.”
- Both the MPSC charge and the proposed motion sought i) to place the MPSC inside the process of creating the Master Plan ( as contrasted to providing input to the Master Plan from the outside), ii) to insert the MPSC between the Planning Board and the professional consultant and iii) to have the work of the professional consultant placed under the oversight of the MPSC
- Town Counsel was asked to consider this charge and this motion in the context of the specific provisions of MGL Chapters 4 Section 7 on the definition of a Charter, Chapter 41 Sections 70 through 81 D on Planning Boards and Master Plans, Chapter 40 Section 53 on ten taxpayer restraint of appropriations, and Section 2-9, 3-2 and 3-11 of the Town Charter
- Chapter 41 Sections 70 through 81 D deal with planning functions in a town and require that a town with a population over 10,000 people have a Planning Board that is separate from the Board of Selectmen and that any activities of the Board of Selectmen as a Planning Board cease when that separate Planning board is created
- Section 81 D provides
  - “A planning board established in any city or town under section eighty-one A shall make a master plan of such city or town or such part or parts thereof as said board may deem advisable and from time to time may extend or perfect such plan.
  - Such plan shall be a statement, through text, maps, illustrations or other forms of communication, that is designed to provide a basis for decision making regarding the long-term physical development of the municipality.”
- Chapter 4 Section 7 defines a charter as a local instrument which among other things creates local boards and committees and defines their powers and duties
- Section 2-9 of the Charter specifically provides “All powers of the town shall be vested in the representative town meeting, except as otherwise provided by law or the charter.”
- Section 3-11 (b) of the Charter provides “The planning board shall make careful studies of the resources, possibilities and needs of the town and

shall make plans for the development of the town. The board shall have the power to make a comprehensive or master plan, setting forth in graphic and textual form policies to govern the future growth and development of the entire town.”

- Section 3-2 (b) of the Charter provides “The executive powers of the town shall be vested in the board of selectmen which shall be deemed to be the chief executive office in the town. The board of selectmen shall have all of the executive powers it is possible for a board of selectmen to have and to exercise. The board of selectmen shall serve as the chief policy making agency of the town. It shall be responsible for the issuance of policy directives and guidelines to be followed by all town agencies serving under it and, in conjunction with other elected town officers, to develop and to promulgate policy guidelines designed to bring all agencies of the town into harmony. Provided, however, nothing in this section shall be construed to authorize any member of the board of selectmen, nor a majority of them, to become involved in the day-to-day administration of any town agency. It is the intention of this provision that the board of selectmen shall act only through the adoption of broad policy guidelines which are to be implemented by officers and employees appointed by or under its authority.”
- Although a town agency, the Planning Board does not serve under the Board of Selectmen
- The Charter gives the authority to make a Master Plan to the Planning Board and not the Board of Selectmen
- Any authority regarding a Master Plan that was not given by the voters under the Charter to the Planning Board would reside with Town Meeting
- The Board of Selectmen also have limitations in their authority that are important to note
- The Board of Selectmen would have a role in coordinating conflicting input from various elected town officers and agencies to the Master Plan process but do not have the authority to conduct the Master Plan or to appoint a committee to do so
- The Finance Committee noted that such coordination of outside input from elected officers into the Master Plan process belongs with the Board of Selectmen and not an appointed MPSC
- In consideration of the aforementioned sections of state law and the Charter, Town Counsel provided the motion below which was voted by the Finance Committee
- The Finance Committee received advice from Town Counsel as follows
  - “You have asked me to clarify the draft motion which I submitted to you with my September 16, 2015 email below.
  - In my opinion, if Town Meeting were to vote that motion, expenditure of the money and oversight of the subject professional services would be under the direction of the Planning Board only, and no one else,

provided, however, that the Board of Selectmen would be the awarding authority for any contract for such services.”

- The Finance Committee debated motions for Favorable Action, Referral and Tabling
- Members expressed concern that the Board of Selectmen and the Planning Board had not done their due diligence and that Town Counsel’s motion had been available for their meetings
- Other members expressed concern about what committee was going to prepare or oversee the Master Plan and what the MSPC would do
- Points were made that regardless of due diligence by others, that the Finance Committee had done due diligence on its own behalf and on behalf of Town Meeting and that whatever process had led to the effort to request funding for a Master Plan, the result is clear that only the Planning Board can conduct it and oversee the professional consultant
- Points were made that whatever efforts had been made up to this point, they were made with bad information and that simply put the process intended by the Board of Selectmen, Planning Board and MSPC needs to be significantly changed because it does not square with the law, is inconsistent with the statutes and Charter and is an inappropriate procedure that could be otherwise subject to a ten taxpayer lawsuit
- Further discussion centered on the need for the MSPC, especially as charged, to disband even while noting that members of the MSPC have served earnestly and well on a variety of other committees and for the Board of Selectmen to adopt a role that is more consistent with their powers and duties
- The Finance Committee noted that the Planning Board could take input from many sources and must do so under statute
- Section 81 D also states
  - “The comprehensive plan shall be internally consistent in its policies, forecasts and standards, and shall include the following elements:
  - (1) Goals and policies statement which identifies the goals and policies of the municipality for its future growth and development. Each community shall conduct an interactive public process, to determine community values, goals and to identify patterns of development that will be consistent with these goals.”
- The Finance Committee noted the requirement in (1) above and felt that a committee such as the Master Plan Steering Committee would allow certain citizens of the town to have “premium seating” for influencing the beginning, middle and end of a master plan while the remainder of the town was relegated to the “bleachers”
- In making this observation, Finance Committee members recalled the previous indications from the administration that several members of the MSPC specifically represented interest groups
- The Finance Committee feels these groups need to heard on an equal not superior basis to the rest of the community

- Finance committee members observed that the sooner the Master Planning starts, the sooner residents will have a process in which to make known their views on development, traffic and other concerns and the sooner that appropriate, informed zoning changes can be developed
- The Finance Committee also considered the detailed draft scope of work that had been developed by the Director of Community and Economic Development
- Based on the discussion, the Referral motion was withdrawn and the tabling motion failed by a vote of 2-10-0
- The Finance Committee voted 12-0-0 to recommend the motion prepared by Town Counsel as provided below

**MOTION: (Requires majority vote)**

**Move to appropriate the sum of \$200,000 from Free Cash for the procurement of professional services for the first phases of developing a Comprehensive Master Plan consistent with Massachusetts General Laws Chapter 41, Section 81D, to be expended under the direction of the Planning Board, which shall provide a report on the progress of said Comprehensive Master Plan at each following Spring Annual Town Meeting and Fall Annual Town Meeting until said plan is completed and accepted by the Planning Board.**

**ARTICLE 30**  
**Appropriate Local Option Taxes Toward Economic Development**  
**(Town Administrator)**

To see what sum of money the Town will vote to appropriate from Local Option Taxes for the purpose of investment in economic development and related planning; or otherwise act thereon.

**PURPOSE OF ARTICLE**

To appropriate money for investments in economic development

**FINANCE COMMITTEE RECOMMENDATION, DISCUSSION AND INFORMATION**

**Recommendation:**

By a vote of 13 - 0 - 0 on September 10, 2015, the Finance Committee recommends **No Action** with regard to the subject matter of Article 30 as presented in the voted recommended motion below.

**Discussion and Information:**

The Finance Committee held a public hearing for this article on September 10, 2015. The Finance Committee heard from the Chair of the Economic Development Committee who presented the article. The following information was noted.

- The article seeks funds for economic development and was sponsored by the Town Administrator
- Upon further reflection and consideration, the administration concluded that any such funds would be proposed to be spent under the Board of Selectmen and therefore should be part of the Board of Selectmen's budget under Article 2
- The administration advised the Economic Development Committee that it would be seeking No Action on Article 30 and would ask that the request be considered under Article 2
- Town Meeting members are asked to refer to the write-up and motion for these funds as presented under Article 2

**MOTION: (Requires majority vote) No Action**

**ARTICLE 31**  
**Transfer of Land to Conservation Commission**  
**(Town Administrator)**

To see if the Town will vote to transfer from the Board of Selectmen to the Conservation Commission the care, custody, management and control a portion of the property occupied by the Natick Community-Senior Center, said property shown on a plan titled "Plan of Land in the Town of Natick", Mass., Owned by: Inhabitants of the Town of Natick, dated August 20, 2015, Survey by Sullivan Surveying Company LLC, 209 West Central Street, Natick, Mass." said plan on file with the Town Clerk; or otherwise act thereon.

**PURPOSE OF ARTICLE**

The purpose of this article is to transfer land and wetlands behind the Community Senior Center to the Conservation Commission

**FINANCE COMMITTEE RECOMMENDATION, DISCUSSION AND INFORMATION**

**Recommendation:**

By a vote of 13 - 0 - 0 on September 10, 2015, the Finance Committee recommends **No Action** with regard to the subject matter of Article 31 as presented in the voted recommended motion below.

**Discussion and Information:**

The Finance Committee held a public hearing for this article on September 10, 2015. The Finance Committee heard from Town Administrator who presented the article and from a member of the public . The following information was noted.

- The original purpose of the article was to sever a portion of the Community Senior Center parcel and then to transfer the care, custody and control of certain lands and wetlands behind the Community Senior Center from the Board of Selectmen to the Conservation Commission
- The administration had felt that the wetlands should be under the Conservation Commission but acknowledged that the Board of Selectmen have no intent to disturb that area
- The administration was also looking to have the Conservation Commission pay for certain trails and boardwalks through this area to connect to other existing trails
- However, based on the results of the Conservation Fund Study Committee in Article 23 and the directive from DOR to transfer all remaining FAR

Bonus money from the Conservation Commission to a special stabilization fund, the administration is requesting No Action on Article 31

- The Conservation Commission might not have the funds after such transfer for any boardwalk and trails projects on this property
- The Finance Committee also heard from a member of the public that the contemplated transfer could adversely affect the Town's potential ability to expand or to redevelop the Community Senior Center's in the future (i.e. 20-30-50 or more years)
- The Zoning ByLaw requirements for Landscaped Surface Ratios and other factors could potentially allow a future expansion of the building if the back portion of the property were not transferred to the Conservation Commission
- The individual commented that such future redevelopment could be effectively prohibited if the transfer were made to the Conservation Commission and that there is no need to protect the wetlands or the property from the Selectmen

**MOTION: (Requires majority vote)      No Action**

**ARTICLE 32**  
**Appoint Tiny House Study Committee**  
**(Affordable Housing Trust Fund and Planning Board)**

To see if the Town will vote to direct the Moderator to appoint a committee, to be known as the Tiny House Study Committee.

Purposes of the Committee:

- 1) To define Tiny Houses and specify their characteristics (e.g., maximum footprint, maximum number of occupants, fixed foundation vs trailer, utility connections, etc.)
- 2) To define the characteristics of appropriate areas within the Town for the siting of Tiny Houses, both individually and in small groupings.
- 3) To study the use of Tiny Houses as an affordable housing option for veterans
- 4) To collect current statistics on homelessness and under-housing in Natick, including specific reference to veterans.
- 4) To examine zoning options, including amendments to the Zoning By-Laws, which would permit the construction of Tiny Houses at appropriate locations within the Town

Composition:

The Committee shall consist of seven (7) members, with one representative each from the Planning Board, the Zoning Board of Appeals, the Affordable Housing Trust Fund, Veterans Services, a Town Meeting Member and two members at large.

Deliverables:

The Committee shall submit and make available its report, both in print and on-line, prior to 2016 Spring Annual Town Meeting.

Or otherwise act thereon.

**PURPOSE OF ARTICLE**

To establish a study committee to research Tiny Houses and evaluate zoning changes and propose amendments to allow such Tiny houses in Natick

**FINANCE COMMITTEE RECOMMENDATION, DISCUSSION AND INFORMATION**

**Recommendation:**

By votes of 6-7-0 for Favorable Action and 7-6-0 for Referral on September 29, 2015, the Finance Committee has **No Recommendation** with regard to the subject matter of Article 32.

**Discussion and Information:**

The Finance Committee held a public hearing for this article on September 8, 2015 and September 29, 2015. The Finance Committee heard from members of the Affordable Housing Trust Fund and members of the Planning Board who presented the article. The following information was reported and noted.

- The Finance Committee heard the article initially on September 8, 2015 and postponed further consideration until after the Planning Board had heard the article
- The Finance Committee heard from the sponsors that an international “tiny house” movement exists that is based on the goal of small footprint, low consumption living in contrast to the norm of housing
- The sponsors indicated that this study committee would “examine this movement, with the goal of examining the potential incorporation of “tiny homes” into Natick”
- The sponsors reported that “the inclusion of this housing type in Natick will be dependent on a zoning approach, which will be an important area of investigation for the Committee”
- An added goal is the examination of the suitability of this housing type for Veterans Housing.
- The sponsors reported that “several communities have constructed modifications to their zoning bylaws, such as the Rockledge (Florida) model bylaw and the San Diego small lot subdivision ordinance and in April 2015, Nantucket, MA approved a small homes measure”
- The sponsors reported that “as recently as July 2015, an Atlanta Councilmember introduced a resolution to conduct a feasibility study to determine whether Atlanta Ordinances currently allows for the construction of tiny houses and micro-unit apartments and, if not, how the code can be revised to make the city more friendly to smaller housing alternatives”
- Finance Committee members expressed support for the idea of Veterans Housing but also expressed concerns that it might not be possible under Federal and State Fair Housing Laws for the Town to deny access to tiny houses under its zoning code to non Veterans
- In response to questions, the sponsors reported that a Tiny House would be about the size of two Henry Wilson Cobbler shops placed end to end or be about 400-500 sq.ft.

- Tiny Houses might have fixed foundations or be mobile homes and may or may not have bathrooms
- The stated goal is to find an area where these tiny houses could exist in clusters and share facilities
- In response to questions, the Deputy Town Administrator or Operations (who is a former assessor for the Town) explained the real estate economic and valuation principles of “progression” (whereby larger houses increase the value of nearby smaller houses) and “ regression” (whereby smaller houses devalue nearby larger houses)
- Finance Committee members expressed concerns about the potential devaluation of existing residences and the adverse effect on current homeowners
- The sponsor indicated that one of their members had drafted an overlay district amendment for the zoning bylaw to be proposed at this Town Meeting but others felt there was a need to study the matter first
- In response to questions, one sponsor indicated that a place in town had already been selected for Tiny Houses however on follow up, this sponsor would not reveal the location
- Other sponsors indicated the study was needed to determine if tiny houses were appropriate at all for Natick and felt this would be part of the study
- The Planning Board reported that it recommended adding a task to the charge of the study committee to determine if tiny houses were appropriate for Natick
- During the Finance Committee meeting of September 29, 2015, a motion for Favorable Action failed by a vote of 6-7-0 and a motion for referral failed by a vote of 7-6-0

**The Finance Committee has NO RECOMMENDATION on Article 32**

**ARTICLE 33**  
**Appropriate Funds for Sewage Disposal System for Affordable Home**  
**(Affordable Housing Trust Fund)**

To see if the Town will vote to appropriate an amount not to exceed \$35,000 for the purpose of constructing and installing a force main sewage disposal system for a two-family affordable home to be constructed at 299/301 Bacon Street by the Natick Affordable Housing Trust Fund.

Or otherwise act thereon.

**PURPOSE OF ARTICLE**

To appropriate funds for the construction of a sewer force main at an Affordable Housing Trust Fund project at 299/30 Bacon St.

**FINANCE COMMITTEE RECOMMENDATION, DISCUSSION AND INFORMATION**

**Recommendation:**

By a vote of 10 - 3 - 0 on September 29, 2015, the Finance Committee recommends ***Favorable Action*** with regard to the subject matter of Article 33, contingent on Article 19 of Fall 2015 Town Meeting not passing, as presented in the recommended motion below.

**Discussion and Information:**

The Finance Committee held a public hearing for this article on September 8, 2015 and September 29, 2015. The Finance Committee heard from Chair of the Affordable Housing Trust Fund who presented the article and from the Town Administrator. The following information was reported and noted.

- The Affordable Housing Trust fund is an official town agency appointed by the Board of Selectmen
- On September 8, 2015, the Town Administration supported the purpose of the article but expressed a preference to see the funds be appropriated as part of an appropriation under Article 19 to have affordable housing money spent under the direction of the Board of Selectmen
- The lot at 299/301 Bacon Street was deeded to the Natick Affordable Housing Trust Fund (NAHTF) as part of a Planning Board decision for the purpose of affordable housing
- The NAHTF has plans for the construction of a two family residence on this lot

- The lot is in a Nitrogen Sensitive area (due to proximity to a well) and a conventional septic system is not allowed
- Cost estimates for a gravity sewer approach \$200,000 with insufficient abutter interest in a betterment process
- The most cost effective solution is installation of a force main from the property to the existing sanitary sewer located approximately 400' to the west
- This article seeks funds to support the design and construction of the force main to assist the overall project budget.
- The NAHTF, other than administrative support, does not have any annual line item in the town budget to support its mission
- NAHTF funding basically comes from a diminishing allocation of HUD funds via the Metrowest HOME Consortium, currently at approximately \$50,000 per year
- Use of these funds is restricted according to HUD HOME regulations, and not available for many activities of the Trust Fund
- The sewer force main is an unanticipated and extra cost
- The NAHTF currently has unrestricted funds budgeted for or committed to the project of approximately \$200,000 without the sewer force main and an available unrestricted balance after the project of between \$85,000 to \$107,000
- If NAHTF had to fund the sewer force main cost of \$35,000, these remaining funds could be reduced to between \$50,000 to \$72,000
- Funding is being requested to support one extraordinary expense; the construction of the sewer connection
- Finance Committee members discussed whether the funds should be provided by the NAHTF, the Town's General Fund or the Water and Sewer Enterprise Fund
- Members felt that the NAHTF has limited resources
- Members also discussed whether this could be funded by a betterment charged to the property but noted that this would make the affordable housing units more expensive
- Members discussed whether Water and Sewer Enterprise Funds, which serve all the rate payers, could or should be used for the benefit of a sewer connection for one property

**MOTION: (Requires majority vote)**

**“Move that the Town appropriate an amount not to exceed \$35,000 from free cash, contingent upon Article 19 of Fall 205 Town Meeting not passing, for the purpose of constructing and installing a force main sewage disposal system for a two-family affordable house to be constructed at 299/301 Bacon Street by the Natick Affordable Housing Trust Fund.**

**ARTICLE 34**  
**Restrict Use of Middlesex Path as Dog Park**  
**(Ann Karnofsky et al)**

To see if the town will vote to exclude the open space parkland known as Middlesex Path Park and its corresponding parking lot (located on wooded land paralleling the southern shore of Lake Cochituate from Fiske Pond east to Washington Avenue) from any use other than its existing passive recreational use; specifically, to exclude the active and disruptive use required by construction and operation of a Dog Park gated enclosure in said parking lot, path, and wooded areas. Said exclusion of use at Middlesex Path Park does not preclude the Dog Park development from any other available town land.

Furthermore, the excluded use of Middlesex Path Park for such a Dog Park gated enclosure, with thirty car parking lot expansion and requiring major tree cutting and forest floor disruption, would preclude any appropriations of town funds by this body for future needs and maintenance of such a project if in the excluded use area of Middlesex Path Park.

Therefore, the vote will be to limit Middlesex Path Park to the passive recreational use that it has, excluding the active use at that site of a Dog Park gated enclosure; also, to preclude any appropriations of town funds for such a development if in the excluded use area; or otherwise act thereon.

**PURPOSE OF ARTICLE**

To restrict the use of the Middlesex Path and surrounding publicly owned area to passive recreational use and to prevent the Board of Selectmen from developing a dog park in the surrounding publicly owned area

**FINANCE COMMITTEE RECOMMENDATION, DISCUSSION AND INFORMATION**

**Recommendation:**

By a vote of 10 - 4 - 0 on September 8, 2015, the Finance Committee recommends ***Indefinite Postponement*** with regard to the subject matter of Article 34 as presented in the voted recommended motion below.

**Discussion and Information:**

The Finance Committee held a public hearing for this article on September 8, 2015. The Finance Committee heard from the citizen sponsor who presented the article and from the Town Administrator and a citizens group that is promoting a dog park. The following information was noted.

- The citizen sponsor reported that the Middlesex Path area was to have become Conservation Commission land sometime during the 1980's but apparently this transfer did not occur
- The citizen sponsor opposes the creation of a dog park at this location because of intensity of use, traffic on Rt. 135 between the current parking lot and the Rt. 135/Speen St. intersection, and the proposed expansion of the parking lot
- The citizen sponsor expressed concerns about dog waste and contamination near Lake Cochituate and related health issues and expressed a desire to have the Middlesex Path area remain picturesque
- The Town Administrator indicated her belief that Town Meeting could not prevent the Board of Selectmen from authorizing a dog park at this location
- The Finance Committee chair indicated that an opinion was requested from Town Counsel on this subject but had not been received
- Subsequent to the meeting on October 1, 2015 an opinion was received from Town Counsel indicating that Town Meeting cannot restrict the Board of Selectmen in their capacity as Parks Commissioners as sought in Article 34
- The citizens group promoting a dog park indicated that the area where the dog park would go is not on Middlesex Path and would not interfere with that path but is rather to be located in an overgrown wooded area to the west of the western end of Middlesex Path and north of the current parking lot and south of the train tracks
- This group indicated that they had received the support of multiple town committees for a dog park at this location including the Open Space Advisory Committee, the Conservation Commission, Board of Selectmen and the Parks and Recreation Commission
- Finance committee members heard that the Board of Health would prefer a different location but could satisfy their concerns at this site
- A motion to postpone consideration of Article 34 failed 5-8-1

**MOTION: (Requires majority vote)**

**Move that the Town vote to Indefinitely Postpone the subject matter of Article 34**

**ARTICLE 35**  
**Thomas Sawin Homestead Preservation**  
**(Randy Johnson, et al)**

To see if the Town will:

1. Create a committee to work toward resolution of outstanding issues regarding the Thomas Sawin House and its appurtenant lands located at 79 South Street Map 77 Lot 7 and Map 77 Lot 6A. Such committee to solicit technical assistance for the development of strategies for preserving and maintaining the structure at its current location, the identification of the historic, archaeological and social features of the house, appurtenant lands and site features (including the South Street bridge structures) and the submission of preservation or other grant applications. The committee shall be formed by the Moderator. The committee shall have access to town legal counsel and personnel of the Community and Economic Development Department. The committee shall be comprised of not less than three nor more than five appointees.

2. Appropriate an amount not to exceed \$30,000 for such technical assistance.

3. Authorize the Board of Selectman to negotiate the acquisition of property interests as may be appropriate to support the preservation of the Thomas Sawin House and its appurtenant lands.

Or otherwise act thereon.

**PURPOSE OF ARTICLE**

To create a committee and appropriate funds for studying and preserving the Sawin House and to authorize the Board of Selectmen to negotiate the acquisition of property interests

**FINANCE COMMITTEE RECOMMENDATION, DISCUSSION AND INFORMATION**

**Recommendation:**

By a vote of 9 - 3 - 0 on September 29, 2015, the Finance Committee recommends **No Action** with regard to the subject matter of Article 35 as presented in the voted recommended motion below.

**Discussion and Information:**

The Finance Committee held a public hearing for this article on September 10, 2015 and September 29, 2015. The Finance Committee heard from the citizen sponsor who presented the article and from a representative of Mass Audubon and various members of the public . The following information was noted.

- The article seeks in part 1) to create a study committee and to appropriate funds for technical services to pursue grants in part 2)
- Town Counsel advised that if the money were spent to either further the possibility of preservation grants to benefit or be used by Mass Audubon that this would likely violate the anti –aid amendment
- However, Town Counsel advised that if such monies were spent to assist the Town in negotiating an acquisition then such appropriation would be legal
- The Finance Committee initially considered Article 35 in conjunction with Article 22 so that all interested parties could be heard but postponed further consideration while the sponsor of Article 35 considered a funding source and clarifications to a proposed motion that could successfully comply with anti-aid requirements
- Various pros and cons were discussed that mirrored the Sawin House debate under Article 22
- Proponents felt that if the study committee were not formed, then there would be no organized effort to preserve the house and that further study was needed
- Opponents felt that the issue had been extensively or exhaustively studied and that Mass Audubon had participated substantially in the study under Article 22
- Mass Audubon submitted a letter which indicated that they are “willing to explore with the town and our Board of Directors the possible conveyance to the town of the structure and the land upon which it is situated for historic preservation purposes. Mass Audubon does not support, however, the provisions of Article 35 regarding the town’s acquisition of ill-defined property interests.”
- Mass Audubon’s representative felt that the language in part 3) of the article i.e. “the acquisition of property interests as may be appropriate to support the preservation of the Thomas Sawin House and its appurtenant lands” was a deeply disconcerting over-reach that could include not only the immediate site of the house but also the former mill sites and other portions of Mass Audubon’s land
- The unspecified property interests and the potentially broad nature of ‘appurtenant lands’ concerned Mass Audubon to the point where their letter concluded “ If this article is adopted by Town Meeting with this specific provision, Mass Audubon will utilize all of its available resources to resist such an unreasonable and unwarranted use of authority. We strongly urge the Finance Committee not to support Article 35 and recommend to Town Meeting no action on this matter.”

- Proponents felt that the study committee would be the instrument with which to pursue negotiations
- Finance Committee members were generally supportive of the idea of somehow preserving the house
- The sponsors indicated that the study committee would be in touch with Mass Audubon as well as the Board of Selectmen
- Some members liked the idea of the study committee
- Other members had serious concerns about two groups ( the study committee and the Board of Selectmen) simultaneously discussing and/or negotiating regarding the house and that this often results in failure in the private sector
- Members also observed Mass Audubon's willingness to discuss a conveyance of the house and its immediate site to the Town for preservation purposes and felt that moving forward with Article 35 would get such discussions off on a very wrong track given Mass Audubon's strong opposition to Article 35
- Some members expressed concern about Mass Audubon getting study fatigue and felt this matter was best left to the Board of Selectmen who do not need a Town Meeting vote to authorize them to negotiate for property
- Members noted that Town Meeting could entertain and pass a resolution supporting discussions between the Board of Selectmen and Mass Audubon
- This resolution could have more agreeable wording than part 3) of Article 35 but would have the same practical effect of expressing Town Meeting's wishes should Town Meeting so decide

**MOTION: (Requires majority vote) No Action**





**Town of Natick  
13 E. Central Street  
Natick, MA 01760**

**IMPORTANT TOWN BUSINESS**