

**2017 Fall Annual Town Meeting  
Fine and Performing Arts Center  
Natick High School  
November 2, 2017  
Fifth Session**

The Fifth Session of the 2017 Fall Annual Town Meeting was called to order at 7:35 PM by Town Moderator, Frank W. Foss, who declared a quorum present. The Moderator welcomed residents, taxpayers, town officials, Town Meeting Members and interested parties to the Fifth Session of 2017 Fall Annual Town Meeting. The Moderator asked that all recently elected or appointed members of Town Meeting stand to take the oath of office. There were no new members. The Moderator asked the audience to stand for the Pledge of Allegiance and a moment of silence in recognition of all the men and women serving on our behalf throughout the world.

The Moderator introduced the officials present on the stage and in the well of the auditorium. The following people were present Kathy Lentini, Acting Town Clerk; Patrick Hayes, Finance Committee Chair; Bruce Evans, Finance Committee Secretary; Martha White, Town Administrator; John Flynn, Town Counsel; Jonathan Freedman, Chair, Board of Selectmen; Mr. Chenard, Deputy Town Administrator for Operations and Tim Lathwood, a representative from Option Technologies who will be operating the electronic voting system.

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

No person shall speak upon any article more than once when any other person desires to be heard, nor more than twice on the same question without permission of Town Meeting; and no person shall speak more than ten (10) minutes at one time without permission of Town Meeting. Consistent with the Natick By-Laws, any person having a monetary or equitable interest in any matter under discussion at a Town Meeting, and any person employed by another having such an interest, shall disclose the fact of his/her interest or employment before speaking thereon.

Moved by Collins seconded by Mr. Munnich to postpone consideration of Articles 52 and 53 until the first order of business on Thursday, November 9, 2017. ***The motion passed by two-thirds vote (hand count).***

The Moderator announced that the meeting will begin with Articles 11 and 27 as they were postponed until the first order of business tonight.

Moved by Mr. Freedman, seconded by Mr. Jennett that the Town Clerk enter the following resolution into the record of Town Meeting. Ms. White, Town Administrator read the following resolution:

WHEREAS Richard Anthony White was hired as a Natick Firefighter in 1986, and was subsequently promoted to Lieutenant in 1989, then to Captain in 1993, then to Deputy Chief in 2002; and

WHEREAS in July 2013 Rick was appointed as Interim Fire Chief and was then appointed as Fire Chief in January 2015; and

WHEREAS while Rick's successful ascension through the ranks of the Natick Fire Department are widely known; a lesser-known fact is that Rick's first job with the Town of Natick was in the Highway Department; and

WHEREAS one of Rick's first undertakings while serving as Chief was to develop and implement the Natick Fire Department's first formal training program for new recruits. This five-week program includes training in all departmental operations; review of all equipment and apparatus, departmental policies and safety protocols; daily exercise programs for all participants; and a self-evaluation process for each participant at the conclusion of the program; and

WHEREAS this training program was designed to encourage longer-serving members of the department to share their experience and knowledge by serving as mentors and preceptors; and

WHEREAS while Rick's accomplishments and contributions to the Natick Fire Department are too numerous to mention, particularly noteworthy are his development of a sound and well-justified plan to provide computers in all apparatus such that critical information can be accessed while on-route to emergency incidents, as well as his advocacy for and advancement of the development of a new West Natick Fire Station; and

WHEREAS Rick has built strong collaborations with other Town of Natick Departments - most notably with the Police Department - with whom a joint Fire/Police Dive Team has been established, combined training programs have been implemented, and joint rescue task force was created; and

WHEREAS throughout his career, Rick has continuously enhanced his practical, management and leadership skills through his participation in no less than 35 training and educational programs; and

WHEREAS Rick has also demonstrated a commitment to ongoing training for departmental personnel by enhancing the number and variety of opportunities for the men and women of the department to advance their skills and learn about best practices; and

WHEREAS in three of the four complete fiscal years during which Rick has led the Natick Fire Department, supplemental funding for the overtime budget was not required; such requests were the norm in prior years; and

WHEREAS through his integrity, leadership and commitment to exemplary service to the community, Rick has built a strong sense of pride and team among the men and women of the Natick Fire Department; and

WHEREAS Rick's successes and dedication to community service are not surprising given the fine example set by his parents, Jim and Angie, who embraced public service in their work and extensive volunteerism; and

WHEREAS the enjoyment and gratification that Rick derives from his work with the Natick Fire Department is surpassed only by that which he derives from his family – his wife Laurie and their children Ricky and Angela – of whom he speaks often, with his love and pride on clear display; and WHEREAS after 31 years of proud service to the Natick Fire Department, Rick will soon be retiring, and this is likely the last Town Meeting that Rick will be attending in his capacity as Fire Chief;

NOW THEREFORE: Natick Town Meeting acknowledges Rick White's contributions to the safety and well-being of the community and the men and women of the Natick Fire Department, and expresses its sincere gratitude to Rick for his many years of service.

Mr. White, Fire Chief, thanked the Town and Town Meeting. Mr. Sidney moved, seconded by Mr. Gath to waive the reading of the motion. *The motion to waive the reading passed unanimously (by hand count). The main motion to enter the resolution into the permanent record of Town Meeting passed unanimously (104-0-0).*

#### **ARTICLE 11: Collective Bargaining (Board of Selectmen)**

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) The Natick Patrol Officers Association
- b) New England Police Benevolent Association, AFL-CIO, Local 182 - Police Superior Officers

Or otherwise act thereon.

#### **FINANCE COMMITTEE RECOMMENDATION**

By a vote of 11-0-0 on **October 26, 2017** the Finance Committee recommends *Favorable Action* on the motion as printed below.

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

Moved by Mr. Evans, seconded by Mr. Hayes that the Town vote to appropriate the total sum of \$621,435.37 of which \$621,435.37 shall be transferred from the Selectmen's Contract Settlement line item, as approved by vote of the 2017 Spring Annual Town Meeting under Article 7, Motion E, for distribution to members of the New England Police Benevolent Association, Inc., Local 82 for payment of wages effective July 1, 2015 through June 30, 2018 pursuant to the terms of the November 2, 2017 Session 5, Fall ATM

Collective Bargaining Agreement reached between the Town of Natick and the New England Police Benevolent Association, Inc., Local 82. The total sum of \$621,435.37 shall be transferred to the Police Department – Salaries line item, to supplement the appropriation that was previously voted at the 2017 Spring Annual Town Meeting under Article 7, Motion B1.

Ms. White, Town Administrator made a presentation on this article. There was discussion on the article. *The main motion under Article 11 passed by majority vote (99-1-5).*

**ARTICLE 27: Amend Prior Town Meeting Votes and Appropriate Additional Funds Regarding Acquisition of 22 Pleasant Street (Board of Selectmen)**

To see if the Town will vote to appropriate, borrow or transfer from available funds, a sum of money, in addition to \$3,200,000 appropriated at the 2016 Spring Annual Town Meeting under Article 29, to fund acquisition of the property located at 22 Pleasant Street, Natick shown on Town of Natick Assessors' Map 64 as Parcel 44; and further, that the vote of the 2016 Spring Annual Town Meeting under Article 29 be amended to (1) provide the Board of Selectmen the option of acquiring said property free and clear of all or portions of any existing buildings, and (2) allow uses other than open space, park and recreation purposes on said property, provided that the Board of Selectmen shall be required to hold a public hearing in the event that such alternative uses are proposed, and (3) provide such relief from the terms of the vote of the 2016 Spring Annual Town Meeting under Article 29, which vote stipulated that "the Board of Selectmen is not authorized to acquire said property unless a Purchase and Sale Agreement, satisfactory to the Board of Selectmen, is entered into with the owner of said property, which Purchase and Sale Agreement shall be consistent with a Letter of Intent signed by the owner of said property on April 13, 2016 and signed by the Chairman of the Board of Selectmen on April 19, 2016" if and to the extent necessary to further the intent of this Article and or any other actions Town Meeting may take regarding this Article; and further that all other provisions of the vote of the 2016 Spring Annual Town Meeting under Article 29 shall remain in full force and effect; or otherwise act thereon.

**FINANCE COMMITTEE RECOMMENDATION**

The Finance Committee has *No Recommendation* on the subject matter of Motion A.

By a vote of **8-5-0** on **October 26, 2017** the Finance Committee recommends *Favorable Action* on Motion B as printed below

**MOTION A (requires majority vote):**

Mr. Jennett moved, seconded by Mr. Awkward to take no action on Motion A under Article 27.

Mr. Jennett spoke to this motion. *The motion to take no action on Motion A passed unanimously (by hand count).*

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

Moved by Mr. Evans, seconded by Mr. Hayes that the Town vote to amend the vote of the 2016 Spring Annual Town Meeting under Article 29 to (1) provide the Board of Selectmen with authorization to acquire the property located at 22 Pleasant Street, Natick shown on Town of Natick Assessors' Map 64 as Parcel 44, free and clear of all or portions of any existing buildings, and (2) to eliminate the following language in the vote of the 2016 Spring Annual Town Meeting under Article 29: "which Purchase and Sale Agreement shall be consistent with a Letter of Intent signed by the owner of said property on April 13, 2016 and signed by the Chairman of the Board of Selectmen on April 19, 2016;

As amended, the portion of said vote which is the subject matter of item (2) in this Motion shall read: "provided that the Board of Selectmen is not authorized to acquire said property unless a Purchase and Sale Agreement, satisfactory to the Board of Selectmen, is entered into with the owner of said property".

and further that all other provisions of the vote of the 2016 Spring Annual Town Meeting under Article 29 not amended by this vote shall remain in full force and effect.

Mr. Jennett spoke to this motion. Mr. John Flynn, Town Counsel also spoke to this article. There was extensive debate on this motion. *Motion B under Article 27 passed by a two-thirds vote (78-19-8).*

**ARTICLE 13: Committee Article (Board of Selectmen)**

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

**MOTION (Requires majority vote):**

Ms. Evans moved, seconded by Mr. Glater to hear the report of the Planning Board on the Natick 2030 Comprehensive Plan.

*The motion to hear the report passed by majority vote (by hand count).* Mr. Errickson, Director of Community and Economic Development, made a presentation.

Mr. Hayes moved, seconded by Mr. Evans to hear and discuss the Finance Committee report to Town Meeting. *The motion passed by majority vote (hand count).*

**ARTICLE 32: Amend Charter Article 2: Legislative Branch (Charter & By-law Review Committee)**

To see whether the Town will vote to amend Article 2 of the Town of Natick Home Rule Charter as follows:

1. In section 2-3, replace the entire second paragraph with “The boundaries of the precincts shall be reviewed and wholly or partly revised by the board of selectmen every ten years, in accordance with MGL Chapter 54, Section 6.”, so that the section shall read:

“The board of selectmen shall divide the town into convenient voting precincts in accordance with, but not limited to, Sections 6, 7, and 8 of Chapter 54 of the General Laws. The boundaries of the precincts shall be reviewed and wholly or partly revised by the board of selectmen every ten years, in accordance with MGL Chapter 54, Section 6.”; and

2. In section 2-11 (c), change the phrase “determine it to be necessary to call a special town meeting it shall by publication in a local newspaper give public notice” to “decide it is necessary to call a special town meeting it shall, by publication in a local newspaper or by such other notice as is reasonably determined to reach and inform the citizens of the Town, give public notice”, so that the section shall read:

**“Time Requirements** - The board of selectmen shall place on the warrant for spring and fall town meetings the subject matter of all petitions which are received by it, in accordance with the provisions of this section, sixty or more days before the date, fixed by by-law, on which the representative town meeting is scheduled to meet. Whenever the board of selectmen shall decide it is necessary to call a special town meeting it shall, by publication in a local newspaper or by such other notice as is reasonably determined to reach and inform the citizens of the Town, give public notice of its intention. All requests for the inclusion of subjects, as provided above, which are received in the office of the board of selectmen prior to five o'clock in the afternoon of the second business day following such publication, or such longer period as may be authorized by a by-law adopted to further implement this provision, shall be included in the warrant for the said special town meeting.”; and

3. In section 2-11 (d),
  - a. in the first sentence, change the phrase “the full text of the warrant articles for such meeting to be posted on the town bulletin board and to be mailed to the town clerk,” to “the full text of the warrant articles for such meeting to be provided to the town clerk”; and
  - b. in the second sentence, change the phrase “five days” to “ten days”;

so that the section shall read:

**“Publication and Posting** - Within five days following the date the warrant for any town meeting shall close the board of selectmen shall cause copies of the full text of the warrant articles for such meeting to be provided to the town clerk, the town moderator, the chairman of the finance committee, and to such other persons as may be designated by by-law. Within ten days after the board of selectmen has attested the warrant, the board of selectmen shall cause copies of said attested warrant to be posted on the town bulletin board and as designated by by-law. Copies of the warrant articles shall be made available for general distribution in the office of the town clerk.”; and

4. Replace section 2-13 (c) with:  
**“Petition** - If a petition is filed with the board of selectmen requesting that any question as

voted by the representative town meeting be referred to the voters for final determination, then the operation of such vote shall be suspended pending its determination by the voters; provided, however, that such petition must be filed within seven days after dissolution of said town meeting, and further provided that such petition must bear the signatures, as well as the names and addresses, of not less than five percent of the total number of registered voters as of the date of the most recent town election. Within ten days following the filing of such petition, the board of selectmen shall call a special election for submission of such question or questions to the voters for final determination. The board of selectmen shall fix the date of said special election not less than thirty nor more than sixty days after the date the petition was filed.”,

or otherwise act thereon.

### **FINANCE COMMITTEE RECOMMENDATION**

The Finance Committee, by a vote of 8-0-0, recommends Favorable Action on the subject matter of Motions, A, B, C and D.

### **MOTIONS:**

#### **Motion A: (Requires two-thirds majority vote)**

Moved by Mr. Evans, seconded by Mr. Hayes to replace Section 2-3 of Article 2 of the Town of Natick Home Rule Charter with:

The board of selectmen shall divide the town into convenient voting precincts in accordance with, but not limited to, Sections 6, 7, and 8 of Chapter 54 of the General Laws.

The boundaries of the precincts shall be reviewed and wholly or partly revised by the board of selectmen every ten years, in accordance with MGL Chapter 54, Section 6.

Ms. Gloff, Chair of the Charter and By-law Review Committee, spoke to all of these motions of this article. Mr. Connolly moved, seconded by Mr. Gath, to amend the last sentence to delete the words “with MGL Chapter 54, Section 6” with the with “with Section 6 of Chapter 54 of the General Law”. *The amendment passed by majority vote. Motion A under Article 32 passed by a two-thirds vote (88-3-1).*

#### **Motion B: (Requires two-thirds majority vote)**

Moved by Mr. Evans, seconded by Mr. Hayes to replace section 2-11 (c) of Article 2 of the Town of Natick Home Rule Charter with:

Time Requirements - The board of selectmen shall place on the warrant for spring and fall town meetings the subject matter of all petitions which are received by it, in accordance with the provisions of this section, sixty or more days before the date, fixed by by-law, on which the representative town meeting is scheduled to meet. Whenever the board of selectmen decides it is necessary to call a special town meeting it shall, by publication in a local newspaper or by such other notice as is reasonably determined to reach and inform the citizens of the Town, give public notice of its intention. All requests for the inclusion of subjects, as provided above, which are received in the office of the board of selectmen prior to five o'clock in the afternoon of the second business day following such publication, or such longer period as may be authorized by a by-law adopted to further implement this provision, shall be included in the warrant for the said special town meeting.

*Motion B under Article 32 passed by a two-thirds vote (86-2-1).*

#### **Motion C: (Requires two-thirds majority vote)**

Moved by Mr. Evans, seconded by Mr. Hayes to replace section 2-11 (d) of Article 2 of the Town of Natick Home Rule Charter with:

Publication and Posting - Within five days following the date the warrant for any town meeting shall close the board of selectmen shall cause copies of the full text of the warrant articles for such meeting to be provided to the town clerk, the town moderator, the chairman of the finance committee, and to such other persons as may be designated by by-law. Within ten days after the board of selectmen has attested the warrant, the board of selectmen shall cause copies of said attested warrant to be posted on the town bulletin board and as designated by by-law. Copies of the warrant articles shall be made available for general distribution in the office of the town clerk.

Moved by Mr. Connolly, seconded by Mr. Gath to change the word “ten” back to “five days. *The amendment failed (by hand count). Motion C under Article 32 passed by a two-thirds vote (85-2-0).*

#### **Motion D: (Requires two-thirds majority vote)**

Moved by Mr. Evans, seconded by Mr. Hayes to replace section 2-13 (c) of Article 2 of the Town of Natick Home Rule Charter with:

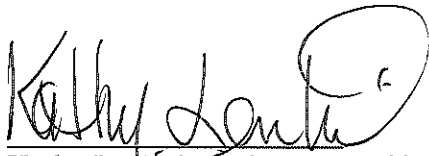
Petition - If a petition is filed with the board of selectmen requesting that any question as voted by the representative town meeting be referred to the voters for final determination, then the operation of such vote shall be suspended pending its determination by the voters; provided, however, that such petition must be filed within seven days after dissolution of said town meeting, and further provided that such petition must bear the signatures, as well as the names and addresses, of not less than five percent of the total number of registered voters as of the date of the most recent town election.

Within ten days following the filing of such petition, the board of selectmen shall call a special election for submission of such question or questions to the voters for final determination. The board of selectmen shall fix the date of said special election not less than thirty five days nor more than sixty days after the date the petition was filed.

***Motion D under Article 32 passed by two-thirds vote (87-1-0).***

Mr. Sidney moved seconded by Ms. Rich to adjourn. ***The motion to adjourn passed by majority vote. The meeting adjourned at 10:05 PM until Tuesday, November 7, 2017 at 7:30 PM.***

A record of the Fifth Session of  
2017 Fall Annual Town Meeting  
November 2, 2017

A handwritten signature in black ink, appearing to read "Kathy Lentini". The signature is written in a cursive style with a large loop at the end.

Kathy Lentini, Acting Town Clerk