

ARTICLE LIST  
FALL TOWN MEETING  
OCTOBER 16, 2007

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**ARTICLE 1**  
**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, and to provide for a reserve fund for Fiscal Year 2008 (July 1, 2007 to June 30, 2008), and to see what budgets for Fiscal 2008 will be reduced to offset said additional appropriations, or take any action relative thereto.

**ARTICLE 2**  
**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 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.

**ARTICLE 3**  
**Personnel Board Pay Plan**  
**(Personnel Board)**

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 and will provide the money necessary therefore, or take any action relative thereto.

**ARTICLE 4**  
**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 unit:

- a) International Brotherhood of Police Officers, Local 622

**ARTICLE 5**  
**Capital Equipment**  
**(Town Administrator)**

To see if the Town will vote to appropriate and raise, or otherwise provide, a sum or sums of money as may be required for the lease and/or repair of equipment for various departments of the Town of Natick,

determine whether this appropriation shall be raised by borrowing or otherwise, or take any other action relative thereto.

**ARTICLE 6**  
**Capital Improvement**  
**(Town Administrator)**

To see if the Town will vote to appropriate and raise, or otherwise provide, a sum or sums of money to implement a Capital Improvement Program, to protect the physical infrastructure of the Town of Natick, determine whether this appropriation shall be raised by borrowing or otherwise, or take any other action relative thereto.

**ARTICLE 7**  
**Lease/Repair**  
**(Town Administrator)**

To see if the Town will vote to appropriate and raise, or otherwise provide, a sum or sums of money as may be required for the lease and/or repair of equipment for various departments of the Town of Natick, determine whether this appropriation shall be raised by borrowing or otherwise, or take any other action relative thereto.

**ARTICLE 8**  
**Preliminary Design Work for Construction of New West Natick Fire Station**  
**(Town Administrator)**

To see if the Town will vote to appropriate a sum of money from available funds for the purpose of funding preliminary design work for construction of a new Fire Station at the location of Fire Station #4, or to take any action relative thereto.

**ARTICLE 9**  
**Renovations and/or Additions to West Natick Fire Station**  
**(Town Administrator)**

To see if the Town will vote to appropriate a sum of money from available funds for the purpose of funding renovations and/or additions to Fire Station #4, including but not limited to design and construction of renovations necessary to bring the building into compliance with life safety and other applicable codes, or to take any action relative thereto.

**ARTICLE 10**  
**Authorization to Borrow – I&I Implementation**  
**(Town Administrator)**

To see if the Town will vote to raise and appropriate, transfer from available funds, or otherwise provide a sum of money to be expended by the Department of Public Works for the design and rehabilitation of the Town's sewer system to reduce the amount of extraneous flow (infiltration and inflow) entering the Town's system; and to determine whether this appropriation shall be raised by borrowing or otherwise; or otherwise act thereon.

**ARTICLE 11**  
**Unpaid Bills**  
**(Town Administrator)**

To see if the Town will vote to raise and appropriate, or otherwise provide such sums of money as may be required for the payment of unpaid bills of previous years, incurred by the departments, boards and officers of the Town of Natick, or otherwise act thereon.

**ARTICLE 12**  
**Noise By-Law**  
**(Jeanne Williamson Ostroff, et al)**

To see if the Town will establish a by-law to regulate noise, or otherwise act thereon.

**ARTICLE 13**  
**Street Acceptance**  
**(Town Administrator)**

To see if the Town will vote to accept the following streets and any appurtenant easements as laid out and filed with the Town Clerk, and as shown on the street acceptance plans on file with the Town Clerk:  
Jennison Circle  
Cottage Street

**ARTICLE 14**  
**Adjudicatory Hearing Attendance**  
**(Planning Board and Zoning Board of Appeals)**

To see if the Town will vote to accept the provisions of Section 23D of Chapter 39 of the Massachusetts General Laws, added by Chapter 79 of the Acts and Resolves of 2006, which provides that upon acceptance of this section for 1 or more types of adjudicatory hearings, a member of any municipal board, committee or commission when holding an adjudicatory hearing shall not be disqualified from voting in the matter solely due to that member's absence from no more than a single session of the

hearing at which testimony or other evidence is received; provided that before any such vote, the member shall certify in writing that he has examined all evidence received at the missed session, which evidence shall include an audio or video recording of the missed session or a transcript thereof, that the written certification shall be part of the record of the hearing, that nothing in this section shall change, replace, negate or otherwise supersede applicable quorum requirements, and that by ordinance or by-law a city or town may adopt minimum additional requirements for attendance at scheduled board, commission and committee hearings under this section.

Acceptance of this statute shall be for all types of adjudicatory hearings by any Town of Natick board, committee or commission.

Or otherwise act thereon.

**ARTICLE 15**  
**Acceptance of MGL – Retirees Transferred to Medicare Supplement**  
**(Board of Selectmen)**

To see if the Town will vote to accept the provisions of Section 18 of Chapter 32B of the Massachusetts General Laws, added by Chapter 138, Section 122 of the Acts and Resolves of 1991, so that all retirees, their spouses and dependents insured or eligible to be insured under Chapter 32B, if enrolled in Medicare part A at no cost to the retiree, spouse or dependents or eligible for coverage thereunder at no cost to the retiree, spouse or dependents, shall be required to transfer to a Medicare extension plan offered by the Town under section eleven C or section sixteen of Chapter 32B; provided, that benefits under said plan and Medicare A and part B together shall be of comparable actuarial value to those under the retiree's existing coverage;

or otherwise act thereon.

**ARTICLE 16**  
**Health Insurance Rate: Non-Medicare Eligible Retirees**  
**(Town Administrator)**

To see if the Town will vote to authorize continued payment of the same contribution rate of a premium for non-Medicare eligible retirees as it pays for active employees for group general or blanket hospital, surgical and medical insurance as described in Chapter 32B, Sections 3 and 3A of the Massachusetts General Laws and for health plans administered by health care organizations as described in Chapter 32B, Section 16 of the Massachusetts General Laws, or otherwise act thereon.

**ARTICLE 17**  
**Insurance Subsidy for Retirees and Dependents**  
**(Town Administrator)**

To see if the Town, pursuant to the provisions of Section 9E of Chapter 32B of the Massachusetts General Laws, will vote to authorize payment by the Town of a subsidiary or additional rate in addition to the payment of fifty per cent of a premium for contributory group life, hospital, surgical and medical insurance for employees retired from the service of the Town, and their dependents, or otherwise act thereon.

**ARTICLE 18**  
**Affordable Housing Trust Fund**  
**(Community Development Advisory Committee)**

To see if the Town will vote to accept the provisions of Chapter 44, Section 55C of the Massachusetts General Laws, added by Chapter 491, Section 1 of the Acts and Resolves of 2004, as amended, which would authorize the Town to establish a trust to be known as the Municipal Affordable Housing Trust Fund, the purpose of which is to provide for the creation and preservation of affordable housing for the benefit of low and moderate income households;  
or otherwise act thereon.

**ARTICLE 19**  
**Retired Police Officers Doing Police Details**  
**(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 to accomplish the purposes of this petition.

AN ACT AUTHORIZING THE APPOINTMENT OF RETIRED POLICE  
OFFICERS AS SPECIAL POLICE OFFICERS IN THE TOWN OF NATICK.

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

SECTION 1. The board of selectmen of the town of Natick may appoint retired Natick police officers as special police officers for the purpose of performing police details or any police duties arising therefrom or during the course of police detail work, regardless of whether or not related to the detail work. The retired police officers must have been regular Natick police officers and retired based on superannuation. The special police officers appointed under this act shall be subject to the same maximum age restriction as applied

to regular police officers under chapter 32 of the General Laws. A special police officer appointed under this act shall pass a medical examination, by a physician or other certified professional chosen by the town, to determine that he is capable of performing the essential duties of a special police officer, the cost of which shall be borne by the special police officer, prior to performing police details.

SECTION 2. Special police officers appointed under this act shall not be subject to chapter 31 of the General Laws or to section 99A of chapter 41 of the General Laws.

SECTION 3. Special police officers appointed under this act shall, when performing the duties under section 1, have the same power to make arrests and perform other police functions as do regular police officers of the town of Natick.

SECTION 4. Special police officers appointed under this act shall be appointed for an indefinite term, subject to removal at the will and the pleasure of the board of selectmen at any time upon written notice from the board of selectmen.

SECTION 5. Special police officers appointed under this act shall be subject to suspension at any time at the sole discretion of the chief of police.

SECTION 6. Special police officers appointed under this act shall be subject to the rules and regulations, policies and procedures and requirements of the police department and chief of police of the town of Natick including restrictions on the type of detail assignments, requirements regarding medical examinations to determine continued capability to perform the duties of a special police officer, and requirements regarding uniforms and equipment. Special police officers appointed under this act shall not be subject to section 96B of chapter 41 of the General Laws.

SECTION 7. Special police officers appointed under this act shall be sworn before the town clerk of the town of Natick who shall keep a record of all such appointments.

SECTION 8. Special police officers appointed under this act shall be subject to section 100 and section 111F of chapter 41 of the General Laws. The amount payable under said section 111F of said chapter 41 shall be calculated by averaging the amount earned over the prior 52 weeks as a special police officer working police details, or averaged over such lesser period of time for any officer designated as special police officer less than 52 weeks prior to the incapacity.

In no event shall payment under said section 111F of said chapter 41 exceed, in any calendar year, the limitation on earning contained in subsection (b) of section 91 of chapter 32 of the General Laws. Payment under said section 111F of said chapter 41 shall terminate when a special police officer reaches the age of 65. In the event that the age limitation applicable to regular police officers serving the town is increased from the current 65 years of age, the termination of benefits under said section 111F of said chapter 41, as provided in this act to special police officers, shall terminate at such higher age limit, but in no event shall the benefits extend beyond the age of 70 for any special police officer. Special police officers appointed under this act shall not be subject to section 85H of said chapter 32, nor eligible for any benefits under said section 85H of said chapter 32.

SECTION 9. Appointments as a special police officer under this act shall not entitle any individual appointed as such to assignment to any detail.

SECTION 10. Retired Natick police officers serving as special police officers under this act shall be subject to the limitations on hours worked and on payments to retired town employees under subsection (b) of section 91 of chapter 32 of the General Laws.

SECTION 11. This act shall take effect upon its passage.  
or otherwise act thereon.

**ARTICLE 20**  
**Authorize Town Meeting to Fill Town Moderator Vacancy**  
**(Paul E. Connolly, et al)**

To see if the Town will vote to make Town Meeting primarily responsible to take action to fill a vacancy in the office of Town Moderator; and, in particular, to approve an amendment to Section 3-1 (g) of Article 3 of the Natick Home Rule Charter for submittal to the voters. The proposed amendment is as follows:

1. In existing Paragraph (1), insert after the word “office” the words “other than town moderator” so that revised Paragraph (1) reads as follows:
  - (1) **Town Officer** – If there is a failure to elect or if a vacancy occurs in any town office other than town moderator, the selectmen shall, in writing, appoint a person to fill such vacancy until the next town election.
2. Renumber existing Paragraphs (2) and (3) as Paragraphs (3) and (4), respectively.

3. Insert a new Paragraph (2) to read as follows:

(2) **Town Moderator** – If there is a failure to elect or if a vacancy occurs in the office of town moderator, the representative town meeting members, at the next session of any town meeting following such vacancy, by a majority of those present and voting on a motion to elect a particular person as town moderator, shall fill such vacancy until the next town election. The selectmen may appoint a person as acting town moderator to exercise the powers of town moderator until town meeting meets or, if town meeting does not meet, until the next town election.

**ARTICLE 21**  
**Report of Eliot School Property Study Committee**  
**(Eliot School Property Study Committee)**

To hear a report by the Eliot School Property Study Committee (Committee), organized and authorized by Town Meeting pursuant to Article 27 of the 2007 Annual Town Meeting, regarding the study of all matters pertaining to the town of Natick's Eliot School property, the Committee's findings and recommendation or recommendations, if any, pertaining to the future disposition of the property; and take any other action with respect to said report.

**ARTICLE 22**  
**Report of Community/Senior Center Study Committee**  
**(Community/Senior Center Study Committee – Building Committee)**

To hear a report by the Building Committee, said committee appointed by the Board of Selectmen on February 5, 2007 as a sub-committee, to the main committee.

The report is to provide an updated status concerning a proposed new Natick Senior Center as well as, Community and Recreation facilities in combination with a Senior Center pursuant to Article 31 of the Annual Spring Town Meeting of 2005.

**ARTICLE 23**  
**Report of Natick 360 Strategic Planning Oversight Committee**  
**(Natick 360 Strategic Planning Oversight Committee)**

To hear and act upon an interim report of the Natick 360 Strategic Planning Oversight Committee

**ARTICLE 24**  
**Increase Property Tax Exemption**  
**(Council on Aging)**

To see if the Town will vote pursuant to Chapter 59, Section 5, Clause 41C of the Massachusetts General Laws, as amended by Chapter 184, Section 51 of the Acts of 2002 to increase the base amount of the property tax exemption for eligible applicants by 100% from \$500 to \$1,000.

**ARTICLE 25**  
**Amend Zoning By-Laws – Front Yard Farmer’s Porches**  
**(George Richards, et al)**

To see if the Town will vote to amend the Zoning By-Laws by adding the following new paragraph to Section IV-A (General Requirements – Intensity Regulations):

9. Notwithstanding the provisions in the following Intensity Regulations requiring minimum front yard set backs in all districts, the Special Permit Granting Authority may allow open air front porches only on existing structures and only in residential districts (RSA, RSB, RSC, RSD, RSE and RG) so as to allow the porch to be constructed within said front set back area, by way of a special permit, but only if the applicant can show to the satisfaction of the Zoning Board of Appeals that the porch and the use of the premises for which application is made shall not be against the public interest, shall not derogate from the character of the neighborhood in which such use is to occur, shall not be detrimental or offensive and that such use shall not otherwise be injurious to anyone nor dangerous to the public health or safety. If, in the opinion of the Special Permit Granting Authority, such a permit may be granted only if accompanied by conditions specifically designated to safeguard the neighborhood, the district and the Town, it shall impose such conditions and make them a part of the decision, and any such conditions shall be made a part of the permit issued by the Building Department.