

FALL TOWN MEETING
OCTOBER 20, 2009

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ARTICLE 1
Omnibus Budget
(Town Administrator)

To determine what sum or sums of money the Town will raise and appropriate, 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 2010 (July 1, 2009 to June 30, 2010), and to see what budgets for Fiscal 2010 will be reduced to offset said additional appropriations, or otherwise act thereon.

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
Funding for Quinn Bill Payments
(Board of Selectmen)

To see if the town will vote to raise and appropriate, or transfer from available funds a sum of money to fully fund the FY 2010 Police Educational Incentive Program (“Quinn” Bill), or otherwise act thereon.

ARTICLE 4
Funding for Judgment in Fair Labor Standards Act (FLSA) Litigation
(Board of Selectmen)

To see what sum of money the Town will vote to appropriate to pay the judgment entered in the case of Robert F. Murphy, III., et al v. Town of Natick, et al, United States District Court for the District of Massachusetts No.04-11996-RGS; to determine how such appropriation shall be raised, whether by transfer from available funds, borrowing under applicable provisions of law or otherwise act thereon.

ARTICLE 5
Fire Apparatus: Rescind Borrowing Authorization
(Town Administrator)

To see if the Town will vote to rescind the following amount of un-issued debt authorized for the following purpose:

<u>Amount Rescinded</u>	<u>Date of Vote</u>	<u>Purpose</u>
\$400,000	April 15, 2008 (Article 9)	Replace Engine 5 Fire Pumper

or otherwise act thereon.

ARTICLE 6
Capital Equipment
(Town Administrator)

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

ARTICLE 7
Capital Improvement
(Town Administrator)

To see if the Town will vote to raise and appropriate, 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 otherwise act thereon.

ARTICLE 8
Lease/Repair
(Town Administrator)

To see if the Town will vote to raise and appropriate, 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, to determine whether this appropriation shall be raised by borrowing or otherwise, or otherwise act thereon.

ARTICLE 9
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 10
Natick 360: Progress Report
(Town Administrator)

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

ARTICLE 11
Natick High School Project: Partial Architectural Services
(School Committee)

To see if the Town will vote to appropriate a sum of money for partial architectural services for the replacement/renovation of Natick High School including schematic design, design development and construction documents as required by the Massachusetts School Building Authority; to determine whether this appropriation shall be raised by borrowing or otherwise; or otherwise act thereon.

ARTICLE 12
Local Option Meals Tax
(Board of Selectmen)

To see if the Town will vote to accept G.L. c.64L §2(a) to impose a local meals excise; or otherwise act thereon.

ARTICLE 13
Local Option Added Hotel/Motel Tax
(Board of Selectmen)

To see if the Town will vote to amend its local room occupancy excise under G.L. c.64G §3(a) to the rate of six percent; or otherwise act thereon.

ARTICLE 14

Acceptance of MGL c.140§139: Exempt Dog License Fee for Persons 70 and Older (Board of Selectmen)

To see if the Town will vote to accept the provisions of Chapter 140, Section 139 of the Massachusetts General Laws which provides that no fee shall be charged for a license for a dog owned by a person aged seventy years or over in any city or town that accepts the said provision; or otherwise act thereon.

ARTICLE 15

Town Forest: Transfer to Conservation Commission (Board of Selectmen and Conservation Commission)

To see if the Town will vote to transfer from the Board of Selectmen to the Conservation Commission the care, custody, management and control of the property known as Henry S. Hunnewell Memorial Town Forest, shown on Assessors' Map 20, Lot 2, or otherwise act thereon.

ARTICLE 16

John J. Lane Park: Transfer to Conservation Commission (Board of Selectmen and Conservation Commission)

To see if the Town will vote to transfer from the Board of Selectmen to the Conservation Commission the care, custody, management and control of the property known as John J. Lane Park, shown on Assessors' Map 33, Lot 35A, or otherwise act thereon.

ARTICLE 17

Glenwood Cemetery: Use of Land for Burial Purposes (Allen B. Bush, Jr., et al)

To see if the Town will vote, pursuant to Chapter 114, Section 34 of the Massachusetts General Laws, to allow the land contiguous to the Glenwood Cemetery at 50 Glenwood Street, Natick, Massachusetts to be used for burial purposes. Said land is described in a deed from Arnold W. Hunnewell, Jr., Walter Hunnewell and Jane P. Hunnewell to Glenwood Cemetery Association, dated August 27, 1980, recorded with the Middlesex South Registry of Deeds in Book 14054, Page 6 and is shown as Lot 37B on a plan entitled "Plan of Land in Natick, Mass." dated June 10, 1980, drawn by Cheney Engineering Co., Inc. recorded with said deed. Said land is also shown on the Town of Natick Assessors' Map 69 as parcel 37; or otherwise act thereon.

ARTICLE 18
Abandon a Portion of Drainage Easement – 24 Franconia Avenue
(Board of Selectmen)

To see if the Town will vote to abandon an easement for drainage purposes granted by Gregg P. Murphy and Donna W. Murphy to the Inhabitants of the Town of Natick by instrument dated August 20, 2009 and recorded with the Middlesex South Registry District of Land Court, at Book 01250, Page 150; provided that no money or other consideration shall be paid by or on behalf of the Town of Natick for such abandonment. Said easement is located on the property at 24 Franconia Avenue, Natick, MA, which property is shown on Town of Natick Assessors' Map 27 as Lot 138. Said easement is shown on a plan entitled "Plan of Lot C on Land Court 18098A in Natick, Massachusetts (showing Town of Natick Drain Easement) owned by Gregg P. Murphy and Donna W. Murphy", Scale 1"=20', Dated June 12, 2009, prepared by MacCarthy and Sullivan Engineering, Inc., 205 Newbury Street, Suite 205, Framingham, Massachusetts recorded herewith, or otherwise act thereon.

ARTICLE 19
Acceptance of Sewer Easement: Newfield Drive
(Town Administrator)

To see if the Town will vote to authorize the Board of Selectmen to acquire by gift, purchase, eminent domain or otherwise, a permanent sewer easement and a temporary construction easement, and/or to accept a grant thereof, for the purpose of constructing, installing, maintaining, reinforcing and replacing a sewer main and appurtenances thereto, said sewer easement being shown as a "20' sewer easement" on a plan entitled "Plan of Land in Natick, Mass.", dated May 2, 1974, scale 1" = 100', prepared by New England Survey Service, Inc., which plan is recorded with the Middlesex South District Registry of Deeds as Plan Number 813 of 1974 in Book 12669 Page 5; and, further, to authorize the Board of Selectmen and other applicable Town of Natick boards and personnel to take all related actions necessary or appropriate to carry out the purposes of this article; or otherwise act thereon.

ARTICLE 20
Street Acceptance: Newfield Drive
(Board of Selectmen)

To see if the Town will vote to accept Newfield Drive as a public way, and any appurtenant easements thereto, as laid out by the Board of Selectmen and as shown on a plan or plans, a copy of which is on file in the office of the Town Clerk; to see if the Town will vote to authorize the Board of Selectmen to acquire by gift, purchase, eminent domain or otherwise, easements in any land necessary for laying out and acceptance of Newfield Drive, and any appurtenant drainage, utility or other easements related to said Newfield Drive, and/or to accept grants thereof; and, further, to authorize the Board of Selectmen and other applicable Town of Natick boards and

personnel to take all related actions necessary or appropriate to accomplish the purposes of this article, or otherwise act thereon.

ARTICLE 21
Street Acceptance: Ice House Lane
(Board of Selectmen)

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

Or otherwise act thereon.

ARTICLE 22
Street Acceptance: Main Street
(Board of Selectmen)

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

Or otherwise act thereon.

ARTICLE 23
Street Acceptance: Yorkshire Drive
(Board of Selectmen)

To see if the Town will vote to accept Yorkshire Drive (the extension of) as a public way, and any appurtenant easements thereto, as laid out by the Board of Selectmen and as shown on a plan or plans, a copy of which is on file in the office of the Town Clerk; to see if the Town will vote to authorize the Board of Selectmen to acquire by gift, purchase, eminent domain or otherwise, easements in any land necessary for laying out and acceptance of Yorkshire Drive (the extension of), and any appurtenant drainage, utility or other easements related to said Yorkshire Drive (the

extension of), and/or to accept grants thereof; and, further, to authorize the Board of Selectmen and other applicable Town of Natick boards and personnel to take all related actions necessary or appropriate to accomplish the purposes of this article.
Or otherwise act thereon.

ARTICLE 24
Amend Charter Article 2: Legislative Branch
(Charter & By-Law Review Committee)

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

1. In Section 2-3, in the second paragraph, first sentence, third line, delete the word “and” which appears between the words “meeting” and “c” and insert in its place the word “or”, so that said first sentence reads “The boundaries of the precincts shall be reviewed and wholly or partly revised by the board of selectmen (a) at least once in every ten years, (b) whenever it is directed to do so by a vote of the town meeting, or (c) whenever it is apparent from the street list, census data or other official information that the number of inhabitants in any one precinct varies by five per cent or more from the total number of inhabitants of the town divided by the number of precincts.”; and

2. In Section 2-6(d), in the last sentence, delete the comma which appears between the words “event” and “there” and insert in its place the word “that” so that said last sentence reads “In the event that there are no persons eligible, the vacancy shall remain unfilled until the next town election”;

3. In Section 2-11 (d):
a) in the first sentence, insert the word “preliminary” between the words “cause” and “copies” and between the words “said” and “warrant”;
b) in the second sentence, insert the word “preliminary” before the word “warrant”; and
c) insert a new third sentence which reads “When the attested warrant has been completed copies shall be distributed in the same manner and in such additional manner as may be provided by by-law”; so that said section 2-11 (d) reads:

“Publication – Within five days following the date the warrant for any town meeting shall close the board of selectmen shall cause preliminary copies of the warrant articles for such meeting to be posted in each precinct of the town and copies of said preliminary warrant articles to be mailed to the town moderator, the chairman of the finance committee, and to such other persons as may be designated by by-law. Additional copies of the preliminary warrant articles shall be made available for general distribution in the office of the town clerk. When the attested warrant has been completed copies shall be distributed in the same manner and in such additional manner as may be provided by by-law.

4. In Section 2-13 (c) in the second sentence, delete the words “fourteen” and “twenty-one” and insert in their place the words “thirty” and “sixty” so that said second sentence reads “The board of selectmen shall, within ten days following the filing of such petition, call a special election to be held on a date fixed by it not less than thirty nor more than sixty days later for submission of such question, or questions, to the voters for a final determination”.
or otherwise act thereon.

ARTICLE 25
**Amend Charter & By-Laws To Provide That The Town Clerk Shall Be An Appointed
Position**
(Joan Craig, et al)

To see if the Town will vote to amend the Natick Home Rule Charter as follows:

1. In Article 3, Section 3-1(a), first sentence delete the words “a town clerk” from the list of elective offices.
2. Delete Section 3-5 in its entirety
3. Insert a new Section 6-5 in Article 6, said Section 6-5 to read as follows:
“(a) **Appointment; Qualifications; Term of Office** – There shall be a town clerk appointed by the town administrator for a term of three (3) years. Such appointment shall be based on qualifications and experience including at least five years of progressively responsible administrative work in municipal government with a concentration in the field of records/office management, as well as extensive knowledge of state, local and federal statutes and regulations applicable to the duties and responsibilities of a town clerk’s office and the functions and operations of town government. Minimum qualifications include a Bachelor’s degree in public administration, government, or business management.

(b) **Powers and Duties** – The town clerk shall have all the powers and duties conferred and imposed upon town clerks by the Massachusetts General Laws and the Town of Natick By-Laws.

(c) **Vacancy** – If the town clerk is unable to perform his duties because of disability or absence, or if the office is vacant because of resignation, death, or otherwise, the town administrator may appoint a temporary town clerk to hold such office and exercise the powers and perform the duties of the town clerk until the town clerk who is disabled or absent resumes his duties, or until another town clerk is duly appointed and qualified. Said temporary appointment shall be in writing, signed by the town administrator, and filed with the board of selectmen and the office of the town clerk.”

And, further, to amend the Town of Natick By-Laws as follows.

1. In Article 20, in the table entitled “Appointments Made By The Town Administrator” insert the words “Town Clerk (C) s. 6-5”;
2. Renumber Article 11 as a new Article 33 and revise the Table of Contents accordingly.

Provided that:

1. The foregoing amendments to the Town of Natick By-Laws shall not take effect

unless and until the amendments to the Natick Home Rule Charter voted under this article are approved by the voters of the Town of Natick.

2. Any incumbent serving in the office of Natick town clerk at the time of approval by the voters of the Town of Natick of the foregoing amendments to the Natick Home Rule Charter shall continue to hold said office and perform the duties thereof until an appointment to said office is otherwise made pursuant to the authority conferred by the Natick Home Rule Charter and a successor town clerk is qualified; and
3. Any individual elected to the office of the Natick Town Clerk, in the circumstance where the office of Natick Town Clerk becomes an appointed position at the same election, shall hold said office and perform the duties thereof until an appointment to said office is otherwise made pursuant to the authority conferred by the Natick Home Rule Charter and a successor town clerk is qualified;

or otherwise act thereon.

ARTICLE 26

Amend Charter Article 4: Town Administrator (Charter & By-Law Review Committee)

To see if the Town will vote to amend Article 4 of the Natick Home Rule Charter as follows:

1. In Section 4-2, in the first paragraph, insert the words “and by-laws” at the end of the first sentence so that said first sentence reads “The town administrator shall be the chief administrative officer of the town and shall be responsible to the board of selectmen for the proper administration of all town affairs placed under his charge by or under the charter and by-laws.”

2. In Section 4-2 13), in the second line, insert the words “consistent with Generally Accepted Accounting Principles” between the words “kept” and “including” so that said subsection 13) reads “He shall assure that a full and complete inventory of all town-owned property, both real and personal, is kept consistent with Generally Accepted Accounting Principles, including all property under the jurisdiction of the school committee and other elected town officers on multiple member bodies”;

3. In Section 4-2 15), in the second sentence, delete the word “material” and insert in its place the word “materials”; in the third sentence, delete the word “material” and insert in its place the word “materials”; and insert in the third sentence the words “for all departments and activities of the town” between the words “equipment” and “except” so that Section 4-2 15) reads “He shall be responsible for the purchase of all supplies, materials and equipment, and shall award all contracts for supplies, materials and equipment for all departments and activities of the town, except for the school department. He shall examine and inspect, or cause to be examined and inspected, the quality and the condition of all supplies, materials and equipment delivered to or received by any town department, except the school department. He shall, in addition, be responsible for the disposal of all surplus supplies, materials and equipment for all departments and activities of the town except for the school department.”; and

4. Renumber Section 4-2 17) as 4-2 18) and renumber Section 4-2 18) as Section 4-2 19).

5. Insert a new Section 4-2 17) which reads “He shall be in charge of all machines and software other than machines and software used for educational or classroom purposes, and shall allocate the use thereof among the several town agencies.”

6. In Section 4-3 b), in the first sentence, third line, insert the words “or other qualified individual” between the words “employee” and “to”, so that said first sentence reads “Any vacancy in the office of town administrator shall be filled as soon as possible by the board of selectmen but pending such appointment the board of selectmen shall designate a qualified town officer or employee or other qualified individual to perform the duties of town administrator on an acting basis.”; or otherwise act thereon.

ARTICLE 27

Amend Charter Article 5: Fiscal Procedures (Charter & By-Law Review Committee)

To see if the Town will vote to amend Article 5 of the Natick Home Rule Charter as follows:

1. In the title to Section 5-2 delete the word “Committee” and insert in its place the word “Department” so that the title reads “School Department Budget”;

2. In Section 5-2 (a), in the first phrase, insert the words “superintendent of schools’ proposed” before the word “budget” and delete the words “as adopted by the school committee” so that the first phrase reads “The superintendent of schools’ proposed budget”;

3. In Section 5-2 (b): a) delete the second sentence which reads “The summary shall specifically indicate any major variations from the current budget, and the reasons for such changes”; and b) in the present third sentence, delete the first word “They” and insert in its place the words “This notice”, and delete the words “their complete draft” and insert in their place the words “the proposed” so that said sentence reads “This notice shall also indicate the times and places at which copies of the proposed budget are available for public examination, and the date, time, place, not less than seven days follows such publication, when a public hearing will be held by the school committee on the proposed budget.”;

4. In Section 5-3: a) in the title delete the word “Proposed” and insert in its place the word “Preliminary”; b) delete the third sentence, which reads “The summary shall specifically indicate any major variations from the current fiscal year budget and the reasons for such changes”; c) in the three remaining sentences change the words “proposed budget” to read “preliminary budget”; and d) in the last sentence delete the first word “The” and insert in its place the word “This”;

5. Delete the present text of Section 5-4, which reads “The budget message submitted by the town administrator shall explain the proposed budget for all town agencies, both in fiscal terms and in terms of work programs. It shall outline proposed financial policies of the town for the ensuing fiscal year; describe important features of the proposed budget; indicate any major variations from the current budget in financial policies, expenditures and revenues, together with the reasons for such changes; summarize the town’s debt positions; and it shall include such additional information as the town administrator deems desirable or the board of selectmen may reasonably require” and insert in its place the following text: “The budget message submitted by the town administrator shall at a minimum:

- provide a comprehensive overview of the proposed budget
- explain the town’s fiscal condition including noteworthy changes in various revenue and expense categories as well as reserves;
- outline proposed financial policies of the town for the ensuing fiscal year;
- indicate any major variations from the current financial policies together with the reasons for such changes;
- identify changed priorities and the reasons for such changes;
- summarize the town’s debt position;
- provide an analysis of significant trends and fiscal challenges and the administration’s proposed responses thereto;
- describe and summarize significant changes, if any, in town services and/or staffing levels and the reasons for such changes;
- include such additional information as the town administrator deems desirable or the board of selectmen may require”;

6. In Section 5-5: a) delete the word “Proposed” in the title and insert in its place the word “Preliminary” so the title reads “The Preliminary Budget”; b) delete the first sentence and insert in its place the following two sentences: “The preliminary budget, in conjunction with the town administrator’s budget message, shall provide a complete financial plan of all town funds, including the superintendent of schools’ proposed budget as submitted under Section 5-2 and shall explain differences, if any, between that proposal and the town administrators’ recommended appropriation for the school department. The preliminary budget must clearly identify any variances between the total recommended appropriations and projected available revenues and the means for addressing such variances”; c) in the present second sentence delete the word “it” in the second clause and insert in its place the words “the financial plan”; d) in the present third sentence, first phrase, change “proposed budget” to read ‘preliminary budget’; and e) in the present fourth sentence, first clause, delete the word “income” and insert in its place the word “revenue”;

7. In Section 5-6: a) in the title, delete the word “Proposed” and insert in its place the words “Town Administrator’s Preliminary” so that the title reads “Town Administrator’s Preliminary Budget”; and b) in Section 5-6 (a) and 5-6 (b), change “proposed budget” to read “preliminary budget” wherever they appear;

or otherwise act thereon.

ARTICLE 28
Amend Charter Article 6: Administrative Organization
(Charter & By-Law Review Committee)

To see if the Town will vote to amend Article 6 of the Natick Home Rule Charter as follows:

1. Delete Section 6-3 (b)(5), which reads: “He shall, under the general supervision of the town administrator, be in charge of all of the accounting and business machines owned by the town other than machines used for educational and classroom purposes, and shall allocate the use thereof among the several town agencies”.

2. In Section 6-4, following the heading “Collector”:

(a) Delete the text of subsections (1) and (2), which read:

(1) “The Massachusetts General Laws, including without limitation Chapters 41, 44, 58, 59, 60, 60A and 80 provide the manner through which the collector derives the authority to proceed to collect and enforce the collection of taxes committed to him. The collector is to compel payment of the taxes as levied or assessed by the proper authority. Regardless from whom the taxes are due they are to be collected and accounted for in the manner decreed by law. The collector must avail himself of any statutory remedies to enforce the collection.

(2) A collector who is acting in “good faith” cannot sit passively and merely receive such taxes as may be paid voluntarily, but must make an honest effort to enforce the collection under the powers conferred upon him or provided under the statutes.”

and insert in their place the following text:

(1) “The Massachusetts General Laws, including without limitation Chapters 41, 44, 58, 59, 60, 60A and 80, authorize the means by which the collector is to collect and enforce the collection of taxes. The collector shall attempt to compel payment by all available legal means of the taxes as levied or assessed by the proper authority. Regardless of from whom the taxes are due, the taxes are to be collected and accounted for in the manner decreed by law. The collector must avail himself of any statutory remedies to enforce the collection.

(2) A collector must enforce collection under the powers conferred upon him or provided under the statutes.”

(b) Insert a new subsection (4), which reads “Before performing any duties of the office, a collector must furnish a fidelity bond with a surety (guarantee against default) from a surety authorized to transact business for this purpose in the Commonwealth of Massachusetts. The premium must be paid by the Town.”;

or otherwise act thereon.

ARTICLE 29
Amend By-Laws Article 1: Town Meetings
(Charter & By-Law Review Committee)

To see if the Town will vote to amend Article 1, Section 5 of the Town of Natick By-Laws by deleting the word “and”, which appears between the words “meeting” and “which”, and inserting in its place the word “or”, and by inserting at the end of the section the words “or the Superintendent of Schools”, so that Section 5 reads “In accordance with Article 2, Section 2-11 of the Charter the Board of Selectmen shall receive all petitions which are addressed to it and which request the submission of particular subject matter to the representative town meeting or which are filed by the Town Administrator or the Superintendent of Schools.”,

Or otherwise act thereon.

ARTICLE 30
Amend By-Laws Article 3: Procedure at Town Meetings
(Charter & By-Law Review Committee)

To see if the Town will vote to amend Article 3 of the Town of Natick By-Laws as follows:

1. In Section 4:
 - a. In the first sentence delete the words “unless otherwise voted” and insert between the words “hands” and “as” the words “or other means as authorized by the Moderator and approved by vote of two-thirds (2/3) of the Town Meeting Members present and voting, or” so that the first sentence reads:

“Voting by Town Meeting Members shall be by a show of hands or other means as authorized by the Town Moderator and approved by vote of two-thirds (2/3) of the Town Meeting Members present and voting or as hereinafter provided”;
 - b. In the third sentence:
 - 1.) insert the words “by any other means” between the words “hands” and “is”;and
 - 2.) insert at the end of the sentence the words “by a show of hands” so that the third sentence reads “If the result of a vote by show of hands or any other means is in doubt, or if the result is questioned by seven (7) Town Meeting Members, the Moderator shall appoint tellers who shall count the vote by a show of hands”; and
 - c. Change the third sentence to read “Upon motion affirmatively voted by two-thirds (2/3) of the Town Meeting Members present and voting, a vote shall be taken by secret ballot”.
3. In section 10, first sentence, delete the words “at the meeting”, so that the first sentence reads: “All committees shall be appointed by the Moderator, unless otherwise ordered by a vote of two thirds (2/3) of the Town Meeting Members present and voting; and
4. In the table entitled “Precedence of Motions”,
 - a. insert “++++” after the phrase “Adjourn to a fixed time or recess”; and

- b. insert between the text for the Motions “Postpone indefinitely” and “Main Motion” the following text: “Take no action Yes Yes No Majority”; and
- c. insert on a new line below the third (last) footnote “++++ See By-Law Article 1, Section 3.”

Or otherwise act thereon.

ARTICLE 31
Amend By-Laws Article 10: Board of Selectmen
(Charter & By-Law Review Committee)

To see if the Town will vote to amend Article 10 of the Town of Natick By-Laws as follows:

- 1. In Section 1: a) insert the words “Board of” before the word “Selectmen”; and b) insert the words “be responsible for” between the words “shall” and “the”;
 - 2. In Section 3, reword the second sentence to read “The Board of Selectmen may compromise any claim against the Town whenever there are sufficient funds available in an account for that purpose or whenever they have so recommended in writing and the Finance Committee authorizes a transfer therefor from the Reserve Fund”;
 - 3. In the table entitled “Appointments made by the Board of Selectmen”: a) delete “Emergency Operations Planning Committee, Joint Regional Transportation Committee, Keefe Tech Vocational School, and Middlesex County Advisory Board”; b) insert “(1 member)” after the words “Contributory Retirement Board”; and c) insert in the appropriate alphabetical order the following text: “Affordable Housing Trust Fund, Audit Committee, Bicycle & Pedestrian Advisory Committee, Cochituate Rail Trail Advisory Committee, Community Development Advisory Committee, Economic Development Committee, Fair Housing Officer, Katherine L. & Waldo Kennedy Trust Fund, Lookout Farm Advisory Committee, MathWorks Scholarship Committee, Open Space Advisory Committee, and Walcott Fund Board of Managers, and Youth Advisory Board”; and insert in the appropriate alphabetical order under the heading “Representatives to Regional Boards the following text: “MetroWest Regional Transportation Authority, Regional Transportation Advisory Council, and South Middlesex Regional Vocational School”;
- or otherwise act thereon.

ARTICLE 32
Amend By-Laws Article 12: Collector of Taxes
(Charter & By-Law Review Committee)

To see if the Town will vote to amend Article 12 of the Town of Natick By-Laws as follows:

1. Renumber the Article from 12 to Article 21A;
2. In Section 3: a) in the first sentence insert the words “and Town Collector” after the words “Town Comptroller”; b) delete the second sentence, which reads “Upon receipt of such statements of account the Town Comptroller shall submit such statements of account to the Town Collector for Collection.”; and c) insert a new last sentence which reads: “The Town Collector shall deliver to the Town Comptroller a statement of any accounts not otherwise covered by this section.”;
3. In Section 4: a) in the first sentence: 1) delete the words “Committed by the Town Comptroller”; 2) delete the word “may” and insert in its place the word “shall”; 3) delete the words “or Town Counsel for instructions as to procedure”; b) in the second sentence delete the word “abated” and insert in its place the word “adjusted”; c) in the third sentence delete the word “abatement” and insert in its place the word “adjustment”;
4. In Section 5, a) in the first sentence delete the word “oftener” and insert in its place “more often”, and b) in the second sentence, delete the words “Corporations and Taxation” and insert in their place the words “the Department of Revenue or successor position”;
5. Delete the text of Section 7 and insert in its place the following text: “Within 180 days of the end of the fiscal year, the Town Collector shall publish, in a newspaper of general circulation in the Town of Natick, the name of any entity (person, corporation, or business enterprise), that has not entered into a payment plan with the Tax Collector’s office and that owes, from the previous fiscal year or before, an aggregate of \$1,000 or more in local property taxes, assessments, or betterments.”

Or otherwise act thereon.

ARTICLE 33
Amend By-Laws Article 20: Town Administrator
(Charter & By-Law Review Committee)

To see if the Town will vote to amend Article 20 of the Town of Natick By-Laws as follows:

1. In Section 1, delete the entire first paragraph, which reads:

“The Town Administrator shall appoint the officials and multiple member bodies listed in the table entitled “Appointments Made by the Town Administrator,” which is incorporated into this section by reference.”

and in its place insert the following text:

“The Town Administrator shall appoint the multiple member bodies listed in the table entitled “Multiple Member Body Appointments Made by the Town Administrator,” which table is incorporated into this section by reference, as well as department heads, officers, subordinates and employees as provided in Article 4, Section 4-2 of the Charter.”

2. In Section 2, delete the word “proposed”, and in its place insert the word “preliminary”;
3. In the Table entitled “**APPOINTMENTS MADE BY THE TOWN ADMINISTRATOR**”:
 - a. insert the words “**MULTIPLE MEMBER BODY**” before the word “**APPOINTMENTS**” in the title of said Table, so that the title reads “**MULTIPLE MEMBER BODY APPOINTMENTS MADE BY THE TOWN ADMINISTRATOR**”;
 - b. delete the entire text in the body of said Table, which reads:

Name	Citation+	Additional References++
Building Inspector		C.S. laws and rules
Central Equipment Purchasing Committee		
Director of Public Works		
Animal Control Officer		
Insurance Advisory Committee		
Parking Meter Maintenance		
Personnel Board	(B) Art. 24, s. 1	
Planning Director	(B) Art. 21, s. 3	
Safety Committee		
Sealer of Weights and Measures		C.S. laws and rules
Superintendent of Insect and Pest Control		
Director of Recreation and Human Services	(C) s. 3-12(b)	
Systems Manager		
Town Report Committee		
Tree Warden		

and in its place insert the following text:

Name	Citation+	Additional References++
Commission on Disability Golf Course Advisory Committee Insurance Advisory Committee Personnel Board Safety Committee Town Report Committee	(B) Art. 24, s. 1	

and

c. in the footnotes to said Table, delete the words “C.S. – Civil Service;”;

or otherwise act thereon.

ARTICLE 34
Amend By-Laws Article 21: Planning Director
(Charter & By-Law Review Committee)

To see if the Town will vote to amend Article 21 of the Town of Natick By-Laws as follows:

2. Change the title from “Planning Director” to “Community Development Director”;
2. Delete the text of Section 1 and insert in its place the following text:
 “There shall be a Community Development Director who shall be competent by virtue of applicable professional training in municipal planning, or equivalent experience or education. The Community Development Director shall be responsible to the Town Administrator.”
3. Delete the text of Section 2 and insert in its place the following text:
 “The duties of the Community Development Director shall include, but not be limited to, those described in this section. At the direction of the Town Administrator, the Community Development Director shall supervise the Community Development Department and its staff, assist various Town Boards and Commissions, undertake professional, administrative and technical work related to applicable town, state and federal laws, and perform planning related tasks to advance the interests of the Town.”
4. Replace the first occurrence of the word “Planning” in the first sentence of Section 3 and replace it with “Community Development”;

Or otherwise act thereon.

ARTICLE 35
Amend By-Laws Article 22: Town Counsel
(Charter & By-Law Review Committee)

To see if the Town will vote to amend Article 22 of the Town of Natick By-Laws as follows:

1. In Section 5a, fourth line, insert the words “or by the Town Administrator” after the words “Board of Selectmen” so said Section 5a reads “Town Counsel shall serve as the legal advisor to the Town. In addition to those duties and responsibilities as set forth in the General Laws of the Commonwealth and these By-Laws, all as may be amended from time to time, the Town Counsel shall render all legal services as may be reasonably required of him by the vote of the Town or majority of the Board of Selectmen or by the Town Administrator.”;

2. In Section 5c: first line, delete the words “That the” and insert in their place the word “The”; third line, delete the word “Inspector” which appears after the word “Building” and insert in its place the word “Commissioner” so that Section 5c refers to the Building Commissioner; third and fourth lines, delete the words “Public Works Commission and Recreation Commission”; fifth line, delete the words “Tree Warden,”; fifth line, delete the word “Superintendent” which appears before the words “of Recreation” and in its place insert the word “Director”, and insert the words “and Parks, Chief of Police, Fire Chief, Community Development Director,” between the words “Recreation” and “and Chairman”, so that Section 5 c refers to the “Director of Recreation and Parks, Chief of Police, Fire Chief, Community Development Director, and Chairman of the following Boards or Committees acting with the authority of a majority of their members”; and eighth line, delete the word “and” appearing between the words “Board,” and “Personnel Board”, and insert the words “and Recreation Commission” after the words “Personnel Board”;

3. In Section 6, delete the punctuation “,” appearing after the word “Meeting” and insert the word “or” between the words “Meeting” and “by”; and

4. In Section 7, insert the words “the Charter or” between the words “Commonwealth or” and “By-laws” so that said Section 7 reads “The Town Counsel shall, if requested by the Selectmen, prosecute in the appropriate court, any cases of violation of the Commonwealth or the Charter or By-Laws of the Town.”; or otherwise act thereon.

ARTICLE 36
Amend By-Laws Article 23: Finance Committee
(Charter & By-Law Review Committee)

To see if the Town will vote to amend Article 23 of the Town of Natick By-Laws as follows:

1. In Section 1.2, third sentence, delete the words “four (4) terms or” so that said third sentence reads “No Finance Committee member shall serve for more than a total of twelve (12) years.”;

2. In Section 2, delete the word “Executive” from the title and the text, so that said Section 2 reads “ Section 2 Secretary The Finance Committee may employ, subject to an appropriation therefor, a Secretary.”;

3. In Section 4, second sentence, first clause, delete the words “ten (10)” and insert in their place the words “seven (7)” so that said sentence reads “The Finance Committee shall distribute its report to each of the Town Meeting members at least seven (7) days in advance of a Town Meeting, except where compliance with this provision would defeat the purpose of a Special Town Meeting.”; and

4. In Section 4, fourth sentence, delete the words “and the appropriate tax rate based on such recommendations” so that said sentence reads “The Committee Report shall also state the total amount of the appropriations recommended by them on the entire Warrant.”; or otherwise act thereon.

ARTICLE 37
Audit Committee
(Board of Selectmen)

To see if the Town will vote to amend the Town of Natick By-Laws by inserting therein a new Section 23A, said section to read as follows:

ARTICLE 23A
AUDIT COMMITTEE

Section 1. Establishment of Audit Committee

There is hereby established an Audit Committee consisting of five members. Such members shall include: one (1) current member from each of the Board of Selectmen, Finance Committee and School Committee, appointed as determined by the Chair of the respective board or committee; plus two (2) at-large members appointed by the Board of Selectmen. The at-large members shall not be a member of another board or committee, or an officer, official or paid employee of the Town. All members of the Audit Committee shall have, at a minimum, a working familiarity with basic finance and accounting practices; appointments should be made to provide that at least two members of the Audit Committee be Certified Public Accountants or otherwise have accounting or related financial management expertise; ideally that expertise shall be in municipal or not-for-profit finance.

Audit Committee members appointed by the Board of Selectmen shall serve for a term of two (2) years, except that one (1) of the initial appointees shall serve for a term of three (3) years, thereby providing that one such member's term will expire on an annual basis. All other members shall serve a term of one (1) year. Any vacancy occurring in the Audit Committee shall be filled by the appropriate appointing authority for the balance of the unexpired term. Terms shall coincide with the fiscal year, i.e. effective July 1 and expiring June 30, to correspond with the period of time for which the town's audits are conducted.

At the first meeting after the start of each new fiscal year, the Audit Committee shall conduct an organizational meeting to elect from its members a chair, a vice-chair and a secretary.

Section 2. Role of Audit Committee

The Audit Committee shall serve as advisor to the Board of Selectmen with respect to the town's internal auditing, financial systems and independent annual audit. Specific duties shall include, but are not limited to, the following:

- (1) Make recommendations to the Board of Selectmen on the selection of, and scope of services for, an independent auditor.
- (2) Review the annual financial statements and management reports and make recommendations with respect thereto.
- (3) Make recommendations for areas of operations where expanded scope audits or review of the internal controls may be appropriate. Note that this provision is not intended to conflict with or supersede similar authority of the Finance Committee under Article 23, section 5 of the Town By-Laws.
- (4) Review and make recommendations with respect to the Town's internal auditing and financial controls; through the Town Administrator, review with appropriate boards and departments' opportunities to improve such controls.
- (5) Report to the Board of Selectmen on the status of recommendations the Committee, town financial staff and/or independent auditor has made during the preceding twelve months.
- (6) Submit a summary of their work for the preceding calendar year for inclusion in the Town's Annual Report.

or otherwise act thereon

ARTICLE 38 Home Rule Petition: Removal of Police Chief Position from Civil Service (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 this petition.

AN ACT EXEMPTING THE POSITION
OF CHIEF OF POLICE OF THE TOWN OF NATICK
FROM THE PROVISIONS OF CIVIL SERVICE LAW

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. Chapter 8 of the Acts and Resolves of 1931 is hereby repealed.
- SECTION 2. The position of chief of police in the town of Natick shall be exempt from the provisions of chapter thirty-one of the General Laws.
- SECTION 3. The provisions of Section 1 and Section 2 of this act shall not impair the civil service status of the person holding the position of interim chief of police in the town of Natick on the effective date of this act.
- SECTION 4. This act shall take effect upon its passage.

or otherwise act thereon

ARTICLE 39
Selection Process for Police Chief
(Board of Selectmen)

To see if the Town will vote to insert in Article 24 of the Town of Natick Bylaws a new Section 14 as follows:

14.1 Applicability

This bylaw shall apply to the selection of a candidate to fill the position of Police Chief when such position is not subject to the provisions of Chapter 31 of the Massachusetts General laws. Pursuant to Article 24, Section 3.6 of the Town of Natick Bylaws, a current job description shall be maintained for this position. A Police Chief appointed by the Board of Selectmen pursuant to this Bylaw will meet the minimum entrance requirements set forth in said job description.

14.2 Procedure for Appointment of Police Chief

a. Within one year of the time when it is known that the position of Police Chief shall become vacant, the Board of Selectmen may initiate the selection process. Within six months of the time the position of Police Chief is to become vacated, the Board of Selectmen shall initiate the selection process if it has not already done so. In the event that less than six months notice is provided to the Selectmen that the position of Police Chief shall become vacant, the selection process shall begin forthwith after receipt by the Board of Selectmen of such notice.

b. The Board of Selectmen shall initiate the selection process by giving notice of its intention to establish a screening committee to review applications for the position of Police Chief and shall send a copy of such notice to each town agency or officer responsible for designating persons to serve on the committee. The Board of Selectmen shall appoint to the screening committee all

such persons designated pursuant to the provisions of section 14.2 c. and 14.2 d. herein, provided that their names have been received in writing the day before the screening committee is to be appointed. The Board of Selectmen shall appoint the screening committee not earlier than twenty-one days nor later than twenty-eight days after such notice is sent.

c. For the position of Police Chief, a screening committee shall consist of nine voting members and one non-voting member. The School Committee, Finance Committee and Personnel Board may each designate one person to serve on the screening committee. Persons chosen by said agencies may, but need not, be members of the agency by which they are chosen. The Town Administrator and Fire Chief shall serve as members of the screening committee. The Board of Selectmen shall designate one resident of Natick to the screening committee. This designee may not be a member of the Board of Selectmen, School Committee, Finance Committee or Personnel Board. The most senior member of the Police Department in the second-highest non-chief rank who is able to serve and is not a candidate for the position of Police Chief shall serve on the screening committee. In the event that no member of that rank is able to serve, the most senior member of the next lowest rank who is able to serve and is not a candidate for the position of Police Chief shall serve on the screening committee. This individual may not be a member of the Board of Selectmen, School Committee, Finance Committee or Personnel Board. The Town Moderator shall designate one member of Town Meeting. This designee may not be a member of the Board of Selectmen, School Committee, Finance Committee or Personnel Board. The Town Administrator shall designate to the screening committee one police chief from another community. The Personnel Director shall serve as the non-voting member of the committee. Designees of the Board of Selectmen, School Committee, Finance Committee, Personnel Board and Town Moderator shall be residents of Natick. No member of the screening committee – other than the Town Administrator, Fire Chief, Personnel Director and the specified member of the Police Department – may be a paid employee of the Town.

d. Not more than thirty days following the appointment of the screening committee by the Board of Selectmen, the persons chosen shall meet to organize and plan a process for solicitation by advertisement, including, without limitation, in appropriate professional journals, and by other means, to receive applications for the position of Police Chief. The screening committee shall conduct its work in an expeditious manner; employees of the Town shall provide all reasonable assistance to the committee in the conduct of its work.

e. The screening committee shall review all applications received and shall provide for interviews to be conducted with such number of candidates for the position as it may decide.

f. Candidates selected for interview shall be evaluated using an assessment center specifically designed to examine their knowledge, skills and abilities, including, without limitation, their technical, tactical, professional, managerial and strategic skills. The assessment center shall be designed and conducted by a consultant specifically hired for this purpose by the Town. Said consultant shall be selected by the Town through competitive procurement in accordance with applicable law and procedures and shall have significant experience conducting assessment centers in the relevant public safety department.

g. The results of the assessment center conducted pursuant to paragraph (f) shall be made

available to the screening committee prior to its interview of candidates for the position of Police Chief.

h. Not more than one hundred eighty days following the date the screening committee meets to organize, the screening committee shall submit to the Board of Selectmen the names of not less than three but not more than five candidates whom it believes to be best suited to perform the duties of Police Chief.

i. If the screening committee determines that there are not at least three candidates qualified to perform the duties of the Police Chief, the screening committee shall report to the Board of Selectmen that it is unable to complete its assigned task. In that event, the Board of Selectmen shall direct the screening committee to reopen the search process and the foregoing procedure shall apply.

j. Within sixty days following the date that a list of nominees is submitted to it, the Board of Selectmen shall:

1. interview candidates referred to it by the screening committee, and
2. determine if it will select one of the candidates to serve as Police Chief, and
3. choose a nominee to be appointed as Police Chief; or
4. if the Board of Selectmen decides not to appoint any of the nominees as Police Chief, it shall direct the screening committee to reopen the search process, and the foregoing procedure shall apply.

k. Upon the appointment of the Police Chief, the screening committee established pursuant to this Article shall be considered discharged.

14.3 Appointment, Review, Other Activities

a. Appointment, Term - The Board of Selectmen shall appoint the Police Chief to serve for a term of up to five years, provided, however, that the first six months of any individual's first appointment to the office shall be considered a probationary period. The Police Chief shall be appointed solely on the basis of his or her technical, tactical, professional, managerial and executive qualifications and shall be especially fitted by previous experience, training and education to perform the duties of the position.

b. Review of Performance - The Town Administrator shall annually provide to the Board of Selectmen a review of the job performance of the Police Chief which shall, at least in summary form, be a public record.

c. Restriction on Other Activities – The Police Chief shall devote his or her full time to the duties of the position of Police Chief and shall not hold any other public office, elective or appointive, nor shall he or she engage in other business, occupation or profession during his or her term, unless such action or appointment is approved, in advance, in writing, by the Board of

Selectmen.
Or otherwise act thereon.

ARTICLE 40
Amend By-Laws Article 32: Open Space Advisory Committee
(Charter & By-Law Review Committee)

To see if the Town will vote to amend Article 32 of the Town of Natick By-Laws by deleting the word “lease” from the second sentence of Section 2 and inserting in its place the word “least” so that said second sentence reads “At least once during each calendar year the Open Space Advisory Committee shall report to the Board of Selectmen regarding its activities.”;

Or otherwise act thereon.

ARTICLE 41
Amend By-Laws Article 40: Town Reports and Records
(Charter & By-Law Review Committee)

To see if the Town will vote to amend Article 40 of the Town of Natick By-Laws as follows:

1. In the first paragraph in Section 3:
 - a. in the first line, remove the tab space before the word “In”;
 - b. in the third line, delete the punctuation and words “, they” appearing after the word “time”, and in their place insert the punctuation and words “. The minutes”; delete the word “its” as appearing between the words “therein” and “official”, and in its place insert the words “the body’s”; and delete the word “its” appearing between the words “of” and “opening”;
 - c. in the fourth line, delete the punctuation “;” appearing after the word “approved”;
 - d. in the fifth line, delete the punctuation “;” appearing after the word “denied”, and in its place insert the punctuation and word “, and”;
 - e. in the fifth and sixth lines, delete the words “its Clerk or Secretary, as required by law, with the Town Clerk; and attested by its Clerk or Secretary.” appearing after the word “by”, and in their place insert the words “the Clerk or Secretary or, in the absence of the Clerk or Secretary, by the Chair or the Chair’s designee. The minutes shall be attested by the Clerk or Secretary or, in the absence of the Clerk or Secretary, by the Chair or the Chair’s designee.”

so that the first paragraph reads as follows: “In carrying out the provisions of Section 7-9 (b) of the Charter, each Town Board, Commission, Committee and Sub-Committee shall record the minutes of its proceedings within a reasonable time. The minutes shall contain therein the body’s official name, date, time of opening and adjournment, members present, minutes of previous meeting corrected or approved, motions voted thereon as approved or denied, and that the meeting was duly posted by the Clerk or Secretary or, in the absence of the Clerk or Secretary, by the Chair or the Chair’s designee. The minutes shall be attested by the Clerk or Secretary or, in the absence of the Clerk or Secretary, by the Chair or the Chair’s designee.”

2. In Section 3, delete the existing second paragraph in its entirety, which reads:

“Each Town Board, Commission, Committee and Sub-Committee shall notify the Town Clerk of its current mailing address and the location of its minutes which, by law, shall be available as public records.”

and replace it with the following text:

“Henceforth, each Town Board, Commission, Committee, and Sub-Committee shall file its minutes with the Town Clerk, who will make the minutes available as public records.”

or otherwise act thereon.

ARTICLE 42
Amend By-Laws Article 42: Licenses
(Charter & By-Law Review Committee)

To see if the Town will vote to amend Article 42 of the Town of Natick By-Laws as follows:

1. In the title of Section 1, insert the punctuation and words “ – Fuel Oils” after the number “1”;
2. In Section 1:
 - a. delete the entire text in the first paragraph, which reads:

“License and Registration fees for storage of gasoline, petroleum products, or inflammable fluids, including fuel oils, for sale and for other than the applicant's own use, shall be as follows:”

and replace it with the following text:

“The storage of gasoline, petroleum products, or inflammable fluids, including fuel oils over 10,000 gallons, requires an Initial (one-time) License and Annual Registration with the Board of Selectmen. Storage of such fluids for sale shall be subject to the following fee schedule:”

- b. delete the word “Licenses” in the first heading and in its place insert the words “Initial (one-time) License”;
 - c. insert the symbol “\$” before the amount “5.00” in (2) of the Licenses Fees subsection;
 - d. insert the symbol “\$” before the amount “150.00” in (2) of the Licenses Fees subsection;
 - e. insert the word “Annual” before the word “Registration”, and change the word “fees” to “Fees” in the second heading;
 - f. change the word “one-“ to “One”, insert the word “Initial” before the word “license”, change the word “license” to “License”, and change the word “fees” to “Fees” underneath the second heading;
3. In the title of Section 2, insert the punctuation and words “ – Transient Vendors” after the number “2”;

or otherwise act thereon.

ARTICLE 43

Amend By-Laws Article 43: Licenses/Permits of Delinquent Taxpayers (Charter & By-Law Review Committee)

To see if the Town will vote to amend Article 43 of the Town of Natick By-Laws as follows:

In the second paragraph of Section 2, delete the word “Inspector” appearing between the words “Building” and “or”, and in its place insert the word “Commissioner”;

or otherwise act thereon.

ARTICLE 44

Amend By-Laws Article 50: Police Regulations (Charter & By-Law Review Committee)

To see if the Town will vote to amend Article 50 of the Town of Natick By-Laws as follows:

1. In the second sentence of Section 3, delete the words “keep a” and in their place insert the word “provide”, and delete the words “number of lighted lanterns” and in their place insert the word “illumination”;
2. In the third line of Section 5:
 - a. delete the words “or Selectman”; and
 - b. delete the words “move it” and in their place insert the words “remove the obstruction”;
3. In the first line of Section 9, delete the word “and” and in its place insert the word “or”;
4. In the third line of Section 14, delete the words “of a house”;
5. Insert the following new section between Sections 14 a and 15:

“Section 14 b **Public Consumption or Use of Marihuana or
Tetrahydrocannabinol**

1. No person shall smoke, ingest, or otherwise use or consume marihuana or tetrahydrocannabinol (as defined in M.G.L. c. 94C, § 1, as amended) while in or upon any public place, including but not limited to, any public street, public sidewalk, public way, public footway, public passageway, public stairs, public bridge, public park, public playground, public beach, public recreation area, public boat landing, public building, public school building, public school grounds, public cemetery, public parking lot; or in or upon any area owned by or under the control of the Town of Natick, or any place to which the public has a right of access as invitees or licensees.
2. Any marihuana or tetrahydrocannabinol smoked, ingested, or otherwise used or consumed in violation of this By-Law shall be seized, held, and disposed of in accordance with M.G.L. c. 94C, § 47A.
3. Whoever is found in violation of this By-Law shall, when requested by an official authorized to enforce this By-Law, state his true name and address to said official.
4. This By-Law may be enforced through any lawful means in law or in equity including, but not limited to, enforcement by criminal indictment or complaint pursuant to M.G.L. c. 40, § 21, or by non-criminal disposition pursuant to M.G.L. c. 40, § 21D, by the Board of Selectmen or the Town Administrator, or any duly authorized agent of the Board of Selectmen or the Town Administrator, or any police officer.

5. The fine for a violation of this By-Law shall be one hundred fifty dollars (\$150.00) for each offense. A penalty imposed under this By-Law shall be in addition to any civil penalty imposed under M.G.L. c. 94C, § 32L.

6. If any provision of this By-Law is determined to be invalid or unenforceable by final judgment or order of a court of competent jurisdiction, the remaining provisions shall continue in effect to the extent permitted by law.”

6. In the title of Section 15, delete the word “**on**” and insert in its place the word “**or**”;

7. In Section 16.7:

a. in the schedule, insert the following row between “Dog unlicensed” and “Dog unvaccinated for rabies”:

“Kennel unlicensed	\$300.00”
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b. Delete the last sentence of Section 16.7, which reads:

“In addition to the foregoing fines, failure to renew a license for a dog within thirty days of the required time shall be punishable by a fine of twenty-five dollars. Failure to renew a license for a dog within sixty days of the required time shall be punishable by an additional fine of twenty-five dollars.”

and insert in its place two new paragraph, which read:

“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 147A and 173 of the Massachusetts General Laws, a kennel owner 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 twenty-five dollars in addition to the annual license fee.”

8. In the second line of Section 16.8, delete the word “his” and in its place insert the words “the investigating officer’s”;

9. In the third line of Section 16.9, delete the punctuation and number “.4”;

10. Delete the text of Section 16.15, which reads:

“16.15 Dog License and Kennel License Fees

Male – Female	\$15.00
Spayed – Neutered	\$10.00
Kennels	
4 Dogs	\$25.00
10 Dogs	\$50.00
25 Dogs	\$75.00”

and insert in its place the following text:

“16.15 Dog License and Kennel License Fees

Un-Neutered Male and Un-Spayed Female	\$15.00 per dog
Neutered Male and Spayed Female	\$10.00 per dog
Kennels	
4-9 Dogs	\$50.00
10-24 Dogs	\$75.00
25 or more Dogs	\$100.00

11. In Section 19:
 - a. in the title, delete the word “**Morse’s**” and add a letter “s” to the word “**Pond**” so that it reads “**Ponds**”; and
 - b. in the second line of the paragraph, delete the word “Morse’s Pond” and in its place insert the words “any pond”;
12. In Section 22.2, delete the second paragraph, which reads as follows:

“If the number of parking spaces in any such area is more than fifteen but not more than twenty-five, one parking space; more than twenty-five but not more than forty, five percent of such spaces, but not less than two; more than forty but not more than one hundred, four percent of such spaces but not less than three; more than one hundred but not more than two hundred, three percent of such spaces, but not less than four; more than two hundred but not more than five hundred, two percent of such spaces but not less than six; more than five hundred but not more than one thousand, one and one half percent of such spaces but not less than ten; more than one thousand but not more than two thousand, one percent of of such spaces, but not less than fifteen; more than two thousand but less than five thousand, three-fourths of one percent of such spaces but not less than twenty; and more than five thousand, one half of one percent of such spaces but not less than thirty.”

and in its place insert the following table:

Total Parking Spaces	Handicapped Spaces	
	Minimum %	Minimum Number
15-25	--	1
26-40	5.0%	2
41-100	4.0%	3
101-200	3.0%	4
201-500	2.0%	6
501-1000	1.5%	10
1001-5000	1.0%	15
2001-5000	.75%	20
5001-	.5%	30

All percentages to be rounded up to nearest whole number.

13. In Section 22.3:

- a. in the sixth line, delete the word “twelve” and insert in its place the word “thirteen”; and
- b. in the seventh line, delete the word “four” and insert in its place the word “five”;

or otherwise act thereon.

ARTICLE 45
Amend By-Laws Article 51: Alarm Systems
(Charter & By-Law Review Committee)

To see if the Town will vote to amend Article 51 of the Town of Natick By-Laws as follows:

1. In Section 1 a., delete the words “110 volt AC” and insert in their place the word “power”;
2. In Section 1 f., insert the word “signal” between the words “indicates” and “line”;
3. In Section 1 i.:
 - a. delete the words “voice grade telephone line” in the first line and “telephone line” in the second line and insert in their place the words “communication cable”; and
 - b. delete the words “telephone line” in the third line and insert in their place the words “communication cable”;

so that said Section 1 i. reads “The term “Interconnect” means to connect an alarm system to a communication cable, either directly or through a mechanical device that utilizes a standard telephone for the purpose of using the communication cable to transmit an emergency message upon the activation of the alarm system.”;

4. In Section 3 b.:
 - a. in the first sentence, delete the words “Within six (6) months after the effective date of this by-law, all” and insert in their place the word “No”, in the first sentence;
 - b. in the first sentence, insert the words “shall be” between the words “devices” and “interconnected”;
 - c. in the first sentence, delete the words “shall be disconnected therefrom” after the word “department”; and
 - d. delete the second sentence in its entirety

so that said Section 3 b. reads “No automatic dialing devices shall be interconnected to any telephone numbers at the police department.”;

5. In the third sentence of Section 9 b., delete the word “shall” as appearing between the words “Chief” and “order” and insert in its place the word “may”;
6. In the fourth line of Section 9 c., delete the word “shall” as appearing between the words “Chief” and “order” and insert in its place the word “may”;
7. In Section 9 d., delete the entire second sentence, which previously read as “In the event that the police department records eight (8) false alarms within the calendar year from an alarm system, the Police Chief shall order that the user of the alarm system discontinue use of the alarm system for the calendar year, but for not less than six (6) months from the date the alarm was disconnected.”; and
8. In the third sentence of Section 9 e., delete the word “shall” as appearing between the words “Chief” and “order” and insert in its place the word “may”;

or otherwise act thereon.

ARTICLE 46
Creation of Child Safe Zones
(Board of Selectmen)

To see what action the Town will take in creation of child safe zones by restricting convicted Level 3 sex offenders from said areas, or otherwise act thereon.

ARTICLE 47
Amend By-Laws Article 70: Public Works Regulations
(Charter & By-Law Review Committee)

To see if the Town will vote to amend Article 70 of the Town of Natick By-Laws as follows:

1. In Section 1, delete the word “Dump” and insert in its place the words “Recycling Center”;
2. In the second sentence of the first paragraph of Section 5, insert the punctuation “;” after the word “keep”; and
3. In the second sentence of the second paragraph of Section 7b., delete the word “by-law” and insert in its place the word “paragraph”;

or otherwise act thereon.

ARTICLE 48
Amend By-Laws Article 70: Removal of Snow and Ice From Sidewalks and Fire Hydrants
(Cathleen M. Collins, et al)

To see if the Town will vote, pursuant to Chapter 40, Section 21 (3) of the Massachusetts General Laws, or any other applicable law, to amend Article 70 of the Town of Natick By-Laws as necessary to include a provision for the removal of snow and ice from sidewalks and any adjacent fire hydrant by the owner or occupant of land abutting upon such sidewalks within such portions of the town as the town deems expedient. The by-law shall determine the time and manner of removal and shall affix penalties for the violation thereof. The penalties shall apply to the owner of the abutting property or his agent having charge thereof. Or otherwise act thereon.

ARTICLE 49
Amend By-Laws Article 72: Building Regulations
(Charter & By-Law Review Committee)

To see if the Town will vote to amend Article 72 of the Town of Natick By-Laws as follows:

9. In the third sentence of the first paragraph of Section 4, delete the word “an” as appearing between the words “to” and “abutter’s” and insert in its place the word “any”;
10. In the title to Section 6, insert the words “or on Public Property” after the word “Ways”; and

11. In Section 6:
 - a. in the first sentence, insert the words “or on public property” after the word “street”;
 - b. in the second sentence, delete the word “Inspector” as appearing between the words “Building” and “is” and insert in its place the word “Commissioner”; and
 - c. in the third, fourth and fifth sentences, change “Building Inspector” to read “Building Commissioner”;

or otherwise act thereon.

ARTICLE 50

Amend By-Laws Article 72A: Newsracks on Public Property and Public Ways (Charter & By-Law Review Committee)

To see if the Town will vote to amend Article 72A, Section 6 of the Town of Natick By-Laws as follows:

1. Delete the words “Inspector of Buildings” which appear in the first line and insert in their place the words “Building Commissioner,” so that said first line reads “This by-law shall be enforced by the Building Commissioner, subject to the following:”;
or otherwise act thereon.

ARTICLE 51

Amend By-Laws Article 75: Remedy of Public Nuisance (Charter & By-Law Review Committee)

To see if the Town will vote to amend Article 75 of the Town of Natick By-Laws as follows:

12. In the first sentence of Section 2(2), delete the word “and” as appearing between the words “Administrator” and “his”, and insert in its place the word “or”; and
13. In the second sentence of Section 3, delete the word “his” as appearing between the words “in” and “judgment”, and insert in its place the words “the Town Administrator’s”;

or otherwise act thereon.

ARTICLE 52

Amend By-Laws Article 76: Regulations for the Demolition, Alteration or Relocation of Historically Significant Buildings or Structures (Charter & By-Law Review Committee)

To see if the Town will vote to amend Article 76 of the Town of Natick By-Laws as follows:

14. In Section 2E, delete the words “Inspector of Buildings” and insert in their place the words “Building Commissioner”, delete the word “or” where it first appears in the second line and insert in its place the punctuation and word “, alteration”, and delete the word “or” where it next appears in the second line and insert in its place the word “of”, so that said Section 2E reads “The document issued by the Building Commissioner as required by the State Building Code for the demolition, alteration or relocation of a regulated building or structure”;
15. In Section 2G, delete the words “Inspector of Buildings” and insert in their place the words “Building Commissioner”;
16. In Section 3B, in the first sentence, delete the words “the” and “Prehistoric” and insert in place of the word “Prehistoric” the word “Archaeological”, and delete the letter “a” in the word “assets” and replace it with the letter “A”, so that said first sentence reads “Any building or structure included in the Inventory of Historic and Archaeological Assets of the Commonwealth.”;
17. In Section 4, insert the punctuation and word “, alteration” between the words “demolition” and “or”;
18. In Section 5A, in the first sentence:
 - a. insert the punctuation and word “, alter” between the words “demolish” and “or”;
 - b. delete the word “same” and insert in its place the words “said application”;
 - c. delete the word “Planning” and insert in its place the words “Community Development”

so that said first sentence reads “Upon receipt of an application to demolish, alter or relocate a building or structure that is regulated by this bylaw the Building Commissioner shall forward a copy of said application to the Commission and the Community Development Director of the Town”;

19. In Section 5 F, insert the punctuation and word “, alteration or” between the words “demolition” and “relocation”; and
Or otherwise act thereon.

ARTICLE 53

Amend By-Laws Article 79A: Stormwater Management and Erosion Control (Charter & By-Law Review Committee)

To see if the Town will vote to amend Article 79A of the Town of Natick By-Laws as follows:

1. In Section 2, insert the following definition between the definitions for “POINT SOURCE” and “PRE-CONSTRUCTION”:

“POLLUTANT: Any element or property of sewage, agricultural, industrial or commercial waste, runoff, leachate, heated effluent, or other matter whether originating at a point or nonpoint source that is considered toxic or detrimental to humans or the environment and may be introduced into the municipal storm drain system or into any water, watercourse or waters of the Commonwealth.”;

or otherwise act thereon.

ARTICLE 54

Amend By-Laws Article 80: Water Supply Protection (Charter & By-Law Review Committee)

To see if the Town will vote to amend Article 80 of the Town of Natick By-Laws as follows:

In Section 4, insert the following new paragraph, to appear immediately after the existing third paragraph:

“The Board of Selectmen is hereby authorized to promulgate rules and regulations, and amendments thereto, regarding protection of the Town of Natick’s public water supply system, including without limitation preventing of cross connections, unauthorized use of fire hydrants, and tampering of water meters or any other part of the Town of Natick public water supply system.”;

or otherwise act thereon.

ARTICLE 55
Amend By-Laws Article 90: Repeal of By-Laws
(Charter & By-Law Review Committee)

To see if the Town will vote to amend Article 90 of the Town of Natick By-Laws as follows:

1. Insert the words “AND EFFECT” in the title, between the words “REPEAL” and “OF”, so that the title reads “REPEAL AND EFFECT OF BY-LAWS”; and
2. Insert a new Section 3 which reads “If any provision of these By-Laws is determined to be invalid or unenforceable by final judgment or order of a court of competent jurisdiction, the remaining provisions shall continue in effect to the extent permitted by law.”; or otherwise act thereon.

ARTICLE 56
Amend By-Laws Article 91: Collective Bargaining
(Charter & By-Law Review Committee)

To see if the Town will vote to repeal Article 91 of the Town of Natick By-Laws, which reads:

“Whenever the Natick Town Meeting duly votes to accept, approve and adopt any terms or provisions of a collective bargaining agreement duly negotiated between authorized representatives of the Town and the duly recognized or designated employee representative of any employee group, and when any provision of such collective bargaining agreement is in conflict with any provision of these By-Laws, then the provisions of the collective bargaining agreement shall prevail and shall supersede the conflicting provisions of these By-Laws.” or otherwise act thereon.

ARTICLE 57
Amend By-Laws Article 92: Enforcement of By-Laws
(Charter & By-Law Review Committee)

To see if the Town will vote to amend Article 92 of the Town of Natick By-Laws as follows:

1. In Section 2.1, insert the punctuation, symbol and number “(\$300.00)” after the word “dollars”;
2. In the Schedule of Fines:
 - a. delete the following text:

Smoking

(B) Art.83

Health Officer,
Sanitarian

First offense	\$25.00
Second offense	\$50.00
Third offense	\$100.00
Fourth offense	\$200.00

- b. under the heading “Littering, illegal dumping”, insert the words “in a calendar year” after the words “First, second, third offenses” and after the words “Fourth offense” under the heading, so that the text reads:

Littering, illegal dumping	(G) c.270, s.16, s.16A	Health Officer, Sanitarian	
First, second, third offenses in a calendar year			\$20.00
Fourth offense in a calendar year			\$100.00

or otherwise act thereon.

ARTICLE 58

Amend Zoning By-Laws: Renewable or Alternative Energy Manufacturing & Research & Development (Planning Board)

To see if the Town will vote to amend the Zoning Bylaws to define and permit renewable or alternative energy manufacturing and research and development by amending the following:

Section 200 of the Natick Zoning Bylaws by inserting the following:

“Renewable or Alternative Energy: The following renewable or alternative energy generation activities, products, or technologies: solar (both photovoltaic (PV) and thermal); wind; biomass power conversion or thermal technologies, including R&D related to, or the manufacture of, wood pellets; ultra low emissions high efficiency wood pellet boilers and furnaces; low impact hydro (electric or kinetic); ocean thermal, wave or tidal; geothermal; landfill gas; fuel cells that use renewable energy; advanced biofuels; combined heat and power; electric and hydrogen powered vehicles and associated technologies including advanced batteries and recharging stations.”

“Renewable or Alternative Energy Research and Development Facilities: Facilities used primarily for research, development and/or testing of innovative renewable or alternative energy information, concepts, methods, processes, materials or products. This can include the design, development, and testing of biological, chemical, electrical, magnetic, mechanical, and/or optical components in advance of product manufacturing. The accessory development, fabrication, and light manufacturing of prototypes or specialized machinery and devices integral to research or testing may be associated with these uses.”

Section III-A.2, No. 39 of the Natick Zoning Bylaws by inserting the following language after the words “Light manufacturing uses”:

“(including renewable or alternative energy light manufacturing uses)”

Section III-A.2, No. 40, of the Natick Zoning Bylaws by inserting the following language after the word “manufacturing,”:

“renewable or alternative energy manufacturing,”

Section III.A.2 of the Natick Zoning Bylaws by inserting the following after No. 40 of said Section III.A.2:

“40A. Renewable or alternative energy O O O O O O (*) O P P O O
research and development facilities”

ARTICLE 59

**Amend Zoning By-Laws: Natick Center Parking Requirements for Restaurants
(Board of Selectmen)**

To see if the Town will amend Section V of the Town of Natick Zoning Bylaws with respect to parking requirements for restaurants in Natick Center, or otherwise act thereon.

ARTICLE 60

**Report of Community/Senior Center Building Committee
(Board of Selectmen)**

To hear a report from the Community/Senior Center Building Committee, or otherwise act thereon.

ARTICLE 61

**Report of Economic Development Committee
(Economic Development Committee)**

To hear a report from the Economic Development Committee, or otherwise act thereon.