

**WARRANT  
SPRING ANNUAL TOWN MEETING  
APRIL 12, 2011**

THE COMMONWEALTH OF THE MASSACHUSETTS

Middlesex, ss

To Any Constable of the Town of Natick in said County:  
Greeting:

In the name of the Commonwealth of Massachusetts you are required to notify the qualified Town Meeting Members of the said Town of Natick to meet in the Wilson Middle School Auditorium, Natick on **Tuesday Evening April 12, 2011 at 7:30 PM**, then and there to act on the following Articles:

- |            |  |
|------------|--|
| Article 1  | Omnibus Budget FY11  |
| Article 2  | Stabilization Fund   |
| Article 3  | Stabilization Fund – Capital   |
| Article 4  | Stabilization Fund – Create Operational Stabilization Fund                       |
| Article 5  | Stabilization Fund – Fund Operational Stabilization Fund                         |
| Article 6  | Morse Institute Library  |
| Article 7  | Bacon Free Library   |
| Article 8  | Elected Officials Salary   |
| Article 9  | Collective Bargaining  |
| Article 10 | Personnel Board Pay Plan   |
| Article 11 | Omnibus Budget FY12  |
| Article 12 | Capital Equipment  |
| Article 13 | Capital Improvement  |
| Article 14 | School Bus Transportation Subsidy  |
| Article 15 | Appropriate Funds to Re-Write Zoning By-Law                                      |
| Article 16 | Repeal of Quinn Bill Law   |
| Article 17 | Appropriation of Funds for Sidewalk Construction                                 |
| Article 18 | Appropriation of Mall Cochituate Rail Trail Mitigation Funds                     |
| Article 19 | Unpaid Bills   |
| Article 20 | Establish Board of Health Revolving Fund For Immunization Programs               |
| Article 21 | Re-authorization of Revolving Funds  |
| Article 22 | Assessors: Increase Personal Property Exemptions                                 |
| Article 23 | Home Rule Petition: Beer & Wine Licenses   |
| Article 24 | Home Rule Petition: To Lease Portion of Speen Street National Guard Site         |
| Article 25 | Appropriation of Funds Regarding Lease of National Guard Speen Street Site       |
| Article 26 | Amend By-Laws: Building Commissioner Hiring Process                              |
| Article 27 | Home Rule Petition: Removal of Building Commissioner Position from Civil Service |
| Article 28 | Home Rule Petition: Removal of Fire Chief Position from Civil Service            |
| Article 29 | Amend By-Law to Provide for Procedure for Appointment of Fire Chief              |

Article 30	Street Acceptance: Main Street
Article 31	Abandonment of Driveway Easement: College Road
Article 32	Charter Amendment Regarding Applicability of Civil Service Laws
Article 33	Amend By-Laws: Allow Town Meeting to Limit Maximum Speaking Time
Article 34	By-Law Amendment Regarding Applicability of Civil Service Laws
Article 35	By-Law Amendments Regarding Police Chief Selection Process
Article 36	Amendments to Personnel By-Law
Article 37	Amendments to By-Law Article 41 Regarding Disposal of Property
Article 38	Amend By-Laws: Construction Hours
Article 39	Amend Zoning By-Laws: Special Permit Granting Authority
Article 40	Amend Zoning By-Laws: Definitions
Article 41	Amend Zoning By-Laws: Off-Street Loading and Parking Requirements
Article 42	Amend By-Laws: Removal of Snow and Ice from Sidewalks
Article 43	Committee Article

**ARTICLE 1**  
**Fiscal 2011 Omnibus Budget**  
**(Town Administrator)**

To determine what sum or sums of money the Town will appropriate and raise, or transfer from available funds, for the operation of the government of the Town of Natick, including debt and interest, during Fiscal Year 2011 (July 1, 2010 through June 30, 2011) and to provide for a reserve fund for Fiscal Year 2011, and to see what budgets for Fiscal 2011 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**  
**Capital Stabilization Fund**  
**(Town Administrator)**

To see if the Town will vote to appropriate a sum of money from available funds for the purpose of supplementing the Capital Stabilization Fund under Article 2

of the warrant for Fall Annual Town Meeting of 2010, as authorized by Chapter 40, Section 5B of the General Laws, as amended, or take other action relative thereto.

**ARTICLE 4**  
**Create Operational Stabilization Fund**  
**(Town Administrator)**

To see if the Town will vote to create an Operational Stabilization Fund for the purpose of supplementing declines in revenues during periods of economic downturn, as authorized by Chapter 40, Section 5B of the General Laws, as amended, or take other action relative thereto.

**ARTICLE 5**  
**Funding of Operational Stabilization Fund**  
**(Town Administrator)**

To see if the Town will vote to appropriate a sum of money from available funds for the purpose of supplementing the Operational Stabilization Fund under Article 4 of the warrant for Spring Annual Town Meeting of 2011, as authorized by Chapter 40, Section 5B of the General Laws, as amended, or take other action relative thereto.

**ARTICLE 6**  
**Fiscal 2012 Morse Institute Library Budget**  
**(Morse Institute Library Trustees)**

To see what sum of money the Town will vote to raise and appropriate, or otherwise provide, for the maintenance and operation of the Morse Institute Library, for Fiscal Year 2012 (July 1, 2011 through June 30, 2012), or otherwise act thereon.

**ARTICLE 7**  
**Fiscal 2012 Bacon Free Library Budget**  
**(Bacon Free Library Trustees and Bacon Free Library Maintenance**  
**Committee)**

To see what sum of money the Town will raise, borrow or transfer for the maintenance and operation of the Bacon Free Library, for Fiscal Year 2012 (July 1, 2011 through June 30, 2012), or otherwise act thereon.

**ARTICLE 8**  
**Elected Officials Salary**  
**(Town Administrator)**

To see if the Town will vote to fix the salary and compensation of all elected officers of the Town of Natick for Fiscal Year 2012 (July 1, 2011 through June 30, 2012) as provided by Section 108 of Chapter 41 of the General Laws, as amended, or otherwise act thereon.

**ARTICLE 9**  
**Collective Bargaining**  
**(Town Administrator)**

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

- a) Public Employees Local Union 1116 of the Laborers International Union of North America – Public Works Laborers unit
- b) The Natick Patrol Officers Association
- c) Local 1707 International Association of Firefighters

Or otherwise act thereon.

**ARTICLE 10**  
**Personnel Board Pay Plan**  
**(Town Administrator)**

To see if the Town, pursuant to the authority contained in Section 108A of Chapter 41 of the General Laws, will vote to amend the by-laws by adding to Article 24, Section 3, a new paragraph deleting certain position titles, adding new position titles and effecting changes in the salary ranges as presently established and will provide the money necessary therefore, or otherwise act thereon.

**ARTICLE 11**  
**Fiscal 2012 Omnibus Budget**  
**(Town Administrator)**

To determine what sum or sums of money the Town will appropriate and raise, or transfer from available funds, for the operation of the government of the Town of Natick, including debt and interest during Fiscal Year 2012 (July 1,

2011 to June 30, 2012), and to provide for a reserve fund for Fiscal Year 2012, or to otherwise act thereon.

**ARTICLE 12**  
**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 capital equipment for the various departments of the Town of Natick; to determine whether this appropriation shall be raised by borrowing or otherwise; or otherwise act thereon.

**ARTICLE 13**  
**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; to determine whether this appropriation shall be raised by borrowing or otherwise; or to otherwise act thereon.

**ARTICLE 14**  
**School Bus Transportation Subsidy**  
**(Superintendent of Schools)**

To see if the Town will vote to appropriate and raise, or transfer from available funds, a sum of money for the purpose of operation and administration of the school bus transportation system, and to reduce or offset fees charged for students who elect to use the school bus transportation system for transportation to and from school; or otherwise act thereon.

**ARTICLE 15**  
**Appropriate Funds to Re-Write Zoning By-Law**  
**(Town Administrator)**

To see if the Town will vote to appropriate a sum of money to fund consulting services to review and re-write the Zoning By-Law and to determine how said

appropriation shall be raised, whether by transfer from available funds, borrowing or otherwise or take other action relative thereto.

**ARTICLE 16**  
**Repeal of Quinn Bill**  
**(Town Administrator)**

To see if the Town will vote to repeal their acceptance of MGL Chapter 41, section 108L (the so-called Quinn bill law) or take other action relative thereto.

**ARTICLE 17**  
**Appropriation of Funds for Sidewalk Construction**  
**(Town Administrator)**

To see if the Town will vote to appropriate a sum of money from mitigation funds from MathWorks, Inc. to fund the construction of a sidewalk approximately 2,112 feet in length along the southerly side of Route 9 and the northerly side of Town Forest, or take other action relative thereto.

**ARTICLE 18**  
**Appropriation of Mall Cochituate Rail Trail Mitigation Funds**  
**(Board of Selectmen)**

To see if the Town will vote to appropriate a sum of money for development of the Cochituate Rail Trail or for open space acquisition consistent with the Open Space Plan, or otherwise act thereon.

**ARTICLE 19**  
**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 20**  
**Establish Revolving Fund for Immunization Programs**  
**(Board of Health)**

To see if the Town will vote pursuant to Chapter 44, Section 53E1/2 of the Massachusetts General Laws, to establish an Immunization Program and Emergency Preparedness Revolving Fund in order to utilize money received from Medicare, Medicaid and Health Insurance reimbursements from the Board of Health's annual flu clinics in order to provide subsidized funding for future flu clinics, children and adult immunization programs, pandemic and emergency preparedness; to authorize the Public Health Director, under the supervision of the Board of Health, to expend money from such revolving fund; and to limit the total amount which may be expended from such fund up to and including \$40,000 during the fiscal year beginning July 1, 2011; or take other action relative thereto.

**ARTICLE 21**  
**Re-authorization of Revolving Funds**  
**(Town Administrator)**

To see if the Town will vote to authorize the use of revolving funds previously established pursuant to votes of Town Meeting; to determine: 1) the programs and purposes for which each such revolving fund may be expended; 2) the departmental receipts which shall be credited to each such revolving fund; 3) the board, department or officer authorized to expend money from each such revolving fund; and 4) a limit on the total amount which may be expended from each such revolving fund in the fiscal year which begins on July 1, 2011; or otherwise act thereon.

**ARTICLE 22**  
**Increase Personal Exemption Amounts**  
**(Board of Assessors)**

To see if the town will vote to increase the Personal Exemption Amounts by 37.5% under the provisions of Chapter 73 of the Acts of 1986 as amended by Chapter 126 of the Acts of 1988 which provides for "Optional Additional Property Tax Exemptions" allowing an annually determined, uniform increase in the amount of exemption in General Laws, Chapter 59 Section 5 Clauses 17D, 22, 22A, 22B, 22C, 22D, 22E, 37A, and 41C (elderly person, disabled veteran, or blind person).

**ARTICLE 23**  
**Home Rule Petition: Beer & Wine Licenses**  
**(Board of Selectmen)**

To see if the Town will vote to authorize the Board of Selectmen to petition the General Court to enact legislation which would reduce the minimum seating requirement for a restaurant to be granted a license for the sale of wines and malt beverages and would increase the number of such licenses which may be in effect at any one time for such a restaurant within the total number of licenses which the Town of Natick may grant under Chapter 138 of the Massachusetts General Laws, provided the General Court may reasonably vary the form and substance of the requested legislation within the scope of the general public objectives of the petition;

Or otherwise act thereon.

**ARTICLE 24**  
**Home Rule Petition to Lease Portion of Speen Street National Guard Site**  
**(Town Administrator)**

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 AUTHORIZING  
THE TOWN OF NATICK  
TO LEASE CERTAIN PROPERTY IN NATICK  
OWNED BY THE COMMONWEALTH OF MASSACHUSETTS

*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 town of Natick is hereby authorized to lease from the commissioner of asset management and maintenance, and the commissioner is hereby authorized subject to sections 40E to 40J inclusive, of chapter 7, to lease to the town certain property located on Speen Street in the town which is a portion of a parcel shown on the town of Natick's assessors' maps as map 41, lot 84, which property is used now or formerly in relation to the national guard armory on Speen Street. The exact boundaries of the parcel shall be determined by the commissioner in consultation with the military division after completion of a survey. The term of the lease shall not exceed 30 years, subject to the



requirements of section 4 and subject to such additional terms and conditions as the commissioner may prescribe in consultation with the military division.

#### SECTION 2

The lease shall provide that land may be used by said town for municipal or any other public purposes.

#### SECTION 3

The town of Natick shall pay for all costs of the survey of the property required by section 1 of this act.

#### SECTION 4

The lease shall provide that in the event of military necessity the lease may be terminated upon 30 days prior written notice from the commissioner to the town.

#### SECTION 5

This act shall take effect upon its passage.

Or take any other action relative thereto.

### **ARTICLE 25**

#### **Appropriation of Funds Regarding Lease of National Guard Speen Street Site (Town Administrator)**

To see if the Town will vote to appropriate a sum of money to fund appraisal, engineering, surveying, legal, environmental and other services as may be needed in association with the lease of land on Speen Street owned now or formerly by the Commonwealth of Massachusetts and shown on the Town of Natick Assessors' Maps as Map 41, Lot 84; said land to be used for the purpose of constructing a training tower for the Natick Fire Department; to determine how said appropriation shall be raised, whether by transfer from available funds, borrowing or otherwise; or take other action relative thereto.

### **ARTICLE 26**

#### **Amend By-Laws: Building Commissioner Hiring Process (Board of Selectmen and Planning Board)**

To see if the Town will vote to amend the Town of Natick Bylaws to establish the responsibilities, duties and appointment process for the office of the Building Commissioner, provided, however, that such amendments will be

effective only if the position is taken out of Civil Service under Article 27 of this Town Meeting warrant.  
or otherwise act thereon.

**ARTICLE 27**  
**Home Rule Petition: Removal of Building Commissioner 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, 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 INSPECTOR OF BUILDINGS,  
ALSO KNOWN AS THE BUILDING COMMISSIONER, OF THE TOWN OF  
NATICK FROM THE PROVISIONS OF CIVIL SERVICE LAWS

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 19 of the Acts and Resolves of 1936 is hereby repealed

SECTION 2. The position of Inspector of Buildings, also known as Building Commissioner, 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 Inspector of Buildings, also known as Building Commissioner, 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 28**  
**Home Rule Petition: Removal of Fire 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 FIRE CHIEF 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 1925 is hereby repealed

SECTION 2. The position of fire chief 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 fire chief 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 29**  
**Amend by-Law to Provide for Procedure for Appointment of Fire Chief**  
**(Board of Selectmen)**

To see if the Town will vote to amend the Town of Natick By-Laws Article 24, by inserting a new Section 15 to read as follows:

“Section 15 Procedure for Appointment of Fire Chief

15.1 Applicability

This bylaw shall apply to the selection of a candidate to fill the position of Fire 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 Fire Chief appointed by the Board of Selectmen pursuant to this Bylaw will meet the minimum entrance requirements set forth in said job description.

## 15.2 Procedure for Appointment of Fire Chief

a. Within one year of the time when it is known that the position of Fire Chief shall become vacant, the Board of Selectmen may initiate the selection process. Within six months of the time the position of Fire 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 Fire 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 Fire 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 ZZ.2 c. and ZZ.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 Fire Chief, a screening committee shall consist of nine voting members and one non-voting member. The School Committee, Finance Committee and Personnel Board shall 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 Police 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 Fire Department in the second-highest non-chief rank who is able to serve and is not a candidate for the position of Fire 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 Fire 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 Fire 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, Police Chief, Personnel Director and the specified member of the Fire 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 Fire 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. Such interview(s) may be conducted before and/or after the assessment center described in paragraph f. below, as the committee may determine best suits its needs.

f. The screening committee shall also use as an evaluative tool an assessment center specifically designed to examine candidates' 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.

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 Fire Chief.

i. If the screening committee determines that there are not at least three candidates qualified to perform the duties of the Fire 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 Fire Chief, and
3. choose a nominee to be appointed as Fire Chief; or
4. if the Board of Selectmen decides not to appoint any of the nominees as Fire Chief, it shall direct the screening committee to reopen the search process, and the foregoing procedure shall apply.

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

#### 15.3 Appointment, Review, Other Activities

a. Appointment, Term - The Board of Selectmen shall appoint the Fire Chief to serve for a term of up to three years, provided, however, that the first six months of any individual's first appointment to the office shall be considered a probationary period. The Fire 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 Fire Chief which shall, at least in summary form, be a public record.

c. Restriction on Other Activities - The Fire Chief shall devote his or her full time to the duties of the position of Fire 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 take other action relative thereto.

### **ARTICLE 30** **Street Acceptance: Main Street** **(Town Administrator)**

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 take other action relative thereto.

**ARTICLE 31**  
**Abandonment of Driveway Easement: College Road**  
**(Jeremy Goodman, et al)**

To see if the Town will vote to authorize the Board of Selectmen to release any interest it has acquired, if any there be, in the Goodman parcels in the area of College Road, Natick, and specifically an Easement for driveway purposes or interest therein over the Goodman parcels that may have been acquired by the Town at the time the Town took by eminent domain certain parcels of land in the area of College Road to protect the “Morses Pond Well”, so called, although such Taking did not call out such Easement. In connection with the requirement for protection of the “Morses Pond Well”, and the Town’s Taking to protect same, the residence (formally owned by the Seaburys) on the Taken parcels, for which the Easement provided access, has been removed.

Rights to such Easement apparently accrued to the Town in a Taking of the Seabury parcel by a “Taking By The Town of Natick”, dated November 4, 1974, pursuant to the Natick Department of Public Works order to the Water Commissioners of the Town of Natick to acquire all land within 400 feet of the so called “Morses Pond Well”. Such Taking is recorded at Middlesex South District Registry of Deeds, Book 12723, Page 222.

The Easement is located on the Goodman parcels which are shown on the current Assessor’s Map 30 Parcel 37D and Map 30 Parcel 36A.

**ARTICLE 32**  
**Charter Amendment Regarding Applicability of Civil Service Laws**  
**(Town Administrator)**

To see if the Town will vote to amend Section 3-2(c) of the Town of Natick Charter by deleting the clause “a police chief, in accordance with the civil service laws and rules;” and replacing it with the clause “a police chief, in

accordance with the provisions of the Town of Natick By-Laws Article 24, Section 14;” or take other action relative thereto.

### **ARTICLE 33**

#### **Amend By-Laws: Allow Town Meeting to Limit Maximum Speaking Time (Paul E. Connolly, et al)**

To see if the Town will vote to amend Section 3 of Article 3 of the Town of Natick By-Laws in order to permit, by by-law, the use of the subsidiary motion to limit debate and thereby allow Town Meeting to vote to limit maximum speaking time after considerable debate has already occurred. The proposed amendment is as follows:

1. After the last paragraph, add two new paragraphs as follows:

Notwithstanding any other provisions of this section to the contrary pertaining to the length of time to speak, whenever a question is before Town Meeting, it shall be in order for the Moderator to entertain a motion to limit the time for each succeeding speaker to a lesser amount of time as specified in the motion. This motion may not be amended or debated, and it requires a two-thirds (2/3) vote.

Notwithstanding any other provisions of this section to the contrary, a motion to permit a specified amount of time for a particular person to speak, greater than the limit then in effect, may be entertained by the Moderator, provided the motion is made before the person is recognized to speak in debate. This motion may not be amended or debated, and it requires a majority vote.

2. In the existing first paragraph, delete the phrase "without permission of the Town Meeting" only in the second of two places where it occurs.

### **ARTICLE 34**

#### **By-Law Amendment Regarding Applicability of Civil Service Laws (Town Administrator)**

To see if the Town will vote to amend the Town of Natick By-Laws Article 10, specifically the chart entitled “Appointments Made by the Board of Selectmen” to add the following Citation next to Chief of Police: “(B) Art. 24” and to delete the following Additional Reference next to Chief of Police: “C.S. laws and rules” or take other action relative thereto.



**ARTICLE 35**  
**By-Law Amendments Regarding Police Chief Selection Process**  
**(Town Administrator)**

To see if the Town will vote to amend the Town of Natick By-Laws Article 24, Section 14 as follows:

1. By adding a title thereto as follows “Section 14 Procedure for Appointment of Police Chief”
2. Within sub-section 14.2, paragraph c., second sentence, changing the word “may” to “shall” such that the second sentence reads as follows: “The School Committee, Finance Committee and Personnel Board shall each designate one person to serve on the screening committee.”
3. Within sub-section 14.2, paragraph e, add a new sentence at the end thereof to read as follows: “Such interview(s) may be conducted before and/or after the assessment center described in paragraph f. below, as the committee may determine best suits its needs.”
4. Within sub-section 14.2, paragraph f, delete the first sentence in its entirety and replace it with the following: “The screening committee shall also use as an evaluative tool an assessment center specifically designed to examine candidates’ knowledge, skills and abilities, including without limitation, their technical, tactical, professional, managerial and strategic skills.”
5. Within sub-section 14.2, paragraph g, delete the following phrase at the end thereof “prior to its interview of candidates for the position of Police Chief” such that paragraph g. reads as follows: “The results of the assessment center conducted pursuant to paragraph f. shall be made available to the screening committee.”
6. Within sub-section 14.2, paragraph h, change the word “then” to “than”

Or take other action relative thereto.

**ARTICLE 36**  
**Amendments to Personnel By-Law**  
**(Personnel Board and Town Administrator)**

To see if the Town will vote to amend the Town of Natick By-Laws Article 24, as follows:

1. In Section 3, delete paragraph 3.10 in its entirety and replace with the following: “The Classification and Pay Plan most recently adopted by the Natick Town Meeting is incorporated into this paragraph by reference. The Pay Plan shall be adjusted on an annual basis as necessary to reflect cost of living allowances (COLAs) commensurate to those granted to Town unions.”
2. In Section 7, paragraph 7.1, add “Day after Thanksgiving” to the list of holidays.
3. In Section 7, paragraph 7.1, delete the last paragraph in its entirety and replace with the following: “If a holiday listed above falls on a Full-Time or Regular Part-Time employee’s approved vacation day, the employee shall receive holiday pay in lieu of being charged vacation time.”
4. Section 7, paragraph 7.2.6, delete in its entirety
5. Section 7, paragraph 7.2.7, renumber as paragraph 7.2.6

Or take other action relative thereto.

### **ARTICLE 37**

#### **Amendments to By-Law Article 41 Regarding Disposal of Property (Town Administrator)**

To see if the Town will vote to amend the Town of Natick By-Laws Article 41, Section 5, by adding the following sentence at the end thereof: “The procedures required by MGL Chapter 30B, Section 15 must be followed for the disposition of surplus supplies with a value of \$5,000 or more.” Or take other action relative thereto.

### **ARTICLE 38**

#### **Amend Town By-Laws: Construction Hours (Planning Board)**

To see if the Town will vote to amend the Town Bylaws to set hours for construction activity, or otherwise act thereon.

**ARTICLE 39**  
**Amend Zoning By-Laws: Special Permit Granting Authority**  
**(Planning Board)**

To see if the Town will vote to amend the Zoning By-Laws to modify the designation of the Board responsible for Site Plan Review and for action as the Special Permit Granting Authority (SPGA) for certain non-residential zoning districts, or otherwise act thereon.

**ARTICLE 40**  
**Amend Zoning By-Laws: Definitions**  
**(Planning Board)**

To see if the Town will vote to amend Section 200 (Definitions) of the Zoning By-Laws to revise existing definitions in that section, or otherwise act thereon.

**ARTICLE 41**  
**Amend Zoning By-Laws: Off-Street Parking and Loading Requirements**  
**(Planning Board)**

To see if the Town will vote to amend Section V-D of the Zoning Bylaws to change the parking requirements in the Downtown Mixed Use District,  
  
or otherwise act thereon.

**ARTICLE 42**  
**Amend By-Laws: Snow and Ice Removal from Sidewalks**  
**(Glen B. Glater, et al)**

To see if the town will vote to amend the town By-Laws to include regulations regarding the removal of snow and ice from sidewalks within the town of Natick.

**ARTICLE 43**  
**Committee Article**  
**(Board of Selectmen)**

To hear the reports of the several Town officers and reports of committees authorized by vote of any further Town Meeting and to authorize a sum of money for the purpose thereof.

The above articles are to be acted upon and determined exclusively by Town Meeting Members in accordance with Chapter 2 of the Acts of 1938 and Amendments thereto and the Town Charter and subject to the referendum provided thereby.

And you are directed to serve this Warrant by causing an attested copy of said Warrant to be posted in the two Post Offices in said Natick; and at the following public places in said Natick, to wit: Precinct 1: Reliable Cleaners, West Central Street; Precinct 2: Fire Station, Speen Street; Precinct 3: Station 5 Grille, Watson Street; Precinct 4: TCAN, Summer Street; Precinct 5: Wilson Middle School; Precinct 6: East Natick Fire Station, Rhode Island Avenue; Precinct 7: Bacon Street Farm, Bacon Street; Precinct 8: Natick Senior High School, West Street; Precinct 9: Natick Town Hall, East Central Street and Precinct 10: South Natick Fire Station, Eliot Street.

Above locations being at least one public place in each Precinct, in the Town of Natick, and also posted in the two Natick U.S. Post Offices, Bacon Free Library and Morse Institute Library seven days at least before April 12, 2011; also by causing an attested copy of said Warrant to be published once in the Newspaper called "The Metrowest Daily News", with notice of availability of an attested copy of said Warrant, said Newspaper published in the Town of Natick and said publication to be Friday, February 18, 2011.

Hereof fail not and make due return of this Warrant with your doings thereon to the Town Clerk at or before the time appointed for holding said meeting.

Given under our hands this 15<sup>th</sup> day of February, 2011.

\_\_\_\_\_  
JOSHUA OSTROFF  
Chairman

\_\_\_\_\_  
CAROL A. GLOFF  
Vice Chair

\_\_\_\_\_  
PAUL R. JOSEPH  
Clerk

\_\_\_\_\_  
CHARLES M. HUGHES  
Member

\_\_\_\_\_  
JOHN J. CONNOLLY  
Member

**Board of Selectmen for the Town of Natick**

Certified copies of the Warrant are available at the Office of the Town Clerk, Natick Town Hall, 13 East Central St., Natick, MA between the hours of 8:00 AM – 5:00 PM, Monday through Friday and at the Town web site [www.natickma.gov](http://www.natickma.gov).

**OFFICER'S RETURN  
COMMONWEALTH OF MASSACHUSETTS**

Natick, Middlesex

Pursuant to the within warrant, I have this day notified the qualified Town Meeting Members to assemble at the time, place and for the purpose within mentioned as within directed. Also by causing an attested copy to be published in the newspaper called *The MetroWest Daily News*, this newspaper published in the said Town of Natick in the issue dated February 18, 2011.

\_\_\_\_\_

DATE DULY POSTED \_\_\_\_\_

TIME: \_\_\_\_\_