

ARTICLE 41

CONTRACTS, TOWN PROPERTY, AND REGULATIONS OF TOWN BOARDS AND OFFICIALS

Section 1 Procedures for Award of Contracts

The award of all contracts for the purchase of services, equipment, supplies or materials for all departments of the Town of Natick shall be made in accordance with all applicable federal, state, and local laws, rules and regulations, including, without limitation, Mass. Gen. Laws Chapter 30B; Chapter 30 Section 39M; Chapter 7C, Sections 44 *et seq*; Chapter 149, Sections 44A *et seq*.; or other successor legislation or other applicable law, as may be amended. Administrative policies and/or procedures shall be established by the Town Administrator and the Superintendent of Schools as appropriate. Such policies and/or procedures shall, at a minimum, identify the municipal officials having the authority to legally bind the Town in a contract. Such policies shall prescribe procurement procedures for architectural and engineering services for which no procurement process is required by applicable Massachusetts law.

No contract, and no purchase, service or work for which a contract is proposed, shall be split or divided for the purpose of evading any provision of this section.

All contracts of the Town of Natick shall bear the signature of the Comptroller verifying the availability of funds in the full amount of the contract, and of Town Counsel, indicating approval as to form; however, the lack of such a signature by either official shall not otherwise invalidate any such contract.

Section 2 Emergencies

To the extent permitted by applicable state procurement law, the Select Board or the School Committee, as applicable, may exempt a purchase or contract from any or all of the provisions of the preceding section when, in their opinion, an emergency exists requiring immediate action on such purchase or contract to protect the health and safety of persons or property. Evidence indicating that such an emergency exists, shall be furnished to the Select Board or School Committee, as applicable, in writing by the officer, board, or committee making such purchase or contract as soon as practical, and shall be kept on file with other procurement records of such transactions.

Section 3 Contract Files

The designated procurement officer shall retain complete files for every procurement of the Town of Natick, which shall include, without limitation solicitation(s), responses, contracts, and amendments thereto, if applicable, as well as every other document required to be retained by federal, state, or local law, rule or regulation. Every Town board, official, employee or committee making or executing a contract on behalf of the Town shall furnish a copy of said documents to the procurement officer. The original contract, and original amendments thereto, if applicable, shall be submitted to the Town Comptroller within ten (10) days after the execution of all such documents. The procurement officer and the Town Comptroller shall keep such documents on file consistent with applicable public records laws.

Section 4 Compensation of Town Officers and Employees

Notwithstanding the provision of Mass General Laws Chapter 268A, or any other successor legislation which is hereby acknowledged, no Town officer and no salaried employee of the Town shall receive any compensation or commission for work done by him for the Town, except his official salary and other authorized compensation under law, without permission of the Select Board expressed in a vote which shall appear on their records with the reasons therefor. Employees whose additional compensation is through the Veterans' or Senior Property Tax Work Program shall be exempt from this requirement.

Section 5 Disposal of Property

Whenever any property of the Town, other than real estate, the replacement value of which exceeds five hundred dollars (\$500.00), shall have become obsolete, disused, worn out or necessary to replace, the Town official or officials having jurisdiction thereof shall so certify in writing to the Select Board or School Committee, as applicable, who may reserve action relative to its disposal for consideration of a Town Meeting or may by vote authorize the official or officials to dispose of such property in a manner compliant with Mass. General Laws Chapter 30B, or any successor legislation. The use of an on-line auction site shall be deemed consistent with this policy, unless otherwise prohibited by law.

Section 6 Sale of Tax Title Land

Unless otherwise specified by law, the Select Board and Town Treasurer may sell at public auction and in such manner, upon such terms and for such consideration as in their judgment is for the best interest of the Town, lands held from time to time by the Town under tax titles the right of redemption from which has been foreclosed. Notice of such sales shall be advertised at least once in a newspaper published in the Town no less than fourteen (14) days prior to the date of the sale, and such notice shall include the location of such lands by street address or comparable description. The Town shall comply in all respects with any procedures specified by statute or special act for such sale. The Conservation Commission and the Historical Commission of the Town shall be notified of such sale at the time that the advertisement is prepared.

(For more precise requirements on such sales, see Mass. Gen. Laws, Chapter 60, Sections 37-84A or successor legislation, or as said laws may hereinafter be amended).

Section 7 Designation of Town Vehicles

All automobiles and other vehicles owned by the Town shall be so designated by a circular label not less than six (6) inches in diameter bearing the words "Town of Natick" and the name of the Department, with the exception of those vehicles exempted from this by-law by the Select Board.

Section 8 Annual Audit

There shall be an annual audit of the accounts of the Town under the direction of the Director of the Bureau of Accounts of the Commonwealth of Massachusetts.

Section 9 Authorization for Expenditure of Funds

The Town Comptroller shall not approve for payment any warrant for the expenditure of public funds unless there has been full compliance with Mass General Laws Chapter 41, Section 52, or any successor legislation. The Town Comptroller shall exercise all duties imposed by state, including, without limitation, those specified in Mass. Gen. Laws Chapter 41, Section 56, or any other successor legislation.

Section 10 Fees Paid to the Town

All Town officers except constables shall pay into the Town Treasury all fees received by them by virtue of their office.

Section 11 Compliance with Open Meeting Law

All meetings of Town boards, commissions, committees, and subcommittees, elected, appointed or otherwise constituted, shall be in accordance with the provisions of Section 7-9 of the Charter and Sections 18 through 25 of Chapter 30A of the General Laws or successor legislation, or as said laws may hereinafter be amended. In addition, in any matter requiring the vote of a board, commission, committee, or subcommittee, the vote shall be by voice or roll call and no secret or written ballots shall be used, except as may otherwise be required or allowed by these By-Laws or the Charter of the Town.

All elected boards, commissions, and committees shall notify the Town Clerk of their organization, rules and regulations and shall file with him a schedule of regular meetings as well in advance as practicable. Except in cases of emergency, in which case, as much notice as possible shall be provided, the Town Clerk shall be notified of changes in or additions to the meeting schedule not less than forty-eight (48) hours before the meeting concerned.

Appointed standing committees shall meet as required by their duties and shall notify the Town Clerk not less than forty-eight (48) hours before any meeting.

Section 12 Availability of Regulations

Up-to-date copies of all regulations adopted by the Town, as listed in the table entitled "Town Regulations," which appears at the end of this article and is incorporated into this section by reference, shall be available for review by the public in the office of the official responsible for publication, in the office of the Town Clerk, and in the Morse Institute library.

Whenever changes to regulations are adopted, the responsible official shall either publish a complete new edition or provide a package of change pages. If packages of change pages are provided, the pages shall be marked with a distinguishing date or a change number, and a list of current pages shall be included so that other persons can accurately update copies in their possession.

TOWN REGULATIONS

Title	Approving Authorities	Official Responsible for Publication
Natick Home Rule Charter	Town Meeting, Attorney General, Voters	Town Clerk
Town of Natick By-Laws	Town Meeting, Attorney General	Town Clerk
Zoning By-Laws	Town Meeting, Attorney General	Community Development and Economic Director
Subdivision Rules and Regulations	Planning Board	Community Development and Economic Director
Rules and Regulations for Special Permits	Planning Board	Community Development and Economic Director
Administrative Code (Plan of Organization)	Town Meeting	Town Administrator
Traffic Rules and Orders	Select Board	Police Chief
Board of Health Regulations	Board of Health	Director of Public Health
Department of Public Works Regulations	Select Board	Director of Public Works
Zoning Board of Appeals Rules & Regulations	Zoning Board of Appeals	Secretary, Zoning Board of Appeals
Historic District Rules & Regulations	Historic District Commission	Historic District Chair (or designee)
Conservation Commission Rules & Regulations	Conservation Commission	Conservation Commission Chair (or designee)
Select Board Regulations	Select Board	Town Administrator