

**2019 Fall Annual Town Meeting
Marshall Lebowitz Town Meeting Room
Wilson Middle School
November 7, 2019, Seventh Session**

The Seventh Session of the 2019 Fall Annual Town Meeting was called to order at 7:45 PM by Town Moderator, Frank W. Foss, who declared a quorum present. The Moderator welcomed residents, taxpayers, town officials, Town Meeting Members and interested parties to the Seventh Session of 2019 Fall Annual Town Meeting. The Moderator asked that all recently elected or appointed members of Town Meeting stand to take the oath of office; there were none. The Moderator asked the audience to stand for the Pledge of Allegiance and a moment of silence in recognition of all the men and women serving on our behalf throughout the world.

The Moderator introduced the officials present for the meeting: Diane Packer, Town Clerk; Patrick Hayes, Finance Committee Chair; Bruce Evans, Finance Committee Secretary; Karis North, Town Counsel, Melissa Malone, Town Administrator; and Michael Hickey, Chair, Board of Selectmen. Sean O'Brien will operate the slides and Tim Lathwood, a representative from Option Technologies, will operate the electronic voting system.

The Moderator reviewed the general rules and procedures of Town Meeting which had been accepted at a previous session of 2019 Fall ATM. He indicated that all residents and taxpayers of the town and town officers and employees, whether or not residents, have the same right to speak as Town Meeting Members; however they do not have the right to submit motions for consideration at Town Meeting, nor vote on any matter before Town Meeting. Non-residents may only speak at Town Meeting after approval by Town Meeting Members. The proceedings of Town Meetings shall be governed by *Town Meeting Time*, the Town of Natick Home Rule Charter, the Natick By-Laws and the General Laws of the Commonwealth of Massachusetts.

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

Moved by Mr. Ostroff, seconded by Ms. Gloff to amend the rules for 2019 Fall Annual Town Meeting to reduce the amount of time allowed for an individual to debate a motion from 10 minutes to 2 minutes provided that this amendment shall not apply to the time allowed for the initial presentation of an article. This motion is not debatable and requests a two-thirds vote. ***The motion passed by a two-thirds vote (64-26-1).***

Moved by Ms. McDonough, seconded by Mr. Sidney to advance consideration of Article 20 to the first order of business this evening. ***The motion passed by a two-thirds vote (88-4-1).*** Moved by Mr. Freedman, seconded by Mr. Sidney to advance Article 6 to the first order of business on Tuesday, November 12th. ***The motion passed by a two-thirds vote (85-5-0).***

The Moderator announced that the meeting will proceed with Article 20 then Articles 25, 12, Motions A2 and A1 and then Article 9 through the remainder of the warrant.

ARTICLE 20: Transfer of land to Conservation Commission: Portions of 165 Mill Street Parcel (Board of Selectmen)

To see if the Town will vote to transfer from the School Committee and the Board of Selectmen to the Conservation Commission, the care, custody, management, and control of a portion of land adjoining the Kennedy Middle School, identified as 5.28 acres, located at 165 Mill Street, as shown on a Plan entitled "Town of Natick Kennedy Middle School, 165 Mill Street, Natick, Massachusetts, Permitting Documents, Submitted to the Department of Environmental Protection" revision date February 6, 2019, portion identified on that Plan as "Potential Conservation Easement NAE-2019-01219 12-13-2018," and available for inspection in the Board of Selectmen's office, for the purposes of dedicating the land in perpetuity for conservation purposes and subject to the strictures and the protections of Article 97 of the Amendments to the Massachusetts Constitution, as required by the permit for File Number NAE-2019-01219, issued by the U.S. Army Corps of Engineers to the Natick School Department on April 16, 2019 ; or to take any other necessary action; or to act otherwise thereon.

FINANCE COMMITTEE RECOMMENDATION

By a vote of 10-0-0 on September 10, 2019 the Finance Committee recommended **favorable action** on the subject matter of Article 20.

Motion (requires a two-thirds vote)

Moved by Mr. Evans, seconded by Mr. Hayes that the Town vote to transfer from the School Committee and the Board of Selectmen to the Conservation Commission, the care, custody, management, and control of a portion of land adjoining the Kennedy Middle School, identified as 5.28 acres, located at 165 Mill Street, as shown on a Plan entitled "Town of Natick Kennedy Middle School, 165 Mill Street, Natick, Massachusetts, Permitting Documents, Submitted to the Department of Environmental Protection" revision date February 6, 2019, portion identified on that Plan as "Potential Conservation Easement NAE-2018-01219 12-13-2018," and available for inspection in the Board of Selectmen's office, for the purposes of dedicating the land in perpetuity for conservation purposes and subject to the strictures and the protections of Article 97 of the Amendments to the Massachusetts Constitution, as required by the permit for File Number NAE-2018-01219, issued by the U.S. Army Corps of Engineers to the Natick School Department on April 16, 2019 ; and to take all action necessary or appropriate to accomplish the purposes of this article.

Mr. Chenard, Deputy Town Administrator for Operations gave a presentation on this article. Mr. Meyler, Chair of the (KMSBC) also made a presentation on this article. Mr. Munnich moved referral of the subject matter of Article 20 to the Kennedy Middle School Building Committee (KMSBC). There was no second and therefore the motion was not accepted. ***The main motion under Article 20 passed by a two-thirds vote (81-9-0).***

ARTICLE 25: Access to Hunnewell Fields (Board of Selectmen)

To see if the Town will vote to authorize the Board of Selectmen to acquire by gift, purchase, taking by eminent domain, or otherwise, any interest or interests in all or part of the property located at 22 Pleasant Street, Natick MA, for access to the Hunnewell Fields; and further, to authorize the Board of Selectmen to transfer any portion of town-owned land acquired under the deed recorded in the Middlesex South Registry of Deeds at Book 2962, Page 41, on such terms and conditions, which may be nominal consideration, as the Board of Selectmen deems appropriate, as necessary to effectuate the purposes of this article; and further, to see what sum of money the Town will vote to raise and appropriate, borrow, transfer from available funds or otherwise provide for the purposes of this article; or to act otherwise thereon

FINANCE COMMITTEE RECOMMENDATION

By a vote of 12-0-1 on October 1, 2019 the Finance Committee recommended **favorable action** on the subject matter of Article 25.

Motion (requires a two-thirds vote)

Moved by Mr. Evans, seconded by Mr. Hayes that the Town vote to authorize the Board of Selectmen to acquire by gift, purchase, taking by eminent domain, or otherwise, an easement for vehicular access, non-motorized conveyance, and/or pedestrian access, on the property located at 22 Pleasant Street, Natick, MA, for access to the Hunnewell Fields which abuts the property to the North, such easement being located over the driveway to 22 Pleasant Street currently being used for this same purpose, as set forth in the Plan entitled "Town of Natick MA, Compiled Plan of Land & Proposed Access Easement, #22 Pleasant Street" prepared by the Town of Natick, Engineering Division, dated October 11, 2019, on file with the Department of Public Works; and further to appropriate the sum of \$100,000 from free cash for the purposes of this article; and to take all action necessary or appropriate to accomplish the purposes of this article.

Mr. Hickey, Chair of the Board of Selectmen spoke to this article. Moved by Mr. Sidney, seconded by Mr. Gath to allow Mr. Griesmer ten minutes to make a presentation on this article as well. ***The motion passed by a two-thirds vote (77-12-4).*** Mr. Griesmer made a presentation. Moved by Mr. Griesmer, seconded by Mr. Awkward to refer the subject matter of Article 25 to the Board of Selectmen. Discussion continued on both motions on this article. Moved by Ms. Roberts, seconded by Mr. Sidney to move the question and close debate. ***The motion to close debate passed by a two-thirds vote (88-7-0).*** The moderator announced that the referral motion would be voted first. ***The motion to refer the subject matter of Article 25 to the Board of Selectmen failed (24-71-0). The main motion under Article 25 passed by a two-thirds vote (86-11-0).***

ARTICLE 12: Capital Improvement (Town Administrator)

To see what sum of money the Town will vote to raise and appropriate, borrow, transfer from available funds or otherwise provide to implement a Capital Improvement Program, to protect the physical infrastructure of the Town of Natick, to add new physical infrastructure, or to improve community assets; and, further, to determine whether this appropriation shall be raised by borrowing or otherwise; or to otherwise act thereon.

FINANCE COMMITTEE RECOMMENDATION

By a vote of 12-0-1 on October 1, 2019 the Finance Committee recommended **favorable action** on the subject matter of Article 20.

Motion A2 (requires a two-thirds vote)

Moved by Mr. Evans, seconded by Mr. Hayes

MOTION A2: (Two-thirds vote required)

Move that the Town vote to appropriate the sum of \$600,000 to be expended under the direction of the Town Administration Hunnewell Field access and field improvements, individually shown as item 1 in the Table A2 below, and that to meet this appropriation the sum of \$600,000 be raised from the Capital Stabilization Fund.

TABLE A2, MOTION A2: Article 12 - Capital Improvement - 2019 Fall Annual Town Meeting

Item #	Department	Item	Funding Source	Amount
16	Town Administration	Hunnewell Field access and field improvements	Capital Stabilization	\$600,000
Appropriation under Article 12: MOTION A2				\$ 600,000

Moved by Mr. Freedman, seconded by Mr. Jennett to refer the subject matter of Motion A2 under Article 12 to the Town Administrator. Ms. Malone, the Town Administrator spoke on the referral motion. *The motion to refer the subject matter of Motion A2 under Article 12 passed by majority vote (93-1-0).*

Motion A1 under Article 12

A positive main Motion A1 under Article 12 had been moved at the October 15th session of Town Meeting and then been postponed until a later date. Moved by Mr. Freedman, seconded by Mr. Jennett to amend the main motion for Motion A1 by deleting the following text after the words “efficiency programs”; “engineering the roof replacement at the Town Hall, retiling the second floor hallway at the Johnson School, painting classroom walls and ceilings at Bennett Hemenway School”; and, deleting the following text after the words “clock repair”; “and Hunnewell Field access and field improvements”.

So that the amended main motion reads as follows:

MOTION A1: (Two-thirds vote required)

Move that the Town vote to appropriate the sum of \$692,500 to be expended under the direction of the Facilities Management Department for the purpose of replacing Wilson Middle School Bathroom Partitions, Retiling Cafeteria Floor at the Johnson Elementary School, Replacing Interior Stairways at the Johnson Elementary School, painting 12 classrooms at the Wilson Middle School, adding AC in the office and support areas at the Wilson Middle School, engineering to replace the Digital Data Control System at the Bennett Hemenway Elementary School, engineering study for air conditioning the second floor at the Wilson Middle School and the Bennett Hemenway Elementary School, adding additional heat to the garage at the Police Station, under the direction of the Department of Public Works for installing or repairing guardrail, park and field renovations, tree replacement, tree inventory, under the direction of the Sustainability Coordinator for energy efficiency programs, under the direction of the Police Department to renovate the firing range, and under the direction of Town Administration for clock repair, individually shown as items 1 through 15 in the Table A1 below, and that to meet this appropriation the sum of \$692,500 be raised from the Capital Stabilization Fund.

TABLE A1, MOTION A1: Article 12 - Capital Improvement - 2019 Fall Annual Town Meeting

Item #	Department	Item	Funding Source	Amount
1	Facilities	Wilson Middle School Bathroom Partitions	Capital Stabilization	\$40,000
2	Facilities	Johnson School - Retile Cafeteria Floor	Capital Stabilization	\$15,000
3	Facilities	Johnson School - Replace Interior Stairways	Capital Stabilization	\$30,000
4	Facilities	Wilson Middle School - Paint 12 Classrooms	Capital Stabilization	\$50,000
5	Facilities	Wilson Middle School - adding AC Office and Support Area	Capital Stabilization	\$12,500
6	Facilities	Bennett Hemenway School Engineering To Replace The DDC System	Capital Stabilization	\$25,000
7	Facilities	Engineering Study For 2nd Floor AC At Wilson And Ben Hem	Capital Stabilization	\$50,000
8	Facilities	Police Station - Add Additional Heat To The Garage	Capital Stabilization	\$15,000
9	DPW - Highway, Sanitation, and Recycling	Guardrail (Various Locations)	Capital Stabilization	\$12,000
10	DPW - Land Facilities and Natural Resources	Park And Field Renovations	Capital Stabilization	\$175,000
11	DPW - Land Facilities and Natural Resources	Tree Replacement	Capital Stabilization	\$30,000
12	DPW - Land Facilities and Natural Resources	Tree Inventory	Capital Stabilization	\$10,000
13	Sustainability	Energy Efficiency Programs	Capital Stabilization	\$100,000
14	Police	Firearms Range Renovation	Capital Stabilization	\$110,000
15	Town Administration	Downtown Clock Repairs	Capital Stabilization	\$18,000
Appropriation under Article 12: MOTION A				\$ 692,500

The amendment to the main motion passed by majority vote (93-1-0). The amended main motion passed by a two-thirds vote (93-0-1).

ARTICLE 9: Rescind Authorized, Unissued Debt (Town Administrator)

To see if the Town will vote to rescind the authorization for unissued debt that has been determined is no longer needed for the completion of various projects; or otherwise act thereon.

FINANCE COMMITTEE RECOMMENDATION

By a vote of 9-0-0 on October 1, 2019 the Finance Committee recommended **favorable action** on the subject matter of Article 9.

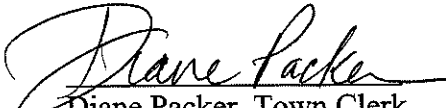
Motion (requires a two-thirds vote)

Moved by Mr. Evans, seconded by Mr. Hayes that the Town vote to rescind authorized debt for a general fund land acquisition approved under Article 29 of the 2016 Spring Annual Town Meeting, in the amount of \$3,200,000 for the purpose of the acquisition of 22 Pleasant St.

Ms. Malone, Town Administrator spoke to this article. Discussion ensued. Moved by Mr. Grady, seconded by Ms. Gloff to move the question and close debate on this article. *The motion to close debate passed by a two-thirds vote (85-8-1). The main motion under Article 9 passed by majority vote (58-36-0).*

Mr. Sidney moved seconded by Mr. Gath to adjourn. *The motion to adjourn passed by majority vote. The meeting adjourned at 10:25 PM until Tuesday, November 12, 2019 at 7:30 PM.*

A record of the Seventh Session of
2019 Fall Annual Town Meeting
November 7, 2019


Diane Packer, Town Clerk