

**TOWN OF NATICK  
NATICK FINANCE COMMITTEE**

**To: Town Meeting Members**

**From: Frank Foss, Chairman, and the Natick Finance Committee**

**Re: Finance Committee Recommendations for the April 12, 2005 Annual Town Meeting**

- Article 1 Omnibus Budget Fiscal 2005
- Article 2 Omnibus Budget Fiscal 2006
- Article 3 Collective Bargaining: Fiscal 2004 – Police, Dispatchers
- Article 4 Collective Bargaining: Fiscal 2005 – Police, Dispatchers
- Article 5 Elected Officials Salary
- Article 6 Morse Institute Library
- Article 7 Bacon Free Library
- Article 8 Personnel Board
- Article 9 Title V Assistance Program
- Article 10 Hebrew Cemetery Association: Use of Lots 141 & 142 Fairview Ave
- Article 11 Board of Assessors: Increase Personal Exemption
- Article 12 Adjustment FY05 Retirement System Funding
- Article 13 School Bus Transportation
- Article 14 Amend Bond Authorization: Clubhouse Lane, Saddlebrook Road
- Article 15 Council on Aging Revolving Fund
- Article 16 Conservation Wetlands Revolving Fund
- Article 17 Surplus Vehicle Revolving Fund
- Article 18 Unpaid Bills
- Article 19 Lease/Repair
- Article 20 Fire Chief: Increase to Annual Fire Alarm Master Box Fee
- Article 21 Commission on Disability: Increase Allocation of Handicapped Parking  
Fines & Provide for Handicap Improvements
- Article 22 Increase in Handicapped Parking Violation Fees
- Article 23 Sewer Betterment – Natick Mall
- Article 24 Amend Zoning By-Laws: Noncriminal Disposition of Violations of Planning Board and  
Zoning Board of Appeals Decisions
- Article 25 Amend Zoning By-Laws: Increase in Fines
- Article 26 Amend Zoning By-Laws: Natick Mall Project
- Article 27 Street Acceptance: Whitridge Road
- Article 28 Capital Equipment
- Article 29 Capital Improvement
- Article 30 Capital Improvement – Schools
- Article 31 Planning and Constructing of New Senior Center
- Article 32 Major Capital Project Review Committee
- Article 33 Home Rule Petition: Removal of Police Chief Position from Civil Service
- Article 34 Home Rule Petition: Removal of Fire Chief Position from Civil Service

Article 35 Citizen Petition: Increase Senior Exemption Eligibility  
Article 36 Citizen Petition: Increase Tax Work Program Limit  
Article 37 Moderator: Referrals at Previous Meetings  
Article 38 Citizen Petition: Reinstatement of Public Works Commissioners  
Article 39 Citizen Petition: Community Preservation Act Study Committee  
Article 40 Town Meeting Member Handbook Revision Committee  
Article 41 Committee Article

**ARTICLE 1  
(Town Administrator)**

To determine what sum or sums of money the Town will appropriate and raise, or transfer from available funds, for the operation of the government of the Town of Natick, including debt and interest, and to provide for a reserve fund for Fiscal Year 2005 (July 1, 2004 to June 30, 2005), or take any action relative thereto.

**RECOMMENDATIONS: By a vote of 11-0-0 on March 22, 2005, the Finance Committee recommends FAVORABLE ACTION with regard to the subject matter of Article 1 and that the following Fiscal Year 2005 budgets be amended and/or supplemented as follows:**

*The purpose of this article is to supplement and/or amend the various Fiscal Year 2005 (current year) Town of Natick (hereafter "Town") operating budgets.*

1) Budget:     Sassamon Trace

<u>Action</u>	<u>From</u>	<u>To</u>	<u>Amount</u>
Transfer	Environmental Monitoring		\$10,000
		Operational Expense	
		P/T Operational	\$ 2,414
		Salaries Management	\$ 2,301
		Salaries Golf Support	\$ 5,285

- *Sassamon Trace:*

*There is a need to move \$10,000.00 from Environmental Monitoring to Salaries to cover three salary line items: (a) Salaries P/T Operational; (b) Salaries Management; and (c) Salaries Golf Support (Attachment G.) This does not change the existing bottom line appropriation.*

2) Budget:     Various

<u>Action</u>	<u>From</u>	<u>To</u>	<u>Amount</u>
Release From			
Appropriation	Route 9 Sewer		\$394,000
Release From			
Appropriation	Bacon Street Home Purchase		\$150,000
		Water & Sewer Reserve	\$414,984
		DPW – LFNR (Material Field	
		Maintenance)	\$ 15,000
		Snow Removal	\$114,016

- Pension Allocation Correction:

*This budget adjustment is relative to the over-funding of the Retirement System in the Water & Sewer account and the under-funding of the Retirement System allocation to the General Fund. The Finance Committee is in agreement with the Town Administrator that Town Meeting can utilize two sources of funds available to cover the \$414,984 need. They are encumbrances for the Route 9 Sewer Project and the Bacon Street Home Purchase Project, both of which were appropriations made at Spring 2001 Town Meeting. The combined total of the two funds is \$544,000.00. The Finance Committee heard from the town administration that the status of these two projects is either (i) complete or (ii) not going to commence. Therefore, these funds may be released for appropriation. Our recommended action in this matter is summarized above.*

*In addition to the above change, the Finance Committee concurs with the town administration that an additional \$15,000.00 should be applied to Materials Field Maintenance and the balance of \$114,016.00 should be applied to the Snow Removal budget, where there is a significant and growing deficit.*

*The Finance Committee seeks Town Meeting's support for these budget amendments and supplementations. Department heads, boards and committees and the town administration should be available to provide details regarding these requests and answer questions from Town Meeting Members.*

**MOTION:**

**ARTICLE 2**  
**(Town Administrator)**

To determine what sum or sums of money the Town will appropriate and raise, or transfer from available funds, for the operation of the government of the Town of Natick, including debt and interest, and to provide for a reserve fund for Fiscal Year 2006 (July 1, 2005 to June 30, 2006), and to see what budgets for Fiscal 2006 will be reduced to offset said additional appropriations, or take any action relative thereto.

**RECOMMENDATIONS:** By a vote of 11-0-0 on March 22, 2005, the Finance Committee recommends FAVORABLE ACTION with regard to the subject matter of Article 2 and the appropriation of the sum of \$93,111,902.38 to operate various Town departments during Fiscal Year 2006.

*The purpose of this Article is to fund the operation of various Town of Natick departments for Fiscal Year 2006 (July 1, 2005 through June 30, 2006).*

*In reporting to Town Meeting on Article 2 - the omnibus budget for Fiscal Year 2006, the Finance Committee feels compelled to review the context for the Town's overall financial picture. Continuing with the multi year financial plan initiated in FY 2003, the proposed and recommended budget continues to make use of non recurring sources of revenue to support recurring operating functions and departments on a town wide basis. As Town Meeting members will recall the multi year financial plan was designed to avoid layoffs, service cuts and/or operating overrides through the end of fiscal year 2006 and possibly fiscal year 2007 in the face of severe state aid cutbacks and limited increases in revenue from new growth. The non-recurring reserves used in this multi year plan continue to diminish.*

*The proposed and recommended budget for Fiscal Year 2006 uses approximately \$3.75 million in free cash and \$675,000 in overlay surplus for a total use of \$4.425 million in non-recurring sources of revenue. In addition, the FY 2006 budget uses approximately \$675,000 in stabilization fund monies to support debt service for certain projects as part of a stabilization fund plan developed in the late 1990's. Use of the stabilization fund for these projects has been programmed on a multi year basis to correspond to the debt service on these projects. Reliance on stabilization monies for this purpose will diminish over time as the debt service from the projects is paid off and the stabilization fund is exhausted. However, reliance on \$4.425 million of free cash and other surplus funds to balance the town wide budget will require either restoration of state aid amounts, new revenue sources and/or reductions in service levels in the various departments in subsequent years.*

*Absent new revenue sources or increased state aid, the Finance Committee is concerned about the sustainability of the Town's operations and believes that Town Meeting members should approach new spending initiatives and additional requests for appropriations with great caution. The Finance Committee will begin working with the town administration, the appropriate elected boards and the various departments on a new multi year financial plan for the next several fiscal years. The Finance Committee feels it is important that it inform Town Meeting of these concerns, which are in addition to the accumulated and deferred capital needs of the town.*

*The following is a chronological summary of the Fiscal Year 2006 Budget deliberations. Town Meeting members can find each department budget in Section B of the Finance Committee's book of recommendations, or find electronic version on the town's web site as indicated below.*

**Natick Finance Committee Meetings**  
**Dates and Budgets/Town Meeting Warrant Articles Covered**  
**March 31, 2006**

See [www.NatickMa.org](http://www.NatickMa.org) for additional information about these budgets and warrant articles in the Finance Committee meeting minutes. Please follow the links to 'Boards and Committees' and then to 'Finance Committee'

January 11<sup>th</sup> **Budgets**

- Preliminary Budget Presentation

January 13<sup>th</sup> **Budgets**

- Budget Sub Committee
- Community Preservation Act

January 25<sup>th</sup> **Budgets**

- Department of Public Works Administration
- Public Works Engineering Services
- Equipment Maintenance Division
- Building Maintenance
- Highway and Sanitation
- Town Administration Presentation: Sewer and Water Budgets

February 1<sup>st</sup> **Budgets**

- Sanitary Sewer Collection and Disposal Services
- Water Supply and Distribution
- Water and Sewer Debt Service
- Water and Sewer Employee Fringe Benefits
- Utility Billing
- Water and Sewer Budgetary Reserve
- Public Works Land Facilities and Natural Resources
- Street Lighting

February 8<sup>th</sup> **Budgets**

- Board of Selectman
- Personnel Board
- Information Technology
- Town Clerk
- Registrar of Voters
- Town Treasurer
- Town Comptroller

- Assessing Office
- Legal Services
- Property and Liability Insurance
- Town Report
- Natick Historic Commission
- Historic District Commission
- Parking Enforcement
- Weights and Measures

February 22<sup>nd</sup> **Budgets**

- Community Development
- Information Technology
- Debt Service
- Employee Fringe Benefits and Insurance
- Contributory Retirement System

March 1<sup>st</sup> **Budgets**

- Keefe Tech
- Board of Health
- Neighborhood Bus
- Council on Aging
- Human Services
- Veteran's Services
- Commission on Disabilities
- Natick Cultural Council
- Board of Selectman

**Town Meeting Warrant**

- Draft Capital Plan

March 3<sup>rd</sup> **Budgets**

- Recreation and Parks
- Sassamon Trace Golf Course
- Morse Institute Library
- Bacon Free Library

**Town Meeting Warrant**

- Article 14: Amend Bond Authorization: Clubhouse Lane, Saddlebrook Road
- Article 9: Title V Assistance Program
- Article 10: Hebrew Cemetery Association
- Article 15: Council on Aging Revolving Fund
- Article 16: Conservation Wetlands Revolving Fund
- Article 17: Surplus Vehicle Revolving Fund

March 8<sup>th</sup> **Budgets**

- Natick Emergency Management Assistance
- Natick Police Department
- Natick Fire Department

**Town Meeting Warrant**

- Article 20: Fire Alarm Box Fees
- Article 21: Commission on Disabilities
- Article 22: Handicapped Parking Violation Fees
- Article 35: Increase Senior Exemption Eligibility

March 10<sup>th</sup> **Town Meeting Warrant**

- Article 37: Referral at Previous Meetings
- Article 11: Board of Assessors, Increase Personal Exemptions
- Article 1: Omnibus Budget Fiscal 2005
- Article 12: Adjustment, FY05 Retirement System Funding
- Article 8: Personnel Board
- Article 5: Elected Officials Salary
- Article 40: Town Meeting Handbook Revision Committee
- Article 41: Committee Articles

*The Finance Committee seeks Town Meeting's support for the appropriations as summarized by local government sub-divisions, as indicated below. A brief status report on Revenues and Free Cash is provided before the presentation on the proposed budgets.*

**Revenues and Reserve Accounts:**

*Revenues: As the Finance Committee began the budget process, we were presented a revenue projection that showed a small decrease in the previous year's estimated revenues from State Aid. As indicated in the cover letter to this Report, State Aid was anticipated to decrease from the previous year's level by one and nine tenths percent (1.9%). However, as we proceeded through the budget review process, indications from our State legislative representative suggested that the Town may receive level funding of State Aid. To that end, the Town will still need to use monies from Free Cash Reserves (approximately 2.4 million dollars), the Stabilization Fund Account (\$675,000) and the Overlay Surplus Account (\$675,000). Use of these funds, based on previous fiscal years' uses, is consistent with contemporary practices; however, future use of these funds is diminishing the reserve balances in these accounts. Availability of these reserve funds may be a concern to the town administration, Finance Committee and Town Meeting in Fiscal Years 2007 and 2008, or later.*

*Notwithstanding the above, the Finance Committee reviewed the general estimated receipts and other available funds, and finds that they are reasonably estimated based on past practices. That is to say, those estimates are conservative and realizable under the current economic paradigm. For example, the Tax Levy increase of 2.5% and new growth factors are estimated to be approximately \$2.5 million dollars, which is consistent with our previous fiscal year's conservative estimate.*

Education:

The education portion of our budget recommendation comprises two budgets - The Natick Public Schools and the South Middlesex Vocational School District – Keefe Technical High School. It also should be noted that for the first time this year, the potential cost impact to the Town for educating Natick students at charter schools could be much greater than in prior years.

Natick Public Schools Budget:

The Finance Committee was presented with a budget from the School Committee and Natick Public School Department representing a 3.18% (\$1.1 Million) increase from last year’s appropriated budget. This request was in agreement with the Town Administrator’s request. The School Department has listed five goals for their FY06 budget. These are: Implement year 3 of the collective bargaining contracts within the municipal fiscal plan. ( Midyear 4% + 2% Step); maintain reasonable class sizes, Restart the High School Building Project; Develop the capital plan for furniture, equipment, and technology; and Develop program enhancements. This budget meets those objectives. Also, the projected increase in student enrollment in grades K-12 is expected to be 13 students for a total of 4,443 students (a 0.3% increase).

In addition to the \$1.1 Million from the tax levy, additional revenue, savings, and budget offsets have occurred within the school budget itself. This has allowed for additional staffing increases and other budget increases. A summary of the major changes in expenses and funding is shown below.

<u>Source</u>	<u>Expense Increase</u>	<u>Funding Increase</u>	<u>Source</u>
Contractual Salary & Wage Increase	\$ 1,212,004	\$ 1,091,397	Tax Levy
New Positions	\$ 288,512		
Transferred Grant Funded Positions	\$ 156,593	\$ 715,084	Special Education Tuition
Instructional Supplies	\$ 121,087	\$ 84,000	Vocational Tuition
Building Repairs	\$ 67,000	\$ 23,000	Telephone
Fuel	\$ 50,000		
	\$ 1,895,196	\$ 1,913,481	Total

Funding Increases: The major increase in funding/savings/offset have occurred in the area of extraordinary Special Education Tuition costs and the state’s increased funding of those costs. This increased ‘Circuit Breaker’ reimbursement now covers costs that had previously been covered by school budget funds. This in effect frees up those school budget funds so that they can be used for other needs. The other component of Special Education Tuition savings comes from the Natick Schools constant reevaluation of the best method of delivery of services to students such as bringing outside services ‘in-house’ when it is warranted. This first and foremost meets the needs of the student while at the same time, doing it in the most cost effective manner. Budget savings are also realized from the decreased number of Natick students attending Norfolk Agricultural School and the savings realized from the reduction in phone charges due to the Town’s transition from Verizon to the local Fiber Institutional Network.

*Expense Increases: The major component of increased expenses comes from the contractual salary and wage increases. It should be noted that without the additional savings/funding increases from the other sources described above, these contractual increases could not have been met without either additional funding from the tax levy or cuts elsewhere in the budget. This budget has the addition of 13.02 FTE (Full Time Equivalent) positions for a total of \$445,105. A summary of these position increases is as follows:*

	<b>FTE</b>	<b>Cost</b>	
Fine Arts Director	1.00	\$ 76,666	
Wellness Coordinator	0.50	\$ 32,170	(Formally Metro West Health Grant)
Pupil Services - Professional Staff			
Psychologist	0.10	\$ 7,363	
OT/PT	1.40	\$ 78,240	
Social Workers	0.60	\$ 30,949	
Learning Center	0.10	\$ 5,637	
HS Nurse	0.50	\$ 21,368	
Athletics Ski Coach	1.00	\$ 4,177	
Maintenance	1.00	\$ 42,057	
MS Teachers	(0.20)	(8,777)	
Building Support Facilitators	(0.08)	(1,338)	
<b>Total New</b>	<b>5.92</b>	<b>\$ 288,512</b>	
Pupil Services - Support Staff	6.50	\$ 125,643	
Social Workers	0.60	\$ 30,950	
<b>Total Grant Transfers</b>	<b>7.10</b>	<b>156,593</b>	
<b>Total FY06 Budget Increase</b>	<b>13.02</b>	<b>\$ 445,105</b>	

*The positions that are labeled as ‘Grant Transfer’ refers to those positions that currently exist but whose funding source in prior years have been grants. In past budgets, only the salary portion of a position was funded from a grant while the benefits portion (health insurance, etc.) was funded from the Town Personnel Benefits budget. This benefits portion could be as much as \$9,000 per position. Beginning this year, all grant funded positions will need to have the benefits of that position also funded from the grant. In order to retain all current grant funded positions and fund the benefits portions of these, it was necessary to transfer 7.1 positions into the School Budget. With these positions, there has been a corresponding reduction in the Town’s Personnel Benefits budget of approximately the same amount. However this savings in the Personnel Benefits budget was somewhat reduced by the additional cost of benefits for the new positions. In addition to this, the Wellness Coordinator was previously funded through a Metro West Community Health Care Grant.*

*Bus Fee: This budget as presented contains the original bus transportation fee policy as put in place two years ago. Town Meeting members may remember that they voted a subsidy in order to change the bus fee policy to the one currently in place. Article 13 of this Town Meeting Warrant addresses that subsidy for FY06. A detailed discussion is included with that Article.*

*Sustainability: A great deal of discussion was held concerning the sustainability in future years of this proposed budget as it is structured. To put this in perspective, the School Budget increases for next year and the past two years have been 2.4%, 2.5%, and 3.1%. The School Department has stated that future budgets will need to have increases of between 4% and 5%. This increase means that next year’s school budget will need an additional \$1.43 Million to \$1.79 Million. This year’s increase was only \$1.1*

Million. With the Town's current structural budget deficit (\$4.4 Million of Free Cash and Overlay Surplus to fund the FY06 budget plus Spring Warrant Articles); the Proposition 2 ½ property tax limit; increases in health insurance and energy costs; plus the future needs of the High School, Senior Center, and both School and Town Capital requirements; plus the desire to provide tax relief for seniors and potentially implementing the Community Preservation Act; offset against any future new growth or increases in State Aid, the question becomes whether a 4% to 5% School Budget increase in future years is reasonably attainable?

Recommendation: The Finance Committee seeks Town Meeting Members' support of the Finance Committee's \$35,837,412 FY06 Natick Public Schools Budget Recommendation. We are making this recommendation because this budget meets this year's goals as stated by the School Department and falls within the Town's financial plan. However, this recommendation comes with a major caution. Many Finance Committee members do not think that this budget as presented is sustainable in future years without an increase in revenue to the Town or budget cuts in this or other budgets. The School Committee has bottom line budget autonomy and the Finance Committee urges them to reconsider some of the budget increases being proposed. Of concern, are some of the staffing increases and whether they can be eliminated or delayed so that this budget is more sustainable in future fiscal years.

#### Keefe Technical High School Budget:

In the past two fiscal years, the total Keefe Tech budget has been basically level funded. This was in order to meet budget demands from other member communities. This was in spite of contractual salary and wage, health insurance, energy and other increases. To accomplish this, Keefe Tech last year had to implement a 10% reduction across the board in non-salary line items (supplies, etc.) and delay any capital improvements. As part of the normal budgeting process, Keefe Tech capital improvements are funded each year within the operating budget. In prior years, the attention paid to maintenance and capital items has enabled Keefe Tech to delay capital improvements for these past two fiscal years.

For FY06, the Keefe Tech School Committee has adopted a total budget with a 7.9% increase. 83% of this increase is due to contractual increases in salaries and projected increases in health insurance costs. The remaining increases are in Utilities and Buildings and Grounds Maintenance. They have again decided not to fund capital improvements this year in order to limit the overall budget increase.

The enrollment of Natick students at Keefe Tech has decreased from 76 to 65. This is the lowest enrollment of Natick Students at Keefe Tech in ten years. Although the number of Natick students has decreased by eleven (14%), Natick's assessment as determined by the state is expected to remain relatively flat. This is in part due to the method that the state uses in calculating member community's assessments. The budget recommendation takes into account a 3% assessment increase and is expected to be able to cover Natick's assessment.

There has been an additional demand from another Keefe Tech member community to reduce the overall Keefe Tech budget sufficiently to maintain that town's assessment to a 2.5% increase. If this was implemented, than Keefe Tech would have to reduce their budget request by \$1.175 Million and would put the FY06 budget below the FY03 budget.

*It is not proper for the Finance Committee to comment on any budget deliberations and actions of any other town. However, it is proper to comment on any budget demand made on Keefe Tech (a shared resource that is partially funded by Natick) that would impact Natick students enrolled there. It is the opinion of many Finance Committee members that if carried out, this budget reduction demand will force severe harm to the educational process at Keefe Tech and the Natick students enrolled there.*

*The Finance Committee seeks Town Meeting members' support of the Finance Committee's \$1,169,728 Keefe Tech budget recommendation.*

*Representatives from Keefe Tech should be available to provide additional information regarding this request.*

### Charter School Costs

*The cost of educating students at Charter Schools is borne partially by the state and partially by the town that those students are from. The funding formula as to how much a town will pay to educate their students at Charter Schools has invoked much debate and discussion in recent years. Natick now finds itself in the position where Charter School costs are starting to grow and have a larger impact on the Town Budget.*

*In FY04, there were 12 Natick students enrolled at Charter Schools and the net cost to the town was \$10,773. In FY05 that enrollment grew to 46 students with a net cost to the town of \$33,846. In FY06, while the enrollment is expected to remain at the same level (45 -50 students), the Governor's budget (House 1) is forecasting the cost to Natick at \$225,714. This may or may not be the final cost but the trend is showing that Natick will continue to incur larger costs.*

*Natick has never reduced the Natick School's budget to account for students who have transferred to Charter Schools. This is because the reduction of those students from Natick School's enrollment does not necessarily translate into reduced staffing or reduced operating costs for Natick's schools. The Finance Committee is not suggesting changing this policy, but wishes to make Town Meeting members aware of the increased costs that the town is starting to see for educating Natick students at Charter Schools.*

*There is no action to be taken by Town Meeting at this time regarding Charter School costs.*

### Public Safety:

#### *Natick Fire Department Budget:*

*Town Meeting Members may remember that in Fiscal Year 2005 Town Meeting, upon the recommendation of the Administrator with the assistance of Fire Department personnel and the Finance Committee, changed the manner in which the Town funds the Fire Department operational staff costs and levels under the current operational paradigm. That change brought about a number of recommended changes, which were implemented. Fiscal Year 2006 recommended Fire Department budget is continuing those changes. The Finance Committee conducted a comprehensive review of the*

*Fire Department operational cost, including staffing overtime levels, and recommends, by a vote of 10-0-0, that the Fire Department Budget as proposed by the Town Administrator. The Town Administrator should be available to report on the Fire Department Budget and answer any questions for Town Meeting Members.*

*Natick Police Department Budget:*

*The Natick Police Department Budget is essentially unchanged from the previous fiscal year. One change in operations not affecting the budget bottom-line is the funding of a full-time school resource officer with a vacant civilian supervisory position. The Finance Committee unanimously recommends (11-0-0) the Town Administrators recommendations with regard to this budget. Police Department staff and the Town Administrator should be available to report on the operations of the Police Department and answer any questions for Town Meeting Members.*

*Public Works Divisions:*

*In summary, Fiscal Year 2006 Public Works Budgets contain the following major changes:*

*A new position last year has been continued within the Public Works Administration Budget – Coordinator of DPW Safety, Training and Environmental Compliance. Town Meeting Members may remember that this position is being funded from changes made in the Public Works Highway, Sanitation and Recycling Divisions. Specifically, this position will perform a number of tasks related to those listed in the job title and tasks related to overseeing the Storm Water Management, waste removal and recycling programs. In addition to this newly formulated position, the Public works Administration Budget includes funding (\$7,500.00) for the creation of a GIS division at the DPW.*

*With regard to changes in the Equipment Maintenance Department, this budget is generally unchanged, except that there is an estimated increase for gasoline and diesel fuels (\$18,500), and vehicular parts (\$10,000.00). Similarly the DPW Engineering Department is anticipating an increase for gasoline and diesel fuels (\$18,350), electricity (\$7,100.00) and repairs to buildings (\$21,050.00).*

*Other departmental changes include:*

*Engineering: hiring of a new Project Engineer (\$38,819.00);*

*Highway/Sanitation: increase in hazardous waste disposal cost (\$5,000.00);*

*LFNR: reinstatement of garden and parks staff and other costs (\$13,500.00); and,  
increase in field and park maintenance and planting materials (\$37,451).*

*Public Works departmental staff and the Town Administrator should be available to report on the new positions, changes in the operations of the Highway, Sanitation and Recycling Divisions, and answer any questions for Town Meeting Members.*

*Health and Human Resources:*

*Neighborhood Bus, Human Services, Veterans Services and Council on Aging:*

*With regard to the Human Resources Budgets, there are a few changes. With the exception of wage and salary increases, the Neighborhood Bus, Board of Health and Veterans Services budgets are virtually unchanged. The following significant changes will be recommended for funding as follows:*

*Humans Services: additional hours for social worker staff;*

*Council on Aging: funding of a former grant funded position,  
funding of a strength trainer (\$3,500.00), and  
conversion of 2 – social worker PTE position to 1- FTE position;*

*Parks and*

*Recreation: training for staff (\$2,000.00), and  
Decrease of revenue offset for Special Needs Coordinator (\$3,732.00).*

*Departmental staff and the Town Administrator should be available to report on this new position, changes in the operations of the Neighborhood Bus, Human Services, Veterans Services, Board of Health, Parks and Recreation and Council on Aging, and answer any questions for Town Meeting Members.*

*General Government:*

*The following is a condensed report of the Finance Committee's Administration and General Services Subcommittee, which summarizes some of the pertinent factors related to certain General Government budgets:*

*With regard to the Finance Committee Budget, the increase of \$9,000.00 is a one-time funding for fire-proof files cabinets for the storage of minutes and other related material, consistent with the requirements of the General Laws of the Commonwealth and the Natick By-laws.*

*With regard to the Board of Selectmen Budget, the major change in this budget is the addition of a full-time Human Resources Director. The Finance Committee spent allot of time review information provided by the town administration regarding this requested new position.*

*The following is the text of a memorandum provided to the Finance Committee regarding this new position.*

**MEMORANDUM**

**TO:** Board of Selectman  
Finance Committee

**FROM:** Personnel Board

**RE:** Creation of Personnel Director Position

**DATE:** January 26, 2005

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As you are aware, the current Personnel Board was empanelled June 7, 2004 as provided for under the Natick Town Charter. As a board, we understand our mandate to be focused on supporting the residents of Natick by ensuring that we have town employees who can adequately and effectively perform their duties. In our initial meetings as a board, we were very surprised to learn that with Natick having 709 employees (exclusive of School Department personnel), that there was no one staff member dedicated solely to the responsibilities of personnel director (or equivalent title). From our collective professional experiences outside of the Natick Personnel Board, we each have had similar background in having a Human Resources (H.R.) or Personnel function in the organizations that we have been part of (whether corporate, government, for profit or not-for-profit). As a general rule of thumb, most organizations start to consider having at least one dedicated H.R. professional as early as 50 employees, and certainly by the time they reach 100 employees.

**BACKGROUND**

The Town of Natick, as with most organizations, has personnel costs as one of its top three expenses (in addition to infrastructure costs and debt service). Given the unique backgrounds and individual needs of each employee, the requirements of managing 709 individuals present significant challenges on a daily basis. Although the Town Administrator and Deputy Town Administrator provide a great deal of oversight managing the employees of the Town, they both have many other responsibilities in addition to those duties. On any given day, if they have to attend to a water main break at the intersection of Routes 27 and 135, a contract dispute with a major vendor, or a new employee orientation, the H.R. responsibilities may fall to the bottom of the priorities for that week.

In the current environment in which we live, there are numerous safety, legal, and financial considerations that must be attended to in order to protect both the town and the employees. Starting with a fair and consistent approach to hiring employees; moving on to the orientation and training process; providing for continuing reviews of employee performance; and if necessary, the justified dismissal of an employee who is not working out. Multiply those requirements by 709 employees and complicate it by adding ten individual employee unions, the State civil service system and multiple layers of employee protections and you start to understand some of the risks of not having a dedicated H.R. professional on staff within the town. One wrongful hire or wrongful discharge could result in a very costly lawsuit. Likewise, failing to properly train an employee could result in a dangerous situation for that employee, co-workers, or the population at large. Also, with the risks of failing to perform and follow up on background checks and employee drug screens could cause a situation with dire consequences (consider the risks especially heightened in positions like Recreation Department employees who work with children).

The positive aspects of having a dedicated Personnel Director are numerous and start with having a more productive workforce which provides better service to the town residents and their co-workers. Under the direction of a full time H.R. professional, the Town’s employees would be able to receive improved training that is more consistent and comprehensive. Providing for a safe and productive workplace and allowing employees to enjoy a decent quality of work and life are other benefits derived from having a dedicated H.R. professional on staff. An additional benefit is to provide employees with a resource for evaluating claims of unfair treatment or harassment by supervisory personnel (especially in situations where an employee doesn’t feel comfortable or justified in going to the Town Administrator or Deputy Town Administrator).

**CHALLENGE**

The Town of Natick, like almost every other employer has a problem in that its employees seek higher pay and improved benefits, yet our customers (“taxpayers”) don’t want to pay more for the same service they are already receiving. In order to satisfy both constituencies, we need to maximize employee productivity. This was an issue identified by the Personnel Board in our initial meetings which resulted in our restructuring the Town’s supervisory personnel performance management program (“employee reviews”). It also increased our resolve to investigate the need for creating a position of Personnel Director for Natick.

As taxpayers ourselves, the last thing that we want to do is to increase the overhead costs of the town without the resultant benefits. During the course of several meetings, we reviewed the risks of not having a Personnel Director weighed against the benefits of creating this position.

RISKS	BENEFITS
Employee injuries due to lack of proper training or safety	Lower Workers Compensation expenses

equipment	
Lawsuits by employees for improper hiring or firing	Lower legal costs and insurance premiums
Town resident harmed by employee not properly pre-hire screened or drug tested	Thorough and consistent pre-screening and drug testing
Less than peak productivity	More productive employees
High employee turnover	Improved employee longevity
Low employee morale	Motivated, satisfied workforce
New employees not provided with effective training and orientation	New employees more productive and efficient
Employee and Supervisory Handbooks not up to date	Policies, procedures, and current compliance issues codified and available
New supervisory personnel not trained how to manage	More effective supervisory personnel

As a result of evaluating the cost-benefit considerations in creating the Personnel Director (along with a review of risks and benefits), the Personnel Board unanimously supported creating this position as senior staff position under the Town Administrator.

### RESEARCH

We researched the practice of other towns in the Commonwealth of Massachusetts and learned the following:

1. 84 towns in Massachusetts have at least one full time H.R. professional (out of 275 towns surveyed).
2. Excluding cities with populations over 100,000, the average population of a Massachusetts town with at least one full time H.R. professional is 34,000 (roughly the size of Natick).
3. The abutting towns of Framingham, Wayland, Weston and Wellesley all have at least one full time H.R. professional. When looking at second ring abutting neighbors, that list expands to include Concord, Marlborough, Newton, Sudbury, Waltham and Westwood.

### “NAYSAYER RESPONSES”

Although we believe that this request will be met with overwhelmingly positive support, we do anticipate that some people will respond to this request with the following:

- We’ve never had this position before and we’ve done just fine.
- Isn’t this the already the job of the Town Administrator and the Deputy Town Administrator?
- Our town employees are different because of their longevity of employment, and our supervisor and managerial staff are already capable of performing the responsibilities of personnel oversight.
- We can’t afford to add to headcount, especially for positions that are strictly supervisory.

While responses to these questions are provided in the enclosed attachment, the response has to be that, when evaluating the risks and rewards, costs and benefits, the weight of the evidence is clearly in favor of creating and hiring a Personnel Director for the Town of Natick. Just as Town Meeting supported the hiring of a Procurement Officer to oversee and manage the Town’s purchasing function, in a similar fashion this position provides effective oversight for an even bigger expense category (and one that is arguably even more complex and clearly riskier).

### POSITION CONSIDERATIONS

- The position would be a Grade M-3 and report through the Deputy Town Administrator up to the Town Administrator (and have a dotted line reporting relationship directly to the Town Administrator). This Grade level would put this person at roughly an equivalent level to the Library Director, Community Development Director, Health Director, Comptroller, Information Technology Director and other critical positions in Town government.
- The job description would be unique to the Town of Natick but would be similar to the ones used by the towns of Brookline and Watertown.
- We would expect to draw candidates from communities within Massachusetts and would look for someone with similar experience in a town the size of Natick (or larger).
- Over time this position effectively become self funding:

- Reduced costs for hiring and employee benefits
- Reduced claims for injuries, damages, and threatened lawsuits
- Free up supervisory and management time for more productive and critical functions

CONCLUSION

Our plan is to submit a Warrant Article to the Spring Town Meeting requesting approval for creating this position, with funding as a component of the Board of Selectmen's operating budget. We welcome the opportunity to discuss this matter further with the Board of Selectman and Finance Committee and urge your support on this initiative.

PERSONNEL BOARD MEMBERS:

Tom Cartier

Kenneth Goldman

Steven Levinsky, Chairman

Alan Rosenman

Susan Salamoff

Attachment

## Attachment 1

### Personnel Board Responses to Questions Regarding the Need for the Personnel Director Position

1. *We've never had this position before and we've done just fine.*

While it is true to Town has not previously had a full-time Personnel Director on staff, it is not necessarily fact that everything has operated "fine" as a result. How many customer interactions could have been improved had a customer service training program been in place? How much more productivity could employees achieve, and how much further refined would our Town government be if senior management could focus on more strategic issues rather than day-to-day personnel administration?

The Town has operated for more than 220 years without a Human Resources Director, but the Town is also eight times larger than the average private sector company that retains professional human resources assistance. The Town's personnel operations are also significantly more complicated than those in the private sector. The fact that we have not had a dedicated human resources employee on staff is not a reason to continue in this manner, especially when government is encouraged to look and act more like the private sector; the private sector would have hired a full-time human resources professional long ago.

2. *Isn't this the already the job of the Town Administrator and the Deputy Town Administrator?*

Creation of the full-time Personnel Director position will not make personnel management any less of a focus for the Town Administrator or Deputy Town Administrator. Creation of this position will only change their level of involvement.

Instead of handling day-to-day personnel duties, hiring a Personnel Director will allow the Town Administrator and Deputy Town Administrator to re-focus their attention on more value-added activities, leaving the Personnel Director to research and develop policies and procedures, hear employee grievances, and ensure recruitment, hiring, training and discipline are administered in the best possible way.

3. *Our town employees are different because of their longevity of employment and our supervisor and managerial staff are already capable of performing the responsibilities of personnel oversight.*

Current supervisors and managers are capable of performing personnel oversight – they already do – but the questions is to what extent is it ideal for this function to be decentralized, and therefore what value would be created to the Town by centralizing this function.

Centralizing personnel administration will improve quality and consistency – critical considerations when dealing with personnel issues. Human resource management is a recognized, specialized field; it is preferable to hire an expert to focus on this function rather than have multiple employees – hired or promoted for their expertise in veterans administration, law enforcement, finance or library services – administer this function on a part-time basis.

The longevity of service for public employees does make them different from many private sector employees, but this difference does not necessarily translate into “easier”. The long tenure of employees means that mistakes made from decades ago are remembered and remain with the organization, coloring labor/management relationships years after they occurred. There is also a greater need to manage change. This is true (1) because it is more difficult to create change when employees have performed a function in the same manner for many years and (2) because it is more difficult to establish and maintain a “continuous improvement” environment when there is not the cross-fertilization of ideas that comes from hiring new employees on a regular basis who have experience from other organizations.

4. *We can't afford to add to headcount, especially for positions that are strictly supervisory.*

The cost of improving human resource management is an expense an organization can not afford not to make. Private sector entities of 50-100 employees generally have at least one full-time dedicated human resources professional. These private sector human resource managers are “strictly supervisory”. These smaller companies also can not afford to waste money, as extra personnel costs can spell the difference between profitability and failure. Even in this environment – one where enterprise survivability is on the line – organizations 1/8<sup>th</sup> our size know it is worthwhile to retain full-time human resource assistance. This is no less the case for the Town of Natick. Our budget is tight – it always is – but this position will help the Town produce more – provide more or better service – within existing resources.

*Other notable General Government Budget changes include:*

*Assessing Budget: hiring a new assistant to fill a vacancy;  
Information Technology Department: increase in software maintenance (\$25,000.00); and,  
telephone maintenance (\$8,000.00).*

*With regard to the Comptroller, Treasurer, Collector, Legal Services, Town Clerk/Registrar of Voters, Community Development and Parking Enforcement budgets there is little change in these budgets, except for increases in wage and salary line-items.*

*The following represents a summary of changes to the Preliminary Fiscal Year 2006 Budget and revenue assumptions:*

Expenditure Needs:

<u>Budget</u>	<u>Line Item</u>	<u>From</u>	<u>To</u>	<u>Change</u>
Contributory Retirement System	Funding Schedule	\$ 3,755,864	\$ 4,204,995	\$ 449,131
Commission on disability	Article 21	\$ 3,000	\$ 5,500	\$ 2,500

State and County Assessments	None	\$ 1,141,560	\$ 1,232,289	\$ 90,729
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Sub-total New Costs: \$542,360

Funding Sources:

<u>Budget</u>	<u>Line Item</u>	<u>From</u>	<u>To</u>	<u>Change</u>
DPW Administration	Salaries Management	\$ 89,967	\$ 89,867	\$ 100
DPW Engineering	Supervisory Additional Compensation	\$ 23,000	\$ 17,250	\$ 5,750
Employee Benefits Revenue Summary	Health Insurance	\$ 8,931,906	\$ 8,702,547	\$ 229,359
Intergovernmental Resources	Projected Net State Aid	\$10,390,668	\$10,645,797	\$ 254,129
Revenue Summary Local Receipts	Available Funds (Free Cash)	\$ 3,750,000	\$ 3,764,282	\$ 14,282
Expenditure Summary Capital Improvements	None	\$ 1,000,000	\$ 972,700	\$ 27,300
Expenditure Summary Other	Cherry Sheet Offsets	\$ 354,511	\$ 344,071	\$ 10,400
Sub-total Funding Sources:	<u>\$542,360</u>			

Commissions:

*All of the Commission budgets are level funded.*

Unclassified:

*Most of these budgets are unchanged, except that the town continues to find insurance costs increasing in excess of 10%. The Reserve fund continues to be funded at \$250,000.00.*

Enterprise Funds:

*Upon review the Sassamon Trace and Water and Sewer Enterprises are similar to last fiscal year budget, except that the allocations for fringe benefits has been adjusted to reflect the appropriate amount.*

*Taking into account the information above, the Finance Committee recommends favorable action with regard to the budgets including the above changes thereto.*

**MOTION:**

**ARTICLE 3**  
**(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 for Fiscal 2004:

- a) Natick Patrol Officers Association
- b) International Brotherhood of Police Officers, Local 622
- c) SEIU Local 888 AFL-CIO (Dispatchers)

**RECOMMENDATIONS:** The Finance Committee recommends **NO ACTION** with regard to the subject matter of Article 3.

*The purpose of this Article is to fund the collective bargaining agreements for Fiscal Year 2004 (July 1, 2003 through June 30, 2004). Due to the lack of agreements between the Town of Natick and the local collective bargaining units depicted above, the town administration requested no action with regard to the subject matter of this article.*

**NO ACTION:**

**ARTICLE 4**  
**(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) Natick Patrol Officers Association
- b) International Brotherhood of Police Officers, Local 622
- c) SEIU Local 888 AFL-CIO (Dispatchers)

**RECOMMENDATIONS: The Finance Committee recommends NO ACTION with regard to the subject matter of Article 4.**

*The purpose of this Article is to fund the collective bargaining agreements for Fiscal Year 2005 (July 1, 2004 through June 30, 2005). Due to the lack of agreements between the Town of Natick and the local collective bargaining units depicted above, the town administration requested no action with regard to the subject matter of this article.*

**NO ACTION:**



**ARTICLE 6**  
**(Morse Institute Library Trustees)**

To see what sums of money the Town will vote to raise and appropriate, or otherwise provide, for the maintenance and operation of the Morse Institute Library, for the Fiscal Year July 1, 2005 to June 30, 2006.

**RECOMMENDATIONS:** By a vote of 8-0-0 on March 3, 2005, the Finance Committee recommends FAVORABLE ACTION with regard to the subject matter of Article 6 and that the sum of \$1,573,757.43 be appropriated from the Tax Levy.

*The purpose of this Article is to fund the operating budget for the Morse Institute Library for the Fiscal Year 2006 (July 1, 2005 through June 30, 2006). The detailed budget line itemization can be found in Section B of this Finance Committee Recommendations Report (Report).*

*As Town Meeting members may remember, last fall the Finance Committee, Morse Institute Trustees and Town Administrator recommended funding to increase the library personnel services portion of the budget, due to the library's need to provide additional hours of service, among other salaries and wages needs for staff who substitute for other staff who are either absent or unable to work at their assigned times. The Finance Committee and the Town Administrator again reviewed the matter thoroughly and believe that Town Meeting should continue this level of funding and services.*

*The Finance Committee seeks Town Meeting's support for this appropriation.*

**Requires Majority Vote**

**MOTION:**

**ARTICLE 7  
(Bacon Free Library Trustees)**

To see what sum of money the Town will vote to raise, borrow or transfer and appropriate for the maintenance of the Bacon Free Library, or otherwise act thereon.

**RECOMMENDATIONS:** By a vote of 8-0-0 on March 3, 2005, the Finance Committee recommends FAVORABLE ACTION with regard to the subject matter of Article 7 and that the sum of \$102,693.00 be appropriated from the Tax Levy.

*The purpose of this Article is to fund the operating budget for the Bacon Free Library for the Fiscal Year 2006 (July 1, 2005 through June 30, 2006). The detailed budget line itemization can be found in Section B of this Report. The recommended funding for this budget represents an overall increase in support of additional staffing needs, among other things. Specifically, the Finance Committee recommends increases in the fuel oil and electricity line-items reflecting current and anticipated increased costs. Finally, we recommend that Town Meeting approve an increase in supplies funding to satisfy operation supply cost needs. The Finance Committee seeks Town Meeting's support for the subject matter of Article 7.*

**Requires Majority Vote**

**MOTION:**

**ARTICLE 8**  
**(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 take any action relative thereto.

**RECOMMENDATIONS:** By a vote of 11-0-0 on March 10, 2005, the Finance Committee recommends FAVORABLE ACTION with regard to the subject matter of Article 8 and that the sum of \$98,284.00 be appropriated from Tax Levy and the sum of \$2,923.00 from Golf Course Revenues.

*The purpose of this article is to provide for an amendment to the Natick By-laws pertaining to non-collective bargaining group municipal employees – non-union employees. This fiscal year (FY06) the town administration and Personnel Board are recommending changes to the existing pay plan. Specifically, the pay plan herein, if approved, implements a two and one half percent (2.5%) increase for town employees under such plan. This percentile increase is consistent with the existing collective bargaining agreements with the town's organized collective bargaining groups' agreements. In addition, the plan adds new positions. For Example, the plan adds designations and pay scales for the Director of Human Resources, Nurse and Social Worker positions.*

*The town administration should be available to provide details for the above wage and salary increases. The Finance Committee seeks Town Meeting's support for the subject matter of Article 8.*

**Requires Majority Vote**

**MOTION:**

**ARTICLE 9  
(Board of Health)**

To see if the Town will vote to appropriate a sum of money for the purpose of financing the following water pollution abatement facility projects: repair, replacement and/or upgrade of septic systems, pursuant to agreements with the Board of Health and residential property owners, including without limitation all costs thereof as defined in Section 1 Chapter 29C of the General Laws; to determine whether this appropriation shall be raised by borrowing from the Massachusetts Water Pollution Abatement Trust or otherwise, or to take any other action relative thereto.

**RECOMMENDATIONS:** By a vote of 8-0-0 on March 3, 2005, the Finance Committee recommends FAVORABLE ACTION with regard to the subject matter of Article 9.

*The town administration provided information regarding this article which would set aside a sum of money to be used to assist town residents in financing the cost of repair, replacement and/or upgrade of septic systems in the town, as defined in Section 1 Chapter 29C of the General Laws. The Massachusetts Water Pollution Abatement Trust (MWRA Trust) makes funds available to cities and towns for such projects at no interest borrowing rates and a 5% administrative fee. The Article proposes to borrow the sum of \$200,000.00 for this purpose and extend the benefit of such no-interest funding terms to town residents impacted by qualifying septic system costs.*

*The MWRA Trust has offered to provide the Town a \$10,000.00 grant to develop a septic tracking system, which will enable the Board of Health to graphically locate septic systems and thereby expand and improve its records on these systems.*

*Natick has taken advantage of the MWRA Trust program twice previously dispensing \$92,122.00 in 2001, and \$145,813.00 in 2004.*

*Specifically, the Finance Committee recommends that Town Meeting appropriate the sum of \$200,000.00 to be spent for pollution abatement, repair and upgrade of septic systems pursuant to agreements with the Board of Health and residential property owners, including without limitation all costs thereof as defined in Section 1 Chapter 29C of the General Laws. And, that these funds shall be raised by borrowing from the Massachusetts Water Pollution Abatement Trust.*

**Requires 2/3 Vote**

**MOTION:**

**ARTICLE 10**  
**(Town Administrator)**

To see if the Town will vote, pursuant to Chapter 114, Section 34 of the Massachusetts General Laws, to allow the land located at 43 Fairview Avenue, Natick, MA., to be used for burial purposes. Said land is described in a deed from the Town of Natick by the Natick Board of Selectmen to the Hebrew Cemetery Association, Inc. dated May 22, 2000 and recorded with the Middlesex South District Registry of Deeds at Book 31437, Page 409. Said land is shown on Town of Natick Assessors' Map 59 as parcel 40 and is shown as Lots 141 and 142 on a plan of land entitled "Plan of Land in Natick, Massachusetts (Middlesex County) Prepared For: Hebrew Cemetery Assoc., Inc." dated October 6, 2004, prepared by Schofield Brothers of New England, Inc., which plan is recorded with the Middlesex South District Registry of Deeds as Plan Number 96 of 2005;

or otherwise act thereon.

**RECOMMENDATIONS: By a vote of 8-0-0 on March 3, 2005, the Finance Committee recommends FAVORABLE ACTION with regard to the subject matter of Article 10.**

*The purpose of this article is to permit a certain parcel of property abutting an existing cemetery to be used for burial purposes. The Town sold this property to the Hebrew Cemetery Association for \$23,000 to expand the cemetery when needed. State law requires the approval of the Board of Health and the state legislative. These approvals have already been granted, however, Town Meeting must approve this use consistent with the General Laws of Massachusetts.*

**Requires Majority Vote**

**MOTION:**

**ARTICLE 11**  
**(Board of Assessors)**

To see if the Town will vote to increase the Personal Exemption Amounts by 22.5% under the provisions of 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).

**RECOMMENDATIONS: By a vote of 10-0-0 on March 10, 2005, the Finance Committee recommends FAVORABLE ACTION with regard to the subject matter of Article 11.**

*The purpose of this article is to increase the personal exemption amount with regard to qualified taxpayers who meet elderly, disabled veteran or blind person criteria, in accordance with Massachusetts General Laws. For the past eight (8) years, Town Meeting has acted favorably on this annual request.*

*Town Meeting may remember that it increased the exemption for qualifying individuals last year from 17.5% to 20%. This year Town Meeting is asked to approve an additional increase from 20% to 22.5% for such individuals. The Town Administration estimated costs relative to this action to be approximately \$3,151.37 which will be funded from Overlay Account funds. It was reported to the Finance Committee that the Board of Assessors unanimously voted in favor of this article.*

**Requires Majority Vote**

**MOTION:**

**ARTICLE 12**  
**(Town Administrator)**

To determine what sum or sums of money the Town's General Fund will appropriate and raise, or transfer from available funds, for the purpose of funding the over assessment of Water and Sewer pension liability, originally assessed to the Water and Sewer Enterprise and/or take any action relative thereto.

**RECOMMENDATIONS: The Finance Committee recommends NO ACTION with regard to the subject matter of Article 12.**

*The purpose of this article is to raise or transfer funds from the General Fund to correct an accounting error regarding allocations of pension liability that were assessed to the Water and Sewer Enterprise Fund. Town Meeting heard that this correction was being made under Article 1. Therefore, there is no action being recommended by the Finance Committee.*

**MOTION:**

**No Action**

**ARTICLE 13**  
**(School Committee)**

To see what sum of money the Town will vote to appropriate 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.

**RECOMMENDATIONS:** By a vote of 10-0-0 on March 22, 2005, the Finance Committee recommends FAVORABLE ACTION with regard to the subject matter of Article 13 and that the sum of \$189,633.00 be appropriated from Free Cash.

*The purpose of this article is to appropriate funds so that the School Committee can continue the bus transportation fee policy at last year's levels. Such service levels were set that all students in grades K-12 who live more than two miles from school would be provided free bus transportation. Those students living less than two miles per school would be charged \$150 (\$300 family cap).*

*Town Meeting Members may remember that last year it voted \$287,000 for this purpose. The School Committee this year is requesting \$189,633 to meet the same goal. The major reason for the decrease from last year is that fewer students who qualified for free bus transportation actually took advantage of this benefit. This year's request is based on the same level of participation.*

*The Finance Committee seeks Town Meeting Members support for this appropriation. A detailed summary of this programs costs are included in this book.*

**Requires Majority Vote**

**MOTION:**

**ARTICLE 14**  
**(Town Administrator)**

To see if the Town will vote to amend the vote of the Town passed under Article 13 of the October 19, 2004 Annual Fall Town Meeting which appropriated and authorized a borrowing of \$352,000 to construct a system of sewer mains, lateral lines, trunk mains, and pump stations to service the areas of Clubhouse Lane and Saddlebrook Road, to reduce the amount of the borrowing to \$262,000 and provide that \$90,000 shall be transferred from available funds; or take any other action relative thereto.

**RECOMMENDATIONS: By a vote of 8-0-0 on March 3, 2005, the Finance Committee recommends FAVORABLE ACTION with regard to the subject matter of Article 14.**

*The purpose of this article is to amend a previous action taken by Town Meeting under Article 13 at Town Meeting last October. Specifically, this request is being made to utilize \$90,000.00 in funds received from the MWRA for construction impact resulting from the Leach Lane project. As part of that project, the MWRA agreed to provide \$90,000.00 toward construction for sewer extensions. The \$90,000.00 received from the MWRA was placed in the Mathew Court, Harp Court, Front Street, Alger Street and Cedar Street Sewer Extension project, which was resolved by betterment. Therefore, these funds are available for use for other similar project cost. This request seeks to transfer such \$90,000.00 to the Clubhouse Lane/Saddlebrook Road sewer project reducing the borrowing authorization provided by Town Meeting last fall. The total cost of the Clubhouse Lane/Saddlebrook Road project is \$352,000.00. With the use of these MWRA funds the borrowing under Town Meeting's previous authorization needs to be reduced to \$262,000.00. This article and its accompanying motion provides for the use of the MWRA funds and the reduction of the previous borrowing authorization. To that end, the Finance Committee recommends that Town Meeting act favorably on this matter.*

**Requires 2/3 Vote**

**MOTION:**

**ARTICLE 15**  
**(Council on Aging)**

To see if the Town will vote to accept the provisions of Chapter 44, Section 53E 1/2 of the Massachusetts General Laws which allows towns to authorize separate revolving funds to which shall be credited receipts received in connection with the programs supported by such revolving fund. The Council on Aging would establish a revolving fund for a subsidized transportation program with receipts credited to this revolving fund, expended by the Council on Aging Director with oversight by the Council on Aging and not to exceed \$15,000 expenditures in a fiscal year.

**RECOMMENDATIONS: By a vote of 8-0-0 on March 3, 2005, the Finance Committee recommends FAVORABLE ACTION with regard to the subject matter of Article 15.**

*The purpose of this article is to accept the provision of general law which establishes a revolving fund. Each year Town Meeting must authorize the establishment of revolving funds, consistent with M.G.L. 44, Section 53E 1/2. This revolving fund is a "re-authorization" of an existing fund under the direction of the Council on Aging Director and administered by the Natick Council on Aging. This fund supports transportation user expenses of qualifying elderly persons. Also, this program has been administered for a number of years at the requested limitation of \$15,000.00. Members of the Council on Aging should be available to answer questions and detail the transportation program.*

**Requires Majority Vote**

**MOTION:**

**ARTICLE 16**  
**(Town Administrator)**

To see if the Town will vote, pursuant to Chapter 44, Section 53E 1/2 of the Massachusetts General Laws, to establish a revolving fund in order to utilize fees paid to the Conservation Commission by applicants pursuant to the Natick Wetlands Protection By Law for the purpose of hiring consultants; to authorize the Conservation Commission to expend money from said revolving fund for consultant services regarding applications to the Conservation Commission under Chapter 131, Section 40 of the Massachusetts General Laws and under the Natick Wetlands Protection By Law; to establish a limit on the total amount which may be expended from such fund in the fiscal year beginning July 1, 2005;

or otherwise act thereon.

**RECOMMENDATIONS: By a vote of 8-0-0 on March 3, 2005, the Finance Committee recommends FAVORABLE ACTION with regard to the subject matter of Article 16.**

*The purpose of this article is to accept the provision of general law which establishes a revolving fund. Each year Town Meeting must authorize the establishment of revolving funds, consistent with M.G.L. 44, Section 53E 1/2. This revolving fund is a "re-authorization" of an existing fund under the direction of the Conservation Commission. This fund supports the hiring of consultants among other services related to applications filed before the Conservation Commission. This program has been administered for a number of years at the requested limitation of \$15,000.00. Members of the Conservation Commission should be available to answer questions and detail the use of this fund.*

**Requires Majority Vote**

**MOTION:**

**ARTICLE 17**  
**(Town Administrator)**

To see if the Town will vote, pursuant to Chapter 44, Section 53E 1/2 of the Massachusetts General Laws, to establish a revolving fund in order to utilize revenue from the sale of surplus vehicles to fund the purchase of vehicles and equipment at auction; to authorize the Department of Public Works, with the approval of the Town Administrator, to expend money from said revolving fund for the purchase of vehicles and equipment at auction; and to limit the total amount which may be expended from such fund to \$15,000 for the fiscal year beginning on July 1, 2005 or to act otherwise thereon.

**RECOMMENDATIONS: By a vote of 8-0-0 on March 3, 2005, the Finance Committee recommends FAVORABLE ACTION with regard to the subject matter of Article 17.**

*The purpose of this article is to accept the provision of the general law, which establishes a revolving fund. Each year Town Meeting must authorize the establishment of revolving funds, consistent with M.G.L. 44, Section 53E 1/2. This revolving fund is an authorization of a new fund under the direction of the Department of Public Works (DPW). This fund supports purchases of vehicles and equipment at auction, which may be desirable, without having adverse effects on available budgetary funds or needing approval by Town Meeting. Buying equipment in this manner has been a practice of the DPW with great success providing substantial savings to the town and extending the life of and augmenting existing equipment. The Finance Committee has endorsed this practice and feels that setting aside funds from surplus vehicles adds additional funding to this effective practice. Should Town Meeting approve this revolving fund as requested, the fund will be limited to \$15,000.00 for fiscal year 2006. Members of the town administration and/or DPW should be available to answer questions and detail the use of this prospective fund.*

**Requires Majority Vote**

**MOTION:**

**ARTICLE 18**  
**(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.

**RECOMMENDATIONS:** The Finance Committee recommends **NO ACTION** with regard to the subject matter of Article 18.

*The purpose of this article is to appropriate funds to pay unpaid bills from previous fiscal years. The Town Comptroller reported that there are no unpaid bills, at this time. To that end, the Finance Committee seeks Town Meeting's support for the subject matter of Article 18.*

**Requires 4/5 Vote**

**NO ACTION:**

**ARTICLE 19**  
**(Town Administrator)**

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

**RECOMMENDATIONS:** The Finance Committee recommends **NO ACTION** with regard to the subject matter of Article 19.

*The purpose of this article is to fund any equipment lease and/or repairs. As of the time of this writing, there are no such requests and thus no action is recommended by the Finance Committee.*

**Requires Majority Vote**

**NO ACTION:**

**ARTICLE 20**  
**(Fire Chief)**

To see if the Town Meeting would approve an increase to the annual fire alarm master box fee. Increase the current fee of \$150.00 to \$300.00 or otherwise act thereon.

**RECOMMENDATIONS:** By a vote of 10-0-0 on March 8, 2005, the Finance Committee recommends FAVORABLE ACTION with regard to the subject matter of Article 20.

*The purpose of this article is to increase the existing fire alarm master box fee as indicated in the article. The Fire Chief and town administrators should be available to explain their requests and answer any questions.*

**Requires Majority Vote**

**MOTION:**

**ARTICLE 21**  
**(Commission on Disability)**

To see if the Town will vote to increase from 75% to 100% the amount of monies allocated to the Commission on Disability as the result of fines generated from violations of handicapped parking laws

And further

To see if the Town will vote to appropriate and raise, or otherwise provide a sum of money not to exceed \$5,500 for the purchase and installation of audio tactile push button walk signals at various intersections in Natick, curb cuts and access route installations and repairs, and to provide for disability awareness/educational materials to be used with the public and private sector or otherwise act thereon.

**RECOMMENDATIONS: By a vote of 12-0-0 on March 8, 2005, the Finance Committee recommends FAVORABLE ACTION with regard to the subject matter of Article 21 and that the sum of \$5,500.00 be appropriated from Handicapped Parking Violations.**

*The purpose of this article is to raise the current percentage of funding from handicapped parking violations appropriated by Town Meeting and fund the purchase of certain equipment or improvements that aid and enhance disabled residents and users of the public way and walkways. Specifically, this article, if approved, will permit the allocable fund amounts to increase from 75% to 100%. In addition, each year Town Meeting funds certain capital improvement projects, among other things, from handicapped parking violation fines. The \$5,500 being requested is 75% of such handicapped parking violation fines collected in the previous fiscal year. If appropriated, these funds may provide curb cuts at certain locations in the Town, electronic walkway equipment that aids disabled persons and/or educational materials or efforts related to the Commission on Disability.*

*Members of the Commission on Disability should be available to answer questions. The Finance Committee seeks Town Meeting's support for the subject matter of Article 21.*

**Requires Majority Vote**

**MOTION:**

**ARTICLE 22**  
**(Commission on Disability)**

To see if the Town in accordance with Massachusetts General Laws, Chapter 40: Section 22A, will vote to raise the amount of fines for handicapped parking violations in the following amounts:

- 1) Handicapped Parking Violations: from \$100.00 to \$200.00
- 2) Access Aisle Violations: from \$200.00 to \$300.00

**RECOMMENDATIONS: The Finance Committee recommends NO ACTION with regard to the subject matter of Article 22.**

*The purpose of this article is to increase the current handicapped parking fines as indicated in the article. The Finance Committee seemed to support the increase in such fines; however, to properly initiate such a change the article must amend the Natick By-laws. Therefore, the sponsor requested no caution on this subject matter so that an appropriately draft article could come before Town Meeting at another time.*

**Requires Majority Vote**

**NO ACTION:**

**ARTICLE 23**  
**(Town Administrator)**

To see if the Town will amend Article 71 of the General By-laws of the Town as follows:

1. To modify the first sentence of Section 2 of said Article 71 to read as follows:

Other than in respect to the West Speen Street Pumping District, the Town Administrator shall assess sewerage construction costs to all properties receiving benefit of advantage on the basis of the unit method as hereinafter defined.

2. To add the following sentence at the end of Section 2 of said Article 71:

In the West Speen Street Pumping District, the Town Administrator shall assess the West Speen Street Sewer Construction Costs based upon the unit method to the properties in the West Speen Street Pumping District; or in case of other sewerage construction costs, shall assess sewerage construction costs in accordance with this By-Law.

3. To add the following two definitions to Article 71 respectively as Items (14) and (15):

(14) West Speen Street Pumping District: the land comprising Assessor's Map 16, Lot 2 and Map 24, Lot 101.

(15) West Speen Street Sewage Construction Cost: all sewer improvements required to be constructed to accommodate sewage flow from the West Speen Street Pumping District as part of the redevelopment and expansion at the Natick Mall as approved by the Planning Board in Decision 16-04 dated July 19, 2004, as the same may be modified, or as approved by an Approved Use Development Plan adopted by Town Meeting.

4. To modify the last two sentences of the first paragraph of Section 4 of said Article 71 to read as follows:

Other than for West Speen Street Sewer Construction Costs, betterments shall be assessed for seventy-five percent (75%) of the cost of special and general benefit facilities with twenty-five percent (25%) of the cost to be paid by the Town. In the West Speen Street Pumping District, betterments shall be assessed for one hundred percent (100%) of the cost of special and general benefit facilities for West Speen Street Sewer Construction Costs with no cost to be paid by the Town.

5. To modify the fourth paragraph of Section 4 of said Article 71 to read as follows:

Commercial and industrial and semi-public uses and all properties within the West Speen Street Pumping District shall be converted into sewer units on the basis of the minimum frontage and depth requirements of the nearest single family residential district with the largest common frontage.

or take any other action relative thereto.

**RECOMMENDATIONS: By a vote of 10-0-0 on March 17, 2005, the Finance Committee recommends FAVORABLE ACTION with regard to the subject matter of Article 23.**

*The purpose of this article is to amend the Natick By-laws. Specifically, the town administration provided information that the Natick Mall currently sends its effluent to Framingham, and that Framingham charges the Mall for such service. The Natick Mall desires to tie into Natick's sewer system. To that end, this by-law amendment designates the Natick Mall property as the "West Speen Street Pumping District" and sets limits on charging sewer construction costs. In the West Speen Street Pumping District, which is essentially the Natick Mall property, the Town will assess 100% of the cost of the West Speen Street Construction Cost project. Therefore, this Article creates the mechanism with which the Town to can recover 100% of the cost of creating the desired sewer interconnection, without burdening the Natick sewer rate payers. The Finance Committee seeks Town Meeting's support for the subject matter of Article 23.*

**Requires Majority Vote**

**MOTION:**

**ARTICLE 24  
(Planning Board)**

To see if the Town will vote to amend the Zoning By Laws by adding a new second paragraph to Section VI-F which reads:

“Whoever violates any provision of these Zoning By Laws, any of the conditions under which a permit is issued, or any decision rendered by the Board of Appeals or the Planning Board, the violation of which is subject to a specific penalty, may be penalized by a noncriminal disposition as provided in Massachusetts General Laws Chapter 40, Section 21D. A noncriminal disposition under this provision shall not preclude further judicial proceedings regarding continuing violation of the Zoning By Laws beyond the date of said noncriminal disposition.”

or otherwise act thereon.

**RECOMMENDATIONS: The Finance Committee has tabled the subject matter of Article 24 to its April 5, 2005 meeting.**

*The Finance Committee should receive a recommendation from the Planning Board on April 5, 2005 and will continue deliberation on this matter and report to Town Meeting any recommendation.*

**ARTICLE 25**  
**(Planning Board)**

To see if the Town will vote to amend Section VI-F of the Zoning By Laws by adding in the first sentence the words “or the Planning Board” after the words “Board of Appeals” and by deleting the word “twenty” in the first sentence and inserting in its place the words “two hundred” so that said Section VI-F would read:

“Any person violating any provisions of this by law, any of the conditions under which a permit is issued, or any decision rendered by the Board of Appeals or the Planning Board, may be fined not more than two hundred dollars for each offense. Each day that such violation continues shall constitute a separate offense.”

or otherwise act thereon.

**RECOMMENDATIONS: The Finance Committee has tabled the subject matter of Article 25 to its April 5, 2005 meeting.**

*The Finance Committee should receive a recommendation from the Planning Board on April 5, 2005 and will continue deliberation on this matter and report to Town Meeting any recommendation.*

**ARTICLE 26**  
**(Prince Okyere, et al)**

**ZONING PETITION RE: NATICK MALL**

To see if the Town will amend its zoning by-law in the following respects, or otherwise act thereon:

Item 1: The following shall be added as definitions, in alphabetical order, in Section 200:

Approved Use Development: The use of a parcel for shopping mall use in accordance with an Approved Use Development Plan, including the provisions for parking contained therein.

Approved Use Development Plan: A development plan described in Section VII of the Bylaw, the plans for which are on file with the Town Clerk and the Community Development Director;

Item 2: There shall be added at the end of Section II.A.1. the following Use District: "Regional Center Planned Use Overlay District RCP."

Item 3: Insert a new Section II.B.7.d. that follows Section II.B.7.c. to read as follows: "There shall be a Regional Center Planned Use Overlay District RCP within the following described area: Town of Natick Assessors' Map 16, Lot 2."

Item 4: In Section 321, cancel the second sentence and substitute the following therefore:

There are four such overlay districts: Regional Center Planned Use Overlay District (RCP), the Mall Center Overlay (MC) district, the Regional Center Overlay (RC) district and the Highway Corridor Overlay (HC) district. The Mall Center Overlay (MC) district overlays a portion of the Regional Center Overlay (RC) district. The RCP District overlays a portion of the MC Overlay District and a portion of the Regional Center Overlay (RC) District.

Item 5: In Section 323, Use and Other Zoning Regulations, delete the first line following the title and substitute the following: "323.0 Uses prohibited in the MC, RCP and RC Districts."

Item 6: Insert new Sections 323.1.7., 323.1.8, 323.1.9 and 323.1.10 as follows:

323.1.7 The RCP Overlay District is an overlay district established in respect of land which, because of its location and an existing developed condition, can be

redeveloped intensively for commercial purposes without a material impact on natural resources and with financial benefits to the Town that will result in substantial contributions to the acquisition and preservation of open space and improvement of the infrastructure of the Town and the region as a whole.

323.1.8 To the extent that there is inconsistencies between the provisions of this By-law applicable to the RCP Overlay District and the underlying district (including the RC Overlay District, the MC Overlay District and the APD District), the provisions applicable to the RCP Overlay District shall govern even if such provisions are more permissive in the RCP Overlay District than in underlying and other overlay districts.

323.1.9 All uses permitted or allowed in the underlying zoning districts (including the RC Overlay District and the MC Overlay District) shall be permitted or allowed respectively on land in the RCP Overlay District. In addition, Approved Use Development shall be permitted in the RCP Overlay District. No special permit or site plan approval under Section 320 or Section VI-DD of this By-Law shall be required for an Approved Use Development. An Approved Use Development for a shopping mall use shall also be permitted, as a phase of a shopping mall development for which special permits and site plan approval have been issued under Section 320 and Section VI-DD and such phase may be constructed and used as an Approved Use Development independent of such special permit. If the Approved Use Development Plan is proposed to be modified, before any such modification may be made, the owner of the parcel for which such plan has been approved, shall seek a determination from the Planning Board whether such modification is material or minor. If the Planning Board determines that the modification is material, then no such modification shall be permitted unless the Planning Board grants a special permit therefore. If the Planning Board determines that such modification is minor, then no action approving the modification shall be required but the modification shall be filed with the Approved Use Development Plan then on file with the Town Clerk.

323.1.10 Before any building permit may issue for an Approved Use Development, the Building Inspector must receive approval from the Planning Board of the exterior lighting, signage and final elevations of buildings within the Approved Use Development.

Item 7: In Section 324.6, Areas Excluded from FAR Computations, insert in the third line: “RCP:

Item 8: In Section 324.6.6, insert “and RCP” after “MC.”

In Section 325.1.1, in the first line after the word District, insert “(other than in a RCP Overlay District).”

Item 9: Insert a new Section 324.11 as follows:

**324.11 FAR for Approved Use Development**

The FAR for an Approved Use Development shall be as set forth in the Approved Use Development Plan, including provisions for contributions on account of Section 328 Bonus Density Provisions to be made to the Town's open-space fund and on account of municipal infrastructure reflected in such Approved Use Development Plan. If the parcel of land for which the Town has approved an Approved Use Development either has been or is included in the special permits and site plan approval issued under Section 320 and Section VI-DD, the combined FAR of the parcels shall not exceed the FAR permitted under the special permits and site plan approval. Any FAR payments payable under the terms of an Approved Use Development plan shall be credited against those otherwise payable under such special permits and site plan approval.

Item 10: Insert a new Section 325.1.4 as follows:

**325.1.4** The base landscape surface ratio (LSR) in any RCP Overlay District shall be as set forth in the Approved Use Development Plan.

Item 11: Insert a new Section 326.13 as follows:

**326.13** The height limitation for an Approved Use Development shall be as set forth in the Approved Use Development Plan.

Item 12: Insert in Section 326.5 as follows:

**326.5 Dimensional Regulations in RCP Overlay District:** In lieu of the dimensional requirements of the underlying zoning district (including the RC and MC Overlay Districts as part of the HOD District), the following dimensional requirements shall be applicable:

**326.5.1** For an Approved Use Development, the dimensional requirements shall be as set forth in the Approved Use Development Plan.

Item 13: At the end of Section 327.1, add the following:

“The landscaping for an Approved Development Use shall be as set forth in the Approved Development Use Plan and the provisions of this Section 327 shall not be applicable to an Approved Use Development Plan.”

Item 14: Insert a new Section VII-Approved Use Development Plan for the Regional Center Planned Use Overlay District as follows:

**“Section VII. Approved Use Development Plan for the Regional Center Planned Use Overlay District**

**Statement of Facts:**

This Approved Use Development Plan (the “Development Plan”) relates to the development for shopping mall use, including the provision for parking, at 330 Speen Street (the “Site”). 330 Speen Street is owned by GGP-Natick West LLC (the “Owner”) and is shown on Assessors’ Map 16, Lot 2. The contemplated development is referred to herein as the “Phase I Mall Project.”

The Development Plan is intended to encourage the redevelopment for retail use in a Regional Center Planned Use Overlay District RCP. The Site is located within the RCP Overlay District. The Zoning By-Laws, as amended, allow as of right development pursuant to a Development Plan in the RCP Overlay District. The provisions of the RCP Overlay District, the Development Plan (including its Table and Schedules) and the Plans (as defined below) govern the development of the Phase I Mall Project.

The Phase I Mall Project will be constructed in conformance with the Development Plan. The Development Plan incorporates mitigation anticipated to mitigate the impacts anticipated from the shopping mall use.

The Phase I Mall Project is shown on the following plans prepared by Vanasse Hangen Bustlin of Watertown, Massachusetts (“VHB”) and Beyer Blinder Belle Architects & Planners LLP of New York, New York):

<b>Sheet Number</b>	<b>Drawing Title</b>	<b>Date</b>
C-1	Legend and General Notes	11/30/04
C-2	Overall Site Plan	11/30/04
C-3	Phase I Parking Plan	11/30/04
C-4	Traffic Striping and Signage Plan	11/30/04
C-5	Layout and Materials Plan	11/30/04
C-6	Grading Drainage and Erosion Control Plan	11/30/04
C-7	Utility Plan	11/30/04
C-8	Ring Road Link Plan and Profile	11/30/04
C-9	Wetland Restoration Plan	11/30/04
C-10	Sanitary Sewer Pump Station	11/30/04
C-11	Site Details	11/30/04
C-12	Site Details	11/30/04
C-13	Site Details	11/30/04
C-14	Site Details	11/30/04
C-15	Site Details	11/30/04

C-16	Site Details	11/30/04
L-1	Landscape Plan	11/30/04
L-2	Shrub Planting Plan	11/30/04
L-3	Shrub Planting Plan and Planting Schedule	11/30/04
L-4	Grading Detail/Berm at Speen Street	11/30/04
L-5	Landscape Details	11/30/04
TS-1	Conceptual Traffic Signal Plan	09/15/04
Sv-1	Existing Conditions Plan of Land	07/07/04
Sv-2	Existing Conditions Plan of Land	07/07/04
A-101	Floor Plan	11/30/04
A-102	Floor Plan	11/30/04
A-103	Floor Plan	11/30/04
A-104	Floor Plan	11/30/04
A-300	Elevations	11/30/04
SL-1	Site Lighting Plan	07/19/04

The foregoing plans are referred to in the Development Plan as the Plans.

Special Conditions:

The following special conditions shall apply to the Phase I Mall Project described in the Development Plan:

1. The Plans and the text of the Development Plan shall govern development of the Phase I Mall Project. The resulting combination of Plans and the special conditions of the Development Plan shall be hereafter referred to as the "Development Plan." All construction shall be carried out in accordance with the Development Plan in all respects.
2. A photographic Mylar together with three copies of the approved Plans shall be provided to the Building Inspector.
3. The dimensional standards of the Phase I Mall Project shall be the following, as more particularly shown on the Plans:

Frontage:	200 feet
Building setback from public way:	50 feet
Parking structure setback from public ways for at grade or higher levels:	25 feet from public ways; below grade levels do not require a setback
Side and rear yards:	20 feet. Pedestrian bridges providing access to adjacent properties and

intended to serve shopping mall uses located in a RCP Overlay District shall not be subject to any rear or side yard requirements either in the RCP Overlay District or in the zoning district in which the parcel to which it provides access is located.

Height: Up to 60 feet

Floor Area Ratio: Up to 0.60

4. The Phase I Mall Project shall have a minimum of 1745 parking spaces.
5. The Owner shall comply with the landscaping requirements regarding landscaping in the Phase I Mall Project, as set forth in the Development Plan; and more specifically shall do the following:
  - A. The landscaping shall be installed as described in the Development Plan and the Plans. The landscape surface ratio (LSR) shall be a minimum of 25%. In the event the Owner has not installed all or any portion of the landscaping material and irrigation system required by the Development Plan at the time of requesting an occupancy permit, 200% of Owner's cost for the portion of the irrigation system and landscaping material that is not then purchased and installed shall be posted as security for installing such landscaping and system at a later time, such sum to be secured in a manner acceptable to the Community Development Director;
  - B. The Owner shall install landscaping at the end of Travis Road adjacent to the fire station and, appropriate to the irrigation systems available to it, on the earthen islands in Route 9 adjacent to the Natick Mall located at 1235 Worcester Street as well as maintain the landscaping on the traffic island adjacent to the intersection of Speen Street and Natick Mall Road.
  - C. The Owner shall maintain, and, at the time of application for a building permit, shall enter into a covenant with the Town requiring the maintenance, in good condition, of all landscaped open space and buffer strips for the Phase I Mall Project. The Owner shall provide a bond in the amount of 10% of the cost of landscaping, together with 10% of the cost of the irrigation, to ensure that the required irrigation system is installed and operating, and the landscape plantings are maintained and survive for three growing seasons following completion of planting; and
  - D. No occupancy permit for new buildings within the Phase I Mall Project shall be issued by the Building Inspector until all landscaping and buffer strips conform to the landscape plan and planting schedule in the Plans, and that

the required irrigation system is installed, or unless the Owner has posted the security as required pursuant to Section 5A. above.

6. The Owner shall undertake the program of Traffic and Transportation Improvements as specified in Schedule A attached to the Development Plan. No occupancy certificate for the new buildings within the Phase I Mall Project shall be issued if the contributions and construction to be undertaken under Schedule A have not been completed unless all of the contributions required to be made have been made, and in respect of the traffic improvements to be constructed by the Owner, a bond suitable to the Community Development Director and equal to 150% of the estimated cost of the Owner's unfinished portions of the traffic improvements shall have been posted with the Building Inspector.

With respect to the payment of the annual transit fee of \$10,000.00 as referred to in Schedule A, that payment shall be adjusted annually to reflect any increase in the Consumer Price Index during the year to which it relates.

The final design of the Traffic and Transportation Improvements will be determined in conjunction with the Department of Public Works and where the Massachusetts Highway Department has jurisdiction, the Massachusetts Highway Department. The provision of Section 14 of these special conditions shall be applicable to the design thereof.

Identified in Schedule B attached hereto are certain drawings reflecting options for certain off-site improvements to be undertaken by the Owner. Whether a particular option is selected may depend on the determination of the ultimate permit-granting authority (such as the Massachusetts Highway Department) or the willingness of third-parties to cooperate and/or provide some of the funding that may be required to fully implement the option in question. The Owner shall not be obligated to implement an option if either the third party fails to give its concurrence following the request by the Community Development Director or if the Owner, after conferring with the permit-granting authority, provides confirmation satisfactory to the Community Development Director that such concurrence will not be forthcoming.

In addition to its obligations under Schedule A, the Owner shall design and construct, provided that the Owner is able to obtain the permits therefor, a bicycle phase traffic signal on Route 30 at its intersection with the Cochituate Rail Trail. If the Owner is unable to obtain permits that would enable the Owner to construct such signal for no more than \$100,000.00, the Owner shall provide funds in the amount of \$100,000.00 to the Planning Board to be utilized in enhancing bicycle access to the Cochituate Rail Trail.

In addition to its obligations under Schedule A, the Owner shall provide the Planning Board with the sum of \$25,000.00 to be used on account of the Route 27/Route 30 intersection as the Planning Board in its discretion shall determine.

7. The Owner shall install the transportation concourse as shown on the Plans. The Owner shall install the bicycle crossing at Speen Street to the Site as shown on the Plans.

8. Any catch basins to be installed in the parking lot of the Phase I Mall Project shall contain devices to trap grease and oil.

9. The location, size and design of any signs desired to be placed on the Site by the Owner shall be as approved by the Planning Board as provided in Section 323.1.10 of the By-Law.

10. For a period of two (2) years after the installation of the exterior lighting system, the Community Development Director shall have the right to require the system to be modified to correct deficiencies in its operation.

11. The snow management plan is on file with the Community Development Director and the Town Clerk.

12. The Owner shall make open space impact contributions to mitigate the FAR of the Phase I Mall Project to the Town's open space fund in the amounts and at the times provided in Table 1. To the extent the final architectural drawings disclose a lesser floor area, the amount in Table 1 shall be adjusted accordingly based upon a ratio of \$20/square foot of floor area. The architect for the Owner shall provide a certification of the floor area of the Phase I Mall Project prior to the issuance of a permanent certificate of occupancy. The Owner shall enter into a covenant with the Town to maintain the transportation concourse and the Ring Road Link (as referred to on the Plans) as such.

13. No occupancy permit (other than temporary occupancy permits which the Building Inspector shall have the authority to issue) shall be issued by the Building Inspector until the Owner has provided the Town with as-built site plans and a digital file format copy, in accordance with the Town of Natick Department of Public Works specifications.

14. With respect to any changes in the Plans that may be requested by the Department of Public Works or other state or municipal agencies in connection with their issuance of permits for the Phase I Mall Project which are inconsistent with the Plans, the Planning Board shall retain the authority to determine whether such changes constitute a minor modification to the Development Plan. Any such determination by the Planning Board shall not require a public hearing.

15. The Owner shall install a repeater in the Phase I Mall Project, which shall be designed to conform to the Town of Natick Public Safety Channels for In-Building Repeater Usage.

16. During site preparation and construction and excavation of the Phase I Mall Project, no construction vehicles or vehicles transporting excavation materials or construction debris concerning the Phase I Mall Project shall travel southbound on Speen Street, south of Route 9, between the hours of 2:00 p.m. and 9:30 a.m. Monday through Friday and between the hours of 4:30 p.m. and 10:00 a.m. on Saturdays, Sundays and holidays. Construction vehicles or vehicles transporting excavation materials or construction debris concerning the Phase I Mall Project shall travel southbound on Speen Street, south of Route 9, only between the hours of 9:30 a.m. and 2:00 p.m. Monday through Friday and between the hours of 10:00 a.m. and 4:30 p.m. on Saturday, Sundays and holidays. For the purposes of this Section 16, the words “construction vehicle” shall mean a vehicle with a gross vehicle weight of not less than eight thousand (8,000) pounds.

17. Upon request of the Planning Board, the Owner shall provide to the Natick Department of Public Works, at no charge, excavated fill on an “as-is” basis from the Phase I Mall Project.

18. If minor deficiencies in the plans come to the Community Development Director’s attention, the Community Development Director may direct the Owner to correct such deficiencies. Such action shall be treated as a minor modification of the Development Plan and shall not require a public hearing.

19. In concert with the Natick Department of Public Works and the Board of Selectmen acting as the Town’s Sewer Commissioners, the Owner shall implement a series of measures that shall result in improvements in the capacity of the Natick sewerage system such that discharges from the Phase I Mall Project may be made into it in accordance with good engineering practice and design.

20. The stormwater discharge system for the Phase I Mall Project shall conform to the Department of Environmental Protection’s policies and procedures and, as such, will prevent pollution of surface and groundwater, soil erosion and changes in groundwater level and runoff and will promote conservation and recycling of water. Surface storm water runoff will be properly controlled at the discharge point so as to not cause erosion, adverse effect to neighboring properties or the Town storm drainage system, obstruction to the flow of vehicular or pedestrian traffic, or puddles in paved areas.

**TABLE I**

**FAR Mitigation Payments**

Open Space Impact Contribution to Open Space Fund: \$4,245,340

As referred to in Schedule A attached to this Development Plan, the Owner shall both pay money to the Town and undertake certain work.

As also referred to in Schedule A, the Owner shall pay certain sums to the Town for the Town's use in constructing certain improvements listed in Schedule A. The Owner shall pay to the Town the sum of \$150,000 within thirty (30) days after the expiration of the time to appeal the adoption of the Development Plan, if no appeal is filed therefrom, or within thirty (30) days after final resolution in favor of the Owner of any appeal from the adoption of the Development Plan. The remaining payments to be made under this provision shall be paid in accordance with the schedule set forth in the following paragraph regarding contributions to the Open Space Fund, provided that the amount of the first such payment shall be ten percent (10%) minus the sum of one hundred fifty thousand dollars (\$150,000.00).

The contribution to the Open Space Fund shall be made in four (4) installments in the following portions and prior to the occurrence of the following events: Ten percent (10%) at issuance of building permit for construction of the Mall buildings (exclusive of Department Store A and Department Store B (as shown on the Plans)); twenty percent (20%) at issuance of building permit for Department Store A; twenty percent (20%) at issuance of building permit for Department Store B; twenty-five percent (25%) upon issuance of a temporary certificate of occupancy for the Phase I Mall Project and the balance upon issuance of permanent certificate of occupancy for the Phase I Mall Project.

## **SCHEDULE A**

### **Traffic and Transportation Improvements**

The Owner shall make payments on account of or construct certain traffic mitigation as identified on the schedule of Phase I Mall Project Traffic Improvements Mitigation on file with the Town Clerk and the Community Development Director.

## **SCHEDULE B**

### **Traffic Improvements**

Reference is made to the following drawing prepared by VHB:

“Speen Street at Natick Mall Road  
Alternate Designs – Alternate 1 and Alternate 2”

Alternate 2 is the preferred plan. The result of the application of the procedures set forth in Paragraph 6 of the special conditions of the Development Plan shall determine which of Alternate 1 or Alternate 2 is implemented.”

Or take any other action relative thereto.

**RECOMMENDATIONS: The Finance Committee has tabled the subject matter of Article 26 to its April 5, 2005 meeting.**

*The Finance Committee should receive a recommendation from the Planning Board on April 5, 2005 and will continue deliberation on this matter and report to Town Meeting any recommendation.*

**ARTICLE 27**  
**(Planning Board)**

To see if the Town of Natick will vote to accept Whitridge Road and appurtenant easements as laid out and filed with the Town Clerk, and as shown on the street acceptance plan on file with the Town Clerk.

**RECOMMENDATIONS:** The Finance Committee recommends **NO ACTION** with regard to the subject matter of Article 27.

*The purpose of this article is to accept the private way known as Whitridge Road. At this time, there is no action requested under this article.*

**NO ACTION:**

**ARTICLE 28**  
**(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, or otherwise act thereon.

**RECOMMENDATIONS: By a vote of 10-0-0 on March 17, 2005, the Finance Committee recommends FAVORABLE ACTION with regard to the subject matter of Article 28.**

*The purpose of this article is to fund capital equipment purchases of the Town. Specifically, the Finance Committee is recommending that Town Meeting approve the appropriation request of \$459,100.00 for those items listed below.*

Location	Project Description	Capital Requests FY2006	FY2006 Direct Expense	4 Year Debt Repayment FY07 - FY10	Water & Sewer
DPW Highway Division	H-50 F450 1 Ton Dump	45,000	45,000		
DPW Highway Division	H-70 Side walk snow blower/tractor	90,000		90,000	
DPW Highway Division	Replace Roller/trailer	18,600	18,600		
DPW Land Facilities & NR	Replace LF-5	85,000		85,000	
DPW Land Facilities & NR	Replace chain saws/ blowers/etc.	2,500	2,500		
Police	Cruisers	90,000	90,000		
Police	Dictaphone Recorder Replacement	20,000	20,000		
Water - Sewer Enterprise	W-26 Dump Truck	45,000			45,000
Water - Sewer Enterprise	Generator	38,000			38,000
Water - Sewer Enterprise	Bob Cat trailer	5,000			5,000
Water - Sewer Enterprise	W-18 Van	20,000			20,000
<b>Totals</b>		<b>\$ 459,100</b>	<b>\$ 176,100</b>	<b>\$ 175,000</b>	<b>\$ 108,000</b>

Appropriation Request:	
Free Cash	176,100
Water Sewer Retained Earnings	108,000
Borrowing Authorization	175,000
	<b>\$ 459,100</b>

*As we indicated in our cover letter, town administration and Finance Committee working toward a long-term, comprehensive town-wide capital purchases and capital improvements plan. In addition to our efforts, the Board of Selectmen, School Committee and other committees, boards and department heads are reevaluating their capital needs in an effort to holistically analyze such. Collectively, we plan to continue this analysis over the coming spring and summer months in preparation of the Annual Fall Town Meeting.*

*However, we feel the above capital equipment acquisitions are necessary and timely purchases, which cannot wait until the fall. Respectfully, the Finance Committee requests that Town Meeting set aside any approval(s) of capital expenditures in excess of those being recommended herein, so that a more comprehensive town-wide capital plan, taking into all the needs and financial issues, can be presented to Town Meeting at the Fall Town Meeting in October 2005.*

*Department heads, boards and committees and the town administration should be available to provide details regarding these requests and answer questions from Town Meeting Members.*

**Free Cash Appropriation: Requires Majority Vote**

**Water Sewer Retained Earnings Appropriation: Requires Majority Vote**

**Borrowing Authorization: Requires Majority 2/3 Vote**

**MOTION:**

**ARTICLE 29**  
**(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, or otherwise act thereon.

**RECOMMENDATIONS: By a vote of 10-0-0 on March 17, 2005, the Finance Committee recommends FAVORABLE ACTION with regard to the subject matter of Article 29.**

*The purpose of this article is to fund capital improvements of the Town. Specifically, the Finance Committee recommends several requests for capital repairs and replacements of certain Town Buildings as indicated below.*

Location	Project Description	Capital Requests FY2006	FY2006 Direct Expense
Kennedy / Memorial Schools	Repave Parking and Drives	125,000	125,000
	Roofing Repairs - Shingle and		
Johnson	Membrane	200,000	200,000
Brown School	Rear Courtyard Repair	10,000	10,000
	New lighting systems for DPW		
DPW Garage	Garage	9,000	9,000
Cole Recreation Center	Interior Renovations	17,000	17,000
Loker Park	Renovations - Final Phase	12,000	12,000
	Replace Backstop (1) Player Safety		
Murphy Field	Fences (2)	7,400	7,400
<b>Totals</b>		<b>\$ 380,400</b>	<b>\$ 380,400</b>

Appropriation Request:	
Free Cash	380,400
Borrowing Authorization	-
Total (To be Appropriated)	<u>\$ 380,400</u>

*As we indicated in our cover letter, the town administration and Finance Committee are working toward a long-term, comprehensive town-wide capital purchases and capital improvements plan. In addition to our efforts, the Board of Selectmen, School Committee and other committees, boards and department heads are reevaluating their capital needs in an effort to holistically analyze such. Collectively, we plan to continue this analysis over the coming spring and summer months in preparation of the Annual Fall Town Meeting.*

*However, we feel the above capital improvements are necessary, timely and cannot logistically wait until the fall. Respectfully, the Finance Committee requests that Town Meeting set aside any approval(s) of capital improvements in excess of those being recommended herein, so that a more comprehensive town-wide capital plan, taking into all the needs and financial issues, can be presented to Town Meeting at the Annual Fall Town Meeting in October 2005.*

*Department heads, boards and committees and the town administration should be available to provide details regarding these requests and answer questions from Town Meeting Members.*

**Requires Majority Vote**

**MOTION**

**ARTICLE 30**  
**(School Committee)**

To see what sum of money the Town will vote to appropriate, or otherwise provide, for capital improvements to the Natick Public Schools to protect the physical infrastructure; or otherwise act thereon.

**RECOMMENDATIONS: The Finance Committee recommends NO ACTION with regard to the subject matter of Article 30.**

*The purpose of this article is to hear requests of the Natick School Department regarding capital improvement projects. Such capital improvement matters were taken into account by the Finance Committee and made part of its recommendations under Article 29.*

**NO ACTION:**

**ARTICLE 31**  
**(Council on Aging)**

To see if the Town will vote to appropriate a sum of money for planning, constructing, originally equipping and furnishing a new Senior Center; to determine whether this appropriation shall be raised by borrowing or otherwise; or to take any action relative thereto.

**RECOMMENDATIONS:** The Finance Committee has **NO RECOMMENDATION** with regard to the subject matter of Article 31.

*The purpose of this article is to provide funding for a new Natick Senior Center. The Finance Committee heard testimony and gathered information from the Council on Aging, town administration and public regarding this matter. During its meeting on March 15<sup>th</sup>, the Finance Committee took a number of votes on recommended motions; however none of the votes garnered eight members' voting in the affirmative. Taking into that account new information may be provided to the committee, it is the consensus of the committee as of the time of this writing to further review this matter on April 5, 2005. To that end, the Finance will continue deliberation on this matter and report to Town Meeting any recommendation, if any.*

**MOTION:**

**ARTICLE 32**  
**(Board of Selectmen)**

To see if the Town will vote to amend the General By Laws by adding a new Article 45, which reads:

ARTICLE 45

MAJOR CAPITAL PROJECT REVIEW COMMITTEE

Section 1. Composition

There shall be a Major Capital Project Review Committee (hereinafter designated "the Committee") which shall consist of seven (7) members. Each member of the Committee shall be a registered voter of the Town of Natick. One (1) member shall be a commercial general contractor, licensed to conduct business in the Commonwealth of Massachusetts. One (1) member shall be a registered professional architect, licensed to practice in the Commonwealth of Massachusetts. Two (2) members shall be registered professional engineers from two (2) of the following disciplines: structural, civil, mechanical or electrical engineering. One (1) member shall be a certified public accountant or an accountant experienced in construction, licensed to practice in the Commonwealth of Massachusetts. One (1) member shall be an attorney at law, licensed to practice in the Commonwealth of Massachusetts. One (1) of the members need not have any of the foregoing qualifications.

If an individual with the necessary qualifications is not available for appointment to the Committee, the Appointing Authority may appoint an individual with related experience, training or education.

No member of the Committee shall be a paid employee of the Town of Natick, or shall serve as an elected official of the Town of Natick, or shall serve as a member of another standing Town of Natick board, committee or commission provided, however, that a Natick Town Meeting member may serve as a member of the Committee.

Section 2. Appointing Authority

The members of the Committee shall be appointed by the Appointing Authority which shall consist of the following officials:

- a. Chairman of the Board of Selectmen
- b. Chairman of the School Committee
- c. Chairman of the Planning Board
- d. Chairman of the Finance Committee
- e. Town Moderator

The Appointing Authority shall meet annually, and as otherwise required, to make appointments to the Committee and to conduct any other business.

### Section 3. Appointments and Term

Appointments to the Committee shall be made by a four-fifths majority vote of the Appointing Authority.

The Appointing Authority shall appoint the original members of the Committee as follows: three (3) members for a three (3) year term, two (2) members for a two (2) year term and two (2) members for a one (1) year term.

Each term shall expire on December 31 of the applicable year. Upon the expiration of the initial term of a member, all future appointments to that position shall be for a term of three (3) years. A member may continue to serve on the Committee following the expiration of that member's term until a successor is qualified.

If a member vacates a position on the Committee before the expiration of the term, the Appointing Authority shall appoint a replacement member to complete the unexpired term.

### Section 4. Committee Responsibility

The Committee shall review all proposed Town of Natick major capital projects. In this context "major capital project" shall mean a Town of Natick project involving construction, reconstruction, alteration, enlargement, repair, renovation or remodeling of any land, building, structure, road, water system or sewer system owned by the Town of Natick, with an estimated total project cost of one hundred thousand dollars (\$100,000.00) or more.

The Committee shall:

- a. recommend to the Town Administrator whether to include such a project in the Town of Natick capital plan;
- b. review all draft procurement documents for architect, project manager, engineering and other consulting services for each such project and make recommendations to the Awarding Authority related thereto;
- c. review all bids and proposals submitted by each applicant for architect, project manager, engineering and other consulting services for each such project and make recommendations to the Awarding Authority related thereto;

- d. make recommendations to the Awarding Authority regarding the award of contracts for architect, project manager, engineering and other consulting services for each such project;
- e. review all draft procurement documents for general contractor services regarding each such project and make recommendations to the Awarding Authority related thereto;
- f. review all bids and proposals submitted by prospective general contractors for each such project and make recommendations to the Awarding Authority related thereto;
- g. review all design documents and make recommendations to the Awarding Authority regarding whether such design complies with the contract documents and applicable law;
- h. review all architect, project manager, engineering and other consulting services for each such project and make recommendations to the Awarding Authority regarding whether such services comply with the contract documents and applicable law;
- i. review all requests for change orders submitted regarding each such project and make recommendations to the awarding authority related thereto;
- j. review all invoices and applications for payment submitted regarding each such project and make recommendations to the Awarding Authority related thereto;
- k. make recommendations to the Awarding Authority for each such project regarding when the project has been substantially completed;
- l. review all draft punch lists for each such project and make recommendations to the Awarding Authority related thereto;
- m. review all applications for final payment for each such project and make recommendations to the Awarding Authority related thereto;
- n. make recommendations to the Awarding Authority for each such project regarding when the project work has been completed and when the project may be closed out;
- o. submit a report of all its activities for publication in the Town's Annual Report; and
- p. whenever an appropriation for a major capital project is requested from Town Meeting, the Committee shall provide to Town Meeting a written report which

includes an explanation of the need for the project, the scope of work, the project schedule and the estimated total project cost.

or otherwise act thereon.

**RECOMMENDATIONS: The Finance Committee recommends NO ACTION with regard to the subject matter of Article 32.**

*The purpose of this article is to establish, by by-law, a review committee called the Major Capital Review Committee, which is intended to review, oversee and advise town officials about certain capital projects of the town, among other related issues. The consensus of the Finance Committee and the sponsor of this matter is to take no action at this time, due to the forthcoming comprehensive analysis of the town's capital needs and the specific charge of such committee, among other things. To that end, the Board of Selectmen chairman and Finance Committee chairman are in agreement that they will further review this matter and provide appropriate recommendations, if any, to their respective public body preparation of a recommendation for 2005 Fall Town Meeting.*

**NO ACTION:**

**ARTICLE 33**  
**(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 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.

**RECOMMENDATIONS: By a vote of 8-3-0 on March 22, 2005, the Finance Committee recommends FAVORABLE ACTION with regards to the subject matter of Article 33.**

*The purpose of this article is to remove the appointment of the Natick Police Chief from the requirements under the state civil service selection process. The Finance Committee heard testimony from the town administration, Board of Selectmen and public with regard to the criteria of the civil service selection process, and voted in the majority to recommend changing the selection of the Police Chief's position, as indicated. Our recommendation will not affect the incumbent chief, nor make a statement regarding the performance of the incumbent.*

*The town administration provided a questions and answer (Q&A) document which we feel may be instructive to Town Meeting Members. The following is the text of that Q&A document:*

**Anticipated Question and Answers**

**How would this impact the current Police Chief and Fire Chief?**

This proposal would not impact our current chiefs in any way. For both the Police Department and Fire Department, the proposed Home Rule petitions read, "...this act shall not impair the civil service status of the person holding the position of chief..." Future chiefs would be exempt from the Civil Service system, but our current chiefs would be unaffected.

**Does this mean the Town wants to hire a chief from outside of Natick?**

No. The Town can already hire chiefs from outside of our own department. Our current Chief of Police was hired from another community, as was our most recent past Fire Chief. This proposal would change the way the Town fills these positions and the factors that are considered important, not where the individuals are hired from.

**What protection will future chiefs have if Civil Service coverage is removed?**

Future chiefs would have two layers of protection. They would first retain the basic legal rights given to all employees under Federal and State law. Second, they will have employment contracts that would set forth additional rights and, if they feel unfairly treated, remedies available to them. This is the same set of protections provided to our Superintendent of Schools and our Town Administrator, and is more protection than is provided to many other employees in Town government.

Removing Civil Service coverage would remove one of three lines of protection that could be granted to future chiefs. This third layer of protection comes at the expense of a community's ability to manage and motivate its employees, however. Hundreds of cities and towns trust their public officials to manage police chiefs and fire chiefs in a professional manner without placing them under the Civil Service system. The Town of Natick can do so as well and, through basic legal rights and contractual agreement, can provide adequate protection to its public safety leaders.

**Have other communities removed their chiefs from Civil Service?**

Many communities have never placed their chiefs under the Civil Service system to begin with, and a number have removed their police and fire chiefs from Civil Service protection in recent years.

According to the Massachusetts Human Resources Division, out of 351 cities and towns in Massachusetts, only 71 fire chiefs and 101 police chiefs are covered under the Civil Service system. Since 1997, 29 communities have removed their police chiefs, fire chiefs or other senior commanders from the Civil Service system. Three towns have even removed entire departments from the Civil Service system.

**What are some of the things the Town would like to consider when promoting a chief that you can't consider now?**

The current Civil Service system places an extremely heavy emphasis on the Civil Service test score. This test does not provide useful information about the candidate's ability to perform the job of chief, however.

Removing these positions from Civil Service would permit the Town to establish specific criteria for candidates who are interested in serving as a chief in Natick. The Town has not established these criteria yet, but important things the Town would like to examine include:

- Completion of a certain number of years of service;
- Completion of certain training courses, including sexual harassment, anti-terrorism training and others;
- Knowledge of and past implementation of best practices in law enforcement or the fire service

- Expertise in a number of management areas, including human resource management, financial management and dealing with difficult employees; and
- Experience in or completion of training in all aspects of specialized departmental operations (a fire chief would be certified as a dive rescue member).

In addition to this, the Town would be able to enter into an employment contract with an employee that requires additional training or education to address any areas of concern that may exist.

*The Finance Committee also felt it appropriate to provide the text of a memorandum provided to the committee from the town administration:*

### **Why Remove the Positions of Fire Chief and Police Chief from Civil Service?**

The Town has proposed removing the positions of Fire Chief and Police Chief from the Civil Service. This would improve the Town's ability to recruit, hire, motivate and ensure accountability for its public safety leaders.

Two caveats are required as we examine this issue. First, this proposal *will not* change the Civil Service status of our current Police Chief or Fire Chief; both will retain all rights and privileges under Civil Service law. Second, this document examines the structure of the positions and the significant limitations placed on us by the Civil Service system. This does not imply anything about the performance of our current chiefs; because Civil Service prevents the Town from hiring or promoting based on the skills necessary to perform the job of chief does not mean the Town's chiefs are unqualified. It only means that the Town was not able to consider important facts when making these promotions.

#### **Background**

The positions of police chief and fire chief are extremely important in our community. Both manage multi-million dollar operations – \$4.6 million for the Police Department and \$5.5 million for the Fire Department – and the positions collectively manage 170 employees. Their jobs are extremely difficult. They operate with unionized workforces which are themselves covered by Civil Service. Both departments are critical public safety organizations that are charged with saving lives and preventing the loss or destruction of property. It is critical that the Town hire the right personnel for these positions if our taxpayers are to receive the best return on the \$10.1 million they invest annually in these departments.

Under current law, the Town is required to hire and promote all public safety officers based on the score they receive on a Civil Service examination. This examination, however, provides little information regarding a candidate's ability to perform their job. This is especially the case for the positions of police chiefs and fire chiefs. These positions require candidates:

- to be leaders
- to have strong interpersonal skills
- to have good organization abilities,
- to be skilled human resource managers,
- to understand finance and financial management, and
- to possess sound judgment.

No test can cover the breadth or depth of these skills, and indeed Civil Service examinations mainly test for rote memorization. To provide a distinction between candidates, the examination must test more and more obscure (and therefore less relevant) items to ensure that a distinction can be made between

candidates. It is not possible for Civil Service examinations to show us what we need to know about candidates for the position of police chief or fire chief.

There are a number of specific reasons to remove the position of police chief and fire chief from Civil Service. Some of these reasons are:

### **Larger Candidate Pool**

Under the current system, the Town's candidate pool is limited to those who took the last Civil Service examination and to other chiefs who are interested in changing communities. Removing these positions from Civil Service would allow the Town to recruit and select the best candidates from all qualified personnel. This would greatly expand our candidate pool and would allow the Town to consider candidates from within our departments, those from other departments and those from other states. The Town should have the flexibility to hire the best, most qualified candidate to manage these large and complex organizations.

### **Improves the Quality of Hiring Decisions**

Removing these positions from Civil Service would significantly increase the likelihood that the Town will promote or hire a chief with the skills and abilities needed to lead and manage public safety departments in Natick. It is relatively simple to select a chief according to the Commonwealth's Civil Service system, but this simplicity makes it extremely difficult to select a candidate based on the skills and abilities required to perform this job.

Promotional decisions are generally fairly straightforward – a city or town requests a list of candidates and their Civil Service test scores and, for a chief position, must select one of the top three candidates. The community must provide written justification to the Commonwealth if it wishes to select a candidate who did not have the highest score on the examination. This simplicity makes things extremely difficult, however, as the position of chief is not a simple one, and it is extremely difficult to consider information that is important to the performance of the duties of the chief. These factors can not and are not tested in the current system.

The Town would be able to establish specific hiring criteria if these positions were removed from Civil Service. This would permit the Town to consider the knowledge, skills, abilities, training, education and experience needed to perform the duties of chief. The Town will be much more likely to hire good personnel in the future if it can establish and evaluate candidates based on the skills and abilities that are shown to effect performance.

The Chief of Police and Fire Chief in Natick manage \$4.6 million and \$5.5 million organizations which employ between 80 and 90 people. It is difficult to conceive of a private sector organization in which the leader is selected based on their score on a "one-size-fits-all" test given by an outside agency – especially when that examination does not test for the skills and abilities required to perform the job. It is even less likely that this would be the process used if that private sector organization was permitted to deprive citizens of their freedom through arrest, was charged with emergency search and rescue responsibilities and placed its employees in extremely stressful and dangerous situations on a regular basis. The Town needs the flexibility to develop realistic hiring standards for these positions, to publicize them, to evaluate based upon them and to ensure accountability. This is reasonable and responsible, both from a public safety standpoint and from the perspective of personnel and financial management.

### **Allows Town to Address Poor Performance**

Removing these positions from Civil Service will significantly improve the Town's ability to address any poor performance that may occur. The current Civil Service system requires a long and difficult process to address poor performance on the part of an employee; indeed, for many positions, the Town is

effectively prevented from removing personnel because of poor performance. Gross negligence or illegal action is often required, and in many instances is not sufficient to support a community's decision to terminate an employee. The Town needs the flexibility to address situations in which an employee is "not working out" or when poor performance or poor judgment are displayed. The positions of fire chief and police chief are too important to hamstring the Town's ability to manage them effectively.

The Town would be required to negotiate a contract with its future police chiefs and fire chiefs if Civil Service coverage were removed. Many chiefs in the Commonwealth operate under such contracts, as do our Superintendent of Schools and Town Administrator. A contract would include expectations, performance goals and processes for addressing performance issues. This would be an employment contract like many others between towns and chiefs in Massachusetts, with regular performance evaluations and periodic renewal.

### **Summary**

Removal of the police chief and fire chief positions from Civil Service will allow the Town to consider more information, and more useful information, than is currently possible under State's Civil Service system. This will provide the Town "upside potential" by increasing the likelihood of a good promotion or hire. It will also reduce the likelihood of a poor promotion or hire because more information will be available, increasing the likelihood that a strong candidate will be selected. Removal of Civil Service status for future police and fire chiefs will permit the Town to address any performance issues that may arise over time, improving the management and operations of departments that comprise over 10% of the Town's operating budget.

*Taking into account the information provided by the town administration and public comment, the Finance Committee recommends that Town Meeting act favorably with regard to the subject matter of this article.*

### **Requires Majority Vote**

### **MOTION:**

**ARTICLE 34  
(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 THE FIRE DEPARTMENT  
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. Notwithstanding the provisions of Chapter 8 of the Acts and Resolves of 1925, or any other general or special law to the contrary, the position of chief of the fire department of the town of Natick shall be exempt from the provisions of chapter thirty-one of the General Laws.
- SECTION 2. The provisions of Section 1 of this act shall not impair the civil service status of the person holding the position of chief of the fire department of the town of Natick on the effective date of this act.
- SECTION 3. This act shall take effect upon its passage.

or otherwise act thereon.

**RECOMMENDATIONS: The Finance Committee has tabled the subject matter of Article 36 to its April 5, 2005 meeting.**

*The purpose of this article is to remove the appointment of the Natick Fire Chief from the requirements under the state civil service selection process. The Finance Committee heard testimony from the town administration, the Board of Selectmen and the public regarding the criteria of the civil service selection process, and voted in the majority to recommend changing such process removing the selection of the Fire Chief's position. However, that vote was 7-4-0, which is not consistent with the Natick By-laws with regard to the Finance Committee providing a recommendation to Town Meeting (see Natick By-laws, Article 23, Section 4 – "The said recommendation [of the Finance Committee] shall be those of a majority of the appointed Committee at the time of the vote...")*

*The Finance Committee members not voting in favor of this article raised issues, including the current status of the outstanding appeal of the Selectmen's appointment to this position. To that end, the Finance Committee will hear this matter again on April 5, 2005 after a request of reconsideration of the matter. Therefore, the Finance Committee will review additional information regarding the subject matter of this article on April 5, 2005, and will continue deliberation and report to Town Meeting any recommendation, if any.*

**Requires Majority Vote**

**MOTION:**

**ARTICLE 35**  
**(John Connolly, et al)**

To see if the Town will vote, pursuant to the provisions of Section 51 of the Chapter 184 of the Acts and Resolves of 2002, to changing the following factors in the provisions of Clause Forty-First C of Section 5 of Chapter 59 of the Massachusetts General Laws by:

- 1) Reducing the age eligibility from 70 years to 65 years;
- 2) Changing the real state to which the exemption applies from four thousand dollars (\$4,000.00) of taxable value or the sum of five hundred dollars (\$500.00) whichever would amount in an exemption of the greater amount of taxes due, to eight thousand dollars (\$8,000.00) of taxable value or the sum of one thousand dollars (\$1,000.00) whichever would amount in an exemption of the greater amount of taxes due;
- 3) Increasing the eligibility amount for preceding year gross receipts from all sources from less than thirteen thousand dollars (\$13,000.00) to not more than twenty thousand dollars (\$20,000.00) for an unmarried person and from combined gross receipts with spouse of not less than fifteen thousand dollars (\$15,000.00) to not more than thirty thousand dollars (\$30,000.00) for married persons;
- 4) Increasing the eligibility requirement for whole estate, real and personal, from not in excess of twenty-eight thousand dollars (\$28,000.00) to not in excess of forty thousand dollars (\$40,000.00) for single persons and from not in excess of thirty thousand dollars (\$30,000.00) to not in excess of fifty-five thousand dollars (\$55,000.00) for married persons.

or otherwise act thereon.

**RECOMMENDATIONS: By a vote of 10-0-0 on March 15, 2005, the Finance Committee recommends REFERRAL TO THE BOARD OF SELECTMEN AND FINANCE COMMITTEE the subject matter of Article 35.**

*The purpose of this article is to amend the existing criteria which are used for qualifying taxpayers who are of a certain age and income level to receive local property tax relief. The Finance Committee reviewed the subject matter of this article and found that additional review and deliberation is warranted. To that end, the sponsor and the committee agree that this matter should be reviewed further by the Board of Selectmen and Finance Committee.*

*The following represents a memorandum and spreadsheet from the Natick Finance Director. It exemplifies the possible finance impact of this matter, should it be approved by Town Meeting. Such impact is of great concern to the Finance Committee.*

**TOWN OF NATICK, MASSACHUSETTS**  
**FINANCE DIRECTOR**  
**(508) 647-6420**

**To:** Mr. Philip E. Lemnios, Town Administrator  
Mr. Frank Foss, Chairman Finance Committee

**Subject:** Article 35 – Exemption Change Chapter 59 Section 5 Clause 41C

**Date:** March 7, 2005 – Written  
March 8, 2005 – Hand Delivered

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Please accept this memorandum regarding the potential impacts if Article 35 is voted by Town Meeting.

This Article proposes several changes to both the qualifying provisions and exemption amount allowed under Chapter 59 Section 5 Clause 41C. These changes include;

1. Lowering the age eligibility requirement from 70 to 65 years;
2. Increase the base exemption amount from \$500 to \$1,000, assuming Article 11 is approved the exemption amount would be \$1,225;
3. Increases the threshold for income eligibility to \$20,000 single (currently \$13,000) and \$30,000 married persons (currently \$15,000);
4. Increase the threshold for assets, excluding primary residence, to \$40,000 single (currently \$28,000) and \$55,000 married persons (currently \$30,000).

The potential impacts include;

Due to the increase in the amount of the exemption;

- A significant number of Clause 17D recipients will qualify and file for the amended Clause 41C. Estimated to be approximately ninety (90) persons over 70 years of age.
- A significant number of Clause 22(a-e) recipients will qualify and file for the amended Clause 41C. Estimated to be approximately one hundred and fifty (150) persons currently receiving the veteran's exemption.
- A significant number of Clause 37A recipients will qualify and file for the amended Clause 41C. Estimated to be approximately thirty (30) persons currently receiving the blind exemption.
- The sole recipient of the Clause 22A veteran's exemption would likely file for the amended Clause 41C.

Due to the changes in the age, income, and asset requirements;

- An additional 200 households would qualify for the 41C exemption.
  - Estimated 188 for age based on population trends.
    - Based on population trends for over seventy (70) years of age approximately 3,673 with 143 eligible households represents 3.89%
    - The estimated population between 65 and 70 years of age is approximately 4,844. Based on this an additional 188 households may qualify (4,844 \* 3.89% = 188).

- o Estimated 12 for income and asset eligibility.
  - Most eligible recipients are included in the Clause 17D and Clause 22(a-e) that will file the amended Clause 41C.

The estimated financial impact if this article is passed as currently presented is \$ 485,000 (rounded). A summary of the projected financial impact is attached.

Overlay Reserve – An increase in personal exemptions of this magnitude would require an increase in the amount of overlay reserve. The Town of Natick’s FY2005 tax levy is set at the maximum allowable under the provisions of Proposition 2 ½ (Levy Limit). The increase in the overlay reserve account would require a corresponding decrease in expenditures from operating budgets.

The full impact of any change in the Clause 41C eligibility and exemption amount would likely be experienced over two fiscal years. All potential recipients will not likely be reached / come forward in the first year.

Exemption Type	Number Qualified	Net Increase Exemption Amount	Estimated Additional Cost	State Reimbursement Gain / (Loss)
Clause 41C	53	612.50	32,462.50	-
Clause 41C New Applicants	200	1,225.00	245,000.00	54,216.00
Clause 17D	90	1,010.63	90,956.70	-
Clause 22(a-e)	150	918.75	137,812.50	(11,250.00)
Clause 22A	1	704.37	704.37	(250.00)
Clause 37A	30	612.50	18,375.00	(2,625.00)
Additional Exemption Amount (Less) Additional State Reimbursement			525,311.07 <u>(40,091.00)</u>	40,091.00
Net Additional Cost			485,220.07	

Exemption Type	Total Exemption Amount	Currently Receive	Net Additional Amount
Clause 41C	1,225.00	612.50	612.50
Clause 41C New Applicants	1,225.00	-	1,225.00
Clause 17D	1,225.00	214.37	1,010.63
Clause 22(a-e) Clause 22A	1,225.00	306.25	918.75

	1,225.00	520.63	704.37	
Clause 37A	1,225.00	612.50	612.50	
Clause 41C		53 502.00	26,606.00	26,606.00
Clause 41C New Applicants		108 502.00	54,216.00	-
Clause 17D	Capped	13,130.00	13,130.00	13,130.00
Clause 22(a-e)		150 (75.00)	(11,250.00)	-
Clause 22A		1 (250.00)	(250.00)	-
Clause 37A		30 (87.50)	(2,625.00)	-

*Taking into account the above information, the Finance Committee respectfully requests that Town Meeting refer the subject matter of this article, so that the Board of Selectmen and Finance Committee can further contemplate this matter.*

**Requires Majority Vote**

**MOTION:**

**ARTICLE 36**  
**(John Connolly, et al)**

To see if the town will vote to accept the provisions of Chapter 59, Section 5K of the Massachusetts General Laws, as amended by Section 52 of Chapter 184 of the Acts and Resolves of 2002, thereby increasing from five hundred dollars (\$500.00) to one thousand dollars (\$1,000.00) the maximum amount of reduction of a real property tax bill in a given tax year which may be granted to a person over the age of sixty (60) who provides volunteer services to the town of Natick under the program established pursuant to Chapter 59, Section 5K of the Massachusetts General Laws, said increase to take effect in the fiscal year which begins July 1, 2005.

**RECOMMENDATIONS: The Finance Committee has tabled the subject matter of Article 36 to its April 5, 2005 meeting.**

*The purpose of this article is to increase the reduction of property tax bills of those qualifying individuals, who partake in the program for volunteer service to the town. Specifically, this increase would double the reduction of property tax of those participating in the program from \$500.00 to \$1,000.00.*

*Should Town Meeting accept this modification to the program, volunteers would be treated similar to contract town employees, who receive IRS Wage and Salary 1099 Forms. To that end, the benefit provided by this program would be reported on participating individual's federal and state tax returns, thus diminishing the requested increase in benefit provided by the program.*

*Recently, the Board of Selectmen modified the number of eligible participants of the program from 25 to 35. It is the committee's understanding that the current number of permissible participants is appropriate, seeing that last year the full 35 participants was not achieved.*

*The following is the text of a memorandum provided from the Natick Finance Director which was provided to the Finance Committee that provides additional information regarding this matter.*

**TOWN OF NATICK, MASSACHUSETTS**  
**FINANCE DIRECTOR**  
**(508) 647-6420**

**To:** Mr. Philip E. Lemnios, Town Administrator  
Mr. Frank Foss, Chairman Finance Committee

**Subject:** Article 36 – Senior Citizen Property Tax Work-Off Program

**Date:** March 8, 2005

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Please accept this memorandum regarding the potential impacts if Article 36 is voted by Town Meeting.

This Article proposes to increase the abatement amount allowed to be earned from \$500.00 to \$1,000.

The following represent items to be considered regarding the article.

1. The maximum allowable abatement taxpayers may earn in a fiscal year is \$750.00. (Chapter 59 Section 5K)
2. Any amount of \$600.00 or more would require, at a minimum, a 1099-MISC IRS filing and more likely a W-2.
3. This would have a tax reporting requirement for both the Town and the abatement recipient.
4. The Town and / or the abatement recipient may be subject to income tax, Social Security, and Medicare withholdings

The number of recipients of the Senior Citizen Property Tax Work-Off Abatement is set at thirty five (35). A two hundred fifty dollar (\$250) increase in the abatement amount would equal an additional \$ 8,750.00. These funds are raised as part of the Overlay Reserve.

*The Finance Committee will continue deliberation on this matter and report to Town Meeting any recommendation.*

**MOTION:**

**ARTICLE 37**  
**(Town Moderator)**

To receive the reports of Town agencies to whom subjects were referred at previous Town Meetings and to see if the Town will vote to take additional actions to refer these subjects.

**RECOMMENDATIONS:** The Finance Committee recommends **NO ACTION** with regard to the subject matter of Article 37.

*The purpose of this article is to hear from town agencies, board and committees regarding the subject matter of articles from previous Town Meeting sessions that were referred for further review, report, etc. As of this writing, the Finance Committee has received no such requests.*

**NO ACTION:**

**ARTICLE 38**  
**(John Connolly, et al)**

To see if the town of Natick would consider reinstating the department of public works commissioners.

**RECOMMENDATIONS:** The Finance Committee has tabled the subject matter of Article 38 to its April 5, 2005 meeting.

*The purpose of this article is to re-establish the former Department of Public Works Commissioners. The commission existed in the early 1980 and was abolished by the town. The Finance Committee will continue deliberation on this matter at its April 5, meeting, and report to Town Meeting its recommendation.*

**MOTION:**

**ARTICLE 39**  
**(Joshua Ostroff, et al)**

To see if the Town will vote to establish a Study Committee to provide a report to the Fall 2005 Annual Town Meeting concerning the Community Preservation Act and its suitability for Natick based on economic, historic preservation, affordable housing and open space criteria. Such a Committee would be appointed by the Town Moderator, and would include members nominated by the Housing Authority, the Historical Commission, the Historic District Commission, the Open Space Committee, the Planning Board, the Parks and Recreation Commission, the Conservation Commission, the School Committee, the Board of Selectmen, the Finance Committee, or such other composition as Town Meeting may direct.

**RECOMMENDATIONS: The Finance Committee has tabled the subject matter of Article 39 to its April 5, 2005 meeting.**

*The purpose of this article is to establish a committee, which will explore the suitability of the Community Preservation Act, under Massachusetts General Law. Consistent with the article, the proposed committee will report to Town Meeting at the 2005 Fall Town Meeting. The composition of the committee is provided in the text of Article 39.*

*As of this writing, the Finance Committee has yet to formulate a recommendation that is amenable to the Article 39 sponsors, committee members and other interested parties. To that end, the Finance Committee tabled the subject matter of article 39 to its April 5, 2005 meeting, and will report to Town Meeting its deliberations and recommendation, if any.*

**MOTION:**

**ARTICLE 40  
(Town Moderator)**

To receive a report on the progress of the Town Meeting Member Handbook Revision Committee; to provide such guidance to the committee as the Town may deem appropriate; and to take actions (1) to authorize Town Counsel to provide legal advice, including review of revisions to the handbook, to the committee in accordance with Article 22, Section 5a of the Town By-Laws and (2) to determine what sum of money the Town will appropriate and raise, or transfer from available funds, for the production and distribution of a revised handbook; or take any other action relative thereto.

**RECOMMENDATIONS: By a vote of 10-0-0 on March 22, 2005, the Finance Committee recommends FAVORABLE ACTION with regard to the subject matter of Article 40 and the appropriation of the sum of \$1,500.00 from Free Cash.**

*The purpose of this article is, first, to provide a forum before Town Meeting for receiving a report from the Town Meeting Member Handbook Revision Committee (TMMHRC). Second, this article provides Town Meeting with the forum to provide guidance to the TMMHRC. Third, this article, if approved, will authorize the TMMHRC to seek and receive advice from Town Counsel regarding the revisions, drafts and final document produced by the TMMHRC. Finally, this article seeks Town Meeting Member's approval to fund the printing and distribution of the final draft Town Meeting Member Handbook as revised by the TMMHRC.*

*Consistent with the Natick by-laws, only a limited number of town officials have the ability to seek legal assistance from Town Counsel. The only public body that may modify the Natick By-laws is Town Meeting. Therefore, the Finance Committee recommends that Town Meeting Members authorize the provision of services by Town Counsel to the TMMHRC, for the purposes requested in this article.*

*The Finance Committee also recommends that the amount of \$1,500.00 be appropriated from free cash to permit the TMMHRC to expend such funds for the publications and distribution of the revised Town Meeting Handbook consistent with the charge of the TMMHRC.*

*The following is the text of a memorandum received by the Finance Committee from the TMMHRC:*

**Town of Natick**

**Town Meeting Member Handbook Revision Committee**

**To: Town Meeting**

**Re: Article 26 of Fall 2004 Annual Town Meeting  
Town Meeting Member Handbook**

**Date: March 21, 2005**

**By vote under Article 26 of the Fall 2004 Annual Town Meeting, Town Meeting established the Town Meeting Member Handbook Revision Committee. The Committee consists of seven Town Meeting Members, appointed by the Town Moderator: Robert M. Allen, Chairman; Thomas R. Townsend, Clerk; Robert P. Andrews; Charlene B. Foss; Karen A. Foster; Paul B. Griesmer; and Nancy A. Lavash.**

**The Committee was charged “to review the current version of the Town Meeting Member Handbook and submit a revised draft for approval to Town Meeting.” The Committee has met four times (11/30/04, 1/5/05, 1/19/05, and 3/2/05). The Committee views the primary audience of the Town Meeting Member Handbook (TMMH) as current and future members of Natick’s Town Meeting, and the Committee has set as its goal to create a handy yet informative and relatively complete guide to Natick’s Town Meeting. In the course of its deliberations, the Committee has identified a number of issues for further consideration and has begun the process of revising the Town Meeting Member Handbook, building upon the current Handbook.**

**The Committee intends to present a draft of the revised TMMH to Town Meeting for approval at the Fall 2005 Annual Town Meeting. In furtherance of this plan, the Committee has three requests of Town Meeting:**

- 1. To authorize the Committee to seek the advice of Town Counsel, including having Town Counsel review the revised TMMH before presentation to Town Meeting, without first obtaining the consent of the Board of Selectmen or the Town Administrator.**
- 2. To appropriate from Free Cash funds to be expended for the production and distribution of the draft and final versions of the revised TMMH.**
- 3. To provide input to the Committee as to what topics Town Meeting would like to have included in the TMMH.**

**TOC010505**

**MOTION:**

**Requires Majority Vote**

**MOTION A: Move to authorize Town Counsel to review the proposed revisions and final draft of the Town Meeting Member Handbook, and provide legal advice to the Town Meeting Member Handbook Revision Committee in accordance with Article 22, Section 5a, of the Town By-Laws.**

**Requires Majority Vote**

**MOTION B: Move to appropriate from Free Cash the sum of \$1,500 to be expended under the direction of the Town Meeting Member Handbook Revision Committee for the production and distribution of the draft and final versions of the Town Meeting Member Handbook.**

**ARTICLE 41**  
**(Board of Selectmen)**

To hear and act upon 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.

**RECOMMENDATIONS:** The Finance Committee recommends **NO ACTION** with regard to the subject matter of Article 41.

*The purpose of this article is to hear and/or act upon reports of any committee that Town Meeting may have established.*

**MOTION:**

**No Action.**