

SECOND DRAFT



Natick Finance Committee

Pursuant to Chapter 40, Section 3 of the Town of Natick By-Laws, I attest that the attached copy is the approved copy of the minutes for the following Meeting:

Town of Natick Finance Committee

Meeting Date: March 18, 2021

The minutes were approved through the following action:

Motion: XXXX
Made by: xxxx
Seconded by: xxxx
Vote: x - x - x
Date: <date>, 2021

Respectfully submitted,

Bruce Evans

Clerk

Natick Finance Committee



TOWN OF NATICK

Meeting Notice

POSTED IN ACCORDANCE WITH THE PROVISIONS OF M.G.L. CHAPTER 30A, Sections 18-25

Natick Finance Committee

PLACE OF MEETING

Virtual Meeting accessed via Zoom:
ps://us02web.zoom.us/j/81404627596
Meeting ID: 814 0462 7596 Passcode:
715717 One tap mobile
+19292056099,,81404627596# US
(New York) Dial by your location +1
929 205 6099 US (New York)

DAY, DATE AND TIME

March 18, 2021
at 7:00 PM

Notice to the Public: 1) Finance Committee meetings may be broadcast/recorded by Natick Pegasus. 2) The meeting is an open public meeting and interested parties can attend the meeting. 3) Those seeking to make public comments (for topics not on the agenda or for specific agenda items) are requested to submit their comments in advance, by 2:00 PM on the day of the meeting, to the Chair: phayes.fincom@natickma.org. Comments will be posted on NovusAgenda and read aloud for the proper agenda item. Please keep comments to 350-400 words. 4) The Chat function on Zoom Conferencing will be disabled.

Posted: Tuesday March 16, 2021 1:40 PM

MEETING AGENDA

- 1. Call to Order**
 - a. Pledge of Allegiance & Moment of Silence
 - b. Advisement of Pegasus Live Broadcast and Recording for On-Demand Viewing
 - c. Review of Meeting Agenda and Ordering of Items
- 2. Announcements**
- 3. Public Comments**
 - a. [Committee policy & procedures available via this link and also at the meeting location](#)
- 4. Meeting Minutes:** Review & Approve Meeting Minutes for March 2, 2021 and March 4, 2021
- 5. Town Administrator's FY2022 Budget - Public Hearing**
 - a. [Budget Update](#)
 - b. [Forecast Update](#)
- 6. 2021 Spring Annual Town Meeting Warrant Articles - Public Hearing**
 - a. [Article 13: Revolving Funds](#)
 - b. [Article 14: Establish and Authorize Revolving Fund for Cochituate Rail Trail Maintenance and Enhancements](#)
 - c. [Article 15: Rescind Authorized, Unissued Debt](#)
 - d. [Article 28 Amend Historic Preservation Zoning By-Law](#)
 - e. [Article 27 Re-Zoning of 26-28 Eliot Street](#)
 - f. [Article 23 Accept State Legislation Allowing Lower Speed Limits on Allowing Lower Speed Limits](#)
 - g. [Article 31 Town Meeting Practices and Rules Committee Report and Extension](#)
 - h. [Article 32 Warrant Fiscal Information](#)
 - i. [Article 26 Amend Zoning By-Laws: Adult-Use Marijuana Establishment Uses Establishment Uses - Motion B](#)
- 7. Committee and Subcommittee Scheduling and Process**
 - a. [Update on upcoming Committee and Subcommittee meetings](#)
 - b. [Subcommittee Updates](#)
- 8. Committee Discussion (for items not on the agenda)**
- 9. Adjourn**

MEMBERS PRESENT:

Linda Wollschlager, Chairperson
Todd Gillenwater, Vice-Chairman
Bruce Evans, Clerk
Dirk Coburn, Member
Jeff DeLuca, Member
Bill Grome, Member
Julien LaFleur, Member
Mike Linehan, Member
Jerry Pierce, Member
Richard Pope, Member
Phil Rooney, Member
Jim Scurlock, Member

MEMBERS ABSENT:

David Coffey, Member
Cathy Coughlin, Member
Chris Resmini, Member

Town Administration

Mr. Bob Rooney, Interim Town Administrator
Mr. James Errickson, Deputy Town Administrator - Operations
Mr. John Townsend, Deputy Town Administrator – Finance
Ms. Juiling de los Reyes, Assistant Director, Finance
Mr. James White, Director, Health Dept.

Members of the Public (presenters)

Mr. Josh Ostroff
Mr. George Richards

Call to Order

Meeting called to order at 7:02 p.m. by Linda Wollschlager, Chairperson.

Public Comments - None

Announcements - None

Mr. Evans moved to open the public hearing on the Town Administrator's FY 22 budget and the 2021 Spring Annual Town Meeting Warrant Articles, seconded by Mr. Pierce, voted 11 – 0 – 0.

Roll-call vote:

Mr. Coburn = yes	Mr. Linehan = yes
Mr. DeLuca = yes	Mr. Pierce = yes
Mr. Evans = yes	Mr. Pope = yes
Mr. Gillenwater = yes	Mr. Rooney = yes
Mr. Grome = yes	Mr. Scurlock = yes
Mr. LaFleur = (arr. late)	Ms. Wollschlager = yes

[Article 31 Town Meeting Practices and Rules Committee Report and Extension](#)

Presenter: Mr. Paul Griesmer, Chair, Town Meeting Practices and Rules Committee

Mr. Griesmer said the original article submission had four elements:

1. Hear and discuss a report from the Town Meeting Practices and Rules Committee;
2. Approve, accept and or adopt a revised Town Meeting Member Handbook;
3. Extend the term of the Town Meeting Practices and Rules Committee;
4. Appropriate monies or transfer from available funds for the work of the Town Meeting Practices and Rules Committee

The Committee concluded that they don't further appropriation to complete their work. The committee was extended through 2021 Fall Annual Town Meeting and we are confident that we will not need a further extension. We also are confident that we will be able to complete the handbook by 2021 Fall Annual Town Meeting. Procedurally, we want to review the handbook in the fall for two reasons:

1. We want to complete the working draft, and circulate it to town meeting members, have it up on the committee web page, and leave it there for Town Meeting members to comment on. The Committee unanimously agrees on the importance of public comments on the handbook. Any

board or committee or officer that sponsors warrant articles and presents information should be given a broad opportunity to read and comment on this document as well.

2. There's a more practical side of it as well. Some of what was discussed in the last handbook that was done in 2005 included relevant bylaws and charter provisions. We have a charter change that was approved by Town Meeting last fall, but it has yet to go to the voters and that will happen this March. Another bylaw change that was voted at Town Meeting last fall has not come back yet from the Attorney General's office. And, there is another bylaw change that's the next article that the Committee is sponsoring to be reviewed by Town Meeting that hasn't been voted on by anyone other than our committee so that would affect the Town Meeting handbook as well.

Ms. Wollschlager noted that the Article 31 motion is as follows:

- Motion A: "Move that the Town Meeting vote to hear and discuss of a report of the Town Meeting Practices and Rules Committee."
- Motion B: "Move that Town Meeting vote to adopt as revised Town Meeting Member Handbook

As you know, they are no longer requesting Motion B be acted on.

Mr. Linehan asked whether it might be a better idea to consolidate the TMPRC committee report under Article 2 Motion B, which sounds to me like it would be cleaner. Mr. Evans said this is already on the warrant as Article 31 and it would be awkward for us to say, forget Article 31, we'll cover that as Article 2, Motion B instead. In my opinion, that's not cleaner, but more cumbersome.

Mr. Gillenwater moved to recommend Favorable Action on the subject of Article 31 "to hear and discuss a report of the Town Meeting Practices and Rules Committee, seconded by Mr. Pierce, voted 11 – 0 – 1.

Roll-call vote:

Mr. Coburn = yes	Mr. Linehan = yes
Mr. DeLuca = yes	Mr. Pierce = yes
Mr. Evans = yes	Mr. Pope = yes
Mr. Gillenwater = yes	Mr. Rooney = yes
Mr. Grome = yes	Mr. Scurlock = yes
Mr. LaFleur = abstain (arr. late)	Ms. Wollschlager = yes

[Article 32 Warrant Fiscal Information](#)

Mr. Griesmer said Town Meeting members approved Article 24 during the 2020 Fall Annual Town Meeting:

Town Meeting members voted (Article 24) to amend Article 5 Fiscal Procedures, Section 5.4, Budget Message of the Town of Natick Home Rule Charter to:

1) Amend Article 3 and/or Article 23 of the Town of Natick Bylaws to provide that the consideration and report, by the Finance Committee, of matters of business included within the articles of any warrant for a Town Meeting shall be required mandatory condition and such consideration shall be conducted as a public hearing at which residents and taxpayers, as defined in Article 2 section 10 of the Charter, and town employees shall have the right and opportunity to be heard on such matters of business;

2) Specify notice or publication requirements for such public hearing whether simply consistent with the open meeting law or otherwise;

3) Amend Article 3 of the Town of Natick Bylaws to allow the representative town meeting to waive the requirements contemplated in 1) above for such consideration, report and public hearing on specified or particular matters of business and to set the quantum of vote and other requirements for such waivers and include such waivers in the chart for Precedence of Motions;

4) Amend the Town of Natick Bylaws to establish that the requirement(s) contemplated in 1) above is necessary for such specified or particular matters of business to be in order at Town Meeting unless a waiver is voted;

5) Amend Article 7-9-b of the Town Charter to amend the phrase “unless otherwise provided by the charter or by law” to read “unless otherwise provided by the charter, by law or by bylaw” or similar wording;”

Article 24 amended Article Five, the fiscal procedures section of the Town charter in two places.

1. The proposed budget for the next fiscal year. Article 32 is presented to the Finance Committee so that when that budget (FY23) is presented to the public, Finance Committee and Town Meeting, that Town Meeting would have the ability under this bylaw to say it wants certain information on assets and liabilities of the town. The charter change also said that Town Meeting could add in bylaws or request certain other types of fiscal information when dealing with current year financial matters. Last spring (July – in reality), for example, we examined the FY 21 budget and made adjustments to the previous fiscal year (FY 20). Then in the fall, we dealt with adjustments to the FY 21 budget because it was such an unusual year due to the pandemic. If we actually had voted the FY 21 budget in April; during the fall, we would be voting adjustments to the current fiscal year (FY21) budget when we were in Fall Annual Town Meeting.
2. The other part deals with the current year budget and the list of recurring information that Town Meeting requests. The list is relatively short, but it's a different list than the list requested at the start of the fiscal year that is approved at Spring Annual Town Meeting and becomes effective at the start of the upcoming fiscal year on July 1.

Charter and Bylaw changes must be agreed to by voters in a referendum and were placed on the ballot as Question 1 in the March 30, 2021 election.

Ballot question for Article 24 for local election on March 30, 2021

Shall the town approve the Charter Amendment proposed by a vote of 2020 Fall Annual Town Meeting under Article 24, summarized below:

The proposed amendment would make three changes:

1. *In Section 5-4, it would provide authorization for Representative Town Meeting to require certain information on assets and liabilities be provided as part of the budget message by adding after the words “or the Board of Selectmen may require” the following: “The Representative Town Meeting may, by By-Law, required certain information on assets and liabilities of the Town to be provided as part of the budget message.”*
2. *Adding a new section 5-7, entitled: “Section 5-7, Budgets for the Current Fiscal Year.” The new section 5-7 would read: “The Representative Town Meeting may, by By-Law, require an updated budget message and certain information to be provided in connection with annual operation and/or capital expenditures for a current fiscal year at Spring Annual Town Meeting, Fall Annual Town Meeting and for any Special Town Meeting which deals with fiscal or budgetary matters.”*
3. *Renumbering the current “Section 5-7, Capital Improvement Program” to be “Section 5-8 Capital Improvement Program”.*

If this charter change is approved by a majority of voters, that change will be implemented and Article 32 is a bylaw that could be authorized pursuant to the approved charter change. If voters approve the charter change, then consideration of Article 32 on the warrant is timely. If the charter change does not pass or was not approved by the Attorney General, the TMPRC will seek No Action on Article 32 on the floor of Town Meeting.

The purpose behind the article is to make certain basic fundamental financial information, a routine and standard submission so that this information gets out on a timely basis and time does not need to be wasted by requiring people to make public records requests or wasting time on Town Meeting floor for requesting this information. This requested information is a shorter list than in Spring Annual Town

Meeting, but is very important information at Fall Annual Town Meeting or a Special Town Meeting involving budget questions. We acknowledge that some of this comes out in September and sometimes in October and that is why this proposed motion to change of the bylaws is written as it. If town administration cannot provide this information, but tell people you cannot provide that information and explain why.

In brief, the list of information to be required with the annual budget message is:

1. The most recently available amounts of funded and unfunded liabilities for both pension and Other Post-Employment Benefits (OPEB) together with the effective dates of such most recently available information.
2. then current un-appropriated free cash balance
3. then current balances of retained earnings for each enterprise fund
4. then current balances, including accrued interest, for each of the town's stabilization funds
5. amount of the last three years overlay and an estimate of how much, if any, can be declared surplus (note that overlay surplus is the amount of tax levy set aside each year to settle abatements or settle tax appeals. Sometimes abatements happen very quickly; sometimes these involve the Appellate Tax Board and cases linger longer so the assessors need to hang on to that money. But once these cases are settled, the remaining money is just sitting in a cash account.
6. total remaining unspent amounts, if any, from completed capital projects (another suggestion is that if a capital project hasn't begun and it's been three years since Town Meeting authorized the project, please inform Town Meeting)
7. total amount, if any, of capital projects which have not commenced and which were authorized three or more years prior to submission of the proposed budget
8. debt limit for the town with information on the total amount of outstanding debt borrowing and authorized but unissued borrowing

All of this information above pertains to town assets and liabilities.

Mr. Griesmer suggested that we display the redline/blue-line version of the proposed bylaw that would result from these changes, as shown below.

Section 2 Provision and Dates of Submission of Fiscal Documents

a. Preliminary Budget and Budget Message

As required by Section 5-3 of the Charter, the Town Administrator shall submit the preliminary budget for the next fiscal year on or before the first business day in January.

The budget message which accompanies said preliminary budget shall, at a minimum, include the following information on assets and liabilities of the Town:

1. most recently available amounts of funded and unfunded liabilities for both pension and Other Post-Employment Benefits together with the effective dates of such most recently available information
2. then current un-appropriated free cash balance
3. then current balances of retained earnings for each enterprise fund
4. then current balances, including accrued interest, for each of the town's stabilization funds
5. amount of the last three years overlay and an estimate of how much, if any, can be declared surplus
6. total remaining unspent amounts, if any, from completed capital projects

7. total amount, if any, of capital projects which have not commenced and which were authorized three or more years prior to submission of the proposed budget
8. debt limit for the town with information on the total amount of outstanding debt borrowing and authorized but unissued borrowing

b. Budgets for Current Fiscal Year

As authorized pursuant to Section 5-7 of the Charter, the Town Administrator shall, for any annual or special town meeting dealing with financial matters of a then current fiscal year, provide the following:

1. the then current un-appropriated free cash balance.
2. the component sources and deductions used in calculating the most recently certified free cash amount as of the beginning of the then current fiscal year detailing i) revenues received in excess of /(below) budgeted amounts by account, ii) budgetary turn backs (i.e. expenditures below appropriated or budgeted amounts) by department, iii) amount, if any, of free cash carried over from the previous fiscal year and iv) any further adjustments made by the state Department of Revenue in calculating free cash. . Individual components of less than \$50,000 may be aggregated for purposes of this report.
3. Estimated vs. actual state aid revenue and cherry sheet assessments and offsets
4. Estimated vs. actual new growth tax levy
5. Amounts of snow and ice and other deficits from the previous fiscal year to be raised from available tax levy
6. Updated estimate of employee health insurance budget needs based on actual employee sign ups compared to such budget needs estimated prior to actual sign ups.

Said information, to the extent available, and a written explanation, to the extent said information is unavailable, shall be provided to the finance committee prior to the finance committee's consideration of financial matters of business and included in an updated budget message to representative town meeting members and the public. When said information is unavailable but becomes available prior to the dissolution of an affected town meeting, such information shall be promptly provided to the finance committee, representative town meeting members and the public.

Whenever the information specified in this subsection 2 b, including updates, if any, of such information have been provided in connection with an annual or special town meeting dealing financial matters for a then current fiscal year, such already provided information shall be deemed to have been provided for any subsequent annual or special town meeting dealing with matters for that same fiscal year.

1. Capital Improvement Program

As required by Section 5-8 of the Charter, the Town Administrator shall submit updates of the capital plan on or before the first business day in March and September.

2. Other

No failure of strict compliance with the provisions of this Section 2 shall be cause to invalidate any action of representative town meeting.

Mr. Griesmer described the purposes of each section of the proposed bylaw changes:

1. Section 2a specifies the information that should be provided in the preliminary budget and budget message.
2. Section 2b specifies the information that should be provided for the current fiscal year, so once the preliminary budget has passed and taken effect on July 1. Typically, this information would be provided at Fall Annual Town Meeting and any Special Town Meeting dealing with financial matters than occurs prior to the end of the current fiscal year on June 30. Free Cash certification from the prior fiscal year is available in Sept./Oct. and is often a funding source at Fall Annual Town Meeting. Town Meeting members want to know the sources of that free cash are. Also, we vote our budget in the spring based on estimated state aid and estimated Cherry Sheet offsets and, by the fall, we know what the actual amounts are. The same is true for new growth tax levy – it's an estimate in the spring, and an actual in the fall. It's very important that Town Meeting know that there are automatic offsets from deficits for the previous year, including snow and ice deficit. That doesn't usually get tallied up and shown.
3. Section 2c is a renumbering of the already required Capital Improvement Program.
4. Section 2d adds the sentence that indicates that failure to provide all of the deliveries under Section 2b **DOES NOT** invalidate any Town Meeting actions taken.

We used to deal with snow & ice deficit at spring town meeting, but as a result of the Municipal Modernization Act, it's the first dollars off the top of next year's tax levy, so it's very important information for people to know these three elements because that information tells us how much tax levy we thought we were going to have and how much tax levy we actually have. This is vital information for Town Meeting because if Town Meeting were to find itself in a position where it has, let's say, \$400,000 worth of new growth levy actual above what was estimated, when we go into planning for the new fiscal year and the tax rate setting process in December, and we have not appropriated that \$400,000, that \$400,000 does not get collected.

The assessors end up calculating the tax levy and the appropriations Town Meeting has appropriated from tax levy. it's important that Town Meeting make the decision not to leave the money on the table and Town Meeting can decide not to raise taxes. Or you can have the opposite situation where estimated new growth revenue is higher than actual revenue and you are in danger of going over Prop. 2 ½ limits. Another very important component of the budget is employee fringe benefits, particularly health insurance. The bulk of the sign-ups tend to be in June and others occur when new teachers are hired later in the summer or there are new employees hired throughout the year. It's routinely been the practice of the town to conservatively estimate the number of health care plans as higher than the actual headcount might indicate, because it isn't known how many people who weren't on the plan would decide to go on the town's plan, or they were on the town's plan as an individual and decided to move to a family plan. The practice has been to budget enough money in the spring for people picking the more expensive options, but by the fall, you have a clearer idea of what the actual requirements are for that fiscal year and it's important to see if there's budget appropriated for health care plans that no longer is required. The TMPRC believes that much of this information is readily available Some information in the fall is not always immediately available. The Finance Committee might start its deliberations in early September without have the certified free cash balance because the state hasn't certified it nor will it know new tax levy growth because the state hasn't certified that yet either. The vision of the amended bylaw is that this information should be provided to the Finance Committee before it starts to meet. And, if it's not available, you get a simple statement stating why some of this information is not available. The purpose of this charter change is to cut short the questions that occur at each town meeting for this information.

There are three people on the TMPRC including the Town Moderator who spent 12 years on the Finance Committee and is an ex-officio member of the Committee and another TMPRC member was also on the Finance Committee for 12 years, and I was on the Finance Committee a number of years also serving as Chair. The Committee analyzed prior Town Meetings to identify what information was requested by Town Meeting, but not provided to Town Meeting members. We drew up the list of information and reviewed it with three former Town Administrators who have served in Natick who had at least five or more years of experience in municipal finance in Massachusetts – Mr. Phil Lemnios, Mr. Bill Chenard and Ms. Martha White. The TMPRC's draft of this bylaw is what's in red. The changes that are in blue came from Mr. Lemnios and Mr. Chenard. All these people concurred that this information is readily available information that should be produced. There was concern raised by a couple Select Board members at Fall Annual Town Meeting that this will open up some major new work project and it will overburden and swamp the administration. In response to that concern, that's why we went to the people who planned the town budgets for the last 20 years and they actually added some things to the list and those additions are highlighted in blue. Mr. Griesmer said he emailed it to Mr. Townsend and noted that if there's something on the list that's not readily available, we can have a discussion about it.

Questions from the Committee

Ms. Wollschlager said the redlined/blue-line version is everything that you see starting in single quotes. Let's start with questions on Section 2a, the preliminary budget and budget message, first.

Mr. Rooney said he has some questions concerning what Mr. Griesmer described in his presentation. Mr. Rooney indicated that the information you are looking for centers on transparency. As a former, financial person, I know it's easy to focus on the revenue and spending, but few people focus on the balance sheet. There's an old adage that if you keep the balance sheet clean it can only go one place revenue spending. Mr. Griesmer said that the goal is transparency and efficiency.

Mr. Rooney noted that as Mr. Griesmer described the process that you worked with three very experienced former members of the Finance Committee as well as two former Town Administrators in Natick, as well as the former Deputy Town Administrator. Mr. Griesmer said the three Finance Committee members who are on the TMPRC:

The three Finance Committee members include Mr. Foss who spent 12 years on the Finance Committee (6 years as Chair) and is an ex-officio member; Ms. Collins (12 years), and me (12 years, also a Chair). We then went to the town administrators who used to work in Natick who each have at least 20 years of experience in municipal finance - Mr. Lemnios, Mr. Chenard and Ms. White. I emailed it to Mr. Townsend but he and I have not had the opportunity to connect.

Mr. Rooney noted that it appears that some of this information is readily available and I see some of it in the in the FY 22 budget book; some is not. Mr. Griesmer said the TMPRC is not talking about information that is typically found in the Finance Committee Recommendation Book. This information should be readily available information.

Mr. Rooney said he understands that they haven't had a chance to circle back with Mr. Townsend, but I am concerned that Mr. Townsend and his group are the people responsible for bringing this information together and presenting to the leadership of the town There is an assumption that it's readily available, because we've had former Town Administrators say that it should be readily available. Mr. Rooney states that his concern grows when he hears in our General Government Subcommittee discussions that some of our financial systems require improvement and asked don't you think it would have been better to talk to Mr. Townsend in the end, who supervises and manages the people who pull this information together and get a an assessment from him as to how readily available it is or what impact it may or may not have on his staffing. Mr. Griesmer said, in short, the answer is no. The reason is that this is information that people ask for on a routine basis, sometimes every year, It may be the entire list or

some of this list. It's information that we know is available. If we don't know our unappropriated free cash balance when we start and present our budget, then we have a problem. The OPEB and the pension liability balances are determined on a periodic basis, at least every three years, so we know that balance. We know the balance of our stabilization funds. We know the overlay surplus number and we know or should know what the excess is in completed capital projects. And we know what our outstanding debt is because we have to make payments. And we know what our outstanding and authorized borrowing is. This is information that is that is available and we're saying is please put it in in one place within the budget message so people don't have to hunt for it.

Mr. Rooney said he understands the point that you shouldn't have to hunt for this information and asked what the role of Fincom is in getting this information – are they expected to vet it or comment on its accuracy? Mr. Griesmer said the Finance Committee could use its audit power to audit such information or, if the Committee felt it was relevant and useful to understand the financial picture of the town they could they could look at it. In a tight budget year, if you can find unexpended money from completed capital projects or projects where it isn't being utilized, you might want to see those funds re-appropriated to current capital projects. If you find that information after the warrant is closed, nobody can put a warrant article to take those remaining appropriations and re-appropriate them.

Mr. Rooney said, in his opinion, Fincom doesn't determine appropriations, but makes suggestions and asked whether the Financial Planning Committee is involved in this – if not, why not. Ms. Wollschlager said the Financial Planning Committee has not met since last June. Mr. Griesmer said the TMPRC is not looking to solve the Financial Planning Committee's problems on when they meet or what information they request nor are we looking to tell Finance Committee what it needs to do. The TMPRC is trying to address Town Meeting members and the public's requirements.

Mr. Scurlock asked whether there is a timeframe by which they'd be required to report any remaining unspent capital for projects that have been completed. Ms. Wollschlager said there is no set timeframe because we have seen projects where many years had passed and the town found unexpended surplus from completed project and that identifying those unexpired funds lags by a period of time. Mr. Griesmer added that there is no and fast timeframe, and the purpose of the language is to request that the town look at closed out and completed projects when you're putting the budget together so that we have a better picture of available funds.

Mr. Coburn noted that, if this information is to be provided to Town Meeting, Town Meeting should see this information to review and make recommendations to those Town Meeting members.

Mr. Linehan asked for confirmation that the term "overlay" is detailed enough to provide adequate description. Mr. Griesmer said that "overlay" is a line item in the revenue and expense summary that's been provided as part of the budget every year.

Mr. Townsend said when the article was first introduced in last fall, I had some questions about it. I thought that this was a good idea and we could have a good robust conversation to make certain that we provided certain information each year. However, as Mr. Griesmer pointed out, we were not part of this conversation and I didn't see this until 4:23 PM yesterday, and I haven't had the chance to read the entire article. However, I've gone through it and want to make a couple of comments. Quite frankly, I'm appalled at the lack of respect that this shows for town staff, and particularly the Finance Department. Mr. Griesmer said directly that he didn't want to engage with the town administration with regards to something that's going to affect the administration, and made bold allegations with as to what the workloads are for the town and how we do things. Mr. Griesmer is entitled to his opinion and I guess that this is the opinion of the TMPRC. It is inexcusable that we weren't looped into this discussion. To deliver this information, we're talking approximately thirty pages of tables and graphs that will be part of a part of the budget message. We are very much in favor of transparency. However, my

understanding of the objectives of the TMPRC was to try to shorten town meeting and I don't think that's what this request does. We provide some of the information that you are requesting such as the stabilization fund balance, but when you add the accrued interest, that's good information because it is part of the balance. But, you know, someone at Town Meeting will ask how much the accrued interest was, in what account is it, and could you have gotten a better rate on it, did you put it out to bid, etc. The questions will come with regards this information and we're happy to answer them, but this is not speeding up Town Meeting over something that may be a few thousand dollars. Mr. Townsend said that providing figures on unspent capital projects is simplistic. We look at this all the time, but one of the things about making that public is that there are strings attached to those particular monies that have to be followed. And oftentimes, when we do motions to re-appropriate, that money, we run it past bond counsel to ensure that we're not doing anything inappropriate. This is not like a cookie jar that people can reach in and get money to spend – it must be well-planned and run by bond counsel. We're trying to use money as efficiently as possible, but to simply provide this information without explanation is counterproductive. We can present this information to the Finance Committee and the Committee can understand that. Mr. Townsend said he can't imagine what the questions are going to come from Town Meeting members who aren't as involved in town finance. We're happy to provide this information, but should it be part of the budget message. So a lot of this information, I guess it's important information, I'm happy to provide it when people asked us not trying to hide anything. But is it a useful set of information to have as part of the budget message? One of the reasons why we provide the Finance Committee this information is that you put this information in context for Town Meeting – members ask questions and we answer those questions, and the Finance Committee puts this information in its Recommendation Book. We need to be very careful with regards to what it is we're putting in the budget book without any sort of context or any sort of reference to what this means. Mr. Townsend concluded that he will review this in-depth and will provide written comments to the Finance Committee as well as the TMPRC.

Ms. Cathi Collins, TMPRC member said the Committee has met for over a year and a half in publicly posted meetings, so it has been a public process.

Mr. Linehan moved to postpone Article 32 to postpone consideration of Article 32, seconded by Mr. DeLuca, voted 2 – 10 – 0.

Roll-call vote:

Mr. Coburn = no	Mr. Linehan = yes
Mr. DeLuca = yes	Mr. Pierce = no
Mr. Evans = no	Mr. Pope = no
Mr. Gillenwater = no	Mr. Rooney = no
Mr. Grome = no	Mr. Scurlock = no
Mr. LaFleur = no	Ms. Wollschlager = no

Mr. Evans moved to refer the subject matter of Article 32 to the sponsors, seconded by Mr. LaFleur, voted 8 – 2 – 2.

Roll-call vote:

Mr. Coburn = no	Mr. Linehan = abstain
Mr. DeLuca = abstain	Mr. Pierce = yes
Mr. Evans = yes	Mr. Pope = yes
Mr. Gillenwater = no	Mr. Rooney = yes
Mr. Grome = yes	Mr. Scurlock = yes
Mr. LaFleur = yes	Ms. Wollschlager = yes

Mr. Coburn moved to recommend Favorable Action on the subject matter of Article 32, seconded by Mr. DeLuca, not voted.

Debate on motion to postpone Article 32

Mr. Linehan said he only supports this article if it were not a burden on town administration as the TMPRC seems to have concluded from talking to prior administration administrators.

Mr. DeLuca said he would like to give town administration time to analyze the time it would take to product this information and the resources that the administration currently has are important factors to weigh whether this is something that could be pushed forward, or would be pushed forward with undue harm to the current administration. Also, I think in that process, determining context, as Mr. Townsend mentioned, some of the bond restrictions and definitions and that type of analysis could also prove to be fruitful with some of these reports.

Mr. Coburn said he doesn't think this will not increase the burden on the Finance Dept. to produce this information. And the TMPRC Committee has not told us that they were told by previous town administrators that there would be no burden. In my opinion, it would be marginally useful for people to know what it would take to produce this information. If this motion to postpone does not prevail, I intend to make a motion to recommend positive action. I think this information is the core information on which town meeting should be making important decisions.

Mr. Rooney said he didn't think postponing will gain much and will not support it. I'm very concerned that Mr. Townsend just received this article 24 hours before this meeting and he should have the opportunity to review this in detail. This, coupled with the systems improvements that the Finance Department is rolling out that will help them do their jobs more effectively makes me think that postponing this short-term is not the way to go. I'd rather see Mr. Townsend be given the time without feeling the pressure to go through this thoroughly.

Mr. Evans said there are several reasons why he opposes short-term postponement. First, we are right in the middle of the budget season and trying to reconcile a budget in the next two weeks at most. Asking Mr. Townsend to go off and do an in-depth study on how long getting this information will

require and what resources are needed, is not productive use of his time at this juncture. This is a great list for the Finance Committee to look for and request from the town Finance Department, but it doesn't have to be codified at this point without any review of the present town administration and we're in the process of hiring a new Town Administrator. Who should have the opportunity to weigh in on all of this.

Debate on Referral of Article 32

Mr. Evans said he talked about many of the points that I wanted to make about this article earlier. Let me talk very briefly about the efforts of transparency that this administration has undertaken - I think it is orders of magnitude greater than prior administrations and a step in the right direction for a lot of these things. As far as looking back on these unexpended funds from capital projects, we have been told that the Interim town administrator requested that department's look at previously authorized funds that meet the definition of being unspent and no longer needed for that purpose to free those funds and utilize them elsewhere. My recollection is that they've already found \$250,000 of those type funds, so I already feel that they are doing that due diligence and we should allow them the time to continue doing that. The other things that I want to emphasize and Mr. Townsend hit upon this point, very succinctly, that the Finance Committee provides the context of this material. If we request these same items, we can provide the wrapper around that that explains it in layman's terms to town meeting members, most of them just want to know that the Finance Committee has reviewed this and are okay with it and then they ask a few questions. I'd like to see the Town Administrator and the Finance Department to weigh in on this and determine what they can provide, what resources they need and we need to give them the opportunity to do this before this is codified into the bylaws.

Mr. LaFleur said he believes the ideas presented in this article are well thought-out and well-intentioned and would be very helpful to Town Meeting members to help them make their decisions. However, I am very concerned about the lack of coordination with Mr. Townsend and his department and this needs to be something actively pursued between the Finance Department, town administration, the TMPRC and the Finance Committee. There is a missed opportunity in not having that conversation between the two organizations to groups to actually find the optimal cost/benefit relationship between the metrics in the proposal, and the amount of time it would take to prepare them.

Mr. Coburn said he greatly appreciates the efforts and helpfulness of our town administration in our process this spring, and I anticipate an improved experience with Town Meeting. My support of what's been presented here is in no way about redressing a near-term deficiency or lapse. I don't think it's appropriate to create policy in response to those sorts of prescient things. I think this list is well thought out and it includes the fundamental information that Town Meeting members ought to have in order to address the range of financial, budget and revenue-related things that are dealt with at during Town Meeting. I believe that there is a lot of goodwill around getting to this kind of a vision, but it's important that we affirm the real importance of this vision, and why it's worth some cost and maybe some discomfort on the part of some people who have a lot of other things to do. I would feel remiss if we didn't at least entertain a motion to recommend positive action.

Mr. DeLuca said there are benefits to having this additional information at Town Meeting, but there are some pitfalls that Mr. Townsend identified. Those pitfalls can be overcome with education and context in terms of either definitions or just more information that Town Meeting members should have. One example of that context is how bonding of a capital project is done. During that process, if the funds aren't fully spent they can be spent on like projects and it's good to circle back and figure out what those like projects are. There's some benefit to this article and he sees this as almost an internal audit process where the Town Meeting members would be briefed on the result of the internal audit. He noted that while he does think could be time-consuming and strain some resources, the benefits may outweigh the

required time and resources. Finally, he said he completely understands the referral motion and getting more buy-in and communication with the current administration.

Mr. Grome said, as a member of the General Government subcommittee, a good deal of the items that were on Mr. Griesmer's list of items that were provided to the subcommittee as part of the budget with the departments as well as additional questions where answers were provided to us in a timely manner. He noted that it seems like there are three categories - past items, current items and future items and some of these items probably will never come before Finance Committee, but provide valuable information and should be recorded.

Mr. Gillenwater stated that a lot of this information is being pulled together as part of the audits and other ongoing processes. He noted that town administration should have been looped in and postponement may give us an opportunity to do that after the fact.

Mr. Scurlock noted that the sponsor states that this information is not difficult to obtain, but said he cannot presume to know that. The time it takes to get the numbers is minuscule compared to the amount of time of getting proper and legal context for those numbers is not taken into consideration here.

[Article 23 Accept State Legislation Allowing Lower Speed Limits on Allowing Lower Speed Limits](#)

Presenters:

Mr. Michael Hickey, Member, Select Board

Mr. Josh Ostroff, Member, Transportation Advisory Committee

Cody Jacobs, Chair,

Mr. Ostroff acknowledged the work of the Transportation Advisory Committee, town administration, the Select Board, and the Safety Committee for their work and collaboration over the past few years. Article 23 is the first step in a legislative process and, if approved it would then go to the Select board to implement the legislation. In essence, this Article asks Town Meeting to accept two sections of Mass General Law, as follows:

Motion A

Move to accept Section 17C of Chapter 90 of the General Laws to allow the Select Board to establish lower speed limits of 25 miles per hour on town-owned roadways within a thickly settled or business district.

Motion B

Move to accept Section 18B of Chapter 90 of the General Laws to allow the Select Board to establish safety zones with speed limits of 20 miles per hour.

Without acceptance of these provisions of MGL, changing the speed limit on a municipal roadway has to be done on an individual street basis and state approval from MassDOT or its predecessor agencies was needed after a speed study. And when neighborhood residents might come to the Safety Committee or the town to ask for a lower speed limit, a study would be done and it might not result in lower speeds because it's based on observed motorist behavior. However, in 2016, the Mass. Legislature passed a law that was included in a much economic development bill that provided a streamlined process for municipalities to lower their default speed limit. This means that, unless otherwise posted, it would reduce speed limit the current town-wide default limit (30 miles per hour [mph]) to a new default limit (25 mph). As of January 2021, 52 cities and towns around the state have accepted this legislation.

52 Cities/Towns opting in to Ch. 90 § 17C

Municipality	Opt-In Date	Area(s) Covered	Municipality	Opt-In Date	Area(s) Covered	Municipality	Opt-In Date	Area(s) Covered
Arlington	5/1/17	Townwide	Georgetown	5/16/19	Townwide	Nantucket	6/21/17	Townwide
Bedford	4/20/18	Townwide	Greenfield	5/15/19	Citywide	Newton	3/13/17	Citywide
Belmont	10/11/17	Townwide	Halifax	10/12/17	Selected streets	Norwell	2/19/20	Townwide
Beverly	3/17/17	Citywide	Hanover	2/7/19	Townwide	Pittsfield	9/5/17	Citywide
Billerica	8/23/17	Selected streets	Holliston	5/7/20	Townwide	Plainfield	8/13/19	Townwide
Boston	1/9/17	Citywide	Holyoke	10/10/18	Citywide	Randolph	3/27/17	Townwide
Boxborough	5/16/19	Townwide	Ipswich	6/12/18	Townwide	Revere	6/1/17	Citywide
Braintree	10/7/17	Townwide	Leominster	4/17/17	Selected streets	Salem	3/22/17	Citywide
Brookline	4/18/18	Townwide	Lexington	5/12/17	Townwide	Scituate	4/5/17	Townwide
Cambridge	11/7/16	Citywide	Ludlow	10/5/20	Townwide	Somerville	10/25/16	Citywide
Chelsea	1/4/17	Citywide	Lunenburg	1/17/18	Townwide	Springfield	10/15/17	Citywide
Chicopee	10/10/17	Citywide	Lynn	5/22/17	Citywide	Stoneham	11/9/17	Townwide
Concord	1/2/19	Townwide	Malden	4/23/18	Citywide	Sudbury	10/15/18	Townwide
Danvers	3/8/18	Selected streets	Mattapoisett	9/10/19	Townwide	Swampscott	11/2/17	Townwide
Dedham	2/16/17	Townwide	Medford	5/30/17	Citywide	Weston	9/10/18	Townwide
Duxbury	2/10/20	Selected streets	Melrose	6/21/17	Citywide	Winchester	9/23/19	Townwide
East Bridgewater	7/6/20	Townwide	Milton	4/5/18	Townwide	Winthrop	1/19/21	Townwide
Framingham	3/21/19	Citywide						

Chapter 90 §17C allows cities and towns to reduce the statutory or default speed limit from 30 mph to 25 mph, in thickly settled or business districts, and Chapter 90 §18B would allow us to establish designated safety zones with speed limits of 20 mph, not unlike what we see around schools, but they would not necessarily be limited to certain times of day. Reasons to approve this article include:

- Safety: The faster people are driving, the more severe the impact on a pedestrian or another driver is. There is a 10% fatality rate from a collision at 20 mph up to 80% at 40 mph.
- The faster your speed the slower your reaction time is and your ability to react to things happening off to the side.
- Pedestrian safety

Typically, towns that have implemented the slower default speed limit have done it on a municipality-wide basis and about a half dozen have done it only on selected streets. Natick could either of these approaches should Town Meeting accept this legislation.

Article 23 is part of a broader, three-part ongoing effort

1. Engineering – designing streets to reduce speeds and increase safety, and provide safe, convenient alternatives to driving. Encouraging alternatives to driving are a part of that and that might include narrow travel lanes or bump outs, or different turning radii, An example of this is what we did at the corner of North Avenue and Marion Street. In order to make the turn off Marion St., you have to slow down significantly, as opposed to treating it like a highway on ramp. The town uses these principles on virtually any roadway project done in in Natick.
 - a. Complete Streets, improved biking/walking/transit choices
 - b. 5 year roadway plan uses Complete Streets principles
2. Education – ensure that roadway users are aware, alert and observe traffic laws
3. Enforcement – Police resources are limited, and traffic is just one of many duties

Reduced default speed limit: implementation – 25 mph may be town-wide, or on specific streets The four step process to implement this is:

1. Town Meeting acceptance of Ch. 90 § 17C
2. Select Board decision with Safety/public input
 - a. 25 mph Town-wide, or
 - b. 25 mph only on specified streets, or
 - c. 25 mph on all but specified streets
3. MassDOT Notification.
4. Amend Special Speed Regulations (SB/MassDOT approval)
 - a. Some streets are unaffected by accepting Ch. 90 § 17C

Streets in Natick and most other cities and towns are subject to “special speed regulation” which means that for stretches of East Central St., or Walnut St., or Oak St., Natick has appealed to the state for different speed limits, and we've received them. So there are places on Walnut St. where it's 35 mph, and places on East Central St. where it's 40 – 45 mph. That process needs to be handled independent of this. If we adopt this legislation we could then go to MassDOT if we wanted to change some of these other streets.

Existing Limits Set by Special Speed Regulation

Street	Limits	Year	Regulation
Bacon Street	25/20/35 mph	1975	Reg. 997
Cochituate Street	25 mph	1996	7671
East/West Central	30/35/40/45 mph	1976	539-B
Elliot Street	25/35/40 mph	1974	881
Oak Street	25/20/35 mph	1975	997
Pleasant Street	25/30/35 mph	1974	923
Speen Street	25/35/40 mph	1995	179-B
Walnut Street	25/35 mph	1996	7678
Washington Avenue	20/30 mph	1969	497

State-controlled roads are excluded (Routes 9 and 90)

This is a (partial) listing of streets that are regulated through MassDOT and we have to work with MassDOT any time we change the “special speed” on these streets. This excludes state controlled roads such as the Mass Pike (Rte. 90) & Rte. 9.

There is another process for establishing special slow zones

1. Town Meeting acceptance of Ch. 90 § 18B
2. Select Board designation of specific zones for 20 mph limits with Safety Committee and public input
3. MassDOT notification

Existing slow zones would not be affected

Mr. Hickey noted that Article 23 is jointly sponsored by the Select Board and the Transportation Advisory Committee, both of which voted unanimously to support it. This law was passed in 2016 and in 2019, the Transportation Advisory Committee submitted a memo to the Select Board who identified this as one of the top five priorities for the Transportation Advisory Committee (TAC). As the town’s road commissioners, the Select Board views public safety as essential and we receive lots of email, phone

calls, and letters on pedestrian and road safety. The Select Board relies heavily on the recommendations of the Safety Committee who took a methodical look at this and recommended that the town move forward with it and put it in front of Town Meeting. The Safety Committee, the TAC, and the Select Board do not see this as a quick fix to town safety issues - It's just a tool that can help. I spoke with Police Chief Hicks and he indicated that adopting this change locally is a tool and would not change any speed limit anywhere in town by this authorization, but would authorize the Select Board to implement changes to or reductions of speed limits either on a town-wide or a case-by-case basis. On the earlier slide, I noted that 47 of the 52 communities that voted to adopt this have implemented it on a town-wide basis. This is an additional tool that the Select Board can consider with the input of our Safety Committee on how and where to move the needle in the right direction for public safety in certain areas or certain streets in town.

Questions from the Committee

Mr. Linehan asked whether Rte. 27 and Rte. 135 are considered state-controlled roads. Mr. Ostroff said they are primarily not state roads, but are municipal roads with a State Route number, and Rte. 16 is another.

Mr. Linehan asked how acceptance of these two provisions of Chapter 90 would help with Natick's most problematic streets. Mr. Hickey said some of our most problematic streets would not be immediately affected. And, frankly, it's still unclear whether they would be directly or indirectly affected by the adoption of this provision, because their speed limits are set by "special speed regulation" and would have to go through an independent process.

Mr. DeLuca asked how unaccepted roads would be impacted by this change. Mr. Ostroff said unaccepted roads are still subject to the same law as other roads and noted that he didn't think any of the special speed streets were unaccepted roads.

Mr. Evans asked if this change would help the Safety Committee look at chronic hotspots where there are known recurring problems, noting that this would give the Select Board the ability to alter the speed limit, in either the entirety of a road or a section of the road. For example, Union Street has three different speed limits on the stretch from Route 16 to Route 135. Mr. Evans asked if this tool enable the Select Board to consider lowering the speed limit down to a safer level. Mr. Hickey cited the example of Walnut Street as another example of multiple speed limits and noted that they would have to investigate whether there is special legislation that set a speed that dictates that speed on a given section of road and, if so, we would have to go through the traditional process to change it with MassDOT. There also is the problem of cut-throughs or detours on streets adjoining these busier streets where people zip through these neighborhoods to avoid traffic. Acceptance of this article would provide the Safety Committee with a more surgical tool to address this problem on identified cut-through streets.

Mr. Scurlock asked what the definition of "densely populated" is for 20, 25, and 30 mph zones. Mr. Ostroff said that he would need would definitely defer to DPW or public safety people to answer that.

Mr. Scurlock noted the changes that technology has done to driving and identified faster routes through applications such as Waze, exacerbating the cut-through problem. Mr. Hickey said the police try to be responsive to resident concerns and maybe step up enforcement where there's a recent issue of cut-through. Police are out there as a visual presence to deter speeders on these streets, but they cannot be everywhere.

Mr. Freas said that, when he worked for Newton, it passed this same legislation and switched over to 25 mph city-wide and a member of the Newton Transportation Advisory Committee who looked into this Waze issue. That research indicated that Waze uses a combination of actual speed and speed limits to determine what route people should take and broadcasts that. So they crowdsource what speed vehicles are moving, and when that speed, but they also use the actual speed limit on the streets. Waze slowly and steadily changes its algorithm because it incorporates that lowered speed into its algorithm, so when you lower the speed limit on a street, it changes the algorithm. However, as long as the speeds on the cut-through are faster than the speed / speed limit on your primary roads, it will advise that you use the cut-through. If the cut-through road shows no advantage, however, Waze is less likely to recommend the cut-through. For example, if the side street is a 30 mph street and the cars on the main road dropped below 30 mph, the Waze algorithm sends you over to the side street. If the speed limit is decreased to 25 mph by this article, the algorithm doesn't send you over to the side street until the speed on the main road drops below 25 mph.

Public Comments

Mr. Cody Jacobs, Chair, TAC said the presentation that Mr. Ostroff just gave was given at a Committee public meeting on January 26 and the response from the community was overwhelmingly positive. As Mr. Hickey said, that can be a double-edged sword because you don't want to set people's expectations too high with the limits that we've discussed, but there's a big appetite for this among many residents, and hopefully that appetite can lead to some buy-in that to help with the education part of this process. The TAC encourages the Finance Committee to make a positive recommendation to Town Meeting.

Mr. DeLuca moved to recommend Favorable Action on Article 23 Motion A, as presented, seconded by Mr. Evans, voted 12 – 0 – 0.

Roll-call vote:

Mr. Coburn = yes	Mr. Linehan = yes
Mr. DeLuca = yes	Mr. Pierce = yes
Mr. Evans = yes	Mr. Pope = yes
Mr. Gillenwater = yes	Mr. Rooney = yes
Mr. Grome = yes	Mr. Scurlock = yes
Mr. LaFleur = yes	Ms. Wollschlager = yes

Debate on Article 23 Motion A

Mr. DeLuca thanked the sponsors of this article for the long process to get to this point and said that this provides a great tool for the Safety Committee. Mr. DeLuca said he had investigated how to lower the speed limit and have it posted on Winter Street on the Natick side. On the Weston side, the speed limit is posted as 25 mph. On the Natick side, it's not posted, which means it falls under the 30 mph thickly settled area. This road it goes through two school zones, the Rivers school and the Brandon school. This street has dangerous curves and bus stops and there have been multiple instances where pedestrians have been struck, so this would make it easier to adjust the speed limit on that type of street to match Weston at 25 mph. There are plenty of streets throughout the town where motorists drive too fast and it's become an extreme safety concern or issue. During COVID, more people were home and therefore walking outside and you had a lot more pedestrians this past year than in prior years. Further, every street doesn't have sidewalks so people are walking on the side of narrow streets.

Mr. Evans said Mr. DeLuca delineated most of the points that I have, so I'll be brief. One of the things we approved in our prior budget was two traffic enforcement officers, so that was a high priority of the Police Department, recognizing that there was a real problem in this town of drivers exceeding speed limits. To have this ability to change speed limits on roads that are less safe than others is a great addition.

Mr. LaFleur noted, as somebody who also lives on a cut-through street who some 12 years ago, tried to petition to get the speed limit on the street lowered, and was told that it was a non-starter, I strongly encourage everyone to support this motion.

Mr. Linehan moved to recommend Favorable Action on Article 23 Motion B, as presented, seconded by Mr. Scurlock, voted 12 – 0 – 0.

Roll-call vote:

Mr. Coburn = yes	Mr. Linehan = yes
Mr. DeLuca = yes	Mr. Pierce = yes
Mr. Evans = yes	Mr. Pope = yes
Mr. Gillenwater = yes	Mr. Rooney = yes
Mr. Grome = yes	Mr. Scurlock = yes
Mr. LaFleur = yes	Ms. Wollschlager = yes

Debate on Article 23 Motion B

Mr. Linehan said Mr. DeLuca's commentary on Motion A is actually Winter street and is a "Motion B" road in my opinion.

Mr. Scurlock said cut-throughs are always going to be an alternative to driving on the main road, so there are definitely places where this law will be applicable. Mr. Scurlock thanked the TAC and Safety Committee for their work and the work they'll be doing going forward.

[Article 28 Amend Historic Preservation Zoning By-Law](#)

Presenter: Mr. George Richards, Attorney

Mr. Richards said he represents the 26 and 28 Eliot Street and noted that he would be talking about Articles 27 and 28 together. Ms. Wollschlager agreed, but said that the Committee would discuss and vote on the articles separately.

Mr. Richards stated that the former Sacred Heart church closed in 2004 and the property has been vacant ever since. In 2014, Town Meeting passed a Historic Preservation of bylaw that allowed the possibility of residential units on that property. Unfortunately, after seven years and several proposals, nothing materialized that worked financially. We now have a proposal that's a non-housing proposal, but the historic preservation bylaw only allowed housing and townhouses on these historic properties. This is a proposal of for a non-residential use that takes advantage of the high ceilings and the open space that a former church offers. My client runs the Eastern Acrobatic School (EAS), www.easternacrobatics.com, a circus and acrobatics and dance school in Ashland for the last five years and purchased this property began renovating it. However, the current zoning does not allow the use that they're proposing which is an educational and performing arts use of the property. In so doing, they must gain approval from the Historic District Commission to renovate the exterior of the former church and have been working with the Commission to keep them informed of the progress. Last night the owner of EAS presented to the Planning Board. I requested that we discuss Article 28 before Article 27, because Article 28 amends the existing Zoning Bylaw and Article 27 seeks to rezone the property to Commercial II (C-II). After meeting with the neighborhood several times, the neighborhood preferred an amendment to the existing bylaw that expands it to allow performing arts types uses rather than converting the property to a C-II commercial zone that would have more than forty other types of uses that could be applicable to this property if the owners were to sell the property. So the neighborhood is very supportive of the Article 28. At the Planning Board meeting last night, the Planning Board initially had concerns on Article 28 and its effect on other potential properties since there were a number of churches or former houses of worship that could be eligible for this bylaw. Based on their comments, they were more comfortable going with Article 28, the amendment option, but limiting the scope. Our

original motion had live performances and that raised concerns, so I forwarded the revised motion that reflects the elimination of the language of houses of worship and limits it to performing arts training and education including but not limited to dance, circus arts, and movement. The Planning Board also noted that there may be accessory uses, such as recitals or exhibitions that the applicant could have for their students and their families, family, but urged that it not be included in the bylaw, because the Building Commissioner would be responsible to oversee that accessory use. There is a residential component as well, Mr. Jacob Skeffington, the EAS founder plans to live in the lower portion of the former church with his wife and they may have another unit available for guests, traveling circus and acrobatic performers. This use would be handled through the Special Permit process with the Planning Board. If Article 28 passes, we would have to file a special permit and site plan review by the Planning Board – it would be part special permit for the performing arts use and part special permit for the residential use. We would also have to get approval of the Historic District Commission for any exterior changes. Parking (10 parking spaces) largely limits the amount or the density of the use and it's sufficient for their purposes - to run a school of approximately 50 people.

Ms. Wollschlager said the Planning Board did not have a recommendation on Article 28 and continued it to April 7 for further review, so we need to make our decision on without any planning board input. On Article 27, their recommendation was unanimously No Action. Mr. Richards noted that the original article had Motion A that covered "houses of worship" and that Motion was deleted in its entirety. The former Motion B is now the only motion and reads as follows:

*"Move to amend the Historic Preservation Bylaw Section III-J (3) of the Town of Natick Zoning Bylaws by adding a new Permitted Use #4 immediately after the existing Permitted Use # 3 in Section 3 as follows:
4. Performing arts training, and education including but not limited to dance, circus arts and movement."*

Mr. Richards noted that there were concerns about how the ambiguity of long a building would have to be a house of worship for it to be considered under this bylaw. The other piece was the live performances and the other piece that was eliminated was the live performances.

Questions from the Committee

Mr. Linehan asked with the deletion of the reference to houses of worship, are these uses permitted in any historical building that qualifies under the bylaw, expanding the functionality of Article 28, so in addition to housing, it would allow this type of use. . Mr. Richards said it does.

Mr. Linehan asked for confirmation that this is limited training and education and not performance. GR said that is why we changed the language because all educational components typically recitals and music, exhibitions. These would be live performances to a large audience, unless a future change to the bylaws was approved by Town Meeting.. Right now, their core business model is training and education.

Mr. DeLuca stated that this property is ultimately mixed use residential and commercial. If Article 28 passes, could another property meeting these criteria have both a commercial and residential component. GR said the performing and training education is a business. It would be up to the Planning Board as the Special Permit Granting Authority whether to allow both uses and to have a site plan review and the would include an assessment of whether there was a satisfactory amount of parking. They would also have to get the approval of the Historic District Commission as well. In the bylaw, home occupation is already one of the permitted uses in the historic preservation zoning bylaw, so it already contemplates a business and commercial use, a home occupation office where you run your business and live there.

Mr. Evans moved to recommend Favorable Action on the Article 28 motion provided to the Finance Committee on March 18, 2021, seconded by Mr. Pierce, voted 11 – 0 – 0.

Roll-call vote:

Mr. Coburn = yes	Mr. Linehan = yes
Mr. DeLuca = yes	Mr. Pierce = yes
Mr. Evans = yes	Mr. Pope = yes
Mr. Gillenwater = yes	Mr. Scurlock = yes
Mr. Grome = yes	Ms. Wollschlager = yes
Mr. LaFleur = yes	

Debate

Mr. Evans noted that the revised motion addresses the primary concern of the Planning Board during the review of Article 28 at their meeting last night, so I'm fairly confident that they would approve this at their next available meeting, which is April 7. Unfortunately, that is beyond our deadline to get something ready for Town Meeting, so we should approve this and if something changes at the April 7 that can be brought to Town Meeting for consideration. The other piece that I'd like to add to allay any fears is this is adding a permitted use to the historic preservation and the bylaw says permitted uses " 1. Townhouse; 2. apartment house; 3. home occupation – customary home occupation". This adds a specific niche that says that is very narrowly defined in. It may be replicated elsewhere in town but you have a special permit process including site plan review backstopping it so if neighborhood concerns will get considered by the Planning Board.

Mr. Pierce opined that this is a great move as it will encourage cultural programs throughout Natick, and more specifically to this property. I am glad to see this property being developed since it has been a blight to the neighborhood over ten years. I'm also grateful that they consulted with the neighbors and worked with them to get a reasonable solution.

Mr. DeLuca said he evaluated this article in terms of both the site and town-wide. I'm comfortable with the article language and believe it's an innovative way to re-purpose a historic building where the architecture limits the options. I've seen structures that remain vacant across the state for years, and then finally are repurposed into something that ends up being a massive amount of housing, which is a detriment to of communities compared to what this innovative strategy is going to bring to Natick. Even though Article 27 will be No Action, I would not be in favor of it because it opens up future concerns or issues with the property. I want to thank Mr. Evans specifically who really kind of pulled things into focus for me and made me comfortable with the idea of this type of re-use.

Article 27

Mr. Linehan moved to recommend No Action on Article 27, seconded by Mr. Pierce, voted 11 – 0 – 0.

Roll-call vote:

Mr. Coburn = yes	Mr. Linehan = yes
Mr. DeLuca = yes	Mr. Pierce = yes
Mr. Evans = yes	Mr. Pope = yes
Mr. Gillenwater = yes	Mr. Scurlock = yes
Mr. Grome = yes	Ms. Wollschlager = yes
Mr. LaFleur = yes	

[Article 26 Amend Zoning By-Laws: Adult-Use Marijuana Establishment Uses Establishment Uses - Motion B](#)

Presenter Mr. James Freas, Director, CED

Mr. Freas said he wanted to clarify a point that he wasn't sure came across during the last meeting. The town runs a risk of being subject to a lawsuit if we don't pass this amendment in some form. After our previous meeting, I spoke with Town Counsel who confirmed that the issue we run into is the fact that the two new license types that were created by the Cannabis Control Commission (CCC) on January 8. The fact that we don't recognize them within our zoning bylaw today constitutes, effectively, a ban in of the state law since the town does not have a moratorium in place, and we're in the process of correcting that. But if we choose not to fix this issue, if there was a delivery company interested in located in Natick that had or was in the process of securing a location, they could sue us for being out of compliance with the state law which requires us says we're only allowed to ban a marijuana license type through a town-wide referendum. Three delivery companies have already called the CED Office with an interest in locating in Natick. And at least one of them seems to have a location that they may be in negotiation with the property owner about. I can't speak to this specifics of their situation, but wanted to impress upon the committee that this is something that that we need to take action on.

Three questions were raised at our previous and I provided a memo in response.

1. Are marijuana deliveries allowed in towns that have banned retail marijuana (e.g., Weston, Wayland, Wellesley)? Marijuana delivery companies may not deliver to cities or towns that have banned adult- use marijuana establishments.
2. How do the definitions of Delivery Courier and Delivery Operator in the By-Law compare to the definitions established by the Cannabis Control Commission?

The definitions are substantially the same – the definitions proposed for Natick's Zoning Bylaw have been modified so as to be appropriate for zoning language, i.e. Removes language particular to the state regulations and licensing process and uses language consistent with the Natick Zoning Bylaw and the other definitions in the section. See below:

Natick Zoning Bylaw Language

Delivery Courier: This type of licensee is allowed to deliver marijuana products from a licensed marijuana retailer to customers. A delivery courier is not authorized to actually sell marijuana products to consumers—only to deliver from retailers, who make the sales themselves.

Delivery Operator: This type of licensee is authorized to purchase marijuana products at wholesale, to warehouse the products, label them (but not repackage them), sell them and deliver them. It may not operate a storefront retail operation; all sales must be through delivery.

Cannabis Control Commission Regulation Language

Marijuana Courier means an entity licensed to deliver Finished Marijuana Products, Marijuana Accessories and Branded Goods directly to Consumers from a Marijuana Retailer, or directly to Registered Qualifying Patients or Caregivers from an MTC, but is not authorized to sell Marijuana or Marijuana Products directly to Consumers, Registered Qualifying Patients or Caregivers and is not authorized to Wholesale, Warehouse, Process, Repackage, or White Label. A Marijuana Courier is an additional license type under M.G.L. c. 94G, § 4(b)(1) that allows for limited delivery of Marijuana or

Marijuana Products to Consumers; and shall not be considered to be a Marijuana Retailer under 935 CMR 500.002 or 500.050 and shall be subject to 935 CMR 500.050(1)(b).

Marijuana Delivery Operator or Delivery Operator means an entity licensed to purchase at Wholesale and Warehouse Finished Marijuana Products acquired from a Marijuana Cultivator, Marijuana Product Manufacturer, Microbusiness or Craft Marijuana Cooperative, and White Label, sell and deliver Finished Marijuana Products, Marijuana Accessories and Marijuana Branded Goods directly to Consumers, but is not authorized to Repackage Marijuana or Marijuana Products or operate a storefront under this license. A Delivery Operator is an additional license type under M.G.L. c. 94G, § 4(b)(1) that allows for limited delivery of Marijuana or Marijuana Products to Consumers; and shall not be considered to be a Marijuana Retailer under 935 CMR 500.002 or 500.050 and shall be subject to 935 CMR 500.050(1)(b).

3. Can a company holding one type of license from the CCC acquire another license? Yes except for a couple exceptions:

First, no person or entity having direct or indirect control of an independent testing lab or third party transporter can hold any other type of license. Second, regardless of the CCC regulations, Natick's zoning bylaw precludes a Marijuana Retailer from engaging in delivery in two ways – the definition of Natick Retailer specifically excludes such establishments from doing delivery and the proposed zoning amendment would only allow the marijuana delivery uses in the Industrial Marijuana Overlay district, where retail marijuana is not allowed.

Questions from the Committee

Mr. DeLuca asked how this new proposed business doesn't conflict with Section III-K.2.6.5 Nuisance which specifies that that MARIJUANA Establishment operations may not create nuisance conditions in parking areas, sidewalks streets and areas surrounding the premises and adjacent properties and claimed that this traffic would be excessive from East Natick Industrial Park when transportation is the core operation of this business. Mr. Freas said that provision is a tool that the Planning Board uses in their review of any proposed project and would have to make a ruling on whether the degree of traffic constitute a nuisance relative to the site. That's a judgment call by the Planning Board on each individual case and, included within that judgment call is whether there are things that the individual company could do to mitigate that traffic or nuisance. For example, if we were looking at the courier license type, they may not actually even have any vehicles on site, the entire use might simply be a person with a desk and a computer dispatching people from various locations around the state to other various locations around the state. The wholesaler is likely will have some form of fleet of vehicles and perhaps, as part of the review of the planning board, they might limit the number of trips that can be taken or require that some trips be taken from other satellite locations or however they choose to manage it if the planning board in their review found that mobile traffic might constitute a nuisance.

Mr. Linehan asked if marijuana cultivators can sell to medical use and adult-use marijuana. Mr. Freas said marijuana cultivators, as defined within the state regulations are already permitted to provide products to medical marijuana facilities and that matter is outside of our zoning regulation – we're simply regulating these as a land use. It's also important to note that we're not proposing any changes to the marijuana cultivator or any of that language within the bylaw. We're proposing a very narrow change to meet the legal requirement pushed upon us by the CCC adopting these two new license types.

Mr. DeLuca asked how much of the area's zone does the 500 foot buffer from schools preclude from these two new uses. Mr. Freas noted that the 500 foot buffer around schools is not in our zoning bylaw

because it is defined in the CCC regulations. The CCC has modified their interpretation of that 500 foot buffer - this came up when we recently permitted an independent testing laboratory at 16 Tech Circle. Previously, the CCC adjudicated that the 500 foot buffer adjudicated from property line to property line. There is clearly not 500 feet from the property and the share property line with the school, so the CCC modified their interpretation of those rules to be any structure within 500 feet. Mr. DeLuca said the Accept Collaborative is located at 4 Tech Circle also. Mr. Freas said that, if the CCC determines that Accept Collaborative is an educational use that precludes a marijuana-related use, they would put a 500 foot buffer around that which would preclude that area of tech circle. 16 Tech Circle is the closest building to the Brandon School and the CCC has found that this building meets their standard and regulations.

Mr. Pope asked whether day care counts as schools for this purpose. Mr. Freas said the CCC does NOT count day care facilities as schools during their review and that limits the availability of locations within the overlay district. My broader responses is that the options available to us under this bylaw, as it currently exists, is to allow these uses in either the retail marijuana overlay district, or in the industrial marijuana overlay district or in both and the decision reached with the Planning Board and the Select Board was to put this in the industrial overlay district because we didn't see these uses as being appropriate in the retail overlay district and this allows us to meet the charge of ensuring that there's available space in Natick where such a business could locate. We have to ensure that there's at least one space available within the area zone where this type of marijuana use could locate - we don't have to guarantee that they can find a space. They only need to provide the opportunity to locate there and that standard is met, even with the encroachment of the other educational or school-related uses within Tech Circle in that area. Mr. Pope noted that it sounds like the town is doing what it must and not a bit more.

Public Comments

Mr. Frank Foss, Moderator

Mr. Foss said he wanted to make certain he understood the action being taken here – that we are adding these two definitions and defining where they can be located in our zoning districts and it doesn't change any of the existing buffer zones. Mr. Freas confirmed this was correct. Mr. Foss said, for the purpose of Town Meeting, if we start to get into a great discussion of buffer zones and educational units and things like that, that's going to be outside of the scope of what this article is really doing. Mr. Freas confirmed this assessment.

Mr. Linehan moved to recommend Favorable Action on Article 26 Motion B, seconded by Mr. Evans, voted 8 – 2 – 1.

Roll-call vote:

Mr. Coburn = abstain	Mr. Linehan = yes
Mr. DeLuca = no	Mr. Pierce = yes
Mr. Evans = yes	Mr. Pope = yes
Mr. Gillenwater = yes	Mr. Scurlock = yes
Mr. Grome = no	Ms. Wollschlager = yes
Mr. LaFleur = yes	

Mr. DeLuca moved to refer Article 26 Motion B to the sponsor, seconded by Mr. Grome, NOT VOTED.

Debate:

Mr. Linehan said that this is something that is required because we no longer have a marijuana moratorium

Mr. Evans noted that one of the issues that was raised during the discussions was the impact of traffic coming out of the East Natick Industrial Park & Mr. Freas said that during the special permit process, the Planning Board can develop mitigation strategies to lessen the impact on the neighborhood. For example, when the FedEx distribution center located on Speen Street, there was a lot of discussion about the impact that would have on an already busy street and what happened is they restricted the hours and number of trucks that could come in / out of the facility and to my knowledge, accidents didn't increase and traffic wasn't worsened. If a courier locates in this industrial park, I very much doubt that it is going to be 18-wheelers coming out of the park; it's more likely to be something like an Amazon Prime van.

Mr. DeLuca said there are three components to this. The first two components, delivery courier and delivery operator components are fine. My concern is the third component is the other catch-all component which I find too vague and it doesn't define what other businesses could go in here. I also find that the current area that zoned for this is extremely restrictive. To start with, in terms of the way it's currently developed, it's mostly child-oriented businesses in that industrial park. And there are obviously buffer zones that need to be considered between Accept collaborative, though it sounds like Brandon School may not be within a buffer zone to be considered any further. If traffic is a nuisance, the inner parts of the industrial park may become less attractive. I think an analysis of all the types of businesses that are in this industrial park should be done and we should know where we can house the marijuana related uses. I think we need to look at other areas in town before we start just adding users to Tech Circle.

Mr. Grome agreed with Mr. DeLuca and couldn't support this in its current form.

Mr. Coburn thanked Mr. Freas for the work he did to bring this forward in support of an important proposition that we should care about, which is containing liability for the town. I say that because I won't be voting for it and I feel bad about that because this has been good work. I'm going to abstain because I won't vote against something that is important for the reasons that I just articulated. But will abstain because I'm not going to participate in affirming something that I think is a travesty in how the state of Massachusetts bungled this whole thing, and did towns like Natick a real disservice. I'm also going to oppose the referral motion.

Mr. Gillenwater said he is supporting positive action for a couple of different reasons. One of which is it needs to be done, - we have to put the retail marijuana establishment someplace - it's got to be done. If we don't do it affirmatively, it's most likely going to be done for us by a lawsuit or a challenge. I understand the concerns about other uses in there that might throw a buffer zone around it, daycare, etc. Part of that is because there shouldn't be a daycare or child uses within an industrial zone. The solution to that collision is not to further cripple the industrial zone, but move the nonconforming and non-industrial uses out of the industrial zone. So I'm going to support positive action and encourage others to do so and move along. Mr. Pope said while he agrees with the points that Mr. Coburn and Mr. DeLuca made, the fact is that the status forced this upon us and these restrictions might allow them theoretically to set up in this zone. Mr. Pope also said this may not be the best location, but it will be a landmine getting that approved by the town. That's why I support it, because I would support us banning marijuana in the town if it were up to a vote. I'm all for legalization of marijuana primarily so that people aren't arrested for marijuana use. But I'm not in favor of any retail establishment in this town. So this de minimus amount of allowance is exactly what we need to meet the legal liability and that's why I support it.

Article 13: Revolving Funds

MOTION (Requires a Majority Vote)

Move that the Town vote to reauthorize the following maximum expenditures from the listed revolving funds, established by the Town of Natick Bylaws, Article 41A, during the fiscal year beginning July 1, 2020, pursuant to Chapter 44, §53E ½ of the Massachusetts General Laws, as follows:

- Revolving Fund entitled DPW Vehicles, under the supervision of the Director of Public Works and the Town Administrator, up to and including \$200,000; and,
- Revolving Fund entitled Morse Institute Library Maintenance and Purchase of New Books and Related Materials, under the supervision of the Library Trustees, up to and including \$85,000; and,
- Revolving Fund entitled Morse Institute Library Maintenance and Repair of Library Facilities and Equipment, under the supervision of the Library Trustees, up to and including \$25,000; and,
- Revolving Fund entitled Community-Senior Center Rental, Maintenance and Improvement Projects, under the supervision of the Town Administrator, up to and including \$75,000; and,
- Revolving Fund entitled Flu Clinics, Immunization Programs, Pandemics and Emergency Preparedness, under the supervision of the Board of Health, up to and including \$40,000; and,
- Revolving Fund entitled Community-Senior Center Programs and Activities, under the supervision of the Council on Aging, up to and including \$95,000; and,
- Revolving Fund entitled Tobacco Control Programs and Enforcement, under the supervision of the Board of Health, up to and including \$25,000; and,
- Revolving Fund entitled Energy Conservation and Renewable Energy Projects, under the supervision of the Town Administrator, up to and including \$25,000; and,
- Revolving Fund entitled Tax Takings or Tax Title Foreclosures, under the supervision of the Finance Director, up to and including \$100,000; and,
- Revolving Fund entitled Curbside Compost Collection Program, under the supervision of the Town Administrator, up to and including \$20,000.

Questions from the Committee

Ms. Wollschlager noted that the revolving fund limits are the same as in FY 21.

Mr. Linehan asked whether inputs and outputs from revolving funds are anticipated to be approximately the same. Mr. Errickson said these revolving accounts have different types of revenues and different existing balances, regardless of the authorized amount. So if you look at DPW Vehicles, for example, it authorizes spending up to \$200,000. However, if the account has less than that amount, that overage cannot be spent.

Mr. DeLuca asked whether the revolving fund for pandemic and emergency preparedness included funds from state and other sources, including the federal government and said he is trying to figure out if the balance is too low. Mr. Errickson said the amounts that you're looking at are not balances, but are authorizing amounts that can be spent out of those revolving funds. Mr. DeLuca clarified that funding from state or federal grants or programs such as the cares act or other type programs would not go into a revolving account and we would set up some type of either reimbursement accounts, not revolving account. Mr. Errickson said revolving accounts by their nature receive either donations or revenue from a program such as a Recreation and Parks programs or Community Senior Center programs and those

funds go into a specified revolving fund account that then can be used for that purpose. In the case of the pandemic, we receive and continue to receive regular donations from various nonprofits in town and that money has put into this revolving accounts,

Mr. Evans moved to recommend Favorable Action on Article 13 and to recommend adding it to the Consent Agenda, seconded by Mr. Scurlock, voted by 10 – 0 – 0.

Roll-call vote:

Mr. Coburn = yes	Mr. Linehan = yes
Mr. DeLuca = yes	Mr. Pierce = yes
Mr. Evans = yes	Mr. Pope = yes
Mr. Gillenwater = yes	Mr. Scurlock = yes
Mr. LaFleur = yes	Ms. Wollschlager = yes

Debate

Mr. Evans noted that article is standard and the limits are set purposefully and merit re-authorization. Mr. Scurlock had not further comments.

Ms. Wollschlager said the appropriate explanations about what the revolving funds do so that, if the Moderator chooses to put this on the consent agenda, there will be enough information for Town Meeting to understand its purpose and why it's on the consent agenda

[Article 14: Establish and Authorize Revolving Fund for Cochituate Rail Trail Maintenance and Enhancements](#)

Mr. Errickson said the purpose of this Article is to create a revolving fund for maintenance and enhancement of the CRT. The Friends of Natick Trails have solicited and received donations totaling approximately \$100,000, primarily through sponsorships. However, the town needs a mechanism to spend those donations and that is the rationale for establishing this revolving fund. The idea is to help to offset town expenditures on maintenance and enhancements for the trail

Questions from the Committee

Mr. DeLuca posited that he would expect that the expenses in the first year of operation would be the highest with things like the benches or any other enhancements or improvements that need to be put in may come out of this \$100,000 is already been raised and asked how the \$50,000 cap determined. Mr. Ostroff said the \$50,000 is sufficient. Virtually everything associated with the CRT , including the \$12 million state and federally funds has been paid. This money is to handle additional needs for some landscaping or to help offset the cost of purchase of services and we don't expect a lot of that. We want this money to last a while because we don't expect to be taking in \$100,000 every year - \$50,000 feels right for this and if we're wrong we can correct it at Fall Town Meeting.

Mr. Linehan asked if there is a tax-friendly mechanism to contribute to this revolving fund. Mr. Ostroff said the Friends of Natick Trails have an agreement whereby the Friends turn proceeds over to the Town. Town Counsel has ruled that a gift given to the town is tax-deductible to the extent allowed by law

Mr. Evans commented in response to Mr. De Luca's question regarding the benches on the CRT – there are many benches situated along the path that are that are already in place and well secured.

Comments from the Public

Mr. Ostroff thanked the many people who helped make the CRT possible – individuals, local corporations like MathWorks, Landry's, Middlesex Bank, and TJX who are helping to support the expenses.

Mr. Coburn moved to recommend Favorable Action on Article 14, seconded by Mr. DeLuca, voted by 10 – 0 – 0.

Roll-call vote:

Mr. Coburn = yes	Mr. Linehan = yes
Mr. DeLuca = yes	Mr. Pierce = yes
Mr. Evans = yes	Mr. Pope = yes
Mr. Gillenwater = yes	Mr. Scurlock = yes
Mr. LaFleur = yes	Ms. Wollschlager = yes

Debate

Mr. Coburn noted that this is a great addition to our community and this is a reasonable and responsible way to support that amenity in town.

Mr. DeLuca said it makes sense to assist in funding and maintaining a new resource in town.

Mr. Evans noted that in earlier Finance Committee discussions on DPW, a member asked how the town was going to pay the cost to maintain and service the CRT, noting that they didn't want DPW to be saddled with that cost and responsibility. This revolving fund and the donations collected will greatly reduce that expense.

[Article 15: Rescind Authorized, Unissued Debt](#)

Move that the Town vote to rescind authorized debt approved under Article 16 Motion B of the 2020 Spring Annual Town Meeting in the amount of \$450,000 for the purpose of the cleanup of the contamination and park amenities at 90 Oak Street.

Mr. Errickson said that authorization for borrowing \$450,000 was approved at 2020 Spring Annual Town Meeting, as part of a Capital motion Article 16 Motion B to clean up the environmental contamination at Connor Heffler Park (next to East School). We are actively working through the cleanup of that project. At the Special Town Meeting the previous fall, Town Meeting authorized the borrowing of \$450,000 for the Cole Center roof project. This was not needed and therefore, we do not need the authority to borrow the \$450,000 for environmental remediation.

Debate:

Mr. Coburn asked what the timeframe for this cleanup is. Mr. Errickson said that some it depends on what the regulators say, noting that the town is working with MassDEP, the EPA and others to ensure that sure we're following the rules. We are actively doing design work on the final design of the cap to encapsulate the contamination. Part of this funding will be used for continued design as well as ongoing investigatory work in the field. The hope is that once we get approval on design that we can implement this in summer 2021. Mr. Errickson noted that the town has a high level of confidence that the \$450,000 will cover these needs.

Mr. Evans moved to recommend Favorable Action on Article 15, seconded by Mr. Pierce, voted by 10 – 0 – 0.

Roll-call vote:

Mr. Coburn = yes	Mr. Linehan = yes
Mr. DeLuca = yes	Mr. Pierce = yes
Mr. Evans = yes	Mr. Pope = yes
Mr. Gillenwater = yes	Mr. Scurlock = yes
Mr. LaFleur = yes	Ms. Wollschlager = yes

Mr. Evans moved to close the public hearings, seconded by Mr. Pierce, voted 10 – 0 – 0.

Roll-call vote:

Mr. Coburn = yes	Mr. Linehan = yes
Mr. DeLuca = yes	Mr. Pierce = yes
Mr. Evans = yes	Mr. Pope = yes
Mr. Gillenwater = yes	Mr. Scurlock = yes
Mr. LaFleur = yes	Ms. Wollschlager = yes

Mr. Pierce moved to adjourn, seconded by Mr. Coburn, voted by 10 – 0 – 0.

Roll-call vote:

Mr. Coburn = yes	Mr. Linehan = yes
Mr. DeLuca = yes	Mr. Pierce = yes
Mr. Evans = yes	Mr. Pope = yes
Mr. Gillenwater = yes	Mr. Scurlock = yes
Mr. LaFleur = yes	Ms. Wollschlager = yes

MEETING ADJOURNED 11:05 PM

Mr. Pierce moved to adjourn, seconded by Mr. Coburn, voted 10 – 0 – 0.

Roll-call vote:

Mr. Coburn = yes

Mr. DeLuca = yes

Mr. Evans = yes

Mr. Gillenwater = yes

Mr. LaFleur = yes

Mr. Linehan = yes

Mr. Pierce = yes

Mr. Pope = yes

Mr. Resmini = yes

Mr. Rooney = yes

Mr. Scurlock = yes

Ms. Wollschlager = yes

MEETING ADJOURNED 11:05 PM