

## **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 21, 2023**

The minutes were approved through the following action:

Motion:

Made by:

Seconded by:

Vote: 0 – 0 – 0

Date: X, 2023

Respectfully submitted,

Linda Wollschlager

Chair

Natick Finance Committee

Finance Committee  
Town of Natick  
Minutes for the meeting of March 21, 2023

Meeting Location: Natick Town Hall, School Committee Meeting Room  
And virtual by Zoom: <https://us02web.zoom.us/j88324467728>  
Meeting: ID88324467728  
Passcode: 906139  
One tap mobile: +19292056099

Meeting may be televised live and recorded by Natick Pegasus. Any times listed for specific agenda items are approximate and not binding. Please note the committee may take the items on this agenda out of order.

The meeting was called to order at 7:02 pm

## AGENDA

- 1) Call to Order
- 2) Announcements
- 3) Public Comments
- 4) Meeting Minutes - September 27, 2022
- 5) Town Administrator's FY24 Budget Public Hearing
- 6) 2023 Spring Annual Town Meeting Warrant Article Public Hearing
  - [Article 20: Amend the Town of Natick By-Laws: Create New Committee](#)
  - [Article 23: Amend the Town of Natick By-Law 79A](#)
  - [Article 33: Charles River Dam Advisory Committee Report](#)
  - [Article 34: Charles River Dam](#)
  - [Article 35: Dam Preservation Committee](#)
- 7) Scheduling
- 8) Committee discussion
- 9) Adjourn

## Roll Call

Members present; Note R-denotes members attending remotely

Hossam Behery - R  
Dirk Coburn  
David Coffey - R  
Lawrence Forshner  
Todd Gillenwater  
Cody Jacobs  
Grace Keeney - R  
Toby Metcalf

Richard Pope  
Phil Rooney  
Patti Sciarra  
Linda Wollschlager  
Daniel Zitnick - R

Motion made by Ms. Sciarra, seconded by Mr. Coburn to open the hearing on the FY2024 Town Meeting warrant. Motion was approved 13-0-0, all members present voting in the affirmative.

## **Article 20**

Jamie Errickson, Town Administrator and Claire Rundelli, Conservation Agent/Planner, presented.

At the fall 2022 election, Natick voters approved the Community Preservation Act (CPA). Per MGL Chapter 44 B, the Community Preservation Act legislation, the town needs to establish a Community Preservation Committee (CPC) to review applications for funding and to recommend projects to Town Meeting for approval.

The CPA surcharge will go into effect FY24, starting with the July tax bills, so there is no funding at present.

A minimum of 10% of the funds generated each fiscal year by the surcharge must be spent in one of the three categories: open space and recreation, historic preservation or affordable housing. Additional funding can be set aside by recommendation of the committee by town meeting for projects for which the full funding is not yet available. That funding can then be added to in future years until the full project cost is available.

The committee is proposed to consist of 9 members: 5 set by statute – one each from the Conservation Commission, the Recreation and Parks Commission, the Natick Housing Authority, the Historical Commission, and the Planning Board – and 4 to be appointed by the Select Board. Town Meeting members are eligible to serve on the CPC.

The town will support the committee through a full-time staff member in the Community and Economic Development department, starting in January. The budget for that staff person is in the FY 24 budget. If the town chooses not to fund that staff position, 5% of the funds that are acquired each year through the Community Preservation surcharge can go towards the administration of the bylaw.

A question was asked by Ms. Sciarra regarding the budgeted amount for the CPA staffer. Mr. Jabobs noted that the FY24 budget book has \$35,700 for the position. Mr. Forshner asked if CPA funds can be used to rehabilitate existing public affordable housing, the answer was no.

Ms. Keeney asked about the time limit for the Select Board appointments and was told 60 days. Ms. Wollschlager asked if town counsel had reviewed the proposed by law, the answer was yes.

Motion made by Mr. Coburn, seconded Ms. Sciarra to recommend Favorable action on the subject matter of Article 20 as provided in the printed materials.

Motion carried by a vote of 13-0-0, all members present voting in the affirmative.

### **Article 23**

Ms. Rundelli presented Article 23, to amend Article 79A of the By-laws, aimed at streamlining the approval process for permits to address stormwater run-off. The proposed change will reduce the need for duplicate review in building permits for single family lots.

The updated stormwater management and erosion control bylaw was adopted by Fall Town Meeting in 2019 and the rules and regulations that went along with that bylaw were adopted by the Conservation Commission in October of 2020. We've had about 18 months to two years of implementing the bylaw and have seen some potential areas for improvement. 62 of 102 stormwater permit applications that the town has received under the current bylaw could have been reviewed under the proposed Administrative Approval Process, thereby reducing burden not only on the staff for a duplicate review, but also on the applicant for filing for another permit and paying additional permit fees.

Ms. Rundelli reviewed the redline version of the article vs the current bylaw and described each of the changes in detail. The committee had questions regarding who is involved with design approval, the cubic yard thresholds vs other communities, the ability to appeal, the impact on inspections and why this article applies to single family home only.

Motion made by Mr. Gillenwater, seconded by Mr. Coburn to recommend favorable action on the subject matter of Article 23.

Motion carried by a vote of 13-0-0, all members present voting in the affirmative.

### **Article 33**

Mr. Saul Beaumont spoke to this article, which is seeking to have the Charles River Dam Advisory Committee report discussed at Town Meeting. Mr. Beaumont stated that there has been no public evaluation of the report other than the few individual questions expressed at Select Board meetings. A petition was made to the Select Board to place a non-binding question on the town ballot asking if the Select Board should approve repair of the Natick Charles River Dam. The Select Board rejected the petition by a vote of five to zero, expressing the concern that the voters would not understand the complex situation and voting results would be misleading.

Ms. Wollschlager noted that a letter from town counsel states that town meeting has the

authority to hear reports from committees created by town meeting. When a committee was not created by town meeting, such as the Charles River Dam Advisory Committee which was created by the town administrator, there is no authority for town meeting to require that committee to report to town meeting.

Mr. Rooney also noted that town counsel's letter stated that regardless of what comes out of town meeting, it's up to the Select Board to make the decision with respect to what happens with the dam.

Mr. Jacobs asked why this article was needed and couldn't any discussion of the report take place under Article 34. Mr. Beaumont stated that there may be a time limit on discussion.

Mr. Coburn, the Finance Committee representative to the Charles River Dam Advisory Committee, asked if the advisory committee doesn't explain the report, how will this shed light on how the report was developed?

Other members raised questions about how much public discussion has already been had on the report, the effect of the article on the Select Board's decision and whether any new scientific information would be available.

Natick residents Roger Scott, Tom Palmer, Richard Winchester and Candy Holton spoke in favor of the article.

Motion made by Mr. Coffey, seconded by Mr. Jacobs for Indefinite Postponement on the subject matter of Article 33. Motion made by Ms. Sciarra, seconded by Mr. Metcalf for favorable action on the subject matter of Article 33.

ROLL CALL on Indefinite Postponement

Mr. Behery - no  
Mr. Coburn - no  
Mr. Coffey - yes  
Mr. Forschner - no  
Mr. Gillenwater - yes  
Mr. Jacobs - yes  
Ms. Keeney - yes  
Mr. Metcalf - no  
Mr. Pope - yes  
Ms. Sciarra - no  
Mr. Zitnick - yes  
Ms. Wollschlager - yes

Motion for Indefinite Postponement fails 7-5-0 (Note 8 votes are needed for a recommendation)

Motion for Positive action

#### ROLL CALL

Mr. Behery - no  
Mr. Coburn - no  
Mr. Coffey - no  
Mr. Forschner - abstain  
Mr. Gillenwater - no  
Mr. Jacobs - no  
Ms. Keeney - no  
Mr. Metcalf - yes  
Mr. Pope - no  
Ms. Sciarra - yes  
Mr. Zitnick - no  
Ms. Wollschlager - no

Motion by Favorable Action failed by a vote of 2-9-1.

#### **Article 34**

Mr. Beaumont spoke to Article 34 which is to request the Select Board to initiate repairs of the native Charles River Dam using funding previously authorized by Town Meeting.

Mr. Beaumont noted that the Select Board voted to remove the dam on November 9, 2022, and in doing so acted against the desires of many residents who wrote to them, many people who testified to them, and the more than 2200 signers of the petition to save the dam. The Select Board vote was not unanimous. It was four to one with only Michael Hickey voting against removal. Mr. Beaumont quoted Mr. Hickey's remarks detailing the historical significance of the dam.

Ms. Wollschlager informed the meeting of the opinion of Town Counsel that this Article has no binding or legal effect.

Former Finance Committee member Dan Sullivan spoke to the adverse effect on Town Meeting participation that continuing to bring up this issue over again might have. He also noted there was ample opportunity to provide commentary at various public meetings.

Roger Scott and Richard Winchester spoke in favor the of article. Mr. Winchester mentioned his concern about the possibility that toxic waste could flow into town wells.

Motion made by Mr. Jacobs, seconded by Ms. Sciarra for Referral to the Select Board on the subject matter of Article 34. Motion made by Mr. Coffey, seconded by Mr. Pope for Indefinite Postponement on Article 34.

ROLL CALL on Referral to the Select Board

Mr. Behery – yes  
Mr. Coburn – yes  
Mr. Coffey – no  
Mr. Forschner – yes  
Mr. Gillenwater – no  
Mr. Jacobs – yes  
Ms. Keeney – no  
Mr. Metcalf – yes  
Mr. Pope – no  
Ms. Sciarra – yes  
Mr. Zitnick – yes  
Ms. Wollschlager – no

Motion for Referral Fails by a vote of 7-5.

ROLL CALL on Indefinite Postponement

Mr. Behery – yes  
Mr. Coburn – yes  
Mr. Coffey – yes  
Mr. Forschner – no  
Mr. Gillenwater – yes  
Mr. Jacobs – yes  
Ms. Keeney – yes  
Mr. Metcalf – yes  
Mr. Pope – yes  
Ms. Sciarra – yes  
Mr. Zitnick – no  
Ms. Wollschlager – yes

Motion for Indefinite Postponement carries by a vote of 10-2

**Article 35**

Mike Trinidad presented Article 35, which proposes to create a new Dam Preservation Committee (DPC) to explore and develop a comprehensive plan for the preservation and repair of the dam. The committee would consist of seven members: 5 appointed by the Select Board and 2 by members of savethedam.org. No member of the DPC will have served on previous Dam Advisory committee.

Ms. Wollschlager expressed the opinion of town counsel on this article, which is that Town Meeting may create a committee, but it would be at best advisory since the Select Board has authority concerning real property.

Ms. Sciarra asked about the funding source for this article. The proponent stated that prior funding for repair could be used for this purpose, however this was not able to be confirmed. Mr. Behery asked about the proposed timeline (12 months). Mr. Coburn asked about the rationale for excluding people who served on the advisory committee, including town staff who have professional responsibilities related to the dam.

Resident Larry Slotnick spoke in support of Article 35. Dan Sullivan stated that exclusion of prior dam committee members is relatively unprecedented.

Motion made by Ms. Sciarra, seconded by Mr. Coburn for Referral to the sponsor on the subject matter of Article 35. Motion made by Mr. Coffey, seconded by Mr. Jacobs for Indefinite Postponement on the subject matter of Article 35

#### ROLL CALL on Referral

Mr. Behery - no  
Mr. Coburn - yes  
Mr. Coffey - no  
Mr. Forschner - yes  
Mr. Gillenwater - no  
Mr. Jacobs - no  
Ms. Keeney - no  
Mr. Metcalf - yes  
Mr. Pope - no  
Ms. Sciarra - yes  
Mr. Zitnick - no  
Ms. Wollschlager - no

Motion for Referral fails by a vote of 4-8-0

#### ROLL CALL on Motion for Indefinite Postponement

Mr. Behery - yes  
Mr. Coburn - yes  
Mr. Coffey - yes  
Mr. Forschner - yes  
Mr. Gillenwater - yes  
Mr. Jacobs - yes  
Ms. Keeney - yes  
Mr. Metcalf - no  
Mr. Pope - yes  
Ms. Sciarra - no  
Mr. Zitnick - yes  
Ms. Wollschlager - yes



Motion for Indefinite Postponement carries by a vote of 10-2-0

Motion made by Mr. Coburn, seconded by Mr. Gillenwater to close the public hearing passed by a vote of 12-0-0, all members present voting in the affirmative.

Education Sub-committee is scheduled to meet on March 22. Full Committee meeting on Thursday will have a full agenda.

Motion made by Mr. Gillenwater, seconded by Ms. Sciarra to approve the minutes of September 27, 2022, with minor amendment approved by a vote of 12-0-0.

Motion made by Mr. Gillenwater, seconded by Mr. Coburn to adjourn approved by a vote of 12-0-0, all members voting in the affirmative.

Meeting adjourned at 10:41pm.