

NATICK SELECT BOARD

AGENDA

School Committee Meeting Room, 3rd Floor,
Natick Town Hall, 13 East Central St., Natick and
via Zoom

Thursday, April 18, 2024

6:00 PM

[https://zoom.us/j/91200224901?](https://zoom.us/j/91200224901?pwd=N1B1NVFjRUJxNUtuZkVyRkVJUSltZ09)

pwd=N1B1NVFjRUJxNUtuZkVyRkVJUSltZ09

Meeting ID: 912 0022 4901 Passcode: 920750

Mobile: 301-715-8592

Agenda Posted Tuesday, 4/16/24 at 10:30 am

(Times listed are approximate. Agenda items will be addressed in an order determined by the Chair.)

1. 6:00 PM OPEN SESSION AND CALL TO ORDER

2. PUBLIC SPEAK

Any individual may raise an issue that is not included on the agenda and it will be taken under advisement by the Board. There will be no opportunity for debate during this portion of the meeting. This section of the agenda is limited to 15 minutes, and any individual addressing the Board during this section of the agenda shall be limited to five minutes.

3. DISCUSSION AND DECISION

A. 2024 Special Town Meeting #1 Warrant Articles

4. 9:00 PM ADJOURNMENT

Agenda posted in accordance with Provisions of M.G.L. Chapter 30, Sections 18-25

Meeting recorded by Natick Pegasus

ITEM TITLE: 2024 Special Town Meeting #1 Warrant Articles
ITEM SUMMARY:

ATTACHMENTS:

Description	Upload Date	Type
Warrant	4/11/2024	Cover Memo

**WARRANT
SPECIAL TOWN MEETING #1
APRIL 23, 2024**

THE COMMONWEALTH OF MASSACHUSETTS

Middlesex, ss

To Any Constable of the Town of Natick in said County:
Greeting:

In the name of the Commonwealth of Massachusetts you are required to notify the qualified Town Meeting Members of the said Town of Natick to meet on **Tuesday, April 23, 2024, at 7:30 PM**, Natick High School, Natick, MA, then and there to act on the following Articles:

Article 1	Charter and ByLaw Review Committee Report and Extension
Article 2	Charter and ByLaw Changes

Article 1
Charter and ByLaw Review Committee Report and Extension
(Charter and Bylaw Review Committee)

To see what action the Town will take to hear a report of the Charter and ByLaw Review Committee,

To see what action the Town Meeting will take to extend or to revise the term of the Charter and ByLaw Review Committee

To see what action the Town Meeting will take to appropriate funds to continue work with special legal counsel or town counsel and to authorize, if necessary, the Charter and ByLaw Review Committee to use such counsel

Or otherwise act thereon.

Article 2
Charter and Bylaw Changes
(Charter and Bylaw Review Committee)

To see what action(s) the town will take, consistent with the scope of this town meeting warrant article, to amend the Town of Natick Home Rule Petition for “An Act to Amend the Town of Natick home Rule Charter” voted under Article 25 of 2023 Fall Annual Town Meeting (the “Special Act Petition ”) by adding provisions pertaining to the following:

Representative Town Meeting - Charter Article 2

1) to amend, modify, replace and/or delete the language regarding the quorum of representative town meeting (including possibly rescinding, revising and/or revoting changes to the quorum that were voted under Article 25 of 2023 Fall Annual Town Meeting); and/or to amend or modify the language of Charter Article 2 to decrease or increase the number of representative town meeting members;

Select Board - Charter Article 3, section 3-2

(2) to amend or modify the language of the powers and duties and/or appointment powers of the Select Board under Charter Article 3 to have certain appointments instead made by the town administrator, to specify such appointments, to specify which if any such appointments would be subject to the review and affirmative vote approval of the Select Board, (provided that any such change to additional duties, powers and/or appointing authority for the town administrator under this paragraph and under any paragraph above or below can only occur if provisions for removal or suspension for the Town Administrator currently provided for in Charter Article 4 are changed to less than unanimous attendance by the Select Board) and/or to modify or amend the language in Charter Article 4, section 4-2-3 and or elsewhere to specify or to authorize any appointments to be made subject to review and affirmative vote approval of the Select Board;

(3) to modify the restriction currently in Charter Article 3 section 3-2 on the Select Board broad policy guidelines to allow specific policies that are capable of being followed by others serving under the overall supervision or authority of the Select Board but still not involving involvement by the Select Board in day to day operations or administration and /or to specify that the chief policy making agency role of the Select Board is a role exercised as a town agency;

(4) to amend or modify the language in Charter Article 3, section 3-2 of the powers and duties of the Select Board to include or to specify that the Select Board shall serve in a policy making, review and oversight capacity as the commissioners of parks, public works, roads, water and sewer, police, fire and other functions, if any, to be specified;

(5) to specify, within Charter Article 3, section 3-2(b) or elsewhere in Charter Articles 3 or 4, that performance review of the town administrator is to be conducted by the Select Board both on its own behalf and on behalf of the town overall and other elected officers, their appointees and representative town meeting.

Town Counsel - Charter Article 3; Charter Article 6

(6) to amend or modify the language with regard to town counsel either

(i) to amend or modify the language of the appointment of town counsel in Charter Article 3, section 3-2 to remove the singular and one year limitation and to provide that such appointment(s) be subject to bylaw, if any, and to permit, subject to bylaw, if any, other elected officers, boards or committees either (a) to appoint special counsel or (b) to approve the appointment of legal counsel to advise such elected officers, boards or committees on their respective duties;

(ii) to remove the references in Charter Article 3, section 3-2 regarding town counsel and provide for such Select Board appointment of town counsel within Charter Article 6; and/or

(iii) to amend or modify the language of Charter Article 6 to authorize other elected officers, boards or committees either (a) to appoint special counsel or (b) to approve the appointment of legal counsel to advise such elected officers, boards or committees on their respective duties.

Moderator - Charter Article 3-10

(7) (i) to authorize the Moderator in Charter Article 3 section 3-10 (b) to appoint a deputy moderator to preside over representative town meeting in the absence of the Moderator, or (ii) in the alternative, in an additional section or subsection under Charter Article 3, to provide for such deputy moderator as an elected office of the town, and/or (iii) to authorize the town to specify the term, duties and responsibilities and other provisions of such Deputy Moderator in Charter Article 3 and/or a bylaw and/or (iv) to determine whether any appointment of a Deputy Moderator should be subject to the approval of representative town meeting.

(8) To modify or amend the language of Charter Article 3 section 1 (g) concerning vacancy in the office of Town Moderator or to include the existing language in the Special Act Request notwithstanding any general law to the contrary;

Town Administrator - Charter Article 4

(9) to amend or modify the language of Charter Article 4 (*and other associated references within the Charter*) to rename the town administrator position as town manager, to provide additional appointments to be made by the town administrator whether in the charter or in bylaw, to authorize contract approval powers of the town administrator to be developed in a bylaw, to provide the town administrator a screening and or recruitment role in appointments retained by the Select Board;

(10) to amend or modify the language of the provisions, procedure and/or requirements for attendance by and/or quantum of vote of the Select Board in Charter Article 4 regarding removal or suspension of the town administrator (provided that any change to create additional duties, powers and/or appointing authority for the town administrator under this paragraph or any paragraph above or below can only occur if the provisions for the removal or suspension of the Town Administrator under Charter Article 4 are changed to less than unanimous attendance by the Select Board) and further to provide that any new or revised process in Charter Article 4 be no more burdensome or onerous or disadvantageous to the Select Board than the existing process, and/or to require that any employment contract with the town administrator be consistent with the provisions of the Charter notwithstanding any other provision of the general laws to the contrary;

(11) to amend or modify the language of the provisions in Charter Article 3 section 2 (c) and Charter Article 4, section 4-1 on the appointment of a town administrator regarding a minimum term of three years and a maximum term of five years to authorize a lesser minimum term and/or a lesser maximum term and to change the quantum of vote for a term longer than 3 years to a 2/3rds or other supermajority of the Select Board and/or to amend the initial clause in Charter Article 3 section 2 (c) regarding references to Charter Article 6 and/or to change the language in Charter Article 3 section 2 (c) regarding the appointment of the town administrator to refer to the requirements in Charter Article 4 to eliminate duplicate language concerning the appointment and term of the town administrator; and /or to amend or modify the provisions of Charter Article 2 Section 4-3 (b) and 4-3 (c) to provide for longer terms, more renewal terms and revised cap on such terms of an acting town administrator and/or to amend the appointment powers of an acting town administrator to make permanent appointments subject to advance authorization and/ or required approval by the Select Board;

(12) to amend or modify or to remove the current reference to personnel board and its role in Charter Article 4, section 4-2(4) to provide (i) that the town administrator may be assisted or advised by a personnel board and (ii) that the extent of the role of the personnel board, if any, be specified in a bylaw;

(13) to amend or modify the reference to Generally Accepted Accounting Principles in Charter Article 4, section 4-2(13) and to authorize de minimis or immaterial exceptions to the inventory requirement.

Matters and Provisions in Charter Article 6

(14) to remove the text of Charter Article 6, section 6-3 Office of the Comptroller and Charter Article 6, section 6-4 Town Treasurer Collector and Charter Article 6 section 6-5 Town Clerk and to authorize the subject matter of the appointments, qualifications, terms of office, powers and duties, vacancies and assistants, if any, to be provided in bylaw and/or to provide that the existing text of Charter Article 6, sections 6-3 and 6-4 and 6-5 shall remain in effect until a bylaw dealing with any or all of the existing provisions of Charter Article 6, sections 6-3 and 6-4 and 6-5 respectively are adopted and in effect;

(15) to authorize the town administrator to make minor changes, with the approval of the Select Board, to the town's administrative organization and creation or abolition of new positions of town agencies serving under the control of the town administrator and to establish the conditions for such reorganizations and to define and or to limit the authorizable scope of such minor reorganizations with such authorizable scope possibly but not necessarily being limited to (i) town agencies with similar or overlapping technical disciplines, (ii) actions which do not modify or contradict the bylaws regarding any town agency, or (iii) other limitation(s);

(16) to authorize or provide for the appointment or selection of town counsels and or special town counsels whether in the Charter itself or to create a Charter provision to authorize for such appointments to be provided within the town bylaws;

(17) to provide that reorganizations, creation or abolition of town agencies by bylaw shall take precedence over administrative code actions and to define the term "administrative code";

(18) to insert language in Charter Article 6 providing for existing, new or changed appointments to be made by the Select Board and/or town administrator, and/or to specify which appointments made by the town administrator will be subject to the review and affirmative vote approval of the Select Board and/or to modify or to delete language on appointments accordingly in Charter Article 3 and Charter Article 4 Section 4-2-3 respectively;

(19) to insert language in Charter Article 7, section 7-9 providing that meetings of multiple member bodies shall or can be called either by the chairperson or 1/3rd of the members of such multiple member bodies and to provide for the ways and means of notice of such meetings to all members of such multiple member bodies;

(20) to amend or modify the language of Charter Article 7, section 7-10 to make clear that the requirement for public notices of vacancies in appointed positions includes and applies to expirations of appointed terms whether or not a vacancy as such has occurred or is anticipated to occur.

Other

(21) to develop transition provisions, develop new definitions or modify existing definitions to implement any or all of the above as applicable;

(22) to amend or modify the text of the Charter Articles 1 through 7 inclusive to remove gender specific references and adopt gender neutral, position specific or position neutral references in their place; and/or to remove obsolete references, if any, in Article 3 regarding an elected town clerk;

(23) to amend or modify the language in Charter Articles 1 through 7 inclusive of the requirements and or definitions regarding postings in a local newspaper;

(24) To amend the language of Charter Article 2 section 12 Proceedings of Town Meeting to provide that the Select Board may call a special town meeting for the appropriation and/or determination of the expenditure or commitment of town funds as an alternative to such financial articles having to be on the Spring or Fall annual town meeting and/or that the Fall annual town meeting does not have to be primarily concerned with the appropriation or other matters involving town funds.

General

(25) To modify the Yes/No question in the Special Act Request to include amendments voted under this article at a town meeting(s) subsequent to 2023 Fall Annual town Meeting

(26) It is noted that for the purposes of this warrant article language the term “town administrator” and “town manager” shall refer to the office of town administrator under the current charter

Or to take any other action related thereto.

You are directed to serve this Warrant by causing an attested copy of said Warrant to be posted in the Post Office in said Natick, and at the following public places in said Natick, to wit: Precinct 1: Reliable Cleaners, 214 West Central Street; Precinct 2: Cole Recreation Center, 179 Boden Lane; Precinct 3: Kennedy Middle School, Mill Street; Precinct 4: 2 Summer St.; Precinct 5: Wilson Middle School, Rutledge Road; Precinct 6: East Natick Fire Station, Rhode Island Avenue; Precinct 7: Lilja Elementary School, Bacon Street; Precinct 8: Natick High School, 15 West Street; Precinct 9: Community Senior Center, 117 East Central Street; and Precinct 10: Memorial Elementary School, 107 Eliot Street.

Above locations being at least one public place in each Precinct, in the Town of Natick, and also posted in the Natick U.S. Post Office, Town Hall, Bacon Free Library and Morse Institute Library seven days at least before April 23, 2024; also by causing the titles of the articles on the Warrant for the 2024 Special Town Meeting #1 to be published once in “*The Metrowest Daily News*” with

notice of availability of an attested copy of said Warrant, said Newspaper published in the Town of Natick and said publication to be March 21, 2024.

Hereof fail not and make due return of this Warrant with your doings thereon to the Town Clerk at or before the time appointed for holding said meeting.

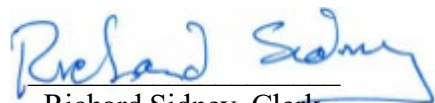
Given under our hands this 15^h day of March, 2024.

Select Board for the Town of Natick

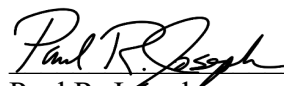


Bruce T. Evans, Chair

Kathryn M. Coughlin, Vice Chair



Richard Sidney, Clerk



Paul R. Joseph
Member

Kristen L. Pope
Member

Certified copies of the Warrant are available at the Office of the Town Clerk, Natick Town Hall, 13 East Central St., Natick, MA between the hours of 8:00 a.m. - 5:00 p.m., Monday through Wednesday; 8:00 a.m.- 7:00 p.m. on Thursday; and 8:00 a.m.-12:30 p.m. on Friday. The Warrant may also be accessed from the Town website www.natickma.gov.