



Pursuant to a warrant dated April 7, 2014, signed by Selectmen, Patrick J. Ahearn, Nancy C. Hyde and Philip N. Shapiro, the inhabitants of Westwood qualified to vote in Elections and Town affairs, convened in the Westwood High School Auditorium on Monday May 5, 2014 at 7:30 p.m.

Moderator Anthony Antonellis declared the presence of a quorum with Two Hundred and Forty (240) registered voters in attendance calling the meeting to order at 7:44 p.m. The return on warrant was read, after which all stood for the pledge of Allegiance to the Flag which was led by Westwood Boy Scout Troop 3. The next order of business was the swearing in of newly elected officials by Town Clerk, Dottie Powers. The Town then voted unanimously on the Selectmen's move to dispense the reading of the articles and full warrant, and to adjourn the meeting until 7:30 p.m. on Tuesday, May 6, 2014 if business was not completed by 10:45 p.m.

Four resolutions were presented and read:

The first resolution was presented to Philip N. Shapiro by Chairman of the Board of Selectman, Nancy C. Hyde.

Whereas, Philip N. Shapiro served as a member of the Board of Selectmen from 2008 to 2014, appointed Chairman in 2010 and 2013, and

Whereas, during his term on the Board of Selectmen, he selflessly gave his time and dedication to the Westwood Community, and

Whereas, under his Chairmanship, he created, appointed and oversaw the Other-Post-Employment-Benefit Task Force, Audit Committee, chaired the Long Range Financial Planning Committee, served as the liaison to the Economic Development Advisory Board, and issued the first alcohol licenses for the sale of off-premise consumption for food stores, and

Whereas, during his term he participated in the recruitment and screening of several municipal appointments including two DPW Directors and the Police Chief, and

Whereas, he was involved with consistently balancing the operating and capital budget and contributed to the financial management of the Town which has resulted in Westwood receiving a AAA bond rating, and

Whereas, he was involved in the approval and funding of the Westwood Public Library, and actively participated in the negotiation of the Reimbursement Agreement and Development Agreement for Westwood Station and subsequently University Station, and

Whereas, he actively participated in the approval of the University Station Project from land acquisition to approval at the 2013 Special Town Meeting, supporting the Planning Board's implementation of a mixed use overlay district, encouraging smart growth, negotiating and working with State Officials, including, but not limited to Mass DOT, and Office of Housing and Economic Development, and

Whereas, he oversaw the creation and implementation of Westwood Day, working with the Recreation Department for approvals necessary including, but not limited to, street closings, vendor participation, and presentations, and

Whereas, during his term as Selectman he was the representative on various board and committees including the Economic Development Advisory Board, Housing Partnership Fair Housing Committee, John Cronin Public Service Award Committee, Local Emergency Planning Committee, Long Range Financial Planning Committee, and

Whereas, prior to his term as Selectman he was an active member of various other board and committees within the Westwood Community including the Charter Study Committee, Finance Commission, Business Development Task Force, Organization for the Preservation of the Environment and Nature (OPEN), and the Board of Assessors, and

Whereas, during his term of office he demonstrated the qualities of leadership, setting examples of fairness, hard work, and loyalty, and always remained selflessly committed to the betterment of the Westwood community.

Be it therefore resolved that the Town of Westwood, by vote of those present at the 2014 Annual Town Meeting, officially recognize and express its gratitude to Philip N. Shapiro for his dedicated service to the Town, and

Be it further resolved that this Resolution be placed in the official records of the Town and a copy be given to Philip N. Shapiro.

The second resolution was presented to Mary Feeley by Selectman, Philip N. Shapiro.

Whereas, Mary T. Feeley served on the Board of Library Trustees for twelve years from 2002 through 2014, and the Westwood School Committee for six years from 1989 to 1995 and the Westwood Finance Commission for - four years from 1994 to 1998, and

Whereas, during her terms on the Library Trustees, she was elected several times as Chairman and Clerk, and in her terms as Library Trustee she was a strong supporter of lifelong learning for all Westwood citizens, and whereas she was the first elected Treasurer of the public library's non-profit corporation and in that role established sound financial practices, and

Whereas, during her terms on the School Committee, she was elected as Chairman and Clerk and was an articulate advocate for the children of Westwood, and

Whereas, during her term on the Finance Commission she used her professional knowledge to make sound financial decisions to the benefit of the Town, and

Whereas, Mary, in her more than twenty years of service to the Town has in all her efforts demonstrated an exemplary commitment to make Westwood better for all its residents.

Be it therefore resolved that the Town of Westwood, by vote of those present at the 2014 Annual Town Meeting, officially recognizes and expresses its gratitude to Mary T. Feeley for her dedicated service to the Town, and

Be it further resolved that this resolution be placed in the official records of the Town and a copy be given to Mary Feeley.

The third resolution was presented to Louis C. Valentine II by Selectmen, Patrick J. Ahearn.

Whereas, Louis C. Valentine II served on the Personnel Board for twelve years from 2002 through 2014, and also participated in numerous Westwood community events with the Mass Cruisers Auto Club, and

Whereas, during his terms on the Personnel Board, he was elected Vice Chair and Chairman, and in his terms he oversaw the creation and growth of the Human Resources Department to incorporate employee and retiree Benefits Administration, and the recruitment of a new Human Resources Director, and

Whereas, throughout his service on the Personnel Board he consistently provided sound judgment and equitable practices on issues of recruitment, compensation, classification, and labor relations, and oversaw multiple revisions of Personnel Policies, and the application of best practices related to employment, and

Whereas, Lou, in his more than twelve years of service to the Town has in all his efforts demonstrated an exemplary commitment to the fair application and administration of Personnel Policies.

Be it therefore resolved that the Town of Westwood, by vote of those present at the 2014 Annual Town Meeting, officially recognizes and expresses its gratitude to Louis C. Valentine II for his dedicated service to the Town, and

Be it further resolved that this resolution be placed in the official records of the Town and a copy be given to Louis C. Valentine II.

The Fourth resolution was presented to Ellen Mason by Selectman, Patrick J. Ahearn.

Whereas, Ellen R. Mason was elected and served for three consecutive terms on the Westwood School Committee from 2005 through 2014, and

Whereas, during her terms on the School Committee she was twice elected Chairman, in 2008-2009 and 2013-2014, and

Whereas, in her nine years of dedicated service, she was an unwavering advocate for the students and families of the Westwood community, always striving to make the public schools the best they could be, and

Whereas, she continually demonstrated her commitment to improve the level of communication between the school and community, and,

Whereas, she always exercised sound judgment and made responsible decisions that were in the best interest of the schools and the residents of Westwood, and,

Whereas, in her role as steward of the Westwood Public Schools, she oversaw the improvement of our school facilities, including the completion of the high school building project in 2007 and the addition to the Thurston Middle School in 2009.

Whereas, in the nine years she served on the Committee, the Westwood Public Schools received many accolades, including the naming of Westwood High School as a 2012 National Blue Ribbon School of Excellence.

Be it therefore resolved that the Town of Westwood, by vote of those present at the 2014 Annual Town Meeting, officially recognizes and expresses its gratitude to Ellen R. Mason for her dedicated service to the Town, and

Be it further resolved that this resolution be placed in the official records of the Town and a copy be given to Ellen R. Mason.

The John J. Cronin Public Service Award was then presented to Anthony J. Antonellis who was chosen as the 12th recipient, for his exemplary service, dedication and commitment to the Town of Westwood by Nancy C. Hyde, Chairman of the Board of Selectmen as follows:

Each year, the John J. Cronin Public Service Award committee awards this high honor to an individual who has served the Town of Westwood. John J. Cronin, Town Treasurer, for many years selflessly gave of his time and expertise for the betterment of the community, both as an elected official and in numerous volunteer activities. To recognize this same spirit of community involvement as illustrated by John Cronin's life, it is with great pleasure that we have chosen Anthony Antonellis as the twelfth recipient of the John J. Cronin Public Service Award.

Tony has displayed devoted dedication and commitment to the Town of Westwood through his service on numerous Town boards and organizations and has made valuable contributions to the Westwood Community and the Commonwealth of Massachusetts.

Tony is a born and raised Westwood resident who graduated from Westwood High School in 1982. While attending Westwood High, Tony was Vice President of his class and a distinguished athlete in both football and baseball. Tony went on to Wesleyan University in Connecticut where he continued his football career. To this day he remains an active alumnus to

the University where two of his sons now attend. Tony continued his education at Suffolk Law School and graduated in 1990. He then joined the JAG Corps of the Navy, where he had four years of trial experience; first in Norfolk Virginia, and later in Brunswick, Maine. In 1995, Tony accepted a position at Sloan & Walsh in Boston, where he has been employed for the last 19 years. Tony lives in Westwood with his wife Mary Anne and their three boys, Anthony, Nicholas and Joseph.

For more than 19 years, Tony has been involved in some fashion of government in the Town of Westwood. Tony was appointed to the Westwood Historical Commission in 1995 where he was able to follow his passion for historical preservation using his college degree in History. In 1997 when he was elected to his first of four terms to the Board of Selectmen, he served as Chairman in 1997, 2000, 2003 and 2006.

Under his Chairmanship in 1997, Tony established the Organization of the Preservation of the Environment and Nature (also known as OPEN), and served as the Selectman's representative to it. OPEN was formed by the Board of Selectmen with several purposes: to promote the purchase of Lowell Woods, to educate the Town about the importance of open space preservation, to identify other conservation opportunities and to help raise funds for pending projects. OPEN is now known as the Westwood Land Trust which is still highly successful.

In keeping with his love for sports, Tony improved the Town's athletic facilities with the installation of artificial turf fields throughout town, as well as new lights at Morrison Park and the High School stadium field. He continues to support the long standing tradition of Pop Warner Football, coaching from 1999 to 2011 and bringing the team to three super bowls and the New England championship round. Tony also played a vital role in the establishment of the highly successful Middle School Football program.

In 1997, Tony supported the funding and construction of the Westwood Senior Center. This newly constructed center provided a valuable space for programs dedicated to Westwood seniors, along with a local food pantry that serves the entire Westwood community. In that same year, the Board of Selectmen established the Senior Tax Work Off Program, where seniors have the opportunity to volunteer in various municipal and school departments in lieu of paying a portion of their real estate property tax. This program has proven to be a successful benefit to the Westwood seniors.

Tony was also heavily involved in the acquisition of the Islington Community Church, which became the Islington Community Center and currently houses the Westwood Youth & Family Services Department and various Recreation programs. Since this space was acquired, the Youth & Family Services department has been able to offer more programs and services to the Westwood community.

Over the course of his terms as Selectman, Tony also oversaw the relocation of the Obed Baker House and the construction of a replica affordable housing unit at 1009 High Street in its place. He also oversaw the recruitment and appointment of Police Chief William Chase, DPW Director Timothy Walsh and Human Resources Director Mary Beth Bernard among other municipal staff and participated in the negotiation of the Development Agreement for the Westwood Station

Project.

In 2006, while serving as a Selectman, Tony ran for and was elected to the Sewer Commission, where he continues to serve today. During his Chairmanship from 2006 to 2011, Tony oversaw many projects including the maintenance of 87 miles of sewer main, the rehabilitation of 3,000 feet of 20 inch transmission line with lining insertion (eliminating thousands of gallons of infiltration, the implementation of the Second Meter Reader Policy to improve efficiency and cost effectiveness of the program, and the completion of the study to prioritize lining and manhole repair.

In 2008, Tony was elected as the Town Moderator. Tony oversaw seven Town Meetings, three Special Town Meetings and one Fall Town Meeting. He worked closely each year with the Town Clerk on Annual Town Meeting preparation and articles. He communicated with Town Counsel and Assistant Town Moderator in preparing for and during Town Meeting to ensure Town Meeting process was conducted appropriately; reinvigorated and appointed members to the Personnel Board, Finance and Warrant Commission and Permanent Building Committee; worked closely with the Government Charter Review Task Force for the review and recommended changes to the Town’s Charter and worked closely with the Board of Selectmen and the Town Bylaw Review Committee on suggested revisions to the bylaws.

On behalf of the John J. Cronin Public Service Award Committee, it is with great pleasure that we present this prestigious award to Anthony Antonellis and we add his name to the plaque displayed in Town Hall listing all previously honored individuals.

An overview of the meeting was then given by Nancy C. Hyde, Chairman of the Board of Selectmen, followed by a financial presentation made by Pamela Dukeman, Finance Director.

Article 1

The Finance and Warrant Commission recommended and the town voted by a Majority vote in favor declared by the Moderator to appropriate by transfer from available funds the sum of Three Hundred Thousand Dollars (\$300,000) to supplement the following fiscal year 2014 appropriations:

Transfer			
From Account	Amount	To Account	Amount
<i>Economic Development Salary</i>	\$40,000	Snow & Ice	\$119,500
<i>Comprehensive Insurance</i>	\$60,000	DPW Salary - Snow & Ice	\$125,000
<i>Reserve Account</i>	\$200,000	Economic Development Expenses	\$40,000
		Finance & Warrant Commission Salary	\$15,500
Total	\$300,000	Total	\$300,000

ARTICLE 2

The Finance and Warrant Commission recommended and the town voted by a Majority vote in favor declared by the Moderator to appropriate by transfer from available funds the sum of Three Hundred Ninety-Four Thousand Five Hundred Dollars (\$394,500) to supplement the following fiscal year 2014 appropriations:

Transfer			
From Account	Amount	To Account	Amount
Ambulance Receipts	\$109,000	Ambulance Supplies/Vehicle/Equipment	\$77,000
Overlay Surplus	\$25,000	Fire Salary – Ambulance Training	\$32,000
Free Cash	\$260,500	Assessing Revaluation Services	\$25,000
		Snow and Ice	\$260,500
Total	\$394,500	Total	\$394,500

ARTICLE 3

There being no unpaid bills of the previous year, no action was taken on this article.

ARTICLE 4

The Finance and Warrant Commission recommended and the town voted by a Majority vote in favor declared by the Moderator to raise and appropriate and/or transfer from available funds and/or borrow for the operation of the municipal departments and public school system for the fiscal year July 1, 2014, through June 30, 2015, as set forth in Appendix D of the Finance and Warrant Commission's Report to the 2014 Annual Town Meeting.

See Appendix D on the following pages(29-34):

Appendix D
Proposed FY2015 Departmental Salary/Expense Budgets

Description	Expended FY2013	Adjusted Current FY2014 Budget	Proposed FY2015 Budget	\$ Change FY15 vs FY14	% Change FY15 vs FY14	Funding Source
Selectmen Department						
1. Salaries	422,740	431,262	444,333	13,071	3.0%	Taxation
2. Expenses	46,337	47,300	48,250	750	1.6%	Taxation
	469,076	478,762	492,583	13,821	2.9%	
Finance Commission						
3. Salary	50,420	41,389	42,141	752	1.8%	Taxation
4. Expenses	16,419	21,763	21,763	0	0.0%	Taxation
	66,839	63,152	63,904	752	1.2%	
Accounting Department						
5. Salaries	200,865	204,521	208,534	4,013	2.0%	Taxation
6. Expenses	3,541	5,500	5,300	(200)	-3.6%	Taxation
	204,807	210,021	213,834	3,813	1.8%	
Audit - School & Municipal Financials						
7. Expenses	49,305	57,750	57,750	0	0.0%	Taxation
Assessors Department						
8. Salaries	181,077	187,512	193,209	5,697	3.0%	Taxation
9. Expenses	16,468	17,200	17,200	0	0.0%	Taxation
	197,545	204,712	210,409	5,697	2.8%	
Treasurer's Department						
10. Salary	95,322	97,797	92,324	(5,473)	-5.6%	Taxation
11. Expenses	7,295	12,250	12,250	0	0.0%	Taxation
	102,617	110,047	104,574	(5,473)	-5.0%	
Collector's Department						
12. Salaries	105,741	109,272	111,741	2,469	2.3%	Taxation
13. Expenses	68,286	74,900	74,775	(125)	-0.2%	\$32,500 Amb. Receipts/Taxation
	174,027	184,172	186,516	2,344	1.3%	
Legal Department						
14. Salary	91,088	93,465	95,111	1,646	1.8%	Taxation
15. Expenses	102,897	103,500	104,500	1,000	1.0%	Taxation
	193,985	196,965	199,611	2,646	1.3%	
Personnel Board						
16. Salary	161,787	168,720	175,302	6,582	3.9%	Taxation
17. Expenses	7,859	8,400	7,500	(900)	-10.7%	Taxation
	169,646	177,120	182,802	5,682	3.2%	
Information Systems Department						
18. Salaries	224,435	237,583	262,243	4,660	1.8%	Taxation
19. Expenses	90,759	65,500	65,500	0	0.0%	Taxation
	315,194	303,083	327,743	4,660	1.4%	

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Description	Expended FY2013	Adjusted Current FY2014 Budget	Proposed FY2015 Budget	\$ Change FY15 vs FY14	% Change FY15 vs FY14	Funding Source
Town Clerk Department						
20. Salaries	127,216	141,810	145,464	3,654	2.6%	Taxation
21. Expenses	45,409	55,500	61,400	5,900	10.6%	Taxation
	172,626	197,310	206,864	9,554	4.8%	
Conservation Commission						
22. Salary	44,072	46,055	48,051	1,996	4.3%	\$17,000 Consv. Receipts/
23. Expenses	2,691	7,600	5,600	(2,000)	-26.3%	Taxation
	46,763	53,655	53,651	(4)	0.0%	
Planning Board						
24. Salaries	87,595	108,448	112,719	4,270	3.9%	Taxation
25. Expenses	2,423	3,050	3,100	50	1.6%	Taxation
	90,018	111,499	115,819	4,320	3.9%	
Zoning Board of Appeals						
26. Salaries	26,410	27,478	28,266	788	2.9%	Taxation
27. Expenses	529	1,867	1,867	0	0.0%	Taxation
	26,939	29,345	30,133	788	2.7%	
Economic Development Task Force						
28. Salaries	45,783	105,849	105,093	(756)	-0.7%	Taxation
29. Expenses	64	2,000	2,250	250	12.5%	Taxation
	45,847	107,849	107,343	(506)	-0.5%	
Outside Professional Services						
30. Expenses	37,246	40,000	41,000	1,000	2.5%	Taxation
MA Housing Partnership/Housing Authority						
31. Salary		24,405	24,667	262	1.1%	Taxation
32. Expenses	24,343	1,000	1,200	200	20.0%	Taxation
		25,405	25,867	462	1.8%	
Communications Systems						
33. Expenses	124,488	130,000	145,000	15,000	11.5%	Taxation
Training/Professional Development						
34. Expenses	6,600	6,750	15,000	8,250	122.2%	Taxation
Total General Government	2,518,110	2,707,597	2,780,403	72,806	2.7%	

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Description	Expended FY2013	Adjusted Current FY2014 Budget	Proposed FY2015 Budget	\$ Change FY15 vs FY14	% Change FY15 vs FY14	Funding Source
Police Department						
35. Salaries	2,803,301	2,955,499	3,097,512	142,013	4.8%	Taxation
36. Expenses	215,406	222,215	242,425	20,210	9.1%	Taxation
	3,018,707	3,177,714	3,339,937	162,223	5.1%	
Auxiliary Police/Civil Defense						
37. Expenses	806	2,000	3,000	1,000	50.0%	Taxation
	806	2,000	3,000	1,000	50.0%	
Animal Control						
38. Salary	45,944	48,499	50,602	2,103	4.3%	Taxation
39. Expenses	5,987	7,750	9,050	1,300	16.8%	Taxation
	51,931	56,249	59,652	3,403	6.0%	
Fire Department						
40. Salaries*	2,671,332	2,738,541	2,787,850	49,309	1.8%	\$304,000 Amb. Receipts/Taxation
41. Expenses	178,402	186,073	196,275	10,200	5.5%	\$40,000 Amb. Receipts/Taxation
	2,849,733	2,924,616	2,984,125	59,509	2.0%	
Building Inspection Department						
42. Salaries	242,234	274,933	286,794	11,861	4.3%	Taxation
43. Expenses	21,559	34,025	35,025	1,000	2.9%	Taxation
	263,793	308,958	321,819	12,861	4.2%	
*Note: FY14 Salaries also included one time additional increase with \$180,000 ambulance revenue.						
Total Public Safety	6,184,971	6,469,537	6,708,533	238,996	3.7%	
Department of Public Works						
44. Salaries - admin	162,110	204,254	212,022	7,768	3.8%	Taxation
45. Salaries - operations	\$1,375,585	1,348,435	1,382,298	33,863	2.5%	\$1,000 Perp Care/Taxation
46. Expenses	453,945	462,100	471,600	9,500	2.1%	Taxation
	1,991,640	2,014,789	2,065,920	51,131	2.5%	
Building Maintenance						
47. Salaries		0	0	0		
48. Expenses	620,106	668,650	705,558	36,908	5.5%	Taxation
		668,650	705,558	36,908	5.5%	
Municipal & School						
49. Field Maintenance	92,772	114,000	120,000	6,000	5.3%	Taxation
50. Snow & Ice	420,767	250,000	250,000	0	0.0%	Taxation
51. Street Lighting/ Traffic Light Maint	120,593	140,000	140,000	0	0.0%	Taxation
Waste Collection/Disposal						
52. Expenses	1,154,100	1,180,000	1,249,000	69,000	5.8%	Taxation
Total Public Works	4,399,978	4,367,439	4,530,478	163,039	3.7%	

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Description	Expended FY2013	Adjusted Current FY2014 Budget	Proposed FY2015 Budget	\$ Change FY15 vs FY14	% Change FY15 vs FY14	Funding Source
Health Department						
53. Salaries	208,334	215,637	222,473	6,836	3.2%	Taxation
54. Expenses	7,877	8,973	9,300	327	3.6%	Taxation
	216,210	224,610	231,773	7,163	3.2%	
55. Outside Health Agencies	12,856	13,416	13,416	0	0.0%	Taxation
56. Disability Commission Expenses	0	500	500	0	0.0%	Taxation
Council On Aging						
57. Salaries	222,500	237,515	235,766	(1,749)	-0.7%	Taxation
58. Expenses	23,760	25,285	26,785	1,500	5.9%	Taxation
	246,260	262,800	262,551	(249)	-0.1%	
Youth and Family Services Commission						
59. Salaries	203,085	185,154	189,887	4,733	2.6%	Taxation
60. Expenses	12,567	15,000	15,000	0	0.0%	Taxation
	215,652	200,154	204,887	4,733	2.4%	
Veterans Services Department						
61. Salaries	27,007	28,813	29,557	742	2.6%	Taxation
62. Expenses	73,837	88,800	92,300	3,500	3.9%	Taxation
	100,845	117,615	121,857	4,242	3.6%	
Total Human Services	791,822	819,095	834,984	15,889	1.9%	
Public Library						
63. Salaries	760,729	851,530	880,038	28,508	3.3%	Taxation
64. Expenses	218,505	229,036	231,800	2,764	1.2%	Taxation
65. Lost Books	1,343	1,500	1,500	0	0.0%	Taxation
	980,576	1,082,066	1,113,338	31,272	2.9%	
Recreation Department						
66. Salaries	259,655	272,153	273,550	1,397	0.5%	Taxation
67. Expenses	15,202	15,784	15,784	0	0.0%	Taxation
	274,857	287,937	289,334	1,397	0.5%	
68. Memorial/Veteran's Day Expenses	7,014	10,675	12,050	1,375	12.9%	Taxation
Total Culture and Recreation	1,262,447	1,380,678	1,414,722	34,044	2.5%	
Other						
69. Operating Equipment, Projects and Hardware/Software Maintenance	177,275	220,534	232,834	12,300	5.6%	Taxation
70. Contract Reserve/Other		0	0	0		
* This contract reserve budget may be transferred to the respective budgets upon vote by the Board of Selectmen.						
Total Other	177,275	220,534	232,834	12,300	5.6%	
Total Municipal Budget	15,334,603	15,964,880	16,501,954	537,074	3.4%	

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Proposed FY2015 Departmental Salary/Expense Budgets

Description	Expended FY2013	Adjusted Current FY2014 Budget	Proposed FY2015 Budget	\$ Change FY15 vs FY14	% Change FY15 vs FY14	Funding Source
Fixed Costs Budgets - School and Municipal						
Municipal Employee Benefits/Costs						
Retirement Assessment	1,925,532	2,007,210	2,258,111	250,901	12.5%	Taxation
Non-Contrib Pension	38,780	33,000	34,000	1,000	3.0%	Taxation
Worker's Compensation	57,362	65,827	78,992	13,165	20.0%	Taxation
Unemployment Compensation	14,213	13,860	13,860	0	0.0%	Taxation
Health Insurance	1,264,427	1,271,056	1,314,543	43,487	3.4%	Taxation
Life Insurance	4,429	5,000	6,000	1,000	20.0%	Taxation
Pre-Hire/Payroll	78,656	86,500	92,000	5,500	6.4%	Taxation
Public Safety Medical/111F ins	35,745	77,000	73,600	(3,400)	-4.4%	Taxation
Medicare Part B	30,871	53,410	58,410	5,000	9.4%	Taxation
Social Security Tax	8,157	11,000	10,000	(1,000)	-9.1%	Taxation
Medicare Payroll Tax	157,859	173,693	187,588	13,895	8.0%	Taxation
OPEB	15,000	44,000		(44,000)	-100.0%	Taxation
Municipal Employee Benefits/Costs	3,651,031	3,841,556	4,127,104	285,548	7.4%	
School Employee Benefits/Costs						
Retirement Assessments	823,714	858,310	965,598	107,288	12.5%	Taxation
Worker's Compensation	111,937	139,779	167,734	27,955	20.0%	Taxation
Unemployment Compensation	45,084	98,175	98,175	0	0.0%	Taxation
Health Insurance	3,438,141	3,850,379	3,983,766	133,387	3.5%	Taxation
Life Insurance	9,945	9,000	10,000	1,000	11.1%	Taxation
Payroll service	17,741	19,000	19,000	0	0.0%	Taxation
Medicare Part B	118,703	134,000	144,000	10,000	7.5%	Taxation
Social Security Tax	6,939	11,000	10,000	(1,000)	-9.1%	Taxation
Medicare Payroll Tax	422,568	441,689	477,024	35,335	8.0%	Taxation
OPEB	23,000	24,000		(24,000)	-100.0%	Taxation
School Employee Benefits/Costs	5,017,772	5,585,332	5,875,297	289,965	5.2%	
71. Total Benefits/Costs	8,668,803	9,426,888	10,002,401	575,513	6.1%	
Insurance/Reserves						
Comprehensive And Liability Insurance - School & Municipal						
72. Expenses	325,755	402,000	402,000	0	0.0%	Taxation
73. Energy/Utility/Other Reserve Fund*	0	225,000	225,000	0	0.0%	Taxation
74. Special Town Mtg/Charter Review	12,622	25,000	25,000	0	0.0%	Taxation
75. Reserve Fund	0	400,000	400,000	0	0.0%	Taxation
Total Ins./Reserve	338,378	1,052,000	1,052,000	0	0.0%	
Total Fixed Costs Budget	9,007,181	10,478,888	11,054,401	575,513	5.5%	

Reserve Accounts -Actual expenditures are shown in the budgets to which transfers were made.

* This reserve budget may be transferred to the respective budgets upon vote by the Board of Selectmen.

Debt Service Budget						
Municipal Related						
Debt Service	1,699,233	1,860,905	1,856,063	(4,842)	-0.3%	\$19,170 Bond Premium/Taxation
School Related						
Debt Service	3,368,106	3,265,433	3,151,534	(113,899)	-3.5%	\$1,401,276 sch bld reimb/\$20,281 Bond Premium/Taxation
76. Total Debt Budget	5,067,339	5,126,338	5,007,597	(118,741)	-2.3%	

FY15 Debt Change
Non Exempt \$0
Exempt (\$118,741)
Total (\$118,741)

**Appendix D
Proposed FY2015 Departmental Salary/Expense Budgets**

Description	Expended FY2013	Adjusted Current FY2014 Budget	Proposed FY2015 Budget	\$ Change FY15 vs FY14	% Change FY15 vs FY14	Funding Source
Westwood Public Schools						
Salaries		30,245,616	31,881,971	1,638,355	5.4%	Taxation
Expenses		6,067,043	5,967,920	(99,123)	-1.6%	Taxation
77. School salaries & expe	35,025,458	36,310,659	37,849,891	1,539,232	4.2%	
78. Blue Hills Regional School	49,358	101,646	109,323	7,877	7.7%	Taxation
Crossing Guards						
79. Salaries	93,578	107,064	101,709	(5,355)	-5.0%	Taxation
80. Expenses	4,270	4,900	4,900	0	0.0%	Taxation
Total	97,848	111,964	106,609	(5,355)	-4.8%	
Total School Budgets	35,172,664	36,514,269	38,066,023	1,541,754	4.2%	

**University Station Related Services
Board of Selectmen Approval Required to Proceed with These Budgets***

Fire						
Salary			319,000	319,000		
Expenses			20,000	20,000		
			339,000	339,000		
Police						
Salary			70,000	70,000		
Expenses			0	0		
			70,000	70,000		
Other						
Salary			93,000	93,000		
Expenses			0	0		
			93,000	93,000		
81. Total University Station Related	0	0	502,000	502,000		Taxation

*Expenditures and positions must be authorized by majority vote of the Board of Selectmen prior to any expenditure of funds or hiring.

Sewer Enterprise						
82. Salaries	371,834	372,642	377,233	4,591	1.2%	Sewer Enterprise Funds
83. Expenses	116,646	131,000	131,000	0	0.0%	Sewer Enterprise Funds
84. Pumping Stations	118,505	147,500	147,500	0	0.0%	Sewer Enterprise Funds
85. MWRA Assessment	2,317,405	2,372,510	2,426,124	53,614	2.3%	Sewer Enterprise Funds
86. Mandated Inspections	24,751	120,000	120,000	0	0.0%	Sewer Enterprise Funds
				0		
87. Sewer Debt & Int	184,256	186,825	188,712	1,887	1.0%	Sewer Enterprise Funds
88. System Ext./Repairs	5,000	25,000	25,000	0	0.0%	Sewer Enterprise Funds
Total Sewer Enterprise**	3,138,398	3,355,477	3,415,569	60,092	1.8%	Note: Sewer revenue will be operating budget + \$290,978 for indirect costs - total \$3,706,547

Total Operating Budget	67,720,185	71,449,852	74,547,544	3,097,692	4.3%	
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ARTICLE 5

The Finance and Warrant Commission recommended and the town voted by a Majority vote in favor declared by the Moderator to raise and appropriate and/or transfer from available funds the sum of Seven Hundred Sixty Thousand Two Hundred Fifty Dollars (\$760,250) for the purchase, lease or lease/purchase of the following capital equipment and improvements:

<u>Equipment/Project</u>	<u>Requesting Department</u>	<u>Cost</u>	<u>Funding Source</u>
Municipal building maintenance	DPW	\$100,000	\$29,050 Taxation/ \$70,950 Free Cash
Carby Street generator	DPW	\$75,000	Free Cash
One ton dump truck w/plow	DPW	\$65,000	Free Cash
Tree chipper	DPW	\$70,000	Free Cash
Ladder truck (2 nd lease/purchase payment)	Fire	\$145,000	Free Cash
Vehicle lifts	Fire	\$52,000	Free Cash
End user technology – all departments	Information Technology	\$50,000	Free Cash
Police vehicles	Police	\$140,750	Free Cash
Electronic control devices	Police	\$42,500	Free Cash
Automated license plate reader	Police	\$20,000	Free Cash
Total		\$760,250	

each listed capital equipment or project must be authorized by majority vote of the Board of Selectmen prior to any purchase and/or implementation of project and/or expenditure of funds; and to direct the Board of Selectmen to trade as part of the purchase price or to sell or dispose of any equipment no longer necessary, and to authorize the Board of Selectmen to apply for and accept any State or Federal grant or assistance, or both, that may be available for any of the above purchases.

ARTICLE 6

The Finance and Warrant Commission recommended and the town voted by a Majority vote in favor declared by the Moderator to raise and appropriate and/or transfer from available funds the sum of Six Hundred Six Thousand Dollars (\$606,000) for the purchase, lease or lease/purchase of the following capital equipment and improvements:

<u>Equipment/Project</u>	<u>Requesting Department</u>	<u>Cost</u>	<u>Funding Source</u>
Technology	School	\$100,000	\$29,050 Taxation/ \$70,950 Free Cash
Roofing	School	\$306,000	Free Cash
Repairs and maintenance	School	\$200,000	Free Cash
Total		\$606,000	

each listed capital equipment or project must be authorized by majority vote of the Board of Selectmen prior to any purchase and/or implementation of project and/or expenditure of funds; and to direct the Board of Selectmen to trade as part of the purchase price or to sell or dispose of any equipment no longer necessary, and to authorize the Board of Selectmen to apply for and accept any State or Federal grant or assistance, or both, that may be available for any of the above purchases.

ARTICLE 7

The Finance and Warrant Commission recommended and the town voted by a Majority vote in favor declared by the Moderator to raise and appropriate and/or transfer from available funds the sum of Three Hundred Thirty-Nine Thousand Dollars (\$339,000) for the purchase, lease or lease/purchase of the following capital equipment and improvements:

<u>Equipment/Project</u>	<u>Requesting Department</u>	<u>Cost</u>	<u>Funding Source</u>
Ambulance	Fire	\$300,000	Ambulance funds
Fire rescue equipment	Fire	\$39,000	Ambulance funds
Total		\$339,000	

each listed capital equipment or project must be authorized by majority vote of the Board of Selectmen prior to any purchase and/or implementation of project and/or expenditure of funds; and to direct the Board of Selectmen to trade as part of the purchase price or to sell or dispose of any equipment no longer necessary, and to authorize the Board of Selectmen to apply for and accept any State or Federal grant or assistance, or both, that may be available for any of the above purchases.

ARTICLE 8

The Finance and Warrant Commission recommended and the Town voted by a 2/3 vote in favor declared by the Moderator, to take the following several actions in furtherance of public necessity to raise and appropriate and/or transfer from available funds the sum of One Hundred Thousand Dollars (\$100,000) for the Stabilization Fund established in accordance with General Laws Chapter 40, Section 5B.

Purpose	Amount	Funding Source
Stabilization Fund	\$100,000	Free Cash

ARTICLE 9

There being no streets to be accepted at this time, no action was taken on this article.

ARTICLE 10

The Finance and Warrant Commission recommended and the Town voted by a 2/3 vote in favor declared by the Moderator, to take the following several actions in furtherance of public necessity to authorize the Board of Selectmen to apply for and accept state funds to be received as pre-payment and/or reimbursement for road improvements and deposit said funds into the Town’s Road Improvement Account to be used to pay expenditures made or to continue the Town’s road improvement program of crack sealing, secondary resurfacing and major reconstruction; to authorize the Board of Selectmen to enter into contracts for expenditure of any funds allocated or to be allocated by the Commonwealth for the improvement of roads within the Town of Westwood; and to authorize the Board of Selectmen to make any necessary takings of land and/or easements to accomplish said road improvement program.

ARTICLE 11

The Finance and Warrant Commission recommended and the town voted by a Majority vote in favor declared by the Moderator to raise and appropriate and/or transfer from available funds the sum of Five Hundred Fifty Thousand Dollars (\$550,000) to the OPEB Liability Trust Fund established in accordance with General Laws Chapter 32B, Section 20.

Purpose	Amount	Funding Source
OPEB Liability Trust Fund	\$550,000	Taxation

ARTICLE 12

The Finance and Warrant Commission recommended and the town voted by a Majority vote in favor declared by the Moderator to accept the sum of Nine Hundred and Five Dollars (\$905,000) in building permit fees paid by the proponents of the University Station project to the Town of Westwood and appropriate and allocate said funds by vote of the Board of Selectmen for the cost associated with the resources, staffing and equipment needs and facility plans and land acquisition related to the permitting, inspection, legal, valuation and other services for the University Station Project prior, during and after construction.

ARTICLE 13

The Finance and Warrant Commission recommended and the town voted by a Majority vote in favor declared by the Moderator to accept Two Million Two Hundred and Fifty Thousand Dollars (\$2,250,000) in payments made by the proponents of the University Station project to the Town of Westwood pursuant to the terms of the Development Agreement dated as of May 7, 2013, and to appropriate and/or transfer from available funds in accordance with the Development Agreement, and further to authorize the School Committee to apply for and accept any State or Federal grant or assistance that may be available for this purpose.

ARTICLE 14

The Finance and Warrant Commission recommended and the Town voted by a 2/3 vote in favor declared by the Moderator, to take the following several actions in furtherance of public necessity to authorize the Board of Selectmen to take and acquire, by purchase, gift, eminent domain or otherwise, such land or other interests in land, in the vicinity of the Downey Street School area. This will allow for construction of sidewalk and roadway safety improvements for the Safe Routes to School Program.

	<u>Total # Parcel</u>	<u>Area (Square Feet)</u>
Permanent Easements	<u>2</u>	<u>1,675</u>
Temporary Easements	<u>25</u>	<u>19,010</u>

Further that the Selectmen may acquire these parcels, or modification of these parcels or other required parcels though all legal means. This includes donations, purchase or eminent domain. The subject parcels are currently identified on plans drafted by:

TEC, Inc.

Dated : March 21, 2014 or as amended

Titled: Downey Elementary School Downey Street –Forbes Rd - Safe Routes to School.

ARTICLE 15

The Finance and Warrant Commission recommended and the Town voted by a 2/3 vote in favor declared by the Moderator, to take the following several actions in furtherance of public necessity to amend the Code of the Town of Westwood by striking Chapter 30, Section 15 in its entirety and inserting in its place the following:

§ 30-15 Contracts; public bid.

[Amended 1981 ATM by Art. 22; 1983 ATM by Art. 41; 1986 ATM by Art. 15; 1991 ATM by Art. 14; 1992 ATM by Art. 20; 2001 ATM by Art. 27; 5-3-2010 ATM by Art. 15; 5-6-2013 ATM by Art. 18]

No contract for the purchase of equipment, supplies or materials; no contract for auditing or consulting work; and no contract for design engineering and construction projects, the actual or estimated cost of which amounts to \$25,000 or more, except in cases of special emergency involving health or safety of the people or their property, shall be awarded unless proposals for the same have been invited by advertisement in at least one newspaper of general circulation in the Town, or if there is no such newspaper, in a newspaper published in the county, and, if required by M.G.L., in the Central Register and/or the Goods and Services Bulletin, and on the town’s web page, which publications are to be at least two weeks before the time specified for the opening of said proposals. Such advertisement shall state the time and place for opening the proposals in answer to said advertisement and shall reserve to the Town the right to reject any or all such proposals. All such proposals shall be opened in public. Unless authorized by the Board of Selectmen, a procurement officer shall not solicit or award a contract for a term exceeding three years, including any renewal, extension, or option. No bill or contract shall be split or divided for the purpose of evading any provision of this section. The Chief Procurement Officer(s) shall be responsible for enforcement of this section.

The Town Administrator shall serve as the Chief Procurement Officer under Chapter 30B of the General Laws and shall be responsible for the procurement and award of all contracts for supplies, services, materials and equipment other than those for the School Department and the library; provided, however, that any contract over \$100,000 shall require the approval of the Board of Selectmen.

ARTICLE 16

The Finance and Warrant Commission recommended and the town voted by a Majority vote in favor declared by the Moderator to raise and/or appropriate and/or transfer from Sale of Asset Account and/or borrow the sum of Two Hundred and Seventy Five Thousand Dollars (\$275,000) to provide funding to continue with the review of the adequacy of the municipal and public safety operations and facilities, the preparation of plans and cost estimates to address identified needs, the preparation for possible acquisition and/or exchange of parcels, and other related costs.

Purpose	Amount	Funding Source
Task Force Study	\$275,000	Sale of Asset Account

ARTICLE 17

A motion was made in writing by Planning Board chairman, Bruce Montgomery to amend Article 17 by replacing Section 9.5.9 with a new Section 9.5.9. Handouts were distributed to Town Meeting reflecting the amendment. The Town voted by a Majority vote in favor to amend Article 17. The Finance and Warrant Commission recommended and the town voted on the original article, with the approved amendment, by a 2/3 vote in favor declared by the Moderator to approve certain amendments to the Westwood Zoning Bylaw and Official Zoning Map related to Section 9.5 [Flexible Multiple Use Overlay District (FMUOD)], including the establishment of one or more additional FMUOD districts, and to approve certain amendments to Section 4.1.5 [Table of Principal Uses - Commercial Uses] and Section 4.2 [Notes for Table of Principal Uses], or take any other action in relation thereto:

1) Replace the existing Section 9.5.2 with a new Section 9.5.2 to read as follows:

9.5.2 **Location.** Seven distinct Flexible Multiple Use Overlay Districts - FMUOD 1, FMUOD 2, FMUOD 3, FMUOD 4, FMUOD 5, FMUOD 6, and FMUOD 7 - are herein established as overlay districts as shown on the Official Zoning Map and as described herein:

- 9.5.2.1 **FMUOD 1: University Avenue Business District.** FMUOD 1 shall include the areas as shown on the Official Zoning Map within Flexible Multiple Use Overlay District 1, approximately bounded by Route 128/95, the Neponset River, Canton Street and Town of Westwood Conservation Land.
- 9.5.2.2 **FMUOD 2: Southwest Park.** FMUOD 2 shall include the areas as shown on the Official Zoning Map within Flexible Multiple Use Overlay District 2, approximately bounded by Providence Highway, Route 128/95 and the MBTA Commuter Rail Tracks.
- 9.5.2.3 **FMUOD 3: Glacier/Everett Business District.** FMUOD 3 shall include the areas as shown on the Official Zoning Map within Flexible Multiple Use Overlay District 3, in the vicinity of Glacier Avenue and Everett Street, west of Providence Highway.
- 9.5.2.4 **FMUOD 4: Perwal/Walper Business District.** FMUOD 4 shall include the areas as shown on the Official Zoning Map within Flexible Multiple Use Overlay District 4, in the vicinity of Perwal and Walper Streets, east of Providence Highway.
- 9.5.2.5 **FMUOD 5: Allied Drive Business District.** FMUOD 5 shall include the areas as shown on the Official Zoning Map within Flexible Multiple Use Overlay District 5, including properties abutting the Route 128 Circumferential Highway in the vicinity of Allied Drive and East Street within Westwood.

9.5.2.6 **FMUOD 6: Washington Street Business District.** FMUOD 6 shall include the areas as shown on the Official Zoning Map within Flexible Multiple Use Overlay District 6, including properties along Washington Street within the Local Business B District, between Fairview Street and Everett Street.

9.5.2.7 **FMUOD 7: High Street Business District.** FMUOD 7 shall include the areas as shown on the Official Zoning Map within Flexible Multiple Use Overlay District 7, including properties along High Street within the Local Business A District, between Windsor Road and High Rock Street.

2) Replace the existing Section 9.5.7 with a new Section 9.5.7 to read as follows:

9.5.7 **Applicability.** Except as otherwise provided herein, the provisions of this Section shall apply to any parcel or set of parcels within FMUOD 1, FMUOD 2, FMUOD 3, FMUOD 4, FMUOD 5, FMUOD 6, or FMUOD 7, whether held in common or separate ownership.

3) Replace the existing Section 9.5.8 with a new Section 9.5.8 to read as follows:

9.5.8 **Permitted Uses.** FMUOD Special Permits shall be granted only for uses specified below. Except as otherwise provided herein and subject to the provisions of this Bylaw applicable to the underlying district, land and buildings in any FMUOD may be used for any purpose permitted as of right or by special permit in the underlying district pursuant to Section 4.0, Use Regulations and other applicable sections of this Bylaw. Multiple uses may be contained within a single building or structure pursuant to an FMUOD Special Permit.

9.5.8.1 **Uses Permitted by FMUOD Special Permit in any FMUOD:**

- 9.5.8.1.1 Bank or financial institution;
- 9.5.8.1.2 Business service establishment;
- 9.5.8.1.3 Coffee shop;
- 9.5.8.1.4 Commercial recreation, indoor;
- 9.5.8.1.5 Cultural facility, art gallery or museum;
- 9.5.8.1.6 Educational facility, including public, non-profit, or for profit;
- 9.5.8.1.7 Ice cream shop;
- 9.5.8.1.8 Municipal use;
- 9.5.8.1.9 Office of a doctor or dentist;
- 9.5.8.1.10 Personal services establishment;
- 9.5.8.1.11 Printing/copy/publishing establishment;
- 9.5.8.1.12 Professional service establishment;
- 9.5.8.1.13 Restaurant with or without entertainment, less than 10,000 sq. ft.;
- 9.5.8.1.14 Retail sales and services establishment, less than 10,000 sq. ft.;
- 9.5.8.1.15 Shuttle service system.

9.5.8.2 **Additional Uses Permitted by FMUOD Special Permit in FMUOD1:**

- 9.5.8.2.1 Fast order food establishment, provided such establishment is within an office or other non-retail building and is accessed through that building's lobby, atrium or interior corridor, and provided such establishment does not have a direct entrance from the exterior of the building or a drive-thru;
- 9.5.8.2.2 Hotel;
- 9.5.8.2.3 Kennel, commercial;
- 9.5.8.2.4 Multi-family dwelling;
- 9.5.8.2.5 Pay-to-Park Outdoor Parking Facility;
- 9.5.8.2.6 Research and development facility;
- 9.5.8.2.7 Restaurant with or without entertainment, 10,000 sq. ft. or more;
- 9.5.8.2.8 Retail sales and services establishment, 10,000 sq. ft. or more.

9.5.8.3 Additional Uses Permitted by FMUOD Special Permit in FMUOD2:

- 9.5.8.3.1 Fast order food establishment, provided such establishment is within an office or other non-retail building and is accessed through that building's lobby, atrium or interior corridor, and provided such establishment does not have a direct entrance from the exterior of the building or a drive-thru;
- 9.5.8.3.2 Hotel.
- 9.5.8.3.3 Research and development facility;

9.5.8.4 Additional Uses Permitted by FMUOD Special Permit in FMUOD3:

- 9.5.8.4.1 Assisted living residence;
- 9.5.8.4.2 Fast order food establishment, provided such establishment is within an office or other non-retail building and is accessed through that building's lobby, atrium or interior corridor, and provided such establishment does not have a direct entrance from the exterior of the building or a drive-thru;;
- 9.5.8.4.3 Multi-family dwelling.
- 9.5.8.4.4 Research and development facility;

9.5.8.5 Additional Uses Permitted by FMUOD Special Permit in FMUOD4:

- 9.5.8.5.1 Fast order food establishment, provided such establishment is within an office or other non-retail building and is accessed through that building's lobby, atrium or interior corridor, and provided such establishment does not have a direct entrance from the exterior of the building or a drive-thru;
- 9.5.8.5.2 Research and development facility;

9.5.8.6 Additional Uses Permitted by FMUOD Special Permit in FMUOD5:

- 9.5.8.6.1 Fast order food establishment, provided such establishment is within an office or other non-retail building and is accessed through that building’s lobby, atrium or interior corridor, and provided such establishment does not have a direct entrance from the exterior of the building or a drive-thru;
- 9.5.8.6.2 Research and development facility;

9.5.8.7 **Accessory Uses Permitted by FMUOD Special Permit in all FMUOD districts:** Any use accessory to a use permitted by FMUOD Special Permit may be permitted pursuant to that same permit, irrespective of whether such use is located on the same lot as the principal use, provided that the principal use to which such use is accessory shall be clearly identified, and further provided that such accessory use shall be specifically reviewed and approved by the Planning Board in the FMUOD Special Permit.

4) Replace the existing Section 9.5.9 with a new Section 9.5.9 to read as follows:

9.5.9 **Alternative Dimensions.** The alternative dimensions set forth in the table below may be used for a project developed under a FMUOD Special Permit rather than the requirements provided elsewhere in this Bylaw. There shall be no minimum lot frontage, lot width, or setback requirements, and no maximum impervious surface or lot coverage requirements for a project developed under a FMUOD Special Permit. Rather, specific project dimensions shall be determined by the Planning Board. In all cases, there shall be sufficient separation between any two structures to allow emergency vehicle access.

		<u>FMUOD 1</u>	<u>FMUOD 2</u>	<u>FMUOD 3</u>	<u>FMUOD 4</u>	<u>FMUOD 5</u>	<u>FMUOD 6</u>	<u>FMUOD 7</u>
9.5.9.1	Minimum Project Area	10 acres	5 acres	10 acres	5 acres	5 acres	1 acre	1 acre
9.5.9.2	Minimum Lot Area	15,000 sq. ft.	15,000 sq. ft.	15,000 sq. ft.	15,000 sq. ft.	15,000 sq. ft.	4,000 sq. ft.	4,000 sq. ft.
9.5.9.3	Maximum Building Height	70 feet ¹	80 feet	45 feet	45 feet	45 feet	36 feet	36 feet
9.5.9.4	Maximum Floor Area Ratio, not including area of parking structure	1.0 ²	1.0	1.0	1.0	1.0	1.0	1.0
9.5.9.5	Minimum Residential District Buffer required under Section 6.3.2	100 feet	20 feet	50 feet	50 feet	50 feet	20 feet	20 feet
9.5.9.6	Minimum Public Amenity Areas or other public amenities required under Section 9.5.14.2.4.3	10%	other public amenity	10%	other public amenity	other public amenity	other public amenity	other public amenity

¹ Where a lot in FMUOD 1 is within two thousand five hundred (2,500) feet of the MBTA Train Station parcel (shown as Lot 1 on Assessor's Plat 33), and east of University Avenue, the Planning Board may allow an increased maximum building height of no more than 120 feet. In no case shall the height of any building exceed one hundred seventy-eight and one-half (178.5) feet above sea level.

² Where a lot in FMUOD 1 is within two thousand five hundred (2,500) feet of the MBTA Train Station parcel (shown as Lot 1 on Assessor's Plat 33), and east of University Avenue, the Planning Board may allow an increased maximum floor area ratio of no more than 1.2.

5) Replace the existing Section 9.5.11.2 with a new Section 9.5.11.2 to read as follows:

9.5.11.2 **Development Identification Sign.** Where appropriate, a project developed under a FMUOD Special Permit shall be allowed a development identification sign at any primary entrance to the project, as determined by the Planning Board. Such development identification sign may include the name and/or logo of the development project, as well as the names and/or logos of any anchor establishments within the development, as determined by the Planning Board. Development identification signs may have two (2) faces, each of which shall not exceed one hundred and sixty (160) square feet in area. Development identification signs shall not exceed twenty (20) feet in height, or such lesser amount as determined by the Planning Board to be appropriate for a particular application. Logos and/or graphic representations shall be counted toward the maximum permitted sign area. Development identification signs shall include appropriate landscaping as determined by the Planning Board.

6) Replace the existing Section 9.5.11.5 with a new Section 9.5.11.5 to read as follows:

9.5.11.5 **Way Finding Signs.** Where determined by the Planning Board to be appropriate in light of the size and scale of a project, way finding signs shall be allowed throughout a development, and may be allowed at off-premise locations at the sole discretion of the Planning Board. The number of such signs, and the size of each sign, shall be the minimum necessary to ensure traffic safety. Way finding signs shall be post-mounted, ground-mounted, or mounted on a building or structure, and shall not exceed thirty-two (32) square feet in area and shall have a maximum height of eight (8) feet above ground. All way finding signs located throughout a development shall be consistent in material, color and lettering style. Way finding signs shall not contain individual business identification logos. Way finding signs may include electronically changed lettering as appropriate to provide directions and/or indicate availability of public parking. Such changeable signs must be static displays that do not flash, or exhibit changes in lighting levels, or offer multiple messages on a cyclical basis.

7) Delete Sections 9.5.11.8, 9.5.11.9 and 9.5.11.10 in their entirety.

8) Replace existing Section 9.5.13 with a new Section 9.5.15.13 to read as follows:

9.5.13 Percentage of Residential Units. Pre-existing and new housing units, where permitted, shall occupy no more than fifty percent (50%) of the total gross floor area of any project authorized under a FMUOD Special Permit. The maximum allowable number and type of residential units shall be determined by the Board, in its sole discretion, following the Board’s acceptance of a fiscal impact report demonstrating that said residential units will have no negative fiscal impact on the town . The Planning Board shall have the authority to approve, in its sole discretion, phased construction of the residential components of a project, independent of the phased construction of the non-residential components of the same project, as long as the total gross floor area of the residential components of all phases does not exceed fifty percent (50%) of the total gross floor area of the project authorized under the FMUOD Special Permit, and as long as no portion of the total land area approved for non-residential components is developed for residential use.

9) Replace existing Section 9.5.15.2.1.2 with a new Section 9.5.15.2.1.2 to read as follows:

9.5.15.2.1.2 Architectural Design. Structures shall be designed to create a visually pleasing, unifying and compatible image for the development as a whole. Any combination of architectural design elements may be employed to meet this standard, including building color, texture, materials, scale, height, setbacks, roof and cornice lines, signs, and elements such as door and window size and location, and door and window detailing. Where the nature of the following design features is considered by the Planning Board to be significant to the preservation or enhancement of the desirable visual quality and property values of a particular area, any new structure or alteration shall be harmoniously related to nearby pre-existing structures and the street facade in terms of color, texture, materials, scale, height, setbacks, roof and cornice lines, signs and design elements such as door and window size and location and door and window detailing, including materials for sills, lintels, frames and thresholds and any other major design elements.

10) Replace existing Sections 4.1.5.6 and 4.1.5.7 with a new Sections 4.1.5.6 and 4.1.5.7 to read as follows:

	SRA	SR B	SR C	SR D	SR E	GR	SR	LB A	LB B	HB	I	IO	ARO
4.1.5.6 Retail sales and services, less than 10,000 square feet	N	N	N	N	N	N	N	Y	Y	Y ⁵	Y	Y	N
4.1.5.7 Retail sales and services, 10,000 square feet or more	N	N	N	N	N	N	N	N	N ⁴	Y ⁵	BA ³	BA ³	N

11) Replace Note 4 under Section 4.2 with a new Note 4 to read as follows:

⁴ Except for a retail grocery store which may exceed 10,000 square feet.

12) Change the designation of the parcels known as Assessor's Plat 23, Lots 163 and 188 from General Residential (GR) District to Local Business B (LBB) District, and change the designation of the parcel known as Assessor's Plat 23, Lot 215 from Industrial-Office (IO) District to Local Business B (LBB) District, or take any other action in relation thereto.

13) Replace the map entitled "Official Zoning Map, May 6, 2013" with the map entitled "Official Zoning Map, May 5, 2014".

ARTICLE 18

The Finance and Warrant Commission recommended and the Town voted by a 2/3 vote in favor declared by the Moderator to approve certain amendments to the Westwood Zoning Bylaw and Official Zoning Map related to Section 9.6 [Mixed Use Overlay Districts (MUOD)], including the deletion of Section 9.6 in its entirety, and the deletion of all references to Section 9.6 or to any MUOD districts, within the Zoning Bylaw and/or the Official Zoning Map.

ARTICLE 19

The Finance and Warrant Commission recommended and the Town voted by a 2/3 vote in favor declared by the Moderator to approve certain amendments to the Westwood Zoning Bylaw related to Medicinal Marijuana Use, including amendments to Section 2.0 [Definitions], Section 4.1 [Principal Uses], and Section 4.2 [Notes for Table of Principal Uses], and Section 4.6 [Interim Regulations for Medicinal Marijuana Use]:

1) Delete Section 2.0 definitions for "Medical Marijuana Dispensary" and "Other Marijuana Facility" and add new Section 2.0 definitions as follows:

Registered Marijuana Dispensary (RMD) A non-profit entity, lawfully permitted and licensed pursuant to 105 CMR 725 that acquires, cultivates, possesses, processes (including development of related products such as edible MIPs, tinctures, aerosols, oils, or ointments), transfers, transports, sells, distributes, dispenses, and/or administers marijuana, products containing marijuana, related supplies, or educational materials to registered qualifying patients or their personal caregivers. A Registered Marijuana Dispensary (RMD) may sell only marijuana, marijuana-infused products (MIPs) and marijuana seeds, and other products such as vaporizers that facilitate the use of marijuana for medical purposes.

Other Marijuana Facility Any acquisition, cultivation, possession, processing, sale, dispensing, distribution, or administration of products containing or derived from marijuana, including, without limitation, food, tinctures, aerosols, oils, ointments, or smokables, and/or marijuana-related supplies or materials, other than a Registered Marijuana Dispensary.

2) Amend Section 4.1.5.37 to read as follows:

	SR A	SR B	SR C	SR D	SR E	G R	SR	LB A	LB B	HB	I	IO	AR O
4.1.5.37 Registered Marijuana Dispensary per Section 7.4	N	N	N	N	N	N	N	N	N	N	N	N	BA

3) Add new Section 7.4 to read as follows:

SECTION 7.4 REGISTERED MARIJUANA DISPENSARIES (RMD)

7.4.1 **Purpose.** The purpose of this Section is to assure that Registered Marijuana Dispensaries (RMDs) are carefully designed, located and operated in accordance with applicable state and local laws, rules and regulations, and to assure that adequate provisions are made for impacts of such facilities upon the character of the Town and upon traffic, utilities and property values therein, thereby affecting the public health, safety and general welfare thereof.

7.4.2 **Special Permit Required.** No RMD shall be constructed or operated except pursuant to a special permit therefor granted by the Board of Appeals in accordance with Section 7.4.

7.4.2 **Application Requirements.** An application for a special permit for a RMD shall be accompanied by a site plan and all other application materials required by the rules and regulations of the Board of Appeals.

7.4.3 **Referral of Application to Board of Health.** Within ten (10) days after receipt of the application, the Board of Appeals shall transmit a copy thereof to the Board of Health, whereupon said Board may, at its discretion, review the proposed RMD project and report in writing its recommendations to the Board of Appeals. The Board of Appeals shall not take final action on such application until it has received a report thereon from the Board of Health, or until said Planning Board has allowed sixty-five (65) days to elapse after receipt of such application without submission of a report.

7.4.4 **Referral of Application to Police Chief.** Within ten (10) days after receipt of the application, the Board of Appeals shall transmit a copy thereof to the Police Chief, whereupon said Police Chief may, at his or her discretion, review the proposed RMD project and report in writing recommendations to the Board of Appeals. The Board of Appeals shall not take final action on such application until it has received a report thereon from the Police Chief, or until said Police Chief has allowed sixty-five (65) days to elapse after receipt of such application without submission of a report.

7.4.5 **Referral of Application to Planning Board.** Within ten (10) days after receipt of the application, the Board of Appeals shall transmit a copy thereof to the Planning Board, whereupon said Board may, at its discretion, review the proposed RMD project and report in writing its recommendations to the Board of Appeals. The Board of Appeals

shall not take final action on such application until it has received a report thereon from the Planning Board, or until said Planning Board has allowed sixty-five (65) days to elapse after receipt of such application without submission of a report. Said Planning Board report indicate the status of the proposed RMD’s Environmental Impact and Design Review (EIDR) application which is required pursuant to Section 7.3 of this Bylaw. If the Board of Appeals shall vote to grant a RMD Special Permit prior to the Planning Board’s issuance of an EIDR Approval for the RMD project, the Board of Appeals decision shall be conditional upon the granting of such EIDR Approval by the Planning Board and subject to any conditions thereof.

7.4.6 **Findings.** No RMD Special Permit shall be granted unless the Board of Appeals finds that operations conducted under such special permit, subject to the conditions imposed thereby, will not be contrary to the best interests of the Town.

4) Remove Section 4.6 in its entirety.

ARTICLE 20

The Finance and Warrant Commission recommended and the Town voted by a 2/3 vote in favor declared by the Moderator to approve certain amendments to the Westwood Zoning Bylaw related to restaurants, including amendments to Section 2.0 [Definitions], Section 4.1 [Principal Uses], and Section 4.2 [Notes for Table of Principal Uses]:

1) Amend Section 2.0 definition for “Restaurant” to read as follows:

Restaurant An establishment where the primary activity is the preparation, service and sale of meals for consumption on the premises while seated either inside a completely enclosed building, or in a designated outdoor seating area adjacent to the building in cases where such outdoor seating area has been allowed by a special permit issued by the Planning Board. The term “restaurant” shall not include “fast order food establishment”, “coffee shop” or “ice cream parlor” as herein separately defined.

2) Amend Sections 4.1.5.11, 4.1.5.12, and 4.1.5.13 to read as follows:

	SRA	SR B	SR C	SR D	SR E	GR	SR	LB A	LB B	HB	I	IO	AR O
4.1.5.11 Restaurant without entertainment, less than 10,000 square feet	N	N	N	N	N	N	N	Y ⁶	Y ⁶	Y ⁶	Y ⁶	Y ⁶	N
4.1.5.12 Restaurant without entertainment, 10,000 square feet or more	N	N	N	N	N	N	N	PB ⁶	PB ⁶	Y ⁶	PB ⁶	PB ⁶	N
4.1.5.13 Restaurant with entertainment	N	N	N	N	N	N	N	PB ⁶	PB ⁶	PB ⁶	N	N	N

3) Amend Note 6 under Section 4.2 to read as follows:

6

Outdoor seating associated with a Restaurant permitted under this section, with or without entertainment, shall require a special permit issued by the Planning Board pursuant to Section 10.3.

ARTICLE 21

The Finance and Warrant Commission recommended and the Town voted by a 2/3 vote in favor declared by the Moderator to approve certain amendments to the Westwood Zoning Bylaw related to Section 2.0 [Definitions], to add, delete, or amend various definitions:

- 1) Replace definitions for “Lot, Corner” and “Height, Building” to read as follows:

Lot, Corner A lot on a corner fronting on two (2) intersecting streets. In the case of a corner lot, one lot line shall be designated as the front lot line by the Building Commissioner, following a review of relevant criteria including street address and orientation of existing structures, and the opposite lot line shall be designated a rear lot line, for setback and yard requirements.

Height, Building Measured at the vertical distance from the average natural ground elevation adjoining the building at all exterior walls (grade plane) to the average height of the highest roof surface, except that in residential districts, height is measured from the highest finished ground elevation adjoining the building at all exterior walls. The limitations of height shall not apply to chimneys, ventilators, skylights, tanks, bulkheads, penthouses, amateur radio antennas and other necessary features usually carried above the roof line, provided such features do not cover more than twenty-five percent (25%) of the area of the roof of the building or other structure and are used in no way for human occupancy.

- 2) Add a new definitions to Section 2.0 to read as follows, and re-alphabetize definitions as appropriate:

Entertainment Any form of amusement, distraction or similar activity intended to entertain the customers or clientele of a business, including any live or audio-visual presentation regardless of duration.

Establishment Any private or public entity, for-profit or non-profit organization, institution, proprietorship, or partnership regularly engaged in a particular activity.

ARTICLE 22

The Finance and Warrant Commission recommended and the Town voted by a 2/3 vote in favor declared by the Moderator to approve certain amendments to the Westwood Zoning Bylaw related to Section 4.5 [Non-conforming Uses and Structures]:

- 1) Replace Section 4.5.8 with a new Section 4.5.8 to read as follows:

4.5.8 Single and Two-Family Reconstruction after Catastrophe or Voluntary Demolition.
Any single and two-family nonconforming structure may be reconstructed after a catastrophe or after voluntary demolition in accordance with the following provisions:

4.5.8.1 Reconstruction of said premises shall commence within one (1) year after

such voluntary demolition, or within two (2) years after such catastrophe, which time period may be extended by the Building Commissioner for good cause.

4.5.8.2 The building as reconstructed shall:

4.5.8.2.1 be located on the same footprint as the original structure, and shall only be as great in volume or area as the original nonconforming structure; or

4.5.8.2.2 comply with all current setback, yard and building coverage requirements and shall have a maximum building height of twenty-five (25) feet if constructed on a lot that does not comply with current lot area and lot frontage requirements.

4.5.8.3 In the event that the proposed reconstruction does not meet the provisions of Sections 4.5.8.1 and 4.5.8.2, a special permit shall be required from the Board of Appeals for such demolition and reconstruction.

ARTICLE 23

The Finance and Warrant Commission recommended and the Town voted by a 2/3 vote in favor declared by the Moderator to approve certain amendments to the Westwood Zoning Bylaw related to Section 5.0 [Dimensional Requirements], including amendments to the Table of Dimensional Requirements:

1) Replace existing Section 5.2 with a new Section 5.2 to read as follows:

5.2 TABLE OF DIMENSIONAL REQUIREMENTS¹

DISTRICT	DIMENSIONAL REQUIREMENTS									
	Minimum Lot Area (sq ft)	Minimum Lot Frontage (feet)	Minimum Lot Width (feet)	Minimum Nonwetland Area ² (sq ft)	Minimum Front Setback ³ (feet)	Minimum Side Yard Setback ⁴ (feet)	Minimum Rear Yard Setback ⁴ (feet)	Maximum Building Coverage (%)	Maximum Impervious Surface (%)	
5.2.1	SRA	12,000	90	90	12,000	25	15 ⁵	30 ⁶	25	50
5.2.2	SRB¹³	20,000	90	90	15,000	25	15 ⁵	30 ⁶	25	50
5.2.3	SRC¹³	40,000	125	125	30,000	40	20 ⁷	30 ⁸	25	50
5.2.4	SRD	15,000	90	90	12,000	25	15 ⁵	30 ⁶	25	50
5.2.5	SRE¹³	80,000	175	175	60,000	40	20 ⁷	30 ⁸	25	50
5.2.6	GR	12,000	90	90	12,000	25	15 ⁵	30 ⁶	25	50
5.2.7	SR	80,000	175	175	60,000	40	20 ⁷	30 ⁸	25	50
5.2.8	LBA	4,000	40	40	4,000	10	15 ⁹	15	25	80
5.2.9	LBB	4,000	40	40	4,000	0	15 ⁹	15	25	80
5.2.10	HB	10,000	100	100	10,000	50	15	15	50	80
5.2.11	I	40,000	200	200	12,000	50	15 ¹⁰	15 ¹¹	50	80
5.2.12	IO	40,000	200	200	12,000	50	15 ¹⁰	15 ¹¹	50	80
5.2.13	ARO	80,000	175	175	60,000	50	30 ¹²	30	30	50

ARTICLE 24

The Finance and Warrant Commission recommended and the Town voted by a 2/3 vote in favor declared by the Moderator to approve housekeeping amendments to various sections of the Westwood Zoning Bylaw and Official Zoning Map as may be necessary to correct errors or inconsistencies and to clarify such sections:

- 1) Replace the map entitled “Official Zoning Map, May 6, 2013” with the map entitled “Official Zoning Map, May 5, 2014”.

ARTICLE 25

The Finance and Warrant Commission recommended and the Town voted by a 2/3 vote in favor declared by the Moderator to endorse the *Dedham and Westwood Bicycle and Pedestrian Network Plan* following adoption of the same by the Westwood Planning Board.

ARTICLE 26

The Finance and Warrant Commission recommended and the Town voted by a 2/3 vote in favor declared by the Moderator to approve certain amendments to the Westwood Zoning Bylaw related to Section 6.2 [Signs]:

- 1) Amend Section 6.2.2.10 by deleting the second sentence so that Section 6.2.2.10 reads as follows:

6.2.2.10 Flag A sign, frequently constructed of fabric or other flexible material and frequently displayed on a pole or staff which can be freestanding or attached to a building or structure, and temporary in nature.

- 2) Add a new Section 6.2.4 to read as follows, and renumber subsequent sections as appropriate:

6.2.4 **Municipal Signs.** Notwithstanding any provisions to the contrary in Section 6.2 or elsewhere in this Bylaw, municipal signs of any type, number, size, and material are permitted in all districts as authorized by the Town Administrator.

- 3) Delete the words “, except municipal signs” from Section 6.2.4.2, so that Section 6.2.4.2 reads as follows:

6.2.4.2 The maximum area of each sign shall not exceed one (1) square foot.

- 4) Amend Section 6.2.4.4, 6.2.5.5 and 6.2.6.5 to read as follows:

6.2.4.4 Notwithstanding the above limitations on number and total area of signs, standard-sized directional signs and parking restriction signs shall be permitted as approved by the Building Commissioner.

6.2.5.5 Notwithstanding the above limitations on number and area of signs, standard-sized directional signs and parking restriction signs shall be permitted as approved by the Building Commissioner.

6.2.6.5 Notwithstanding the above limitations on number and area of signs, standard-sized directional signs and parking restriction signs shall be permitted as approved by the Building Commissioner.

5) Replace existing Section 6.2.7 with a new Section 6.2.7, which includes amendments to subsections 6.2.7.2 and added 6.2.7.6, so that the new Section 6.2.7 reads as follows:

6.2.7 **Prohibited Signs.** The following signs shall be prohibited in all districts except as specified herein:

6.2.7.1 Billboards, roof signs, moveable signs, changeable signs, off-premises signs, including off-premises commercial directional signs.

6.2.7.2 Flags, buntings, balloons, streamers, pennants, banners, strings of lights, ribbons, spinners and other similar devices; except that temporary exhibition associated with the commemoration of national holidays shall be permitted, and properly displayed official flags of governmental jurisdictions and decorative flags on residences shall be permitted.

6.2.7.3 Signs advertising any defunct commercial establishment or organization, except landmark signs which may be preserved and maintained even if they no longer pertain to the present use of the premises.

6.2.7.4 Signs, other than traffic, regulatory or directional signs, which use the words “stop”, “caution”, or “danger”, or incorporate red, amber or green lights resembling traffic signals, or resemble universal “stop” or “yield” signs in shape and color.

6.2.7.5 Signs or sign structures projecting or extending over a public way, including a sidewalk.

6.2.7.6 Notwithstanding the above provisions, municipal signs of all types shall be permitted in all districts as authorized by the Town Administrator.

ARTICLE 27

The Finance and Warrant Commission recommended and the Town voted by a 2/3 vote in favor declared by the Moderator to amend the Code of the Town of Westwood, Part II, General Legislation, by adding thereto Chapter 200, Child Safety Zones, Article I, Child Sex Offenders, as follows:

§ 200-1. Child sex offender in child safety zone

A. *Prohibition regarding child sex offender in child safety zone.*

(1) *Definitions:* For the purpose of this article, the following terms, phrases, words and derivations shall have the meaning given herein. When not inconsistent with the

context, words in the plural number include the singular and words in the singular number include the plural. The word “shall” is always mandatory and not merely directory.

CHILD SAFETY ZONE -- A park, playground, recreation center, library, school, camps, day-care center, private youth center, video arcade, bathing beach, swimming pool or wading pool, gymnasium, sports field or sports facility, including the parking area and land adjacent to any of the aforementioned facilities, and school or camp bus stops, which is:

- (a) Under the jurisdiction of any department, agency or authority of the Town of Westwood, including but not limited to the School Department; or
- (b) Leased by the Town of Westwood to another person for the purpose of operating a park, playground, recreation center, bathing beach, swimming pool or wading pool, gymnasium, sports field, or sports facility.

CHILD SEX OFFENDER --

- (a) Any person required to register as a sex offender pursuant to M.G.L.A. c. 6, §§178C to 178P, inclusive and given a Level 2 or Level 3 designation by the sex offender registry board under §178K and whose victim was a child under the age of 16 or who has not yet been classified and who resides, has secondary addresses, works or attends an institution of higher learning in the commonwealth and who has been convicted of or who has been adjudicated as a youthful offender or as a delinquent juvenile, or a person released from incarceration or parole or probation supervision or custody with the Department of Youth Services for such a conviction or adjudication of the following offenses: indecent assault and battery on a child under 14 under M.G.L.A. c. 265, §13B; rape of a child under 16 with force under §22A of said Chapter 265; rape and abuse of a child under §23 of said Chapter 265; assault of a child with intent to commit rape under §26C of said Chapter 265; kidnapping of a child under the age of 16 under §26 of said Chapter 265; enticing a child under the age of 16 for the purpose of committing a crime under §26C of said Chapter 265; indecent assault and battery on a mentally retarded person under §13F of said Chapter 265; assault with intent to commit rape under §24 of said Chapter 265; inducing a minor into prostitution under M.G.L.A., c. 272, §4A; living off or sharing earnings of a minor prostitute under §4B of said Chapter 272; disseminating to a minor matter harmful to a minor under §28 of said Chapter 272; posing or exhibiting a child in a state of nudity under §29A of said Chapter 272; dissemination of visual material of a child in a state of nudity or sexual conduct under §29B of said Chapter 272; unnatural and lascivious acts with a child under the age of 16 under §35A of said Chapter 272; drugging persons for sexual intercourse under §3 of said Chapter 272; aggravated rape under M.G.L.A., c. 277, §39; any attempt to commit a violation of any of the aforementioned sections pursuant to M.G.L.A., c. 272, §6 or a like violation of the laws of another state, the United

Station or a military, territorial or Indian tribal authority, and whose victim was a child under the age of 16.

(b) A person who has been adjudicated a sexually dangerous person under M.G.L.A., c. 123A, §14 as in force at the time of adjudication, or a person released from civil commitment pursuant to M.G.L.A., c. 123A, §9, whichever last occurs, on or after August 1, 1981, and whose victim was a child under the age of 16.

(c) A person who resides in the Commonwealth of Massachusetts, has a secondary address, works at or attends an institution of higher learning in the Commonwealth and has been convicted in any other state, in a federal or military court or in any foreign jurisdiction of any crime the essential elements of which are substantially the same as any of the crimes specified in above at Subsection (a), and which requires registration as a sexual offender in such other state or in the federal or military system, and who resides or works in this Commonwealth on and after August 1, 1981, and whose victim was a child under the age of 16.

(2) *Prohibition.* It shall be unlawful for a child sex offender to be present in any child safety zone.

(3) *Exceptions.* The provisions of this chapter shall not apply to:

(a) Any person whose name has been removed from the Massachusetts Sex Offender Registry or from the registry of any other state or in the federal or military system by act of a court or by expiration of the term such person is required to remain on such registry or reclassified as a Level 1 in Massachusetts or lowest offender category in another jurisdiction.

(b) The facility in a child safety zone also supports a church, synagogue, mosque, temple or other house of religious worship, subject to all of the following conditions:

[1] The child sex offender's entrance and presence upon the property occurs only during hours of worship or other religious program/service as posted to the public; and

[2] The child sex offender shall not participate in any religious education programs that include individuals under the age of 18.

(c) The property also supports the use lawfully attended by a child sex offender's natural or adopted child(ren), which child's use reasonably requires the attendance of the child sex offender as the child's parents upon the property, subject to the following condition:

[1] The child sex offender's entrance and presence upon the property occurs only during hours of activity related to the use as posted to the public.

(d) The property also supports a polling location in a local, state or federal election, subject to all of the following conditions:

[1] The child sex offender is eligible to vote;

[2] The property is the designated polling place for the child sex offender; and

[3] The child sex offender enters the polling place property, proceeds to cast a ballot with whatever usual and customary assistance is to any member of the electorate, and vacates the property immediately after voting.

(e) The property also supports a school lawfully attended by a child sex offender as a student under which circumstances the child sex offender may enter upon the property supporting the school at which time the child sex offender is enrolled, for such purposes and at such times as are reasonably required for the education purposes of the school.

(f) The property also supports a court, government office or room for public governmental meetings, subject to all of the following conditions:

[1] The child sex offender is on the property only transact business at the government office or place of business, excluding a library, or attend an official meeting of a governmental body; and

[2] The child sex offender leaves the property immediately upon completion of the business or meeting.

B. *Notice:* The Chief of Police or his designee shall make reasonable efforts to provide prompt, actual written notice of the enactment of this section (which notice shall contain a copy of the bylaw) to all persons who are listed on the sex offender registry as of the effective date of this section and who were given a Level 2 or Level 3 designation, as well as those persons who are added to the sex offender registry at such levels thereafter, which persons' addresses (as shown on the sex offender registry) are within the Town of Westwood. Such notice requirement may be satisfied by the mailing such notice by registered or certified mail, return receipt required to the last known address of such person as listed on the sex offender registry or as otherwise known to the Chief of Police. The failure of any person to receive such actual written notice shall not be a defense to a violation of this section.

C. *Enforcement procedures.*

(1) Upon reasonable belief of a police officer that a child sex offender is present in a child safety zone in violation of this section, the officer shall obtain from the suspected child sex offender his/her name, address, and telephone number.

Should the police officer thereafter establish that the individual is a child sex offender as defined in this section, then the officer shall issue a written citation that such individual is in violation of this section and also require that the individual leave the child safety zone. An individual who refuses to leave or is later found to be in the same child safety zone shall be subject to the penalties set for at §200-2.

- (2) A map depicting and a written list describing the child safety zones shall be created and maintained by the Information Technology/GIS Department in coordination with the Police Department, which shall be reviewed annually or as the need arises for changes. Said map and list as well as a copy of this section shall be available to the public at the offices of the Town of Westwood Police Department and the Town Clerk and at all public buildings and will also be posted on the Town of Westwood's official website. In the event that the list, map or the words of this section shall conflict then the words of this section shall control.

§ 200-2. Penalties and remedies

- A. Any violation of §200-1 may be subject to criminal penalties and prosecution in a court of competent jurisdiction and shall result in a criminal fine of up to \$150 for a first violation. Refusal to leave a child safety zone or being later found in the same child safety zone shall result in a criminal fine of up to \$300. A second violation of the section shall be subject to a criminal fine of up to \$300. A child sex offender commits a separate offense for each and every violation of this section. Except for persons who are not yet 17 years of age when they commit any such offense, violation of this section may further constitute a violation of M.G.L.A. c. 272, §59, for which the violator is also subject to immediate arrest without warrant. The issuance of a citation shall not preclude the Town from seeking or obtaining any or all other legal and equitable remedies to prevent or remove a violation of this section, to include written notification to the parole and/or probation officer and the Commonwealth's Sex Offender Registry Board that the child sex offender has violated a municipal bylaw.
- B. As an alternative, any violation shall result in a non-criminal fine of \$150 for first violation. Refusal to leave a child safety zone or being later found in the same child safety zone shall result in a non-criminal fine of \$300. A second violation of §200-1 shall be subject to a non-criminal fine of \$300. A child sex offender commits a separate offense for each and every violation of this section. Except persons who are not yet 17 years of age when they commit any such offense, any violation of this section may further constitute a violation of M.G.L.A. c. 272, §59, for which the violator is also subject to immediate arrest without warrant. The issuance of a citation shall not preclude the Town from seeking or obtaining any or all other legal and equitable remedies to prevent or remove a violation of this section, to include written notification to the parole and/or probation office and the Commonwealth's Sex Offender Registry Board that the child sex offender has violated a municipal bylaw.

- C. *Injunction.* If a child sex offender is present upon or within a safety zone in violation of § 200-1 above, Town Counsel or designee may bring an action in the name of the town to permanently enjoin any such violation as a public nuisance.

ARTICLE 28

The Finance and Warrant Commission recommended and the Town voted by a 2/3 vote in favor declared by the Moderator to adopt the following amendments to the General Bylaws: Chapter 138, Town Meetings Article 1; Call and Notice of Town Meetings, Annual Town Meeting §138-2; and Chapter 80, Officers and Employees, §80-9. Minutes: by deleting said sections in their entirety and replacing it with a new section §138-2 and §80-9 as follows:

Chapter 138. TOWN MEETINGS

Article I. Call and Notice of Town Meetings

§ 138-2. Annual Town Meeting.

[Amended 5-6-2013 ATM by Art. 18]

All business, except the election of officers and determination of such matters as by law are required or permitted to be upon the ballot, shall be considered at an adjournment thereof, as provided in the Town Charter. There shall also be a second business session Annual Town Meeting held on the second Monday in November unless said day shall fall on a state holiday in which case the meeting shall be held on the next business day, which meeting shall be an "Annual Town Meeting" for purposes of the General Laws; provided, however, that the Board of Selectmen may, at its discretion, cancel said Fall Annual Town Meeting, no later than September 15 in any year, so long as no more than 10 petitioned articles have been submitted for inclusion on the warrant of said Fall Annual Town Meeting, as set forth in the Charter, Section 2-6-1. Business sessions shall be called for 7:30 p.m.

Chapter 80, OFFICERS AND EMPLOYEES ARTICLE 1.

§80-9. Minutes

In accordance with MGL Ch. 30A, §22, Town Boards and Committees shall create and approve minutes of all open sessions in a timely manner. Upon approval, said minutes shall within 10 days, be posted on the town's website and filed with the Town Clerk: minutes of all open sessions, whether approved or in draft form, will be made available upon request by any person within 10 days.

All Business on the Warrant having been acted upon, a motion was made and seconded to adjourn at 9:51 p.m.

Attest:



Dorothy A. Powers, CMC, CMMC
Westwood Town Clerk