Westwood Finance Commission
February 26, 2013
Annual Town Meeting Public Hearing
Little Theatre, High School
Meeting Recorded by WestCat and Westwood Press

Chairman Masi-Phelps called the meeting to order at 7:30 .M.

Finance Commission members absent – Craig Foscaldo, Peter Neville.

Public Hearing – See Attached Article List

Budget Update – Finance Director Pam Dukeman

Approval to Exceed Appropriation for Snow and Ice Removal

MOTION: Mr. Hertz moved the Finance and Warrant Commission vote to authorize, under the provisions of Section 31D of Chapter 44 of the Massachusetts General Laws and in consideration of the Selectmen's approval vote on February 25, 2013 additional expenditures for snow and ice removal up to $185,000; seconded by Ms. LeBlanc. VOTE: Unanimous.

Approval of January 22, 2013 Meeting Minutes

Ms. LeBlanc requested an amendment (handwritten to the Administrator) to the meeting minutes. Ms. Delisle moved approval of the January 22, 2013 amended minutes; seconded by Mr. Blessing. Members in attendance at that meeting approved.

Approval of January 23, 2013 Meeting Minutes

Mr. Lavoie moved approval of the January 23, 2013 meeting minutes; seconded by Ms. Cote. Members in attendance at that meeting approved.

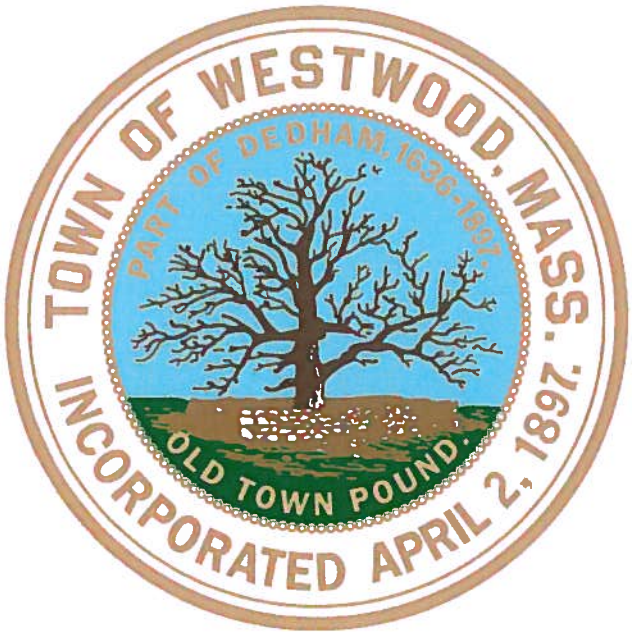
Meeting Adjourned at 10:40 P.M.

Next Meeting March 12, 2013
7:30 P.M., High School Professional Development Room

Finance and Warrant Commission
February 26, 2013 Public Hearing

Introduction

The language in these articles is for informational purposes and is not final. The language will be finalized for inclusion in the Warrant and will be available prior to the Finance and Warrant Commission hearing in April.



Annual Town Meeting Articles

Sewer Commission

1. Sewer inflow and infiltration design bond.
2. Grove Street sewer connection.

Town Clerk

3. Electronic voting for Town Meeting.
4. Bylaw revisions to reflect new state dog licensing requirements.
5. Bylaw revisions – Charter.
6. Bylaw revisions – General.

Board of Selectmen

1. Personnel Bylaw Revisions

This article title has been removed from the Town Meeting Warrant to be incorporated with the Bylaw Revisions – Charter presented by the Town Clerk.

2. Road Improvements

To see if the Town will vote to authorize the Board of Selectmen to apply for and accept state funds to be received as reimbursement for road improvements and deposit said funds into the Town's Road Improvement Account to be used as reimbursement for 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 Chapter 90 and other 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, or take any other action thereon.

3. Street acceptances – Fisher Street and Metcalf Road

Fisher Street

To see if the Town will vote to raise and appropriate and/or borrow and/or transfer from available funds a sum of money to pave and unaccepted portion of Fisher Street to which the residents of fisher Street will be responsible for betterment charges, which will raise half the cost to pave the unaccepted portion of Fisher Street, and to accept that section of Fisher Street Road as a public way, or take any other action related thereto.

Metcalf Road

To see if the Town will vote to raise and appropriate and/or borrow and/or transfer from available funds a sum of money to reconstruct Metcalf Road to which the residents of Metcalf Road will be responsible for betterment charges, which will raise half the cost to reconstruct Metcalf Road and to accept Metcalf Road as a public way and any easements

provided by the abutting residents to augment the right of way incorporating the roadway and cul-de-sac, or take any other action related thereto.

4. **Establish Stabilization Account – Blue Hills Regional School**
   To see if the Town will vote to authorize the Blue Hills Regional Technical School District to establish a Stabilization Fund according to Chapter 71, Sections 16G.5 of the Massachusetts General Laws, or take any other action relative thereto.

5. **Adoption of Chapter 29 Acts of 2010 which would establish a Citizen Solider Exemption**
   To see if the Town will vote to adopt Chapter 29 of the Acts of 2010 to establish a Westwood Citizen Solider Exemption or take any other action related thereto.

6. **Veterans' work-off program**
   To see if the Town will vote to adopt Chapter 59, Section 5N M.G.L. which would entitle qualified Veterans as defined by in the Forty Third Clause of Section 7 of Chapter 4 M.G.L. to provide services to a city or town in exchange for a reduction in real estate property tax obligations at a rate of pay equal to the minimum wage of the Commonwealth per hour up to $1,000 in any given year; the Town shall set aside up to $10,000 as compensation for up to ten (10) veterans under this Veteran's Work Off Program in fiscal year 2014 and every year thereafter, or take any other action related thereto.

7. **Adoption of local option law, Chapter 137 Actions of 2003, the Military Pay Differential Act, related to public employees serving in the Armed Forces of the United States**
   To see if the Town will adopt Chapter 137 of the Acts of 2003 Military Pat Differential Act relative to public employees serving in the Armed Forces of the United States or take any other action thereto.

8. **General Bylaw Adoption – Medical Marijuana**
   The language for this article is still being drafted.

9. **Acquisition of real property**
   The language for this article is still being drafted.

10. **Preservation Article**
    This article was voted to be removed from the warrant at the Board of Selectmen's February 11th meeting.

11. **Storm water Bylaw**
    This article was voted to be removed by the Selectmen.

12. General Bylaw Amendments – Door-to-Door Solicitation

To see if the Town will vote to modify Chapter 338, Door-to-Door Solicitation Bylaw for the Town of Westwood as noted below:

Chapter 338. SOLICITING AND CANVASSING
GENERAL REFERENCES

Secondhand dealers — See Ch. ***325****.*

Fingerprint-based criminal record background checks — See Ch. ***339****.*

§ 338-1. Title.

This chapter shall be known as the "Door-to-Door Solicitation Law of the Town of Westwood."

§ 338-2. Intent.

This chapter is intended to regulate door-to-door sales by licensing sales agents; establishing a No Solicitation List; and promulgating reasonable time and manner restrictions on door-to-door solicitation, including enforcement of the No Solicitation List.

§ 338-3. Definitions.

The following words and phrases shall have the following meanings:

DOOR-TO-DOOR SALES

The in-person solicitation of sales of goods or services for present or future delivery by entry upon residential property, including multifamily or duplex residential property, or by soliciting person located on residential property from a street, sidewalk, or other adjacent property, without the prior invitation of the person to be solicited.

DOOR-TO-DOOR SALES PERMIT

A permit issued to a sales agent to engage in door-to-door sales in accordance with this chapter.

NO SOLICITATION LIST

A list of residential addresses in the Town, organized alphabetically by street name, indicating those residential properties placed on the list at the request of the owner or occupant indicating that they do not want sales agents to enter their property.

SALES ORGANIZATION

Any entity engaged in the supervision, recruitment, retention, or employment of a salesperson or -persons, including any person or representative thereof.

SALESPERSON
Any person engaged in door-to-door sales of goods or services for present or future delivery.

SALES SUPERVISOR
Any person who directs or supervises a salesperson(s) or -person(s) engaged in door-to-door sales.

§ 338-4. Administration.

The Town of Westwood door-to-door sales permit process shall be administered by the Westwood Police Department.

§ 338-5. Application requirements.

A. Each salesperson must apply individually to the Westwood Police Department during posted administrative hours by submitting a completed application, which shall require:
1. Government-issued photographic identification.
2. Date of birth.
3. Social security number.
4. Permanent residential address.
5. Home telephone number.
6. Temporary local address.
7. Current cell phone number.
8. Sales organization information.
9. Sales supervisor identity.
10. Make, model, color, and registration number of any vehicle(s) used to transport the sales agent(s), his or her supervisor, or sales materials.
11. Such other verifying information as may be reasonably required.

B. An application fee to be established and adjusted from time to time by the Board of Selectmen shall accompany each Town of Westwood door-to-door sales permit application.

C. The application will be considered and acted upon within two business days of its submission. If not acted upon within two business days, the applicant shall be notified.

§ 338-6. Background check.

Subject to the provisions of the Massachusetts Criminal Records Offender Statute, M.G.L. c. 6, § 167 et seq.,~~and~~ regulations promulgated thereunder and Chapter 339

Fingerprint Based Criminal Record Background Checks, of the Code of the Town of Westwood, the Westwood Police Department shall conduct a criminal records check of each applicant for a Town of Westwood door-to-door sales permit to determine the applicant's fitness and suitability to conduct door-to-door sales.

§ 338-7. No solicitation list.

A. *The No Solicitation List shall be established and maintained by the Westwood Police Department. Residents may submit their property for inclusion on the list without charge.*

B. *Upon approval and issuance of a Town of Westwood door-to-door sales permit, each salesperson shall be provided with a copy of the No Solicitation List.*

§ 338-8. Door-to-door sales regulations.

A. *No salesperson shall engage in door-to-door sales without first having applied for and received a Town of Westwood door-to-door sales permit.*

B. *No sales organization shall allow any salesperson to engage in door-to-door sales who has not applied for and received a Town of Westwood door-to-door sales permit.*

C. *No sales supervisor shall direct, supervise, or allow any salesperson to engage in door-to-door sales who has not applied for and received a Town of Westwood door-to-door sales permit.*

D. *No salesperson shall enter within the perimeter of any residential property included on the No Solicitation List. In addition to the fine(s) established below, inclusion of a residential property on the No Solicitation List shall constitute notice prohibiting trespass under MGL c. 266, § 120.*

E. *No salesperson shall solicit sales from a person situated within a residential property included on the No Solicitation List from a street, sidewalk or other adjacent property.*

F. *Each salesperson shall carry the Town of Westwood door-to-door sales permit at all times while engaged in door-to-door sales and shall display said permit upon request by any police officer, Town official, or any person present at a residential property where door-to-door sales is solicited.*

G. *No salesperson or supervisor shall use any vehicle to transport persons or materials for door-to-door sales unless said vehicle is identified in the Town of Westwood door-*

to-door sales permit application and the exterior of said vehicle is marked with name of the sales organization and the words "DOOR-TO-DOOR SALES." All required information shall be in letters a minimum of four inches in height on both sides of the vehicle.

H. Door-to-door sales shall not be conducted except during the hours between 9:00 a.m. and 7:00 p.m.

§ 338-9. Penalties.

A. Each violation of any provision of this bylaw shall be punished by a fine not to exceed $300.

B. Upon the occurrence of a second violation of this bylaw by any salesperson, the issuing authority may revoke that salesperson's Town of Westwood door-to-door sales permit.

§ 338-10. Severability.

The invalidity of any portion or portions of this chapter shall not invalidate any other portion, provision or section thereof.

13. NEW – Cross Easement – Colburn School

The Board of Selectmen voted to utilize one of its miscellaneous articles for an article relating to cross easements for the Colburn School. The language for this article is still being drafted.

14. Miscellaneous (4)

The Board of Selectmen has reserved the right to four (4) miscellaneous articles to serve as placeholders in the event an article needs to be placed on the warrant before approval of the 2013 Annual Town Meeting Warrant.

Budget Update – Finance Director Pam Dukeman

Approval to Exceed Appropriation for Snow & Ice Removal

Approval of January 22 and 23, 2013 Meeting Minutes