

**COMMONWEALTH OF MASSACHUSETTS**

**NORFOLK, SS.**

**To either of the Constables of the Town of Dedham in said County: You are hereby required in the name of the Commonwealth aforesaid to notify and warn the inhabitants of said Town of Dedham qualified to vote in town affairs to meet at the polling places designated for the several districts in said town:**

**District One-Town Hall, 26 Bryant Street;  
District Two-Riverdale School, 143 Needham Street;  
District Three-Mother Brook Arts & Community Center, 123 High Street;  
Districts Four & Six-Dedham Middle School, 70 Whiting Avenue; and  
Districts Five & Seven-Greenlodge School, 191 Greenlodge Street**

**on the second Saturday in April (it being the ninth day of said month) AD 2016, at seven o'clock in the forenoon until eight o'clock in the evening, then and there to act on the following article, namely:**

**ARTICLE ONE:** To choose all necessary Town Officers. The following are to be chosen by Ballot:

**Elected Town Officers, as follows:**

Two members of the Board of Selectmen for terms of three years  
One member of the Board of Assessors for a term of three years  
Two members of the School Committee for terms of three years  
One member of the School Committee for a term of two years  
One member of the Board of Health for a term of three years  
One member of the Planning Board for a term of five years  
Two members of the Trustees of the Public Library for terms of three years  
Two members of the Commissioner of Trust Funds for terms of three years  
One member of the Park and Recreation Commission for a term of three years  
One member of the Housing Authority for a term of five years

**Town Meeting Representatives as follows:**

Precinct One	Vote for not more than thirteen for terms of three years
Precinct Two	Vote for not more than thirteen for terms of three years Vote for not more than one for a term of one year
Precinct Three	Vote for not more than thirteen for terms of three years Vote for not more than two for a term of one year
Precinct Four	Vote for not more than thirteen for terms of three years Vote for not more than two for a term of two years
Precinct Five	Vote for not more than thirteen for terms of three years Vote for not more than one for a term of one year
Precinct Six	Vote for not more than thirteen for terms of three years Vote for not more than one for a term of two years
Precinct Seven	Vote for not more than thirteen for terms of three years Vote for not more than two for a term of one year

**and to return to meet at the place so designated, Dedham High School, 140 Whiting Avenue, for the 2016 Spring Annual Town Meeting in said town on the third Monday in May (it being the sixteenth day of said month) AD 2016, at seven o'clock in the evening, then and there to act on the following articles, namely:**

**ARTICLE TWO:** *By the Board of Selectmen:* To see if the Town will vote to adopt changes in Schedule A (Classification Schedule), or Schedule B (Compensation Schedule), or Schedule C (Fringe Benefits) of the Personnel Wage and Salary Administration Plan; to act upon the recommendations of the Town Manager as to actions he deems advisable and necessary in order to maintain a fair and equitable pay level and compensation policy; to implement collective bargaining agreements listed below and Schedule B (Compensation Schedule), the funding for which is included in the appropriate departmental budgets under Article Three:

1. AFSCME, Local #362 (Library Staff Unit)
2. Dedham Police Patrolman's Association, Massachusetts Coalition of Police, Local #448, AFL-CIO
3. Dedham Police Association (Lieutenants & Sergeants)
4. Dedham Firefighter's Association, Local 1735
5. AFSCME, Local #362 (DPW- Unit A)
6. AFSCME, Local #362 (DPW-Unit B)
7. AFSCME, Local #362 (Town Hall)
8. AFSCME, Local #362 (Parks)
9. AFSCME, Local #362 (Civilian Dispatchers)

or take any other action relative thereto. *Referred to Finance and Warrant Committee for study and report.*

**ARTICLE THREE:** To see what sum of money the Town will raise and appropriate, or transfer from available funds to defray departmental and incidental expenses of the Town for the fiscal year commencing July 1, 2016, not otherwise provided for, or take any other action relative thereto. *Referred to Finance and Warrant Committee for study and report.*

**ARTICLE FOUR:** To see what sum of money the Town will vote to raise and appropriate, transfer from available funds or borrow to implement capital improvements and capital projects, or take any other action relative thereto. *Referred to Finance and Warrant Committee for study and report.*

**ARTICLE FIVE:** To see if the Town, in accordance with the provisions of the General Laws, Chapter 41, §108, will vote to fix the salary and compensation of all elected officials of the Town, or take any other action relative thereto. *Referred to Finance and Warrant Committee for study and report.*

**ARTICLE SIX:** *By the Finance Committee:* To see if the Town will vote to transfer unexpended balances from line items of special articles of prior years to fund expenses for Fiscal Year 2017, or take any other action relative thereto. *Referred to Finance & Warrant Committee for study and report.*

**ARTICLE SEVEN:** *By the Town Manager at the request of the Director of Finance:* To see what sum of money the Town will vote to raise and appropriate, or transfer from available funds for payment of outstanding bills of prior years, or take any other action relative thereto. *Referred to Finance and Warrant Committee for study and report.*

**ARTICLE EIGHT:** *By the Finance Committee:* To see what sum of money the Town will vote to raise and appropriate, or transfer from available funds to meet additional expenses of the current fiscal year not adequately funded under Article Three of the 2015 Spring Town Meeting (FY'16) or any other article thereof; or to take any other action relative thereto. *Referred to Finance and Warrant Committee for study and report.*

**ARTICLE NINE:** *By the Finance Committee:* To see what sum of money the Town will vote to raise and appropriate, or transfer from available funds for deposit in the Stabilization Fund, or to take any other action relative thereto. *Referred to Finance and Warrant Committee for study and report.*

**ARTICLE TEN:** *By the Town Manager at the request of the Director of Finance.* To see if the Town will vote to raise and appropriate or transfer from available funds a sum or sums to one or more special purpose stabilization funds, or take any other action relative thereto. *Referred to Finance and Warrant Committee for study and report.*

**ARTICLE ELEVEN:** *By the Town Manager at the request of the Director of Finance.* To see if the Town will vote to appropriate money from one or more special purpose stabilization funds to one or more of the stated purposes for such funds to be expended at the direction of a specified officer or multiple member body of the Town, or take any other action relative thereto. *Referred to Finance and Warrant Committee for study and report.*

**ARTICLE TWELVE:** *By the Town Manager at the request of the Director of Finance.* To see if the Town will vote to authorize the Town Manager to extend the contract dated October 22, 2015 with Tyler Technologies, Inc. for financial software subscription services for an additional period of 7 years, for a total contract term of 10 years, all other terms and conditions of said contract to remain in full force and effect, said extension having been determined by the Town Manager to be in the best interest of the Town, or take any other action relative thereto. *Referred to Finance and Warrant Committee for study and report.*

**ARTICLE THIRTEEN:** *By the Town Manager.* To see if the Town will vote to authorize the Town Manager to extend the contract dated January 1, 2016 with Fallon Ambulance for Emergency Medical services for 2 additional periods of 2 years each, for a total contract term of 7 years, all other terms and conditions of said contract to remain in full force and effect, said extension having been determined by the Town Manager to be in

the best interest of the Town, or take any other action relative thereto. *Referred to Finance and Warrant Committee for study and report.*

**ARTICLE FOURTEEN:** To see if the Town will vote to authorize the use of the following revolving funds pursuant to G.L. c.44 Section 53E ½ for the fiscal year beginning July 1, 2016, such funds to be credited with receipts from the following revenue sources, to be expended under the authority and direction of the following agencies or officials, for the following stated purposes, not to exceed the following spending limits, respectively:

FUND	REVENUE SOURCE	AUTHORITY TO SPEND FUNDS	USE OF FUND	SPENDING LIMIT	RESTRICTIONS COMMENTS
Pool Fund	Pool User Fees	Parks & Recreation Director	Operation and Maintenance of the Dedham Pool	\$225,000	None
Firearms Fee Fund	Firearms Permits	Police Chief	Pay share of State fees/Balance to be expended for needs of Police Department	\$5,000	None
Police Cruiser Fee Fund	Fees for police cruisers used at private details	Police Chief	Police cruiser maintenance, repairs and fuel	\$20,000	None
Surplus Vehicle and Equipment Fund	Receipts from sale of surplus vehicles and equipment	Town Manager	Paying costs and expenses of surplus sales and replacement vehicles and equipment	\$75,000	None
Board of Health Programs	Various Health Clinics & Tobacco Related Fines	Health Director	Paying costs and expenses associated with health clinics, educational programs, and Tobacco enforcement	\$10,000	None
Council on Aging Programs	Fees from Various Council on Aging Programs	Council on Aging Director	Paying costs and expenses related to said Programs	\$8,000	None
Recreation	Receipts from recreational programs, including dog park	Parks and Recreation Director	Paying costs and expenses related to said Programs	\$190,000	None

Sustainability Fund	Donations and Fees	Town Manager	Paying costs and expenses associated with educational and outreach events	\$2,500	None
Veterans' Fund	Receipts from all Veterans Programs	Veterans' Agent	Paying costs and expenses related to said Programs	\$5,000	None
Ames Building	Rental Income	Town Manager	Paying costs and expenses related to building maintenance	\$500,000	None
Avery School (MBACC)	Rental Income	Town Manager	Paying costs and expenses related to building maintenance	\$2,500	None
Youth Commission	Receipts from all Youth Commission Programs or Events	Town Manager	Paying costs and expenses related to said programs or events	\$25,000	None

or to take any other action relative thereto. *Referred to Finance and Warrant Committee for study and report.*

**ARTICLE FIFTEEN:** *By the Town Manager at the request of the Finance Director.* To see what sum of money the Town will raise and appropriate or transfer from available funds to operate the Sewer Enterprise Fund for the fiscal year commencing on July 1, 2016, or take any other action relative thereto. *Referred to Finance and Warrant Committee for study and report.*

**ARTICLE SIXTEEN:** *By the Town Manager at the request of the Finance Director.* To see what sum of money the Town will raise and appropriate or transfer from available funds to operate the Endicott Estate Enterprise Fund for the fiscal year commencing July 1, 2016, or take any other action relative thereto. *Referred to Finance and Warrant Committee for study and report.*

**ARTICLE SEVENTEEN:** *By Town Meeting Vote:* To hear and act upon the reports of the various Town Committees, as required by vote of prior Town Meetings; to see what sum of money the Town will vote to raise and appropriate, transfer from available funds, or borrow to carry out the recommendations of said committees; or to take any other action relative thereto. *Referred to Finance and Warrant Committee for study and report.*

**ARTICLE EIGHTEEN:** *By the Town Manager at the request of the Director of Engineering.* (MWRA I/I Local Financial Assistance Program – Phase 10). To see if the Town will vote to raise and appropriate, transfer from available funds, or borrow the sum of NINE HUNDRED THIRTEEN THOUSAND (\$913,000.00) DOLLARS, for the purpose of participating in the Massachusetts Water Resources Authority (MWRA) Inflow/Infiltration Local Financial Assistance Program – Phase 10, and to meet such

appropriation to authorize the Treasurer, with approval of the Board of Selectmen, to borrow said sum in accordance with Section 7(1) and 7(1A) of Chapter 44 of the General Laws, or any other enabling authority and issue bonds and notes therefor, and to authorize the Town to apply for any grants or loans available for the project, or take any other action relative thereto. *Referred to Finance and Warrant Committee for study and report.*

**ARTICLE NINETEEN:** *By the Town Manager at the request of the Treasurer Collector.* To see if the Town will vote to rescind the following amounts, authorized but unissued, for the following projects:

<b>Purpose</b>	<b>Date Authorized</b>	<b>Unissued Amount</b>
Land Acquisition	5/16/11	\$25,000
Avery School Construction	11/16/09	\$550,142
Avery School Plans	5/19/08	\$150,000
Sewer Repairs	5/19/08	\$180,000
HS Equip-Security	5/19/08	\$20,000
Replace Heating Pipes	4/9/07	\$25,000

or take any other action relative thereto. *Referred to Finance and Warrant Committee for study and report.*

**ARTICLE TWENTY:** *By the Town Manager at the request of the School Building Rehabilitation Committee.* To see if the Town will vote to appropriate, borrow or transfer from available funds, a sum of money to be expended under the direction of the School Building Committee, for constructing, originally equipping and furnishing a new early childhood education center for preschool and kindergarten students at 1100 High Street, the current site of the Dexter School replacing the current Dr. Thomas J. Curran Early Childhood Education Center, including the cost of architectural design, project management and other incidental and related costs, as well as demolition of the existing building and other necessary site improvements, which proposed school facility shall have an anticipated useful life as an educational facility for the instruction of school children for at least 50 years, and for which the Town may be eligible for a school construction grant from the Massachusetts School Building Authority ("MSBA"); to determine whether this appropriation shall be raised by borrowing or otherwise; the MSBA's grant program is a non-entitlement, discretionary program based on need, as determined by the MSBA, and any project costs the Town incurs in excess of any grant approved by and received from the MSBA shall be the sole responsibility of the Town; provided further that any grant that the Town may receive from the MSBA for the project shall not exceed the lesser of (1) 52.33 percent of eligible, approved project costs, as determined by the MSBA, or (2) the total maximum grant amount determined by the MSBA; or take any other action relative thereto. *Referred to Finance and Warrant Committee for study and report.*

**ARTICLE TWENTY-ONE:** *By the Planning Board.* To see if the Town will vote to amend the Use Regulation Table (Table 1) of the Dedham Zoning By-Law as follows:

Delete Use Category A.4 (Buildings containing dwelling units in combination with stores or other permitted uses) and Use Category A.5 (Subsidiary Apartments (See Section 7.4) of Table 1 (Principal Use Table) in their entirety and replace with the following new Use Category A.4 (Mixed Use Development See Section 7.4) as follows:

PRINCIPAL USE – See Footnote explanations, Section 3.1.6	DISTRICTS											
	SRA SRB	GR	P R	P C <sup>1</sup> <sub>9</sub>	RDO	AP	LMA	LMB	HB	LB <sub>18</sub>	GB	CB
4. Mixed-Use Development s	NO	NO	N O	SP	SP	NO	NO	NO	SP	SP	SP	SP

and to renumber the subsections of Category A as necessary, or take any action relative thereto. *Referred to Planning Board and Finance and Warrant Committee for study and report.*

**ARTICLE TWENTY-TWO:** *By the Planning Board.* To see if the Town will vote to amend the Dedham Zoning By-Law as follows:

In Section 3.1.6, delete Footnote 6 to Table 1 (Principal Use Table) in its entirety and replace with “Reserved for future use”; or take any action relative thereto. *Referred to Planning Board and Finance and Warrant Committee for study and report.*

**ARTICLE TWENTY-THREE:** *By the Planning Board.* To see if the Town will vote to amend the Dedham Zoning By-Law as follows:

Delete in Section 10 the definition of “Subsidiary Apartment” in its entirety, or take any other action relative thereto. *Referred to Planning Board and Finance and Warrant Committee for study and report.*

**ARTICLE TWENTY-FOUR:** *By the Planning Board.* To see if the Town will vote to amend Section 10 of the Dedham Zoning By-Law by adding a new definition as follows:

“Mixed-Use Development: A building containing lower floor commercial and other non-residential uses allowed in the zoning district by right or by special permit with residential dwelling units on upper floors. The gross floor area of the commercial and other non-residential uses in a Mixed-Use Development must be at least ten (10%) percent of the gross floor area of the entire building. All Mixed-Use Developments are authorized by a Special Permit issued pursuant to Section 7.4 of this By-Law”; or take any action relative thereto. *Referred to Planning Board and Finance and Warrant Committee for study and report.*

**ARTICLE TWENTY-FIVE:** *By the Planning Board.* To see if the Town will vote to amend the Dedham Zoning By-Law as follows:

Delete Section 7.4 (Subsidiary Apartments) in its entirety and replace with the following new Section 7.4:

## **7.4 MIXED-USE DEVELOPMENT**

### **7.4.1 PURPOSE**

The purpose of this by-law is to:

1. Encourage and allow a mixture of complimentary land uses to create economic and social vitality, and to address the housing needs of the Town;
2. Develop mixed-use areas and buildings which are safe, comfortable, and attractive to pedestrians;
3. Provide flexibility in the siting and design of new developments and redevelopments to anticipate changes in the marketplace;
4. Encourage efficient land use by facilitating compact, high-density development and minimizing the amount of land needed for surface parking;

### **7.4.2 SPECIAL PERMIT REQUIREMENT/SPECIAL PERMIT GRANTING AUTHORITY**

1. A Mixed-Use Development may be allowed only upon issuance of a Special Permit by Planning Board.
2. If such application or project also requires other Special Permits, the Planning Board shall be the SPGA for all such Special Permits.

### **7.4.3 CONDITIONS, RESTRICTIONS AND REQUIREMENTS**

1. All dwelling units in a Mixed-Use Development shall be located above the ground floor, shall have a separate entrance, and not share stairs or hallways with commercial uses, except that a fire escape or exit used only in emergencies may be available at all times to both.
2. Each dwelling unit in a Mixed-Use Development shall have a complete set of sanitary facilities, cooking and living space with includes sleeping facilities independent from another dwelling unit in a Mixed-Use Development. A Mixed-Use Development may share common storage, laundry facilities and other customary shared facilities located within a Mixed-Use Development. Each dwelling unit cannot be less than four hundred (400) square feet and not more than one thousand five (1,500) square feet in total gross floor area and must meet all occupancy and Building Code requirements. The



maximum number and type of allowable residential dwelling units shall be determined by the Planning Board as part of the special permit and site plan review process; provided, however, there may not be more than two (2) residential dwelling units in a Mixed-Use Development in the LB Zoning District.

3. All Mixed-Use Development shall provide at least one parking space per dwelling unit. In all zoning districts except the CB Zoning District, Mixed-Use Developments shall provide additional parking for the non-residential uses per the requirements set forth in Table 3 (Dedham Parking Table). Mixed-Use Developments in the CB Zoning District shall provide such additional parking, if any, for the non-residential uses as determined by the Planning Board to be sufficient to meet the needs of such Mixed-Use Developments taking into consideration complementary uses and activities having different peak demands, shared parking, transportation demand management (TDM) measures, joint parking arrangements, the availability of on-street and public parking, and such other mitigating factors and measures as may be appropriate.
4. A Mixed-Use Development in the RDO or HB District with twelve or more (12) apartments shall have maximum lot coverage of 80% and a maximum floor area ratio of 1.0. In the RDO District, there shall not be more than thirty (30) apartments located on any lot or on any abutting lots held in common ownership on the date of the adoption of this provision.

#### **7.4.4 SITE PLAN REVIEW**

Applications under this Section 7.4 shall be subject to the provisions of Section 9.5 pertaining to Site Plan Review which, if required, shall be conducted by the Planning Board as part of the Special Permit process,

or take any other action relative thereto. *Referred to Planning Board and Finance and Warrant Committee for study and report.*

**ARTICLE TWENTY-SIX:** *By the Planning Board.* To see if the Town will vote to amend the Dedham Zoning By-Law as follows:

Amend Use Category C.6 (Boat launching site, tennis court, riding academy, outdoor skating rink, ski ground, or golf course<sup>2</sup> (but not a miniature golf course or a driving range).) in the Use Regulation Table (Table 1) by changing it from a "NO" to a special permit (SP) in the Central Business District; or take any action relative thereto. *Referred to Planning Board and Finance and Warrant Committee for study and report.*

**ARTICLE TWENTY-SEVEN:** *By the Town Manager at the request of the Police Chief. To see if the Town will vote, consistent with the Supreme Judicial Court's decision in John Doe v. City of Lynn, 472 Mass. 521 (2015), to amend the Revised By-laws of the Town of Dedham by deleting the title and text of Chapter 233, the sex offender residency bylaw, or take any other action relative thereto. Referred by By Law Review Committee and Finance and Warrant Committee for study and report.*

**ARTICLE TWENTY-EIGHT:** *By Trust Fund Commissioner Brian M.B. Keaney, Board of Health Member Jason Brogan, Town Meeting Representatives Charlie Krueger, Ann Geier, Rita Mae Cushman, Jamie Brogan, Steve Davey, Joe Heisler and Theresa Heisler on behalf of the Mother Brook Community Group. To see if the Town will vote to amend the By-Laws by adding the following new chapter, and to further authorize the Town Clerk to identify and assign an appropriate number for said By-Law.*

\_\_\_ - 1 Purpose:

In order to prevent potential hazards to the public health, safety, and welfare, including obstruction of pedestrian and vehicular traffic, accumulation of abandoned carts, and the creation of blighted conditions that reduce property values, the Town of Dedham adopts the following by-law. It is intended to promote responsible management and use of shopping carts and to reduce or eliminate removal of shopping carts from the owner's premises and abandonment of those carts throughout the Town as waste or litter.

\_\_\_ - 2 Definition:

For purposes of this bylaw, a "Shopping Cart" shall be defined as a basket mounted on wheels, or a similar device, generally used in a retail establishment by a customer for the purpose of transporting goods of any kind, but excluding such a device belonging to the customer.

\_\_\_ - 3 Identification of Shopping Carts:

Each business in the Town of Dedham providing shopping carts for use by its customers shall permanently affix an identification sign to each such shopping cart in a clearly visible location. Said sign shall include, at a minimum, the business' name, and either the business' address or telephone number, and any other contact information desired by said business.

\_\_\_ - 4 Adoption and Implementation of a Shopping Cart Retention Program:

A. Every business in the Town of Dedham providing shopping carts for use by its customers shall adopt and implement a program for retention of shopping carts. Such program shall be reduced to writing on a form available in the office of the Code Enforcement Officer for such purposes and shall be filed annually with the Code Enforcement Officer no later than July 1.

B. At a minimum, such program shall include:

- (1) Contracting with or otherwise providing for a shopping cart retrieval service; and
- (2) Locking or otherwise securing all shopping carts during hours when the business or store is closed.

C. For businesses providing more than 10 shopping carts for use of its customers, the retention program shall further include further retention strategies that may include but not be limited to:

- (1) a physical barrier, such as bollards, restricting shopping carts to a portion of the exterior of the business establishment;
- (2) a wheel-locking mechanism installed on the cart commonly used in conjunction with an electronic barrier along the perimeter of a business establishment and which mechanism is activated upon the cart's approach or passing through the electronic barrier; or
- (3) an attendant or attendants with sole responsibility to manage and/or return the business establishment's shopping carts from the exterior premises of the business establishment and areas immediately adjacent thereto to the interior premises of the business establishment or another exterior area of the business establishment dedicated to the containment of shopping carts.

\_\_\_ - 5 Signage:

Each business in the Town of Dedham providing shopping carts for the use of its customers shall place signs at the entrance and exit of the business notifying users that shopping carts shall be used only on the business premises and may not be removed therefrom.

\_\_\_ - 6 Retrieval of Shopping Carts

A. Any shopping cart found on private property other than the business to whom the shopping cart belongs, or on public property, shall be retrieved by the business to whom the cart belongs within 18 hours of notification thereof.

B. In the event that the shopping cart is not removed timely, the Town shall retrieve the shopping cart, and shall:

- (1) Notify the business shown on the shopping cart identification sign of the cart's location;
- (2) Indicate the date by which the cart must be retrieved, and that otherwise the shopping cart will be destroyed or sold in accordance with applicable law; and
- (3) Identify the Town's cost for retrieval, and the cost per day to store the cart.

In the case of a cart that does contain the identification sign required by Section \_\_\_ - 3, the Town shall be required to notify the cart owner only if the Town obtains actual knowledge of the owner's identity; if the Town does not have actual knowledge of the owner, it may sell or otherwise destroy the cart 15 days after posting notice of its intent on the bulletin board where notices of meetings of public bodies are posted.

#### \_\_\_ - 7 Enforcement

A. Fees for shopping cart retrieval and storage shall be set by the Code Enforcement Officer in the manner set forth in Section 150-3 of these By-laws.

B. In addition to any fees imposed under Section \_\_\_ - 7.A, this by-law shall be enforced in accordance with the provisions of Section 1-6 of the Town By-laws. For purposes of non-criminal disposition, the following fines shall be applicable:

Each day after July 1 that a business fails to submit to the Code Enforcement Officer a shopping cart retention program meeting the requirements of Section \_\_\_ - 4.B and 4.C. shall constitute a separate violation of this by-law, and shall be subject to a fine of \$50 per day.

Each day that a business fails to comply with its shopping cart retention program shall constitute a separate violation of this by-law and shall be subject to a fine of \$100 per day

Each person who removes a shopping cart from the business premises to which it belongs shall be subject to a fine of \$50.

Each business that fails to retrieve a shopping cart removed from its property following notification thereof shall be subject to a fine of \$100.

#### \_\_\_ - 8 Time of Taking Effect

Any new business in or business relocating within the Town of Dedham that provides 10 or more shopping carts for use by its customers shall adopt a shopping cart retention program prior to opening for business for the first time, and shall implement the same concurrent with the opening of the business for the first time. Any business operating in the Town as of the effective date of this bylaw shall comply with Section \_\_\_ - 4.A. and B. within 120 days, and with Section \_\_\_ - 4.C. within 360 days unless the Board of Selectmen grants a one-time extension for compliance of up to 180 additional days.

or take any other action relative thereto. *Referred to By Law Review Committee and Finance and Warrant Committee for study and report.*

**ARTICLE TWENTY-NINE:** *By Trust Fund Commissioner Brian M.B. Keaney.* To see if the Town will vote to amend section 85-9 of the By-Laws by inserting the the words "and District Chairmen's Warrant Review Meeting" after the words "Town Meeting." And to further amend section 85-9 by adding the following at the end: "The Town Clerk shall place a copy of or a link to all verbatim records required hereunder on the Town's website," or take any other action relative thereto. *Referred to By Law Review Committee and Finance and Warrant Committee for study and report.*

**ARTICLE THIRTY:** *By Trust Fund Commissioner Brian M.B. Keaney.* To see if the Town will vote to strike Section 85-16 of the By-Laws and replace it with the following:

Any Town Representative or other speaker who speaks on any motion at Town Meeting in which the speaker or a member of the speaker's immediate family has a financial interest shall first disclose such interest to the Meeting. For the purposes of this section the term "immediate family" shall mean the speaker's spouse, and their parents, children, brothers and sisters. The term "financial interest" shall mean any financial interest, whether large or small, positive or negative, provided that the interest is reasonably foreseeable or direct as compared to remote and speculative, or take any other action relative thereto. *Referred to By Law Review Committee and Finance and Warrant Committee for study and report.*

**ARTICLE THIRTY-ONE:** *By Town Meeting Members Jessica Porter and Fred Civan (Precinct 1), Town Meeting Member Bill McElhinney (Precinct Four), Town Meeting Member Sarah MacDonald (Precinct 5), Town Meeting Members Virginia Hickey Ferentinos and Lindsay Barich (Precinct 6) and Commissioner of Trust Funds Brian Keaney.* To see if the Town will vote to ament the Revised By-Laws of the Town of Dedham by inserting a new section as set forth below, and further to authorize the Town Clerk to identify and assign appropriate numbers for said section in accordance with Section 1-5 of the Town Charter.

### **Snow Removal - Businesses**

The owner or occupant of any commercial property abutting upon a sidewalk of a public way in the Town, which said property is used for business purposes other than farm business, shall maintain safe egress and cause snow and ice to be removed from such sidewalk within six (6) hours after snow has ceased to fall or no later than 8 am the following morning. Such snow and ice shall be so removed by plowing, shoveling, sweeping, scraping or otherwise so as not to damage such sidewalk.

Violation of this section shall be punishable by a fine of \$50 per day that the snow and ice are not removed as required herein.

The Board of Selectmen is authorized to promulgate rules and regulations consistent with this By-law relative to removal and treatment methods as well as the enforcement procedures to be utilized, or take any other action relative thereto. *Referred to By Law Review Committee and Finance and Warrant Committee for study and report.*

**ARTICLE THIRTY-TWO:** *By the Board of Selectmen at the request of Selectman James A. MacDonald.* To see if the Town will vote to authorize the Board of Selectmen to petition the General Court for special legislation in the form set forth below; and provided further that the General Court may make clerical or editorial changes of form only to the bill, unless the Board of Selectmen approves amendments to the bill before enactment by the General Court, and to authorize the Board of Selectmen to approve amendments within the scope of the general public objectives of this petition.

### **An Act Providing a Tax Exemption for Certain Qualifying Real Estate in the Town of Dedham**

**SECTION 1.** With respect to each qualifying parcel of real property classified as class one, residential in the Town of Dedham, and as established more specifically by the board of selectmen in said town annually under section 2, there shall be a cap on property taxes equal to 10 per cent of the total annual household income, except that in no event shall property taxes be reduced by more than 50 per cent of the tax due, including all tax abatements and exemptions, but excluding state circuit breakers. The exemption shall be applied only to the principal residence of a taxpayer as used by the taxpayer for income tax purposes.

**SECTION 2.** Real property shall qualify for the exemption set forth in section 1 if all the following criteria are met:

- (a) the qualifying real estate is owned and occupied by a person or family where the total annual household income shall not exceed the filing ranges as set by the state circuit breaker;
- (b) the qualifying real estate is owned and occupied by at least 1 person having reached age 60 or older at the close of the previous tax year, as established annually by the board of selectmen for such tax year;
- (c) the qualifying real estate is owned and occupied by the applicant at least 6 months plus 1 day each year;
- (d) the applicant has resided in the town of Dedham for at least 10 consecutive years before filing an application for the exemption; and
- (e) the maximum assessed value of the applicant's primary resident is no greater than the median assessed value of a single family resident in the town of Dedham plus 10 per cent, as measured for the tax year immediately previous to the tax year for which the application for exemption is filed.

**SECTION 3.** The exemption provided for in this act shall be in addition to any other exemption allowable under the General Laws, except that there shall be a dollar cap of \$175,000 for all tax abatements, excluding circuit breakers. After the first year of enactment, the total cap of all real estate abatements, excluding circuit breakers, may be set annually by the board of selectmen within a range of \$175,000 to \$350,000.

**SECTION 4.** A person who seeks to qualify for this exemption shall file with the board of assessors an application for abatement on a form to be adopted by the board of

selectmen and available at the assessor's office with the supporting documentation as described in the application. The application shall be filed by May 31 each year for which the applicant seeks the exemption for the fiscal year commencing the following July 1.

**SECTION 5.** For the purposes of this act, "parcel" shall be a unit of real property as defined by the assessors in accordance with the deed for the property and shall include a condominium unit.

**SECTION 6.** For purposes of the exemption, "total annual household income" shall be the sum of the applicant's "total taxable 5.3 per cent income" on Massachusetts Form 1 and those same incomes for other income-producing members of the household. The income shall be increased by amounts that may have been excluded or subtracted from calculation, such as income from social security benefits, cash public assistance, tax-exempt interest and dividends, capital gains, income from a partnership or trust, returns on capital reported on schedule C and excluded income from any other source.

**SECTION 7.** Acceptance of this act by the town of Dedham shall be by an affirmative vote of a majority of the voters voting thereon at any regular or special election at which the question of acceptance was placed on the ballot and, if necessary, by approval of the appropriate override. This act shall become effective on the thirtieth day following the affirmative vote.

**SECTION 8.** The acceptance of this act may be revoked by an affirmative vote of a majority of the voters voting thereon at any regular or special town election at which the question of revocation has been placed on the ballot by a two-thirds vote of then sitting members of the board of selectmen. Revocation of this act shall become effective on the thirtieth day following that affirmative vote.

**SECTION 9.** After 1 year of implementation, the board of selectmen of the town of Dedham, after a public hearing, may vote to suspend implementation of this act for any year. Acceptance of this act by the town of Dedham shall automatically expire after 3 years of implementation unless reaffirmed by the affirmative vote of a majority of the voters at a town meeting and no further action of the general court shall be necessary.

or take any other action relative thereto. *Referred to Finance and Warrant Committee for study and report.*

**ARTICLE THIRTY-THREE:** *By Trust Fund Commissioner Brian M.B. Keaney.* To see if the Town will vote to authorize the Board of Selectmen to petition the General Court to adopt the following legislation. The Legislature may reasonably vary the form and substance of the requested legislation subject to the approval of the Board of Selectmen who are hereby authorized to approve amendments within the scope of the general public objectives of this petition.

## **An Act Authorizing the Town of Dedham to Establish an Additional Excise on Sales of Gasoline and Diesel Fuel**

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:*

**SECTION 1.** (a) Notwithstanding any general or special law to the contrary, the town of Dedham may impose an excise tax on the sale of gasoline and diesel fuel within the town in the amount of 3 cents per gallon. Such excise tax shall be in addition to the amount of: (1) any tax per gallon on gasoline pursuant to chapter 64A of the General Laws, and (2) any tax per gallon on diesel fuel pursuant to chapter 64E of the General Laws. The excise shall be recorded, paid and collected in accordance with said chapters 64A and 64E, including any exemptions and reimbursements, and shall be distributed to the town of Dedham in accordance with this act.

(b) All sums received pursuant to this act shall be paid quarterly to the treasurer of the town of Dedham by the state treasurer, upon certification of the commissioner of revenue.

(c) Notwithstanding any general or special law to the contrary, the town of Dedham shall establish a separate fund known as the Public Way Maintenance Fund. The treasurer of the town of Dedham shall deposit all sums received pursuant to this act into the fund. The treasurer of the town of Dedham shall be the custodian of the fund, and the deposit and investment of revenues held in the fund shall be in accordance with the provisions of section 55 of chapter 44 of the General Laws. All moneys remaining in the fund at the end of any fiscal year, whether or not expended by the town within 1 year of the date they were appropriated into the fund, shall remain in and become part of the fund and shall carry over to succeeding fiscal years. Interest earned shall remain with and become part of the fund.

(d) Any disbursement from the Public Way Maintenance Fund shall be by majority vote of the Town Meeting of the town of Dedham and shall be used solely for the repair, maintenance and upkeep of town roads and bridges.

**SECTION 2.** This act shall be submitted for acceptance to the qualified voters of the town of Dedham at the next regular municipal election in the form of the following question:

“Shall an act passed by the general court in the year 2016, entitled ‘An act authorizing the town of Dedham to establish an additional excise on sales of gasoline and diesel fuel’ be accepted?”

Town counsel shall prepare a fair and concise summary of the act, which shall appear below the act. If a majority of the votes cast in answer to the question is in the affirmative, section 1 shall take effect, but not otherwise.



**SECTION 3.** This act shall take effect upon its passage

or take any other action relative thereto. *Referred to Finance and Warrant Committee for study and report.*

**ARTICLE THIRTY-FOUR:** *By the Board of Selectmen at the request of Selectman James A. MacDonald.* To see if the Town will authorize the Board of Selectmen to acquire from the Commonwealth of Massachusetts or any other owner, by gift, purchase or otherwise, the fee title to the land in the Town located at 3 Riverside Drive and known as Kehoe Park, described as Parcel 58 on Assessor's Map 14, for park and playground purposes, such land to be held under the care, custody, management and control of the Park and Recreation Commission, and further to seek such approval from and enter into such agreements with the Commonwealth as are necessary for such acquisition, which may include petitioning the General Court to authorize and direct the Division of Capital Asset Management, and/or other appropriate agency of the Commonwealth, to convey the land to the Town, and to approve such disposition under Article 97 of the Amendments of the Massachusetts Constitution, or take any other action relative thereto. *Referred to Finance and Warrant Committee for study and report.*

**ARTICLE THIRTY-FIVE:** *By the Park and Recreation Commission.* To see if the Town will vote to transfer from the Dedham Board of Selectmen for the purposes for which the interest in land described below is currently held to the Park and Recreation Commission, for active and passive recreation purposes, that interest in land constituting a perpetual easement to construct and maintain an underground gas pipeline within that land at 351 East Street known as Gonzalez Field and acquired by the Town pursuant to a deed recorded with the Norfolk County Registry of Deeds in Book 13545, Page 523; and to authorize the Board of Selectmen and the Park and Recreation Commission to seek such approvals as may be needed to carry out such transfer and conveyance, which may include legislative approval pursuant to Article 97 of the Amendments to the Massachusetts Constitution, or take any other action relative thereto. *Referred to Finance and Warrant Committee for study and report.*

**Given under our hands and seal of the Town of Dedham this 4th day of March AD 2016.**

**BOARD OF SELECTMEN**  
**Michael L. Butler, Chairman**  
**Dennis J. Guilfoyle, Vice-Chair**  
**James A. MacDonald**  
**Dennis J. Teehan, Jr.**  
**Brendan G. Keogh**

**A true copy, attest:**  
**Anthony F. Zollo, Jr.**

**Constable, Town of Dedham**

**TOWN OF DEDHAM - NORFOLK, SS.**

**By virtue of this Warrant, I have notified and warned the inhabitants of the Town of Dedham aforesaid to meet at the time and place and for the purposes specified in said Warrant by posting true and attested copies thereof in one or more public places not less than fourteen days at least before the date of the said meeting, and by causing a true and attested copy thereof to be published once, not less than fourteen days before the said meeting in the Dedham Times, a newspaper having a general circulation in said Town of Dedham.**

**Anthony F. Zollo, Jr.  
Constable, Town of Dedham**

**Dated at Dedham, Massachusetts, the 4<sup>th</sup> day of March, AD 2016**