

**DEDHAM  
FINANCE COMMITTEE**



**REPORT AND RECOMMENDATIONS  
FOR THE  
SPECIAL TOWN MEETING**

**MONDAY, NOVEMBER 15, 2010**

**TOWN MEETING – 7:00 P.M.**

**DEDHAM HIGH SCHOOL AUDITORIUM**

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(Superintendent’s Unit “B”)

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SPECIAL TOWN MEETING

**1. PERSONNEL BY-LAW CHANGES**

**ARTICLE ONE:** *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 Administrator 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 for the following:

1. AFSCME, Local #362 (Library Staff Unit)
2. Dedham Police Patrolmen's Association
3. Dedham Police Association (Lieutenants & Sergeants)
4. Dedham Firefighter's Association
5. AFSCME, Local #362 (DPW)
6. AFSCME, Local #362 (Town Hall)
7. AFSCME, Local #362 (Parks)
8. AFSCME, Local #362 (Civilian Dispatchers)

or take any other action relative thereto.

*Referred to Finance Committee for study and report.*

**RECOMMENDATION OF THE FINANCE COMMITTEE:** *Voted 7-2. That the Director of Finance be authorized to apportion among the appropriate line items the sums necessary from previously appropriated salary/collective bargaining reserves to fund the following Collective Bargaining agreements for fiscal years 2009 and 2010:*

***Dedham Police Patrolmen's Association  
AFSCME, Local #362 (Superintendent's Unit "B")***

***And further, that the Director of Finance be authorized to apportion the amounts necessary to fund the fiscal year 2011 line items from the amount to be raised and appropriated in Article 2.***

Article 1 approves the amended collective bargaining agreements between the Town of Dedham and a DPW union (Superintendent's Unit "B") and Police Patrolmen's Association by funding the amendment.

The Town has been absorbing the Commonwealth's share of the "Quinn Bill" educational incentive program as the State has significantly reduced funding for their share of this program. In FY2010 the state reduced their share by \$229,203.30, contributing only \$59,072 out of a total program cost of \$576,556.60. This contract would change the educational incentive for all officers hired after July 1, 2009 to a flat stipend of \$2500, \$5000 and \$7500 for an Associate, Bachelor and Master degree, respectively. This is approximately equal to the current 50% share that the Town has historically paid under the "Quinn Bill" and it discontinues paying the state's unfunded share for all new officers.

**2. LINE ITEM TRANSFERS FOR THE CURRENT FISCAL YEAR**

**ARTICLE TWO:** *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 Articles Three and Four of the 2010 Annual Town Meeting (FY'11) or any subsequent article thereof, or take any other action relative thereto. *Referred to Finance Committee for study and report.*

Article 2

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FROM:			TO:		
Department	Funding Source Description	Amount	Department	Use of Funds Description	Amount
Raise & Appropriate	State Aid	129,000	Central Administration	Salary Reserve	129,000
Raise & Appropriate	State Aid	80,000	Schools	Project Success	80,000
Raise & Appropriate	State Aid	3,948	Unpaid Bills Prior Year	Unpaid Bills	3,948
Raise & Appropriate	State Aid	4,500	Police	Purchase of Services	4,500
Raise & Appropriate	State Aid	12,654	Finance Committee	Reserve Fund	12,654
Selectmen/Town Admin	Purchase of Services	1,000	Canine Control	Purchase of Services	1,000
Selectmen/Town Admin	Purchase of Services	5,000	Central Administration	Salary Reserve	5,000
Selectmen/Town Admin	Purchase of Services	2,000	Selectmen/Town Admin	Other Charges	2,000
Sealer of Weights & Measures	Personnel Services	12,315	Sealer of Weights & Measures	Purchase of Services	12,315
Fire Department	Personnel Services	3,750	Legal Services	Litigation/Damages	3,750
Fire Department	Personnel Services	60,000	Fire Department	Overtime	60,000
Fire Department	Personnel Services	20,000	Fire Department	Purchase of Services	20,000
Fire Department	Personnel Services	4,500	Fire Department	Supplies	4,500
Health Department	Personnel Services	110	Health Department	Supplies	110
Council On Aging	Personnel Services	7,500	Council On Aging	Purchase of Services	7,500
Police Capital	Laptop Computers	13,000	Police Capital	Two Way Radios	13,000
	<b>Total</b>	<b>359,277</b>		<b>Total</b>	<b>359,277</b>

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**RECOMMENDATION OF THE FINANCE COMMITTEE: Voted 6-3.** *That the following sums of money, totaling \$359,277 as presented in FY2011 Line Item Transfer schedule, be raised and appropriated or transferred from current appropriations to the line items presented as scheduled.*

Article 2 transfers money from one municipal account to another for the payment of unanticipated expenses in the current fiscal year ending June 30, 2011. In addition article 2 adds to the FY2011 budget to account for the additional local aid in the state budget.

**3. APPROPRIATION FOR PRIOR YEARS' BILLS**

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

*Referred to Finance Committee for study and report.*

**RECOMMENDATION OF THE FINANCE COMMITTEE: Voted unanimous.** *That the Town be authorized to pay The Boston Globe \$1,600.00, Milton Hospital \$215.00, and Daniel Whoriskey of the Fire Dept a salary step increase \$1,682.94 as bills of a prior year from the amount transferred in Article 2.*

Article 3 authorizes the Town to pay unpaid bills of a prior year in the amount of \$3,497.94.

**4. SPECIAL PURPOSE STABILIZATION FUNDS-TRANSFERS IN**

**ARTICLE FOUR:** *By the Town Administrator 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 of money to one or more special purpose stabilization funds, or take any other action relative thereto. *Referred to Finance Committee for study and report.*

**RECOMMENDATION OF THE FINANCE COMMITTEE: Voted unanimous.** *That the mitigation payment of \$375,000 from Hebrew Senior Life/Newbridge on the Charles be deposited into the Mitigation Stabilization Fund and further that \$384,710.48 from the .75% Local Meals Tax and \$149,316.13 from the additional 2% Room Occupancy Tax be transferred from receipts reserved into the Major Capital Facilities Stabilization Fund.*

Article 4 deposits funds previously received into the Mitigation Stabilization Fund and into the Major Capital Facilities Stabilization Fund.

**5. VOTE TO ADJUST THE SO-CALLED SENIOR WORK-OFF EXEMPTION**

**ARTICLE FIVE:** *By the Town Administrator at the request of the Director of the Council on Aging.* To see whether the town will vote to adjust the so-called senior work-off exemption provided in section 5K of Chapter 59 of the General Laws, as amended by section 43 of Chapter 188 of the Acts of 2010, by allowing the maximum reduction of the real property tax bill to be based on 125 volunteer service hours in a given tax year, rather than \$1,000, or take any other action relative thereto.

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*Referred to Finance Committee for study and report.*

**RECOMMENDATION OF THE FINANCE COMMITTEE:** *Voted unanimous. That it be so voted.*

Article 5 sets the maximum senior work-off exemption from real property tax at 125 volunteer service hours in a given tax year. (See Statutes)

**6. VOTE TO ESTABLISH A MUNICIPAL TAX AMNESTY PROGRAM**

**ARTICLE SIX:** *By the Town Administrator at the request of the Director of Finance. To see whether the town will vote pursuant to section 68 of Chapter 188 of the Acts of 2010 to establish a municipal tax amnesty program, or take any other action relative thereto. Referred to Finance Committee for study and report.*

**RECOMMENDATION OF THE FINANCE COMMITTEE:** *Voted unanimous. That pursuant to section 68 of Chapter 188 of the Acts of 2010 the Town establish a temporary municipal amnesty program in order to encourage the payment of certain delinquent tax obligations. The Municipal Tax Amnesty Program will begin on January 1, 2011 and end at the close of business February 28, 2011. Upon the payment of all of the delinquent real estate tax plus any municipal charges, fees, fines, penalties or other amounts committed as part of the tax by the assessors for collection purposes for the levy years ended June 30, 2010, or earlier, actually received by the Treasurer-Collector, the town shall forever waive its rights to collect all accrued interest and penalties on the tax so paid, provided, however, that nothing in this article shall require the town to waive the tax itself, and provided further, that a tax payer who had a delinquency, made a partial payment sufficient to pay the principal amount of the tax and now owes only the accrued interest, collection costs or penalties may not receive a waiver of the balance due, and provided further, that this program shall not apply to any taxpayer who, as of January 1, 2011, shall be the subject of a criminal investigation or prosecution for the failure to pay the town any principal amount of a particular tax or excise liability payable by the taxpayer under chapter 59, 60, 60A or 60B of the General Laws.*

Article 6 would allow residents who are in arrears with their real estate taxes and/or in tax title to pay their back taxes in full without interest or penalty charges.

**7. AMEND ZONING BY-LAW TO CHANGE THE ADULT USE OVERLAY DISTRICT**

**ARTICLE SEVEN:** *By Selectmen Sarah E. MacDonald and Paul A. Reynolds at the request of the Ad-Hoc Adult Use Overlay District Committee. To see if the Town will vote to amend the Zoning By-Law of the Town of Dedham to change the location of the Adult Use Overlay District by deleting the existing Section 6.1.2.2 and replacing it with the following:*

2. The AUOD shall include assessor’s map and block numbers 149-3B, 150-5, 150-7A, 150-7B, 162-1, 162-3, 162-44 and 162-45 in the Research, Development & Office Zoning District, as depicted on the plan prepared by the Town of Dedham Department of Infrastructure Engineering titled “Enterprise Drive Adult Use Overlay District” which is incorporated herein by reference and which is on file with the Town Clerk, or to take any other action relative thereto.

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Referred to Planning Board and Finance Committee for study and report.

**RECOMMENDATION OF THE FINANCE COMMITTEE:** Voted unanimous. That the Town vote to amend the Adult Use Overlay District by deleting the existing text of Section 6.1.2.2 and replacing it with the following:

2. The AUOD shall include assessor’s map and block numbers 149-3B, 150-5, 150-7A, 150-7B, 162-1, 162-3, 162-44, and 162-45 in the Research, Development & Office Zoning District, as depicted on the plan prepared by the Town of Dedham Department of Infrastructure Engineering titled “Enterprise Drive Adult Use Overlay District” which is incorporated herein by reference and which is on file with the Town Clerk.

Article 7 the Adult Use Overlay District (AUOD) is the same as Nov. 16, 2009 Special Town Meeting AUOD that was approved by Town Meeting but denied by the Attorney General for failure to receive a waiver of notice from abutting community; therefore, town meeting must readopt in order to be approved by the Attorney General. Further, since November of 2009 the town is in the process of taking ownership of parcel identified as Assessor’s Map 150 Block 13 which has been excluded from Article 7. This article proposes to replace the existing Adult Use Overlay District (AUOD) with a new location consisting of the following eight (8) parcels located :

Parcel	Address	Description
149-3B	110 Sturgis Way	SIP Trust
150-5	Quabish Road	Legacy Place (Parking Lot)
150-7A	125 Stergis Way	SIP Trust
150-7B	75 Stergis Way	SIP Trust
162-1	110 Elm Street	Legacy Place (Legacy Place ownership)
162-3	200 Elm Street	Legacy Place (National Amusements ownership)
162-44	200 Elm Street	Legacy Place (Legacy Place ownership)
162-45	200 Elm Street	Legacy Place (General Realty ownership)

(See Map - Adult Use Overlay District)

**8. VOTE TO AMEND DEDHAM ZONING BY-LAW**

**ARTICLE EIGHT:** By Precinct Seven Town Meeting Member Attorney Peter A. Zahka, II. To see if the Town will vote to amend the Dedham Zoning By-Laws as follows:

1. In Table 1 (Principal Use Regulations) change “No” to “SP” in the HB column at Use Category A.5. (Subsidiary Apartments)
2. In Section 7.4.1 add “Highway Business” after “Planned Commercial” and add “HB” after “PC”
3. In Section 7.4.2.6 add “Highway Business” after “Planned Commercial”
4. Add the following new Section 7.4.2.7; Subsidiary apartments in the Highway Business (HB) District shall only be allowed upon issuance of a special permit by the Board of Appeals. Projects in the HB District with a minimum of 12 subsidiary apartments shall have a maximum lot coverage of 80% and a maximum floor area ratio of 1.0

or take any other action relative thereto.

Referred to Planning Board and Finance Committee for study and report.

**RECOMMENDATION OF THE FINANCE COMMITTEE:** Voted 8-1 . That it be so voted.

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Article 8 The purpose of this article is to allow "subsidiary apartments" in the Highway Business (HB) District but only upon issuance of a special permit from the Zoning Board of Appeals. A "subsidiary apartment" is a one-bedroom apartment located above the ground floor. (See Map HB District)

**9. VOTE TO AMEND THE DEDHAM SIGN CODE**

**ARTICLE NINE:** *By the Design Review Advisory Board.* To see if the Town will vote to amend the Dedham Sign Code as follows:

- 1. Section 5. Administration
  - 8. Delete the text in the third line "as specified in Section 7.a.7"

- 2. Table 1, Permitted Signs
  - Footnote #4
  - Add the following text at the end of the footnote:

"Banners may be approved for a limited time period by the Building Commissioner without Design Review Advisory Board review."

or take any other action relative thereto.

*Referred to By-Law Review Committee and Finance Committee for study and report*

**RECOMMENDATION OF THE FINANCE COMMITTEE:** *Voted unanimous. That it be so voted.*

Article 9 would allow the Building Commissioner to permit banners for a limited time period without a review of the Design Review Advisory Board.

**10. AMEND Town of Dedham GENERAL BY-LAWS CHAP. 13 SEC. 32**

**ARTICLE TEN:** *By the Town Administrator at the request of Police Chief Michael d'Entremont.* To see if the Town will vote to amend section 32 of the Police Regulations under Chapter 13 of the Town of Dedham General By-Laws as follows:

Delete existing section 32 in its entirety and replace with the following:

**Door-to-Door Solicitation and Canvassing**

32.1 Purpose

This article, adopted pursuant to G.L. c. 43B, § 13 and Article 89 of the Amendments to the Constitution of the Commonwealth of Massachusetts, establishes registration requirements and specific operation requirements for persons intending to engage in door-to-door canvassing or solicitation in the Town of Dedham in order to protect its citizens from disruption of the peaceful enjoyment of their residences and from the perpetration of fraud or other crimes; and, to allow for reasonable access to residents in their homes by persons or organizations who wish to communicate either commercial or non-commercial messages.

32.2 Definitions

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For the purpose of this By-law, the following definitions shall apply:

32.2.1 “Soliciting” shall mean and include any one or more of the following door-to-door activities:

- (a) selling, or seeking to obtain orders for the purchase of goods or services, including advertising in any type of publication, for any kind of consideration whatsoever;
- (b) selling, or seeking to obtain prospective customers for application for purchase of insurance of any kind;
- (c) selling, or seeking to sell subscriptions to books, magazines, periodicals, newspapers or any other type of publication;
- (d) seeking to obtain gifts or contributions of money, or any valuable thing for the support or benefit of any association, organization, corporation or project wholly or in part for commercial purposes or by a professional solicitor or commercial co-venturer for a charitable or other non-commercial organization;
- (e) seeking to obtain information on the background, occupation, economic status, political affiliation, attitudes, viewpoints, or the like of the occupants of a residence for the purpose of selling or using such data, wholly, or in part, for commercial purposes.

32.2. “Canvassing” shall mean and include any one or more of the following door-to-door activities:

- (a) person-to-person distribution of literature, periodicals, or other printed materials for commercial purposes, but shall not include placing or dropping off printed materials on the premises;
- (b) seeking to enlist membership in any organization for commercial purposes;
- (c) seeking to present, in person, organizational information for commercial purposes.

32.2.3 “Residence” shall mean and include every individual dwelling unit occupied for residential purposes by one or more persons.

32.2.4 “Registered solicitor” shall mean any person who has obtained a valid certificate of registration from the Town as required by this By-law.

32.2.5 “Charitable organization,” “Professional solicitor” and “commercial co-venturer” shall be defined as set forth in G.L. c. 68, § 18.

### 32.3 Registration

Every person or organization intending to engage in soliciting or canvassing door-to-door in the Town of Dedham must apply for a permit with the Chief of Police at

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least fourteen (14) business days in advance by filing a registration application form with the Chief of Police.

32.3.1 Organization application forms shall include the following information:

(a) The name and address of the organization applying for registration, and the names and addresses of the organizations' principal officers. If the organization is a charitable organization, a copy of the Annual Registration Statement filed with the Attorney General's Division of Public Charities must be provided with this application. Failure to include a copy of the Annual Registration Statement under such circumstances will render the application incomplete and no action will be taken thereon.

If the organization is a professional solicitor or a commercial co-venturer for a charitable organization, a copy of the contract with the charitable organization must be provided with this application. Failure to include a copy of the contract with the charitable organization under such circumstances will render the application incomplete and no action will be taken thereon.

(b) The name, title and phone number, IRS or Social Security (optional) number and photo identification of the persons filing the application form.

(c) The names and addresses of the person(s), if any, who will be directly supervising the solicitation or canvassing operation in the Town of Dedham.

(d) A list of the names, addresses, dates of birth of all individuals who will be employed in solicitation or canvassing by the applicant.

(e) Period of time for which certificate of registration is needed (note: no certificate may be granted for longer than a 90 day period).

(f) Names of the last three communities (if any) in which the organization has conducted a solicitation or canvassing operation, complete with the date issued and date expired.

(g) Insurance information and license, if applicable.

32.3.2 Individual registration forms shall be required for all individuals, including those who are affiliated with an organization registered under Section 32.3.1 hereof. Individual registration forms shall contain the following information:

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- (a) Name and address of the present place of residence and length of residence at that address; if less than three years residence at present address, the address of residence(s) during the past three years.
- (b) Date of birth.
- (c) Name, address and telephone number of the person or organization whom the applicant represents and the length of time the applicant has been associated with or employed by that person or organization. If the individual is a professional solicitor or a commercial co-venturer for a charitable organization, a copy of the contract, if any, with the charitable organization must be provided with this application. Failure to include a copy of the contract with the charitable organization under such circumstances will render the application incomplete and no action will be taken thereon.
- (d) Name and address of employer during the past three years if other than listed in Section 32.3.1 hereof.
- (e) Period of time for which certificate of registration is needed (note: no certificate may be granted for longer than a 90 day period).
- (f) Name of the last three communities (if any) in which the applicant has solicited or canvassed door-to-door, complete with the date of issue and expiration date.
- (g) Social Security number. (Optional).
- (h) Photo identification and recent passport-sized photograph of the applicant to be affixed to registration card.
- (i) Make, model and registration number of any vehicle to be used by the applicant while soliciting or canvassing.

### 32.4 Registration Fee

Each applicant for registration or re-registration shall pay to the Town an application fee of \$25.00 and a fee of \$5.00 for the cost of a registration card.

### 32.5 Registration Cards

32.5.1 The Police Chief, after a review, but in no event more than fourteen (14) business days after receipt of a fully-completed application, shall furnish each person with a registration card which shall contain the following information:

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- (a) The name of the person.
- (b) A recent photograph of the person.
- (c) The name of the organization (if any) which the person represents.
- (d) A statement that the individual has been registered with the Town of Dedham Police Department but that registration is not an endorsement of any individual or organization.
- (e) Specific dates or period of time covered by the registration.

32.5.2 Persons engaged in solicitation or canvassing as defined in this by-law must carry the registration card at all times and present the card to any person solicited or upon the request of any police officer.

32.5.3 Registration cards are valid only for the specific dates or time period specified thereon and in no case for longer than 90 days.

32.5.4 The Police Chief shall refuse to register an organization or individual whose registration has been revoked for violation of this by-law within the previous two year period, or who has been convicted of murder/manslaughter, rape, robbery, arson, burglary/breaking and entering, assault, larceny, as such persons pose a substantial degree of dangerousness to minors and other persons vulnerable to becoming victims of the violent crimes so listed. The Police Chief shall also refuse to register a person who is a sex offender required to register with the Sex Offenders Registry Board and who is finally classified as Level 2 or Level 3 Sex Offender, as such persons have been found to have a moderate to high risk of re-offense and pose a substantial degree of dangerousness to minors and other persons vulnerable to becoming victims of sex crimes.

### 32.6 Exceptions

32.6.1 Registration shall not be required for officers or employees of the Town, County, State or Federal governments when on official business.

32.6.2 Individual registration shall not be required for minors under the age of 18 except in connection with canvassing or soliciting on behalf of a profit organization, newspaper carriers excepted.

### 32.7 Duties of Persons Going Door-to-Door

32.7.1 Upon going into any residential premises in the Town of Dedham, every solicitor, canvasser or other person must first examine any notice that may be posted prohibiting solicitation or other activities. If such a notice is posted, the

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solicitor, canvasser or other person shall immediately and peacefully depart from the premises.

32.7.2 Any solicitor, canvasser or other person who has gained entrance to any residence, whether invited or not, shall immediately and peacefully depart from the premises when requested to do so by the occupant.

32.7.3 Immediately upon gaining entrance to any residence, each solicitor or canvasser as defined in this by-law must do the following:

- (a) Present his registration card for inspection by the occupant.
- (b) Request that the occupant read the registration card.
- (c) Inform the occupant in clear language of the nature and purpose of his business and, if he is representing an organization, the name and nature of that organization.
- (d) It shall be the duty of every organization employing solicitors or canvassers within the definition of this by-law to notify the Police Department daily as to what area(s) of the Town they will be operating in.

### 32.8 Restrictions on Methods of Solicitation, Canvassing, or Other Door-to-Door Activities

It shall be unlawful for a solicitor, canvasser or other person to do any of the following:

- (a) Falsely represent, directly or by implication, that the solicitation, canvassing or other activity is being done on behalf of a governmental organization, or on behalf of any municipal employee or elected official.
- (b) Solicit, canvass or conduct any other activity at any residence where there is a posted sign prohibiting the same, without express prior permission of an occupant
- (c) Solicit, canvass or conduct any other activity at any residence without express prior permission of an occupant, before 9:00 a.m. or after 9:00 p.m. where there is no sign posted otherwise limiting solicitation or the hours of solicitation or such other activities.
- (d) To utilize any form of endorsement from any department head currently employed or serving the Town of Dedham.
- (e) Solicit, canvass or conduct any other activity at any residence in a threatening, abusive, or illegal fashion.

### 32.9 Penalty

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32.9.1 Any person or organization who shall violate any of the provisions of this by-law or any applicable state or federal laws governing soliciting or canvassing, including, but not limited to, Mass. G.L. c. 68, shall be subject to a fine not to exceed \$300.00 for each offense.

32.9.2 Any person or organization who for himself, itself, or through its agents, servants or employees shall violate any provision of sections 32.7 or 32.8 of this by law, or any applicable state or federal laws governing soliciting or canvassing, including but not limited to M.G.L. c. 68, or who knowingly provides false information on the registration application, or who is found, after investigation by a police officer, to have conducted himself or itself in a threatening, abusive or illegal fashion, shall have his, her, or its registration revoked by the Chief of Police by written notice delivered to the holder of the registration in person, or sent to the holder by certified mail at the address set forth in the application.

### 32.10 Appeals

Any person or organization who is denied registration or whose registration has been revoked may appeal by filing a written notice of appeal with the Board of Selectmen. Such appeal must be filed within 5 days after receipt of the notice of denial or revocation. The Board of Selectmen shall hear the appeal at its next scheduled meeting after the filing of the written notice of appeal, provided, however, that if the Board of Selectmen fails to make a determination within 30 days after the filing of the appeal, the registration shall be deemed granted or reinstated as the case may be.

### 32.11 Severability

Invalidity of any individual provision of this section shall not affect the validity of the by-law as a whole.

or take any other action relative thereto.

*Referred to By Law Review Committee and Finance Committee for study and report.*

***RECOMMENDATION OF THE FINANCE COMMITTEE: Voted unanimous. That it be so voted with the following exceptions:***

***Delete the text of Section 32.4 Registration Fees and replace with the sentence: Each applicant for registration or re-registration shall pay to the Town the application fee specified in Chapter 29 of these Revised By-Laws, plus a fee for the cost of each registration card as specified in the said Chapter 29.***

***Delete the text of Section 32.9.1 (Penalty) and replace with the following: Any person or organization who shall violate any of the provisions of this by-law or any applicable state or federal laws governing soliciting or canvassing, including, but not limited to, Mass. G.L. c. 68, shall be subject to the fine specified in Chapter 29 of these Revised By-Laws for each offense.***

***Amend Section 4.e of Chapter 29 of the Revised By-Laws by inserting after "Section 17 b.) – Fine of fifty dollars (\$50.00)" the following: Section 32.4 – permit fee of twenty-five dollars (\$25.00) for each applicant and a fee of \$5.00 for each registration card. Section 32.9.1 – fine not to exceed \$300.00 for each offense.***

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Article 10 would establish registration requirements and specific operation requirements for persons intending to engage in commercially-oriented door-to-door canvassing or solicitation in the Town of Dedham.

**11. AMEND DEDHAM HOME RULE CHARTER FOR APPROVAL OF WARRANTS**

**ARTICLE ELEVEN:** *By the Town Administrator at the request of the Treasurer-Collector.* To see whether the town will vote to propose the following amendments to the Dedham Home Rule Charter at the next regular election of Town officers for the approval of the voters of the Town:

Article 5A of the Dedham Home Rule Charter is hereby amended by deleting Section 5A-8 in its entirety and inserting in place thereof the following:

**SECTION 5A-8 APPROVAL OF WARRANTS**

The Town Administrator shall be the chief fiscal officer of the town. Warrants for the payment of town funds prepared and signed by the director of finance in accordance with the provisions of the General Laws shall be submitted to the town administrator. The approval of any such warrant by the town administrator shall be sufficient authority to authorize payment by the treasurer-collector. In the absence of the town administrator, warrants may be approved and signed by the person designated by the town administrator pursuant to Section 4-4(a) or by at least three members of the board of selectmen. In the event of a vacancy in that office, warrants may be approved and signed by the person or persons designated by the board of selectmen pursuant to Section 4-4(b) or by at least three members of the board of selectmen, as set forth in section 4-2(t);

and by adding a new section 4-2(t) to Article 4 of the Dedham Home Rule Charter, as follows:

Article 4, Section 4-2(t) of the Dedham Home Rule Charter is hereby amended by deleting Section 4-2(t) in its entirety and inserting in place thereof the following:

- (t) To issue warrants for the payment of town funds. The town administrator's signature on warrants shall be sufficient authorization for payment of them by the treasurer-collector, provided the bills, drafts, orders and payrolls have been properly submitted and have been examined and approved by the director of finance. In the absence of the town administrator, warrants may be approved and signed by the person designated by the town administrator pursuant to Section 4-4(a) or by at least three members of the board of selectmen. In the event of a vacancy in the office of the Town Administrator, warrants may be approved and signed by the person or persons designated by the board of selectmen pursuant to Section 4-4(b) or by at least three members of the board of selectmen.

or take any other action relative thereto.

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*Referred to Finance Committee for study and report.*

**RECOMMENDATION OF THE FINANCE COMMITTEE:** *Voted unanimous. That it be so voted.*

Article 11 would allow the signature of the town administrator and the finance director on warrants to be sufficient for payment of them by the town treasurer.

**12. TO PETITION THE LEGISLATURE IN GENERAL COURT TO REPEAL CHAPTER 23B OF THE ACTS OF 2002**

**ARTICLE TWELVE:** *By the Board of Selectmen.* To see whether the Town will vote to petition the legislature in General Court to repeal Chapter 238 of the Acts of 2002, in order that the Board of Selectmen may adopt instead section 18B of Chapter 53 of the General Laws, as added by section 37 of Chapter 188 of the Acts of 2010, which provides a similar procedure for the distribution of information relating to each question that shall appear on the town ballot, or take any other action relative thereto.

*Referred to Finance Committee for study and report.*

**RECOMMENDATION OF THE FINANCE COMMITTEE:** *Voted unanimous. That it be indefinitely postponed.*

Article 12 authorizes the town to have the state legislature repeal the special act governing voter information mailings so that the Selectmen may adopt the new state-wide law with the same purpose. (See Statutes)

**13. VOTE TO AUTHORIZE BOARD OF SELECTMEN TO ALLOW THE SALE OF ALCOHOLIC BEVERAGES BETWEEN 10:00A.M AND NOON ON SUNDAYS**

**ARTICLE THIRTEEN:** *By the Board of Selectmen.* To see if the Town will vote to accept M.G.L. c. 138, §33B, as previously amended, to authorize the Board of Selectmen, as local licensing authority, to authorize holders of on premises pouring licenses under M.G.L. c. 138, §12 to sell alcoholic beverages between the hours of 10:00 a.m. and noon on Sundays, or take any other action relative thereto.

*Referred to Finance Committee for study and report.*

**RECOMMENDATION OF THE FINANCE COMMITTEE:** *Voted 7-2. That it be so voted.*

Article 13 would authorize the Selectmen as the local licensing board to allow the sales of alcoholic beverages by restaurants and hotels on Sundays and certain legal holidays, between 10:00 A.M. and 12:00 noon. (See Statutes)

**14. TRANSFER A "10FT RT. OF WAY" TO BOARD OF SELECTMEN FOR PURPOSES OF GRANTING AN EASEMENT**

**ARTICLE FOURTEEN:** *By Precinct Seven Town Meeting Member Attorney Peter A. Zahka, II.* To see if the Town will transfer the care, custody, maintenance, and control of the land or interests in the land shown as a "10FT. RT. OF WAY" on a "Plan of Land in Dedham, Mass.", dated February 21, 1947, by E. Worthington, Engineer, filed with the Norfolk Registry of Deeds as Plan No. 660 of 1947, Book 2695, Page 382, owned by

SPECIAL TOWN MEETING

the Town, and currently under the care, custody, maintenance, and/or control of the School Committee, or such other board as may have custody of said land or interests in said land, to the Board of Selectmen for the sole and exclusive purpose of conveying and granting an easement in, under, and over said land to the owner of the real estate comprising 48 Lincoln Street, Dedham, MA for access to said real estate, and to further authorize the Board of Selectmen to convey and grant said easement, with the intention that the care, custody, maintenance and control of said land or interests in said land will otherwise remain under the School Committee, or take any other action relative thereto. *Referred to Finance Committee for study and report.*

**RECOMMENDATION OF THE FINANCE COMMITTEE:** *Voted unanimous. That the Town transfer the care, custody, maintenance, and control of the land or interests in the land shown as a "10FT, RT. OF WAY" on a "Plan of Land in Dedham, Mass.," dated February 21, 1947, by E. Worthington, Engineer, filed with the Norfolk Registry of Deeds as Plan No. 660 of 1947, Book 2695, Page 382, owned by the Town, and currently under the care, custody, maintenance, and/or control of the School Committee, or such other board as may have custody of said land or interests in said land, to the Board of Selectmen for the sole and exclusive purpose of conveying and granting a non-exclusive easement in, under, and over said land to the owner of the real estate comprising 48 Lincoln Street, Dedham, MA for access to said real estate, and to further authorize the Board of Selectmen to convey and grant said easement upon such terms as they deem appropriate, with the intention that the care, custody, maintenance and control of said land or interests in said land will otherwise remain under the School Committee.*

Article 14 authorizes the Board of Selectmen to convey an easement through town land to the landlocked parcel at 48 Lincoln Street. (See Map – 48 Lincoln)

**15. VOTE TO APPROVE ACCEPTANCE OF A SUPPLEMENTAL ANNUAL ALLOWANCE TO WIDOWS OF DISABLED PUBLIC EMPLOYEES**

**ARTICLE FIFTEEN:** *By the Dedham Retirement Board. To see if the Town will vote to approve acceptance by the Dedham Retirement Board of a supplemental annual allowance fixed at the rate of \$9,000 to widows of disabled public employees, pursuant to Massachusetts General Laws Chapter 32, Section 10, as amended, or take any other action relative thereto. Referred to Finance Committee for study and report.*

**RECOMMENDATION OF THE FINANCE COMMITTEE:** *Voted unanimous. That the town vote to approve acceptance by the Dedham Retirement Board of a supplemental annual allowance fixed at the rate of \$9,000 to widows of disabled public employees pursuant to MGL Chapter 32 Section 101.*

Article 15 would approve the action of the Dedham Retirement Board to set the supplemental annual allowance to widows of disabled public employees at \$9,000 instead of \$6,000. (See Statues)

Article 2

SPECIAL TOWN MEETING

FROM:			TO:		
Department	Funding Source Description	Amount	Department	Use of Funds Description	Amount
Raise & Appropriate	State Aid	129,000	Central Administration	Salary Reserve	129,000
Raise & Appropriate	State Aid	80,000	Schools	Project Success	80,000
Raise & Appropriate	State Aid	3,948	Unpaid Bills Prior Year	Unpaid Bills	3,948
Raise & Appropriate	State Aid	4,500	Police	Purchase of Services	4,500
Raise & Appropriate	State Aid	12,654	Finance Committee	Reserve Fund	12,654
Selectmen/Town Admin	Purchase of Services	1,000	Canine Control	Purchase of Services	1,000
Selectmen/Town Admin	Purchase of Services	5,000	Central Administration	Salary Reserve	5,000
Selectmen/Town Admin	Purchase of Services	2,000	Selectmen/Town Admin	Other Charges	2,000
Sealer of Weights & Measures	Personnel Services	12,315	Sealer of Weights & Measures	Purchase of Services	12,315
Fire Department	Personnel Services	3,750	Legal Services	Litigation/Damages	3,750
Fire Department	Personnel Services	60,000	Fire Department	Overtime	60,000
Fire Department	Personnel Services	20,000	Fire Department	Purchase of Services	20,000
Fire Department	Personnel Services	4,500	Fire Department	Supplies	4,500
Health Department	Personnel Services	110	Health Department	Supplies	110
Council On Aging	Personnel Services	7,500	Council On Aging	Purchase of Services	7,500
Police Capital	Laptop Computers	13,000	Police Capital	Two Way Radios	13,000
	<b>Total</b>	<b>359,277</b>		<b>Total</b>	<b>359,277</b>

-

# ANNUAL TOWN MEETING - STATUTES

## **ARTICLE 5**

### **Acts**

**2010**

**CHAPTER 188** AN ACT RELATIVE TO MUNICIPAL RELIEF. (see [House, No. 4877](#)) Approved by the Governor, July 27, 2010

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

**SECTION 43.** Section 5K of said chapter 59, as amended by section 24 of chapter 27 of the acts of 2009, is hereby further amended by adding the following paragraph: -

A city or town, by vote of its legislative body, subject to its charter, may adjust the exemption in this clause by: (1) allowing an approved representative, for persons physically unable, to provide such services to the city or town; or (2) allowing the maximum reduction of the real property tax bill to be based on 125 volunteer service hours in a given tax year, rather than \$1,000.

## **ARTICLE 12**

### **Acts**

**2010**

**CHAPTER 188** AN ACT RELATIVE TO MUNICIPAL RELIEF. (see [House, No. 4877](#)) Approved by the Governor, July 27, 2010

**SECTION 37.** Chapter 53 of the General Laws is hereby amended by inserting after section 18A the following section: -

Section 18B. (a) As used in this section "governing body" shall mean, in a city, the city council or board of aldermen acting with the approval of the mayor subject to the charter of the city, in a town having a town council, the town council, in every other town, the board of selectmen and in a district as provided in sections 113 to 119, inclusive, of chapter 41, the prudential committee, if any, otherwise the commissioners of the district.

(b) The governing body of a city, town or district which accepts this section in the manner provided in section 4 of chapter 4 shall print information relating to each question that shall appear on the city, town or district ballot. The information shall include: (1) the full text of each question; (2) a fair and concise summary of each question, including a 1 sentence statement describing the effect of a yes or no vote, which shall be prepared by the city solicitor, town counsel or counsel for the city, town or district; and (3) arguments for and against each question as provided in subsections (d) and (e). Not later than 7 days before an election at which the question shall be submitted to the voters in a city, town or district, the information in this subsection shall be sent to each household wherein a person whose name appears on the current voting list for the city, town or district resides.

(c) Not later than the day following the date of the determination that a question shall appear on the ballot in an election, the governing body shall provide written notification to the city solicitor or town or district counsel and to the city or town clerk.

(d) Not later than 7 days after the determination that a question shall appear on the ballot, the city solicitor or town or district counsel, as applicable, shall seek written arguments from the principal proponents and opponents of the question. For the purposes of this section, the principal proponents and opponents of a question shall be those persons determined by the solicitor or counsel to be best able to present the arguments for and against the question. The solicitor or counsel shall provide not

## ANNUAL TOWN MEETING - STATUTES

less than 7 days' written notice to the opponents and proponents of the date on which the written arguments shall be received. Proponents and opponents shall submit their arguments, which shall be not more than 150 words, to the solicitor or counsel, together with a copy thereof to the city or town clerk or, in a district, to the clerk of each city and town within the district. The arguments and summary shall be submitted by the solicitor or counsel to the governing body not more than 20 days before the election for distribution to voters in accordance with subsection (b). A copy of the arguments and summary shall also be submitted by the solicitor or counsel to the city, town or district clerk.

(e) In determining the principal proponents and opponents of a ballot question, the solicitor or counsel shall contact each ballot question committee, if any, as defined in section 1 of chapter 55. The principal proponents or opponents of a ballot question may include officers of a ballot question committee or officers of a city, town or district office or committee including, but not limited to, a finance committee or a school committee. In addition, the principal proponents or opponents may include the first 10 signers or a majority of the first 10 signers of a petition initiating the placement of such question on the ballot. The solicitor or counsel shall determine, based on a review of arguments received, the person or group best able to present arguments for and against a question. If no argument is received by the solicitor or counsel within the time specified by the solicitor or counsel, the solicitor or counsel shall prepare an argument and submit the argument to the governing body and to the city or town clerk or, in a district, to the clerk of each city and town within the district within the time specified in subsection (d).

(f) All arguments filed or prepared pursuant to this section and the information prepared pursuant to subsection (b), shall be open to public inspection at the office of city or town clerk or, in a district, at the office of the clerk of each city and town within the district. In addition, each city or town clerk shall make such information available to the voters at all polling places within the city, town or district.

### **ARTICLE 13**

#### **CHAPTER 138 ALCOHOLIC LIQUORS**

**Section 33B** Sales of alcoholic beverages by on-premise licensees on Sundays and certain legal holidays; sales between 11:00 A.M. and 12:00 noon

*[ Text of section effective until July 1, 2010. For text effective July 1, 2010, see below.]*

Section 33B. The local licensing authority of any city or town which accepts this section may authorize licensees under section twelve to sell alcoholic beverages between the hours of eleven o'clock ante meridian and twelve o'clock noon on Sundays, the last Monday in May and on Christmas day or on the day following when said day occurs on Sunday.

**Chapter 138: Section 33B. Sales of alcoholic beverages by on-premise licensees on Sundays and certain legal holidays; sales between 10:00 A.M. and 12:00 noon**

*[ Text of section as amended by 2010, 131, Sec. 93 effective July 1, 2010. See 2010, 131, Sec. 202. For text effective until July 1, 2010, see above.]*

Section 33B. The local licensing authority of any city or town which accepts this section may authorize licensees under section twelve to sell alcoholic beverages between the hours of 10:00 a.m. and 12:00 noon on Sundays, the last Monday in May and on Christmas day or on the day following when said day occurs on Sunday

# ANNUAL TOWN MEETING - STATUTES

## **ARTICLE 15**

### **TITLE IV CIVIL SERVICE, RETIREMENTS AND PENSIONS**

#### **CHAPTER 32 RETIREMENT SYSTEMS AND PENSIONS**

##### **Section 101 Allowance to widows of disabled public employees; supplemental annual allowance**

In the event of the death of any former employee who had been retired under the provisions of this chapter after having been found to be incapacitated for further duty by reason of injuries sustained while in the performance of his duties, or who had been retired for ordinary disability under the provisions of this chapter, under which retirement he was unable to provide for any annual allowance to be paid to his widow at the time of his death, there shall be paid to such widow an annual allowance in the amount of either \$6,000 or, in a retirement system accepting the supplemental annual allowance as provided in this section, \$9,000, subject to the provisions of paragraph (e) of section one hundred and two; provided, however, that any allowance payable under this section shall be in the alternative to any allowance to which such widow would be entitled under the provisions of any other section of this chapter. Any allowance which such widow may be receiving or any allowance which she may have potential rights to receive, based on her own service to the commonwealth or any political subdivision thereof, shall not make her ineligible to receive the allowance provided in this section. The allowance provided by this section shall be paid by the same retiring authority and from the same source as the allowance payable to the deceased former employee referred to in this section.

*[ Paragraph added by 2010, 131, Sec. 28 effective July 1, 2010 applicable as provided by 2010, 131, Sec. 201. See 2010, 131, Sec. 202.]*

Notwithstanding the previous paragraph, a retirement system may accept a supplemental annual allowance fixed at the rate of \$9,000, by a majority vote of the board of each such system, subject to the approval of the legislative body thereof. For the purposes of this section, "legislative body" shall mean, in the case of a city, the city council in accordance with its charter, in the case of a town, the town meeting, in the case of a county, the county retirement board advisory council, in the case of a region, the regional retirement board advisory council, in the case of a district, the district members and, in the case of an authority, the governing body of such authority. Acceptance shall be deemed to have occurred upon the filing of a certification of such votes with the commission. For purposes of this section, the state teachers' and state employees' retirement systems shall be deemed to have accepted the supplemental annual allowance provided for by this section.

## MEMORANDUM OF UNDERSTANDING

### TOWN OF DEDHAM AND THE

### DEDHAM POLICE PATROLMEN'S ASSOCIATION

The previous Collective Bargaining Agreement shall remain in full force and effect, subject to the following changes, which shall be incorporated by reference and therein.

1. **W a g e s** - Beginning at the expiration of the previous Collective Bargaining Agreement, annual wage increases as follows: 0% / 1% / 1% / 2%
  
2. **Quinn Bill/Educational Incentive-**
  - a. Effective July 1, 2009, Article XXIV shall be amended by deleting the current terms of the Article and inserting the following language in place thereof.
  
  - b. There shall be established a "Dedham Police Patrolmen's Association Educational Incentive Program", in which members who were employed by the Town on or before July 1, 2009, are eligible for the "Primary Education Incentive".
  
  - c. Primary Education Incentive (PEI) shall entitle members hired prior to July 1, 2009 and who had been receiving "Quinn Bill" benefits to receive the same benefit levels, in the same manner, regardless of whether the Town of Dedham is reimbursed any money from the Commonwealth, and regardless of whether M.G.L. Ch. 41, § 108L, is ever repealed, amended, or insufficiently funded.
  
  - d. Members who attain a higher degree under PEI (e.g. member having an Associate's degree receives a Bachelor's degree), shall be entitled to the higher associated benefit level, as was available to the member under the provisions of M.G.L. Ch. 41, § 108L.
  
  - e. Members employed on or before July 1, 2009 and who have enrolled in a program and registered for at least one course toward a degree in a program listed in Section "h" below on or before

September 1, 2011, will remain eligible to receive benefits under PEI.

- f. Employees who transfer from another department where they had been included in an educational incentive program pursuant to M.G.L. Ch. 41, § 108L shall be eligible for benefits under PEI.
- g. Any Member hired prior to July 1, 2009 who does not qualify for PEI as described above shall be eligible for the "Secondary Education Incentive". Any Member hired after July 1, 2009, and not eligible for PEI benefits in accordance with paragraph (f), shall only qualify for SEI.
- h. The Secondary Education Incentive (SEI) program shall entitle members who possess or attain college degrees during the course of their employment, an annual payment as follows: Associate's degree or 60 credits toward a Baccalaureate degree shall qualify for an annual \$2,500 incentive payment; attainment of a Baccalaureate Degree shall qualify for an annual \$5,000 incentive payment; Attainment of a Master's Degree or a Juris Doctor Degree shall qualify for an annual \$7,500 incentive payment. The Member shall qualify for the pertinent annual incentive payment provided that the qualifying degree is received by the member prior to August 31 of each year. The pertinent annual incentive payment will be provided to the member in the first pay period during the month of October. These incentive payments are paid annually and are not to be calculated with other stipends, overtime payments or other base pay calculations.

Eligible Degrees for SEI- An Associate's, Bachelor's or Master's Degree in the following major concentrations shall be eligible for the secondary education incentive program:

1. Criminal Justice
2. Criminal Justice Administration
3. Criminology
4. Law Enforcement
5. Sociology
6. Psychology
7. Forensic Science
8. Public Administration
9. Political Science
10. Computer Science

A Juris Doctor degree is also an eligible degree and shall be treated as a Master's Degree for purposes of payment incentive under this Agreement.

Degrees shall have been awarded by a college or university listed in the database of the

accredited postsecondary institutions and programs maintained by the US Department of Education.

3. **P a i d D e t a i l s** - Effective July 1, 2010, or upon ratification by the parties, the paid detail rate shall increase to \$40.00 per hour.

Effective July 1, 2011, the paid detail rate shall increase to \$42.00 per hour.

4. **Defibrillator Incentive** - The current incentive shall be increased to \$1,300.00 per year, effective July 1, 2010.
5. **One year Agreement** with no changes beginning on July 1, 2008 and ending on June 30, 2009.
6. **Three year Agreement** with the changes listed in items 1-4 effective July 1, 2009 and ending on June 30, 2012.

**MEMORANDUM OF UNDERSTANDING  
TOWN OF DEDHAM AND THE  
DEDHAM POLICE PATROLMEN'S ASSOCIATION**

**Town of Dedham  
Police Patrol Officers  
Effective July 1,2007 (FY2008)**

		Step 1	Step 2	Step 3	Step 4	Step 5	Step 6	Max
<b>Patrol</b>	HRLY	19.86	20.46	21.48	22.24	23.01	23.82	24.77
<b>Officers</b>	BIWKLY	1,589.12	1,636.80	1,718.66	1,778.82	1,841.08	1,905.52	1,981.74
	YRLY	41,317.12	42,556.80	44,685.16	46,249.32	47,868.08	49,543.52	51,525.24

**Town of Dedham  
Police Patrol Officers  
Effective July 1,2008 (FY2009) No Change**

		Step 1	Step 2	Step 3	Step 4	Step 5	Step 6	Max
<b>Patrol</b>	HRLY	19.86	20.46	21.48	22.24	23.01	23.82	24.77
<b>Officers</b>	BIWKLY	1,589.12	1,636.80	1,718.66	1,778.82	1,841.08	1,905.52	1,981.74
	YRLY	41,317.12	42,556.80	44,685.16	46,249.32	47,868.08	49,543.52	51,525.24

**Town of Dedham  
Police Patrol Officers  
Effective July 1,2009 (FY2010)  
1%**

		Step 1	Step 2	Step 3	Step 4	Step 5	Step 6	Max
<b>Patrol</b>	HRLY	20.06	20.67	21.70	22.47	23.24	24.06	25.02
<b>Officers</b>	BIWKLY	1,604.80	1,653.60	1,736.00	1,797.60	1,859.20	1,924.80	2,001.60
	YRLY	41,724.80	42,993.60	45,136.00	46,737.60	48,339.20	50,044.80	52,041.60

**Town of Dedham  
Police Patrol Officers  
Effective July 1,2010 (FY2011)  
1%**

		Step 1	Step 2	Step 3	Step 4	Step 5	Step 6	Max
<b>Patrol</b>	HRLY	20.26	20.88	21.92	22.70	23.48	24.30	25.27
<b>Officers</b>	BIWKLY	1,620.80	1,670.40	1,753.60	1,816.00	1,878.40	1,944.00	2,021.60
	YRLY	42,140.80	43,430.40	45,593.60	47,216.00	48,838.40	50,544.00	52,561.60

**Town of Dedham  
Police Patrol Officers  
Effective July 1,2011 (FY2012)  
2%**

		Step 1	Step 2	Step 3	Step 4	Step 5	Step 6	Max
<b>Patrol</b>	HRLY	20.67	21.30	22.36	23.16	23.95	24.79	25.78
<b>Officers</b>	BIWKLY	1,653.60	1,704.00	1,788.80	1,852.80	1,916.00	1,983.20	2,062.40
	YRLY	42,993.60	44,304.00	46,508.80	48,172.80	49,816.00	51,563.20	53,622.40

**MEMORANDUM OF UNDERSTANDING**

**TOWN OF DEDHAM AND AFSCME**

**LOCAL 362, COUNCIL NUMBER 93 (SUPERINTENDENT’S UNIT “B”)**

The previous Collective Bargaining Agreement in effect from July 1, 2008 to June 30, 2009 shall remain in full force and effect, subject to the following changes, which shall be incorporated by reference therein:

1. **W a g e s** - Beginning on July 1, 2009, wage increase of 1%, beginning on July 1, 2010, wage increase of 1%, and beginning on July 1, 2011, wage increase of 2%.
  
2. Effective July 1, 2010 the pager rate shall increase from \$2.00 per hour to \$2.25.
  
3. In exchange for the increased pager amount listed in item 2, Addendum “A” of the previous Collective Bargaining Agreement, the so-called “Pager Agreement” language shall be amended to include the following new provision:

“Notwithstanding any provisions to the contrary contained herein, in the rare situation where neither the Director, nor the Superintendents are able to carry the pager during a given period of time, then for that period of time, and only for that period of time, the Director of Public Works shall have the sole discretion to assign the pager coverage to a Public Works Foreman.

For the Town of Dedham

For the AFSCME Union (Unit “B”)

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\_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Date

SIDELETTER OF AGREEMENT

RE: DPW Superintendents to Carry On Call Pager

\*\*\*\*\*

The following constitutes understanding reached between the Union and the Town with respect to the duties, responsibilities, and compensation attendant to the DPW Superintendents when carrying the DPW On-Call Pager and handling any after hours DPW calls:

It is agreed:

"The DPW Superintendents shall carry the on-call pager on a weekly rotating schedule, to be worked-out between themselves, and that the Superintendent On-Call shall handle all after hours calls for DPW services.

The Superintendent On-Call shall use his best judgment with respect to how to handle a particular situation including if, when, and how many DPW employees shall be called-out to handle any particular situation.

If necessary, the Superintendent On-Call is authorized to call-out any required private contractor needed to supplement DPW forces to handle a particular situation.

In the case of a Snow & Ice Operation, the Superintendent On-Call shall consult with the Town Administrator prior to calling-out the Town's Snow & Ice Contractor.

The DPW Superintendent On-Call shall maintain the overtime list, and shall submit a call-out report to the DPW Administrative Assistant handling payroll at the start of the next regular shift following a particular call-out.

The Superintendents shall stay in the overtime rotation in accordance with the provisions of the Collective Bargaining Agreement.

The compensation for carrying the on-call pager, and for answering an after-hours call, and for calling-out DPW staff and/or a private contractor shall be paid at the rate of \$2.00 per hour (the rate as set forth in Article XIV, 'Mandatory Standby Time' of the Collective Bargaining Agreement, as may be amended from time to time through contract negotiations) for each hour outside of the Superintendent's regular work shift during the continuous seven (7) day period for which he carries the pager. It is to be paid in the regular DPW bi-weekly payroll next following the particular Superintendent's week(s) on-call. This compensation shall be charged to the regular DPW salary line item. As with the DPW Commissioner, and the DPW Operations Manager, now that the Superintendents are on-call, the Superintendents shall be permitted to use their assigned DPW vehicle to commute to and from work in order to have the necessary communications equipment and other resources necessary to handle emergency calls as quickly and efficiently as possible, readily at hand.

If the Superintendent On-Call takes an after hours assignment himself, in accordance with the Collective Bargaining Agreement, then he will be fully compensated in accordance with the Collective Bargaining Agreement and this Side letter Agreement. If in the best judgment of the Superintendent On-Call, he needs to come-in to supervise the overtime assignment, then regardless of his place in the overtime rotation, the Superintendent that reports to work after hours shall be fully compensated in accordance with the Collective Bargaining Agreement and this Side letter Agreement.

Date: Effective September 23, 2005

For the Town:

*[Handwritten signature]*  
\_\_\_\_\_

*\* Provided the D.P.W. Commission finds this acceptable*

For the Union:

*John H. Wagner*  
\_\_\_\_\_  
*John Maloney*  
\_\_\_\_\_  
*Jeff Spivey*  
\_\_\_\_\_

**MEMORANDUM OF UNDERSTANDING  
TOWN OF DEDHAM AND DPW AFSCME SUPERINTENDENT'S UNIT B**

<b>DPW WAGE RATES - Prior Contract</b>						
<b>EFFECTIVE: July 1, 2007 through June 30, 2008</b>						
<b>Labor Class Code</b>	<b>Muni -Class Number</b>	<b>TITLE</b>	<b>Step 1</b>	<b>Step 2</b>	<b>Step 3</b>	<b>Step 4</b>
LCG	5004C	Cemetery Superintendent	\$28.68	\$29.55	\$30.43	\$31.35
LCG	4707C	Highway Superintendent	\$28.68	\$29.55	\$30.43	\$31.35

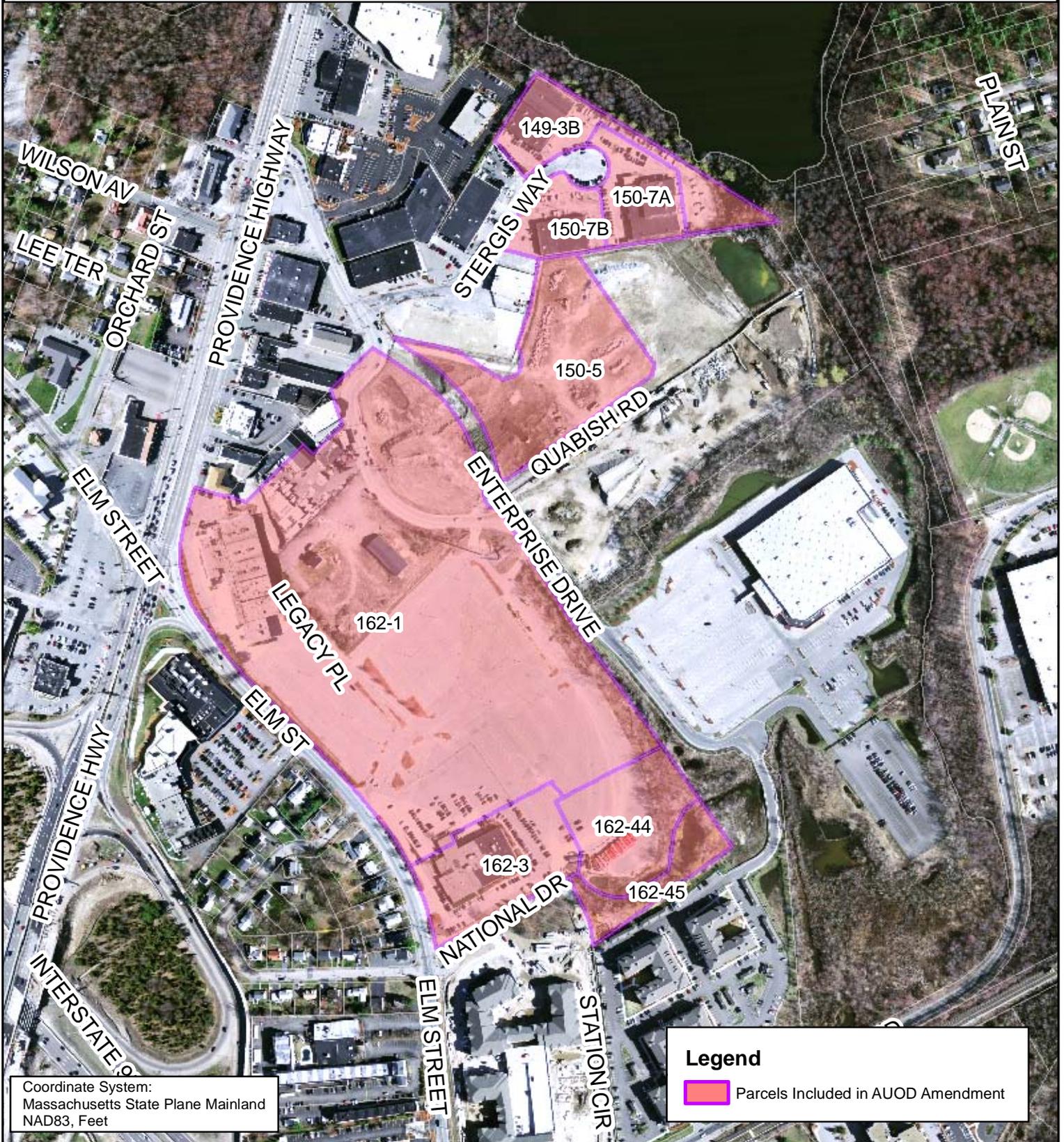
<b>DPW WAGE RATES</b>						
<b>No Change</b>						
<b>EFFECTIVE: July 1, 2008 through June 30, 2009</b>						
<b>Labor Class Code</b>	<b>Muni -Class Number</b>	<b>TITLE</b>	<b>Step 1</b>	<b>Step 2</b>	<b>Step 3</b>	<b>Step 4</b>
LCG	5004C	Cemetery Superintendent	\$28.68	\$29.55	\$30.43	\$31.35
LCG	4707C	Highway Superintendent	\$28.68	\$29.55	\$30.43	\$31.35

<b>DPW WAGE RATES</b>						
<b>1% Increase</b>						
<b>EFFECTIVE: July 1, 2009 through June 30, 2010</b>						
<b>Labor Class Code</b>	<b>Muni -Class Number</b>	<b>TITLE</b>	<b>Step 1</b>	<b>Step 2</b>	<b>Step 3</b>	<b>Step 4</b>
LCG	5004C	Cemetery Superintendent	\$28.97	\$29.85	\$30.74	\$31.67
LCG	4707C	Highway Superintendent	\$28.97	\$29.85	\$30.74	\$31.67

<b>DPW WAGE RATES</b>						
<b>1% Increase</b>						
<b>EFFECTIVE: July 1, 2010 through June 30, 2011</b>						
<b>Labor Class Code</b>	<b>Muni -Class Number</b>	<b>TITLE</b>	<b>Step 1</b>	<b>Step 2</b>	<b>Step 3</b>	<b>Step 4</b>
LCG	5004C	Cemetery Superintendent	\$29.26	\$30.15	\$31.05	\$31.99
LCG	4707C	Highway Superintendent	\$29.26	\$30.15	\$31.05	\$31.99

<b>DPW WAGE RATES</b>						
<b>2% Increase</b>						
<b>EFFECTIVE: July 1, 2011 through June 30, 2012</b>						
<b>Labor Class Code</b>	<b>Muni -Class Number</b>	<b>TITLE</b>	<b>Step 1</b>	<b>Step 2</b>	<b>Step 3</b>	<b>Step 4</b>
LCG	5004C	Cemetery Superintendent	\$29.85	\$30.76	\$31.68	\$32.63
LCG	4707C	Highway Superintendent	\$29.85	\$30.76	\$31.68	\$32.63

# Adult Use Overlay District Special Town Meeting, Fall 2010



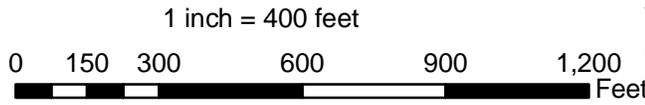
Coordinate System:  
Massachusetts State Plane Mainland  
NAD83, Feet

### Legend

 Parcels Included in AUOD Amendment

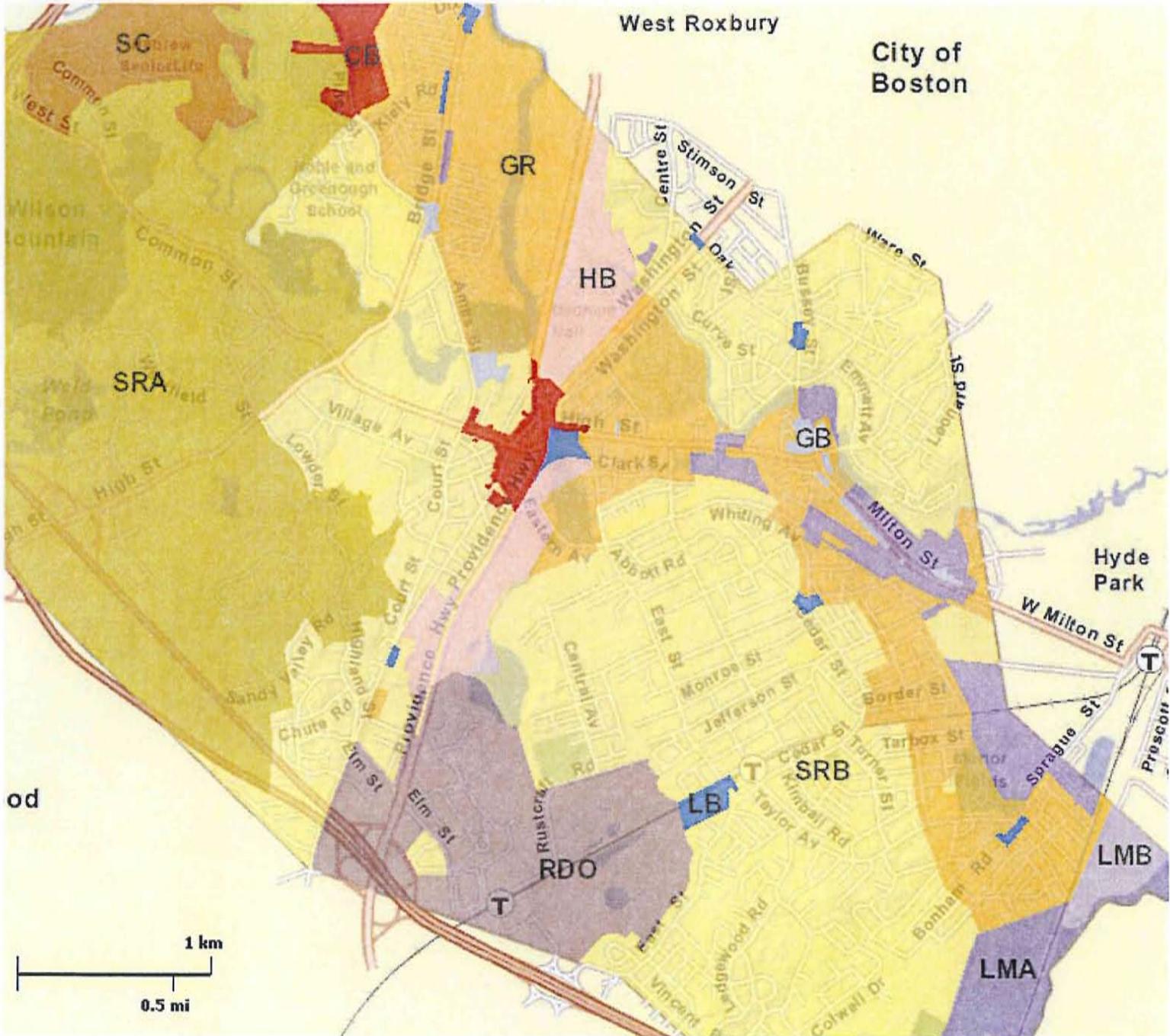


**Town of Dedham**  
Norfolk County  
Massachusetts



# Dedham GIS

## HB District



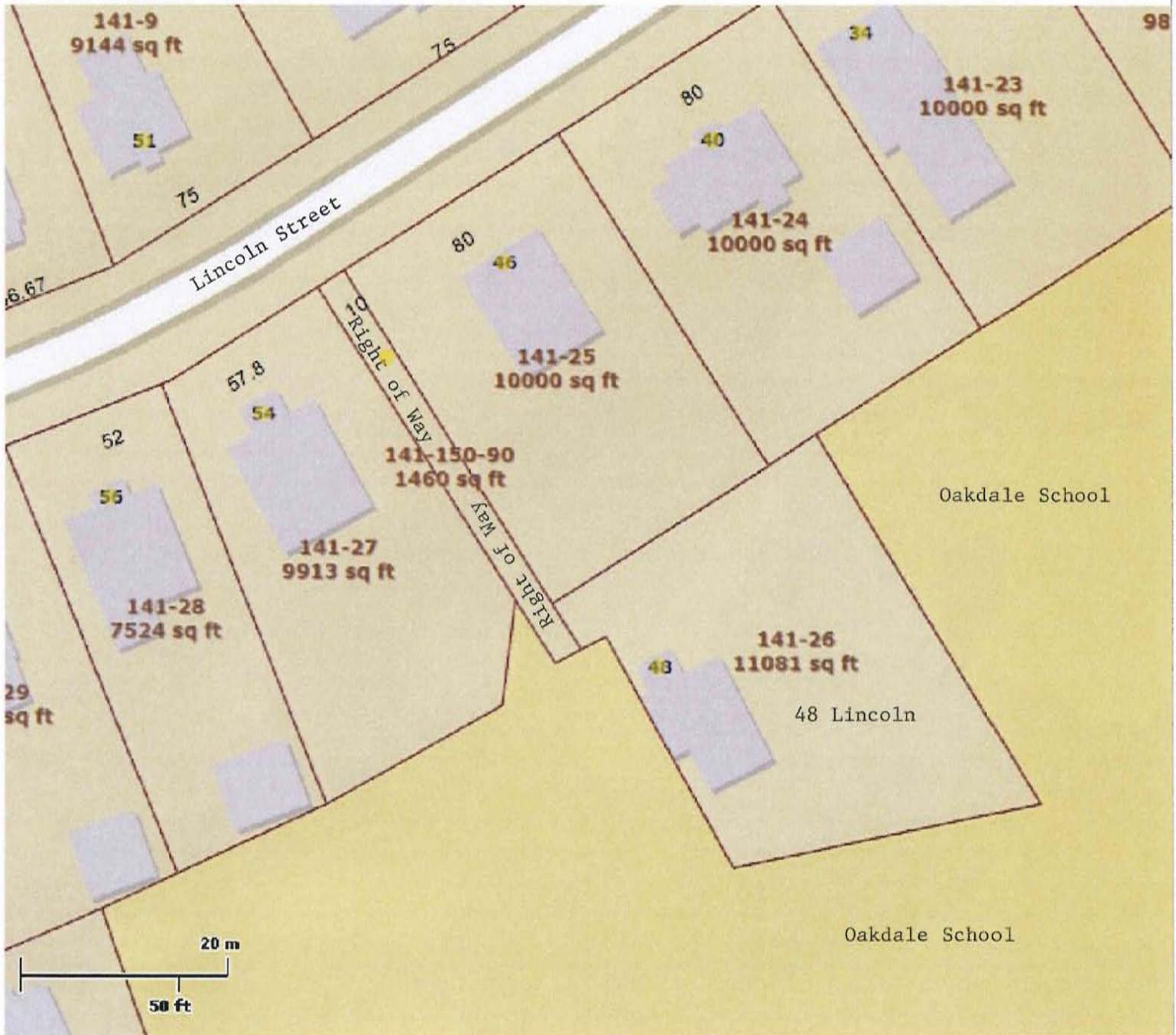
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# Dedham GIS

EXHIBIT 2

## 48 Lincoln



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