

**TOWN OF BELMONT  
WARRANT FOR SPECIAL TOWN MEETING  
NOVEMBER 17, 2003  
COMMONWEALTH OF MASSACHUSETTS**

Middlesex, ss.

To either of the Constables in said County:

Greetings:

In the name of the Commonwealth of Massachusetts you are required to notify and warn the Inhabitants of the Town of Belmont, qualified as the law requires to vote in Town Affairs, to meet at the Chenery Middle School Auditorium on MONDAY November 17, 2003 at 7:30 p.m., and to notify and warn the Town Meeting Members to meet and act at said time and place on the following Articles, viz:

**ARTICLE 1:** To hear the report of the Selectmen and other Town Officers. To hear the report of any Committee heretofore appointed and to act thereon.

No action is necessary by the Warrant Committee.

**ARTICLE 2:** To see if the Town will vote to appropriate the sum of \$90,000 for design services toward a Master Plan for renovations at Belmont High School, determine how the same shall be raised and by whom expended, or in any way act thereon.

The Warrant Committee and Capital Budget Committee will report orally on this Article.

**ARTICLE 3:** To see if the Town will vote to limit participation in the Early Retirement Incentive Program established by Section 116 of Chapter 46 of the Acts of 2003 as follows:

1. For purposes of the Early Retirement Incentive Program, the term "department" shall mean a Town payroll department.
2. Participation in the Early Retirement Incentive Program shall be limited to eligible employees within the following payroll departments:
  - a) Department 23 (Public Safety Communications)
  - b) Department 44 (Street Maintenance)
  - c) Department 45 (Sanitary Sewer)
  - d) Department 53 (Cemetery)
  - e) Department 58 (Council on Aging)
  - f) Department 88 (Human Resources)
  - g) Department 526 (Water Administration)
  - h) Department 833 (Municipal Light Department);

and to take such other action as may be necessary to implement the vote of the Board of Selectmen accepting the program, or in any way act thereon.

The Warrant Committee will report orally on this Article.

**ARTICLE 4:** To see if the Town will vote to amend Article 4 of the General By-Laws of the Town, entitled "Board of Selectmen," by adding a new Section 4.14 as follows:

"4.14 Notwithstanding the provisions of Section 56 of Chapter 98 of the General Laws, the sealers of weights and measures shall receive the following fees for sealing the following weighing or measuring devices:

1. Each scale with a weighing capacity of more than ten thousand pounds, 150 dollars.

2. Each scale with a weighing capacity of five thousand to ten thousand pounds, 100 dollars.
3. Each scale with a weighing capacity of one thousand to five thousand pounds, 50 dollars.
4. Each scale with a weighing capacity of one hundred to one thousand pounds, 50 dollars.
5. Scales and balances with a weighing capacity of more than ten pounds and less than one hundred pounds, 15 dollars.
6. Scales and balances with a weighing capacity of ten pounds or less, 15 dollars.
7. Each liquid capacity measure, except vehicle tanks, of the capacity of more than one gallon and measures on pumps, 15 dollars.
8. Each liquid measuring meter, except water meters, the diameter of the inlet pipe of which is one half inch or less, 20 dollars, more than one half inch but not more than one inch, 20 dollars; for each such type of liquid measuring meter, the diameter of the inlet pipe of which is more than one-inch, the following shall apply, vehicle-tank pump 50 dollars, vehicle-tank gravity 50 dollars, bulk storage 100 dollars, bulk storage user furnishes certified prover 100 dollars.
9. Each taximeter or measuring device used upon vehicles to determine the cost of transportation 20 dollars.
10. Each machine or other mechanical device used for determining linear or area measurement, 40 dollars.
11. Vehicle tanks used in the sale of commodities by liquid measure shall be charged for each hundred gallons or fraction thereof, 20 dollars. An additional fee of 20 dollars per sealed indicator shall be received.
12. All weights and other measures, 2 dollars each.

They shall also receive reasonable compensation for the use of special facilities, necessary repairs, alterations and adjustments made by them.”

or in any way act thereon.

The Warrant Committee will report orally on this Article.

**ARTICLE 5:** To see if the Town will vote, pursuant to Chapter 40, Section 15A, of the General Laws, to transfer to the Board of Selectmen the care, custody, management and control of the real property on Brighton Street shown on Assessors' Map 45 as Parcel 45, for the purpose of selling or otherwise disposing of such property, or in any way act thereon.

The Warrant Committee and Capital Budget Committee will report orally on this Article.

**ARTICLE 6:** To see if the Town will vote to authorize the Board of Selectmen, on behalf of the Town, to sell or otherwise dispose of the real property on Brighton Street shown on Assessors' Map 45 as Parcel 45, or in any way act thereon.

The Warrant Committee and Capital Budget Committee will report orally on this Article.

**ARTICLE 7:** To see if the Town will vote, pursuant to Chapter 40, Section 15A, of the General Laws, to transfer to the Board of Selectmen the care, custody, management and control of the real property on B Street shown on Assessors' Map 29 as Parcel 68, and a portion of Parcel 68A for the purpose of selling or otherwise disposing of such property in order to develop housing pursuant to the plans of the Belmont Housing Trust, all as shown on a plan

entitled "Plan of B Street Property, Belmont, Mass." dated October 28, 2003 by Thomas G. Gatzunis, Town Engineer, on file in the Town Clerk's Office, or in any way act thereon.

The Warrant Committee and Capital Budget Committee will report orally on this Article.

**ARTICLE 8:** To see if the Town will vote to authorize the Board of Selectmen, on behalf of the Town, to sell or otherwise dispose of the real property on B Street shown on Assessors' Map 29 as Parcel 68, and a portion of Parcel 68A, all as shown on a plan entitled "Plan of B Street Property, Belmont, Mass." dated October 28, 2003 by Thomas G. Gatzunis, Town Engineer, on file in the Town Clerk's Office or in any way act thereon.

The Warrant Committee and Capital Budget Committee will report orally on this Article.

**ARTICLE 9:** To see if the Town will vote to amend Section 1.4, "Definitions and Abbreviations," of the Zoning By-Law as follows:

- a. By inserting a new definition entitled "Catering Service" after "Building" and before "Cellar" as follows:

"Catering Service - An establishment that prepares, serves, and supplies food in large quantities to be delivered and consumed off premises. Deliveries of food products occur on a regular basis."

- b. By inserting a new definition entitled "Other Retail Sales and Services" after "Open Space" and before "Parking Space" as follows:

"Other Retail Sales and Services - An establishment primarily engaged in the retail sale of goods, services and/or products (including baked products, ice cream, and/or candy for consumption off site with no seating provided on site). Such uses may include incidental food service."

- c. By replacing the existing definition entitled "Restaurant" with a new definition as follows:

"Restaurant - An establishment at which the principal activity is the preparation, service, and sales of food for consumption on the premises."

- d. By inserting a new definition entitled "Restaurant, Fast Food" after "Restaurant" and before "Roof-Mounted Wireless Telecommunications Facility" as follows:

"Restaurant, Fast Food - An establishment whose primary business is the sale of food for consumption on the premises which is: (a) primarily intended for immediate consumption rather than for use as an ingredient or component of meals; (b) available upon a short waiting time; (c) packaged or presented in such a manner that it can be readily eaten outside the premises where it is sold; (d) which, because of the nature of the operation sells large volumes of food; but not including drive-up windows."

- e. By inserting a new definition entitled "Restaurant, Take Out" after "Restaurant" and before "Roof-Mounted Wireless Telecommunications Facility" as follows:

"Restaurant, Take Out - An establishment whose primary business is the sale of food for consumption off the premises which is: (a) primarily intended for immediate consumption rather than for use as an ingredient or component of meals; (b) available upon a short waiting time; (c) packaged or presented in such a manner that it can be readily eaten outside the premises where it is sold; (d) which, because of the nature of the operation sells large volumes of food, (e) commonly generate a large volume of vehicular traffic, but not including drive-up windows."

or in any way act thereon.

The Planning Board will report orally on this Article.

**ARTICLE 10:** To see if the Town will vote to amend Section 3.3, "Schedule of Use Regulations," of the Zoning By-Law by inserting the provisions listed below:

- a. Catering Service –
  - In the LBI, LBII and LBIII Zoning Districts allow up to 5,000 square feet by-right; greater than 5,000 square feet would require a Special Permit.
- b. Restaurant -
  - In LBI and LBII Zoning Districts allow up to 10,000 square feet by-right; greater than 10,000 square feet would require a Special Permit.
  - In LBIII and GB Zoning Districts allow restaurants only by Special Permit.
- c. Restaurant, Fast Food –
  - In LBI, LBII, LBIII and GB Zoning Districts allow only by Special Permit.
- d. Restaurant, Take Out –
  - In LBII, LBIII and GB Zoning Districts allow only by Special Permit.
  - Not allowed in LBI Zoning District.

or in any way act thereon.

The Planning Board will report orally on this Article.

**ARTICLE 11:** To see if the Town will vote to delete from Section 3.3, "Schedule of Use Regulations," of the Zoning By-Law the accessory use provision line item "Sale of food or drink ready for consumption without further preparation," or in any way act thereon.

The Planning Board will report orally on this Article.

**ARTICLE 12:** To see if the Town will vote to delete from Section 5.1.1, "Number of Spaces" of the Zoning By-Laws, paragraph "c)" and re-alphabetize the remaining subsections or in any way act thereon.

The Planning Board will report orally on this Article.

**ARTICLE 13:** To see if the Town will vote to insert in the Zoning By-Law a new Section 7.5 entitled "Development Impact Report" and renumber the existing sections accordingly as follows:

**7.5 DEVELOPMENT IMPACT REPORT**

**7.5.1 Purpose:**

The purpose of a Development Impact Report is to enable the applicable board and municipal officials to identify the environmental/social/physical and/or infrastructure impacts of the requested activity and to determine if the impacts can be mitigated. The DIR shall identify the methods be used to mitigate and to minimize adverse impacts on the neighborhood and the Town.

**7.5.2 Applicability:**

A Development Impact Report (DIR) may be required by the Planning Board or Zoning Board of Appeals during a review of any application for a non-residential or multi-family structure or use which could have significant, deleterious environmental, physical or social impacts on the neighborhood and/or the Town and its infrastructure. This provision is adopted pursuant to Section 53G, Chapter 44, MGL and as such, the Report shall be at the expense of the applicant.

1. At their discretion, the Planning Board or the Zoning Board of Appeals may require a DIR upon the submittal of any application for a Special Permit, Design & Site Plan Review Approval or a Comprehensive Permit.
2. If the applicant is required to file an Environmental Impact Report with the MEPA Unit of the Executive Office of the Environmental Affairs, the Draft or Final Environmental Impact Report may be submitted to fulfill the requirements of this Section. This decision is at the discretion of the Board reviewing the application.

#### 7.5.3 Consultant Selection & Requirements:

1. The appropriate Board shall develop a Scope of Work to guide the completion of the DIR. This Scope may be coordinated with other boards and/or professional staff. Upon the completion of the Scope of Work, the Board shall send out a "Request for Proposal" to at least three (3) qualified consulting firms. The Board shall review all responses and choose the optimum proposal.
  - (a) The selected consultant must have an educational degree in or related to the field at issue, or
  - (b) Have three or more years of practice in the field at issue, and
  - (c) Provide suitable references for similar activities in other communities.
2. The applicant may appeal the selection of the consultant to the Board of Selectmen if they believe that the selected consultant has a conflict of interest or does not possess the minimum required qualifications. The time required for action on the application is extended pending the appeal. The Selectmen have one (1) month from the date of the appeal to render a decision.
3. The applicant shall then be required to make a payment to the Town of Belmont in the exact sum of the proposal selected. This money shall be placed in a separate, interest bearing escrow account administered by the Town Treasurer pursuant to Section 53G, Chapter 44, MGL. An annual report on such accounts shall be submitted by the Treasurer to the Town Administrator.

#### 7.5.4 Contents of the Scope of Work:

The appropriate Board may waive or add to the list of concerns noted below pursuant to the specifics of each application. It is recommended that the applicant work with the Board to participate in the preparation of the Scope. The contents could include the following:

1. Physical Environment: Provide a description and impact analysis the development will have on the general topography, vegetation, geologic, scenic and historical features and open space of the site. Provide a description and impact analysis on properties abutting the site. This analysis may include traffic, lighting, noise, showing and emissions impacts.
  - (a) Identify historic archeological sites, geological, botanical, existing or potential trails and accesses to open space areas and how they will be maintained or enhanced.
2. Surface Water
  - (a) Provide a narrative on the following:
    - i. the methods and degree to which water is recycled back into the ground. Estimate increase of peak run-off caused by altered surface conditions,
    - ii. the maintenance and improvement of the flow and quality of surface waters including Best Management Practices (BMP) to be employed,
    - iii. methods to prevent flooding onto adjacent properties.

- (b) Describe the location, extent and type of existing water bodies or wetlands on the site and the proposed alterations to such, including both existing and proposed surface drainage characteristics within and adjacent to the site.

3. Erosion Controls:

- (a) Describe the erosion control and soil stabilization methods, timing and locations to be used during construction.
  - i. approximate the size and location of land to be cleared at any given time and the length of time soil will be exposed;
  - ii. identify methods for protecting soil stockpiles; and
  - iii. detail any other erosion control issues.
- (b) Evaluate the effectiveness of the proposed soil erosion control methods on the site and on the surrounding areas. Also review the permanent methods to be used to control erosion and sedimentation.

4. Town Services & Infrastructure:

- (a) Estimate traffic flow at peak periods employing ITE standards and procedures. Detail the proposed on-site and projected off-site circulation patterns to the project. Detail pedestrian and bicycle movements and any proposed enhancements. Are new traffic controls (re: signals, signage, striping, etc.) or upgrades to existing controls necessary?
- (b) Estimate the effect/impacts of the project on police and fire protection services, public works, educational services, sewer capacity and the water supply system.

- 5. The appropriate Board may require the submission of information which could be required by the MEPA unit if an EIR were required under applicable MEPA regulations.

7.5.5 Results of the DIR Process

- 1. The selected consultant shall complete the Scope of Work developed in Paragraph D above and submit ten (10) copies of a written report to the appropriate Board and the applicant. This Report and any accompanying maps shall also be submitted in electronic format.
- 2. The Board shall employ the Report in reaching its decision on the application. Mitigation recommendations from the Report may be incorporated into a final decision on the application. However, the result of a Development Impact Report may be the basis for disapproval of the application.
- 3. Upon the satisfactory completion of the Scope of Work, the consultant shall be compensated the agreed upon fee and the applicant shall receive any remaining interest from the account. In no case shall the fee exceed the agreed upon amount unless authorized in advance by the applicant and the appropriate Board.”

or in any way act thereon.

The Planning Board will report orally on this Article.

**ARTICLE 14:** To see if the Town will vote to discontinue the Building Setback Lines from certain parcels of land as identified on the Assessors' Maps (as revised through 1998) and identified by map and parcel numbers and street addresses as follows:

**Map - Parcel Number**  
1 - 16

**Street Address**  
129-35 Belmont Street

1 - 15	1-3 Exeter Street
1 - 17	137-143 Belmont Street
1 - 40	161 Belmont Street
1 - 41	6-8 Oxford Avenue
1 - 62	171 Belmont Street
1 - 61	5 Marlboro Street
2 - 61	231-235 Belmont Street
5 - 102	63 Trapelo Road/2 Willow Street
5 - 103	6 Willow Street
5 - 124A	67 Trapelo Road
6 - 176	432-444 Common Street
12 - 130U1,2	131-133 Trapelo Road
12 - 213	130 Trapelo Road
14 - 225	234-240 Trapelo Road
14 - 226	244-248 Trapelo Road
14 - 227A	250-254 Trapelo Road
14 - 227	256 Trapelo Road
14 - 228, 231	268-278 Trapelo Road
14 - 235	280 Trapelo Road
14 - 236	290-292 Trapelo Road
14 - 1	243 Trapelo Road
14 - 40	263 Trapelo Road
21 - 122	70 Concord Avenue
21 - 72	82 Concord Avenue
44 - 137	344 Pleasant Street
44 - 136	358 Pleasant Street
44 - 135	368 Pleasant Street
45 - 43	330 Brighton Street
45 - 44	334 Pleasant Street
46 - 38	325-329 Pleasant Street
46 - 46	337 Pleasant Street
46 - 61	347 Pleasant Street
46 - 59	363 Pleasant Street

or in any way act thereon.

The Planning Board will report orally on this Article.

ARTICLE 15: To see if the Town will vote to authorize and direct the Board of Selectmen to petition the General Court for the enactment of a special law in substantially the following form.

“HOME RULE PETITION FOR BELMONT”

“An Act Relative to the safe placement of newborns and infants in the Town of Belmont.

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

Whereas, the General Court finds and declares that a serious public emergency exists with respect to the safety and health of newborns and infants in the Town of Belmont due to parents that abandon them; and

Whereas, unless parents of newborns or infants are not protected from prosecution for their abandonment of a newborn or infant then the incidents of newborns discarded into trash receptacles or abandoned in public places will continue to occur;

Whereas, the serious public emergency should be met by the Commonwealth of Massachusetts immediately, with due regard for the rights and responsibilities of the Town of Belmont.

Therefore, this act is declared to be in the public interest.

#### Section 1 Acceptance of Newborns and Infants Placed by Parents or Lawful Agents of Parents with Authorized Employees of Designated Facilities.

Notwithstanding the provisions of any general or special law to the contrary and in order to promote the public good, the Massachusetts Department of Social Services ("department") shall accept for placement into foster care any newborn or infant child seven (7) days of age or younger ("newborn or infant" or "child") that is voluntarily placed with a hospital emergency room licensed under general laws, chapter 111, section 51, in the Town of Belmont, police station in the Town of Belmont, or fire station in the Town of Belmont (individually, "designated facility" and collectively, "designated facility") by a parent of a newborn or infant or by a legal agent of said parent. A voluntary placement under these provisions shall not constitute an automatic termination of parental rights or an abrogation of parental rights or responsibilities but shall, for purposes of authorizing the department to initiate a petition to terminate parental rights under general laws chapter 210, be presumed to be an abandonment of the newborn or infant that has been so placed. A designated facility receiving a newborn or infant shall immediately notify the department of the placement of a newborn or infant ("notice"). Upon receiving a notice the department shall take physical custody of the newborn or infant immediately and shall initiate all actions authorized by law to achieve the safety and permanency of the newborn or infant in a manner that is consistent with the best interests of the child; provided however, that if the newborn or infant is in need of emergency or other medical care, the department shall not take immediate physical custody of the child until such care has been fully administered and completed to the hospital emergency room's satisfaction. The department shall develop and implement a protocol of communication and procedure to facilitate the placement of and provide for the custody and care of a newborn or infant. If a person claiming to be a parent or lawful agent of a parent of a newborn or infant left with a designated facility submits a request to the department for reunification with the newborn or infant, the department shall institute the procedures currently authorized by law to identify, contact, and investigate such person or agent in order to determine, pursuant to the applicable provisions of law, if reunification is in the best interests of the child, or if it is in the best interests of the child to terminate the parental rights of the parent.

Each hospital emergency room in the Town of Belmont shall designate all members of the emergency room nursing staff employees authorized ("authorized employee") to take physical custody of a newborn or infant under these sections, and one (1) such nurse shall be on duty during regular business hours. Each hospital emergency room shall designate an area in the emergency room where physical custody of a newborn or infant may be taken. Each police station in the Town of Belmont and fire station in the Town of Belmont shall, to the greatest practical extent that does not interfere with the primary functions of the police station or fire station designate individual staff members on each shift as employees authorized ("authorized employee") to take physical custody of a newborn or infant under these sections.

Authorized employees at designated facilities shall make every effort to solicit the following information from the parent or lawful agent who is placing the newborn or infant: (1) the name of the child, (2) the name and address of the parent placing the child, (3) name and address of the parent absent from the placement of the child for the purposes of notification and protecting the absent parent's constitutional rights with regard to parenting, (4) name and address of the person leaving the child, if not a parent, (5) the location of the child's birthplace, (6) the medical histories of the child and parents including, but not limited to, birth and medical records, if available, and (7) any other information that might reasonably assist the department or the courts of the Commonwealth in current and future determination of the best interests of the child, including whether or not the parent plans to seek future custody of the child. The authorized employee receiving the newborn or infant shall encourage the parent or lawful agent of the parent to provide the requested information in order to ensure that the child's best interests are served, but he parent or lawful agent is not required to provide such information. The department and the designated facilities shall maintain copies of forms and records, if any, collected or created as a result of placements made under these sections, and shall adhere to all applicable laws, rules, and regulations regarding the confidentiality of such forms and records provided, however, that all information pertaining to the medical history of the newborn or lawful agent shall be forwarded by the designated facilities to the department in order to facilitate the safe and permanent placement of a child by the department.

Authorized employees shall provide the parent or lawful agent with a numbered identification bracelet. The bracelet shall be used to link the parent to the child for identification purposes only and shall not be construed to authorize the person in possession of the bracelet to take custody of the child on demand. If parental rights have not been terminated, possession of a bracelet linking the parent or agent to a newborn or infant left with an authorized employee shall create a rebuttable presumption that the parent or lawful agent has standing to participate in a custody hearing for the child but shall not create a presumption of maternity, paternity or custody.

## Section 2 Placement of Newborns and Infants by parents or Lawful Agents of Parents with Authorized Employees of Designated Facilities.

The act of leaving an unharmed newborn or infant with an authorized employee of a designated facility does not, by itself, constitute a basis for a finding of abuse or neglect of the child pursuant to the laws of the Commonwealth, nor does it, by itself, constitute a violation of criminal statutes for child abuse and neglect or for abandonment under general laws chapter 119, section 39 when there is additional evidence that the person who left the child intended that the child be safe from physical injury or harm. If there is suspected child abuse or neglect that is not based solely on the newborn or infant having been left with an authorized employee of a designated facility in compliance with these sections, the personnel of the designated facilities who are mandated reporters under general laws, chapter 119, section 51A must report the abuse or neglect.

## Section 3 Information Program.

Subject to appropriation, the department shall prepare a public information program regarding the procedures stated in these sections and other procedures as determined by the department, including, but not limited to, the development of a pamphlet describing the procedures. The department shall also work in conjunction with other departments and agencies of the Commonwealth and the department and agencies of the Town of Belmont to develop an interdepartmental and intergovernmental information campaign regarding the procedures required by these sections. Information contained in the pamphlet shall include, but not be limited to, (1) an explanation of the process described herein, (2) rights and responsibilities of parent(s) and extended family members, (3) the legal consequences of placement of a newborn or infant into foster care, (4) relevant telephone numbers of the department or its agents or other methods of communication with the department, (5) statutory procedures pertinent to determining the best interests of the child, including the procedures relative to the termination of parental rights, reunification with the parent(s) and adoption, (6) family preservation services available from the department, and (7) any other information deemed relevant by the department.

The pamphlet shall be given to the parent or lawful agent of the parent at the time a newborn or infant is left at a designated facility. The department and the Town of Belmont shall explore the possibility of expending funds received from the United States Department of Health and Human Services pursuant to the Promoting Safe and Stable Families Program, as most recently amended public information program required by this section and to alleviate the burden said information program may have on the department's appropriation from the Commonwealth.

## Section 4 Report.

The department, in conjunction with a designee from (1) the Town of Belmont, (2) the Juvenile Court, (3) the Probate and Family Court (4) the Center for Adoption Research at the University of Massachusetts, (5) Massachusetts Families for Kids, (6) the Children's Trust Fund, (7) the Alliance for Young Families, and (8) the Office of Child Care Services, shall submit a report analyzing the overall effectiveness of these sections. The report shall include, but not be limited to, (1) an analysis of the effectiveness of these sections in decreasing the number of newborns or infants that suffer abandonment in an unsafe manner within the Town of Belmont, (2) the department's success or failure in permanently placing newborns or infants left with a designated facility through the adoption process, (3) the average length of time that newborns or infants remain in foster care, (4) any issues arising from the termination of parental rights following the acceptance of a child by a designated facility, (5) the success or failure of any public information campaign implemented by the department pursuant to these sections, (6) an analysis of any increased administrative burdens placed upon any department or agency of the Commonwealth or department or agency of the Town of Belmont as a result of the passage of these sections, (7) an analysis of issues affecting the eligibility of a newborn or infant placed pursuant to this act for federal entitlements such as foster care or adoption subsidies under Title IV-E of

the united States Social Security Act or any other applicable federal law and (8) the frequency and completeness with which a parent or lawful agent of a parent leaving a newborn or infant at a designated facility supplies the information sought pursuant to Section 1, and any negative effects that the lack of background information or medical history for the child or parents may have had on the temporary or permanent placement of the newborn or infant through the foster care or adoption process. The report, including nay associated legislative recommendations, shall be submitted to the governor of the Commonwealth, the general court of the Commonwealth and the Selectmen of the Town of Belmont earlier than the third anniversary of the date of the passage of these sections and no later than the fourth anniversary of the date of the passage of these sections.

Section 5 Harmonious Construction.

This act shall be construed harmoniously with any other general or special law such that all such legislation effectively provides the greatest level of safety for newborns and infants and the greatest level of equity and fairness to parents and lawful agents.

Section 6 Severability.

If any provision of these sections or the application of such provision to any person or circumstance shall be held invalid, the validity of the remainder of these sections and the applicability of such provision to other persons or circumstances shall not be affected thereby.

Section 7 Effective Date.

The provision of these sections shall be effective immediately upon passage.”

or in any way act thereon.

No action is necessary by the Warrant Committee.

Given under our hands this 27<sup>th</sup> day of October, 2003.

BOARD OF SELECTMEN  
William N. Brownsberger  
Anne Marie S. Mahoney  
Paul Solomon