

**BOARD OF SELECTMEN MINUTES  
ANNUAL TOWN MEETING  
WESTPORT HIGH SCHOOL CAFETERIA  
MAY 5, 2015**

**Members Present:** Craig J. Dutra, Chairman  
R. Michael Sullivan, Vice-Chairman  
Steven J. Ouellette, Clerk  
Richard M. Spirlet  
Antone C. Vieira Jr.

**Also Present:** Timothy J. King, Town Administrator  
Attorney David Jenkins, Town Counsel

The meeting was opened at 6:35 p.m.

**Articles for Road Layout Acceptances:**

There was discussion regarding the email Moderator Steve Fors had sent that morning that he would not allow any discussion on the road acceptance articles (50 – 57) due to the fact that the road layout plans had not been filed with the Town Clerk seven (7) days before the Annual Town Meeting, which was required by the Massachusetts General Laws. The staff had been unaware of the law and had that day filed the plans with the Town Clerk. It was discussed that the Selectmen could request a postponement of the Town Meeting for two weeks for the eight articles or could schedule a Special Town Meeting in late September or early fall. The Board agreed that the residents and petitioners who lived on the roads should be consulted first before they made a decision.

**Article 39 - Town Administrator By-Law:**

Chairman Dutra reported that he had just met with the Finance Committee regarding the proposed Town Administrator By-Law. He stated that there were two typos on page 15 that should be corrected: 1) Section 6401.1 the last sentence - "*should have*" needed to be inserted after "*Town Administrator*" and before "*at least five (5) years*"; and Section 6404. - the first sentence the word "*remove*" should be changed to "*removal*" and the last sentence - which reads "*This action must be for cause and after a public hearing.*" should be revised to read "*This action must be after a hearing.*" removing the words "*for cause*" and "*public*". Attorney Jenkins recommended that the Board strike the whole last sentence because it would be better for the Town. Selectmen Dutra and Sullivan stated that they were fine with removing the last sentence completely. Selectman Sullivan made a motion to revise Section 6401.1 by adding "*should have*" in the last sentence, removing the last sentence in Section 6404 and changing "*remove*" to "*removal*" in the first sentence of Section 6404. Selectman Ouellette seconded the motion for discussion. He stated that he did not agree with the proposed By-Law and felt that it gave too much power to the Town Administrator. After some discussion Selectman Sullivan amended his motion to not remove the last sentence but to revise the last sentence of Section 6404. by removing the words "*for*

cause" and "public". The amended motion was seconded by Selectman Spirlet. The motion passed with Selectmen Dutra, Sullivan, Spirlet and Vieira voting yes and Selectman Ouellette voting no.

#### **Article 14 - Beach Avenue Turn Around:**

Selectman Sullivan noted that the article, as written in the warrant, was not the version that should have been included. It had been revised two to three times after discussion with Town Counsel.

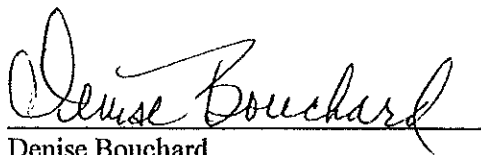
#### **Articles for Road Acceptances (Continued):**

Town Counsel David Jenkins spoke to several residents who live on the roads under consideration for acceptance by the Town. He explained that the staff was unaware that the road layout plans were required by law to be filed with the Town Clerk seven (7) days before the Annual Town Meeting. Attorney Jenkins noted that the plans had been filed with the Town Clerk that day and that there were two options available to rectify the situation: 1) Postpone the discussion on the road acceptance articles for two (2) weeks (the next time the High School would be available after the seven (7) day waiting period ); or 2) Wait and schedule a Special Town Meeting in the Fall where the Selectmen would sponsor the road acceptances and the residents would not have to submit another petition. The second option would allow developers time to complete the necessary requirements that had not been completed for the roads to be accepted. There was some discussion but no decision was made due to the fact that Town Meeting it was 7:00 p.m. and Town Meeting was starting.

#### **Adjournment:**

The Selectmen's meeting was adjourned at 7:00 p.m.

Respectfully submitted,



Denise Bouchard  
Secretary to the Board of Selectmen

APPROVED: \_\_\_\_\_  
Steven J. Ouellette, Clerk