

**TOWN OF WESTPORT
COMMONWEALTH OF MASSACHUSETTS
ANNUAL TOWN MEETING MINUTES
MAY 2, 2023**

BRISTOL, SS.

To either of the constables of the Town of Westport in said County:

GREETINGS:

In the name of the Commonwealth of Massachusetts you are hereby directed to notify and warn the inhabitants of the Town of Westport qualified to vote in elections and Town affairs, to assemble at the Westport Middle High School, 400 Old County Road, on Tuesday, May 2, 2023 at 7:00pm, and then and there to act on the following articles, viz:

Agreeable to the warrant calling said meeting, the voters of the Town of Westport assembled at the Westport Middle High School on the above date. The meeting was called to order at 7:00pm by Moderator Steven W. Fors. Kristin Stinson acted as timekeeper for the meeting in accordance with a by-law adopted under Article 45 of Annual Town Meeting of 1963. All in attendance stood to salute the flag of our nation.

Motion and Second to dispense of usage of “second’ in all cases except amendments to Articles.

Voted: Carried Unanimously

Reference presentation: Article 5

Motion to dispense with the reading of the warrant and the Constable’s return of service.

Voted: Carried

Motion and second to authorize the Moderator to declare that a two-thirds vote has been achieved according to General Law, Chapter 39 15.

Voted: Carried

ARTICLE 1

To see if the Town will vote to raise and appropriate and/or transfer from available funds such sums of money necessary for the purpose of paying outstanding bills from prior fiscal years, and/or take any other action relative thereto.

BOARD OF SELECTMEN

Motion that the Town pass over Article 1.

Vote: Carried

ARTICLE 2

To see if the Town will vote to amend the vote taken under Article 4 of the 2022 Annual Town Meeting by transferring from available funds and/or various line items within the current appropriations such sums of money necessary to supplement the budgets of various departments for the fiscal year beginning July 1, 2022, and/or take any other action relative thereto.

BOARD OF SELECTMEN

<u>FROM:</u>	<u>TO:</u>	<u>AMOUNT</u>
Assessors Expenses	Assessors Personnel Services	\$ 8,285
Employee Benefits	Cemetery Personnel Services	\$ 10,000
Employee Benefits	Accounting Expenses	\$ 15,000
Employee Benefits	Police Personnel Services	\$ 50,000
Employee Benefits	Registrar Personnel Services	\$ 8,000
Employee Benefits	Registrar Expenses	\$ 4,000
	TOTAL	\$ 95,285

Motion to amend the vote taken under Article 4 of the 2022 Annual Town Meeting by making the transfers between line items of the FY2023 budget listed in the warrant under Article 2.

Vote: Carried Unanimously

ARTICLE 3

To see if the Town will vote to transfer certain sums of money, previously approved by Town Meeting, in the amounts and from the warrant articles listed below, to the Capital Stabilization Fund or other accounts listed below, and/or take any other action relative thereto.

BOARD OF SELECTMEN

<u>FROM:</u>	<u>TO:</u>	<u>AMOUNT</u>
FY'04, Article 12 (Appellate Tax Hearings)	Capital Stabilization	\$ 1,433.47
FY'12, Article 7 (Environmental Remediation Middle School)	Capital Stabilization	\$ 93,497.85
FY'14, Article 4 (Mold Remediation Old Police Station)	Capital Stabilization	\$ 9,175.00
FY'20, Article 28 (Voting Machines)	Capital Stabilization	\$ 1,000.00
FY'20, Article 30 (Head Landing Groundwater Remediation)	Capital Stabilization	\$ 1,492.16
FY'23, Article 7 (Replace Equipment – SCBA Air Packs)	Capital Stabilization	\$ 149,972.87
FY'23, Article 7 (Capital Improve – Town Hall Garage Roof)	Capital Stabilization	\$ 5,218.00
FY'23, Article 7 (Capital Improve Transfer Station Building)	Capital Stabilization	\$ 4,823.88
	TOTAL	\$ 266,613.23

Motion that the Town transfer to the Capital Stabilization Account \$266,613.23 from the amounts previously appropriated by Town Meeting all as listed in the warrant under Article 3.

Vote: Carried Unanimously

ARTICLE 4

To see if the Town will vote to fix the salary and compensation of all elected Town Officers for the fiscal year beginning July 1, 2023, and/or take any other action relative thereto.

FINANCE COMMITTEE/BOARD OF SELECTMEN

Moderator	\$ 917.00
Selectmen – Chairman	\$ 7,269.00
Board Members (4)	\$ 28,585.00
Assessors - Board Members (3)	\$ 19,918.00
Board of Health - Members (3)	\$ 10,365.00
Town Clerk	\$ 75,177.00
TOTAL	\$ 142,231.00

Motion to fix the salaries of elected Town Officers for FY2024 as printed in the warrant under Article 4.

Vote: Carried Unanimously

ARTICLE 5

To see if the Town will vote to raise and appropriate and/or transfer from available funds such sums of, money considered necessary to defray the Town's expenses for a twelve month period beginning July 1, 2023 and appropriate the same to several departments and/or take any other action relative thereto.

FINANCE COMMITTEE/BOARD OF SELECTMEN

Motion that the amounts of money set forth in the printed report of the Finance Committee in the columns entitled "FY24" be appropriated for the several purposes therein itemized, each item being considered a separate appropriation and that the same be expended only for such purposes and that these appropriation be funded as follows:

\$49,115,120	<i>Taxation – Raise & Appropriate</i>
\$ 15,888	<i>Waterways Fund</i>
\$ 64,555	<i>Septic Program – Monies Reserved for Debt Payments</i>
\$ 85,000	<i>Enterprise Indirect Cost Transfer</i>
\$ 25,000	<i>Wetlands Fund</i>
\$ 15,000	<i>Cemetery Sale of Lots Account</i>
\$ 40,000	<i>Cemetery Perpetual Care Interest Account</i>
\$ 15,000	<i>Transfer Station Receipts Reserved</i>
\$ 14,500	<i>Community TV Reserved</i>
\$ 700,252	<i>Free Cash</i>
\$50,090,315	<i>TOTAL</i>

A hold was placed on the following items: Selectman #122, Legal #151, Information Technology #155, Conservation #171, Property Insurance #193, Animal Control #292, and Board of Health #511.

Motion to appropriate the amounts for all other line times as listed.

Vote: Carried Unanimously

#122: Discussion, Call to Question at 7:57pm, **Motion to approve the original appropriation for Selectman.**

Vote: Carried

#151: Discussion, **Motion to approve the original appropriation for Legal.**

Vote: Carried

#155: Discussion, **Motion to approve the original appropriation for Information Technology.**

Vote: Carried Unanimously

#171: **Motion to approve the original appropriation for Conservation.**

Vote: Carried Unanimously

#193: **Motion to approve the original appropriation for Property Insurance.**

Vote: Carried Unanimously

#292: Discussion, **Motion to approve the original appropriation for Animal Control.**

Vote: Carried

#511: **Motion to approve the original appropriation for Board of Health.**

Vote: Carried Unanimously

ARTICLE 6

To see if the Town will vote to raise and appropriate and/or transfer from available funds such additional sums of money considered necessary to defray the Town's expenses for a twelve month period beginning July 1, 2023 and appropriate the same to several departments provided, however that the vote taken hereunder shall be expressly contingent upon approval by the voters at an election of a Proposition 2½, so-called, override question, in accordance with G.L. c. 59, §21C, allowing such funds to be raised in excess of the limit otherwise imposed by said law, and/or take any other action relative thereto.

FINANCE COMMITTEE/BOARD OF SELECTMEN

155	Information Technology	Expense Appropriation	\$ 55,000
210	Police Department	Salary Appropriation	\$ 75,000
220	Fire Department	Salary Appropriation	\$ 66,000
241	Building Department	Salary Appropriation	\$ 65,000
300	Westport Community Schools		\$ 405,000
421	Highway Department	Salary Appropriation	\$ 60,000
541	Council on Aging	Salary Appropriation	\$ 5,000
541	Council on Aging	Expense Appropriation	\$ 19,000
	Stabilization Fund		\$ 250,000
		TOTAL	\$1,000,000

Motion that the additional amounts of money listed in the warrant under Article 6 be raised and appropriated for the several purposes therein itemized, each item being considered a separate appropriation, the same to be expended only for such purposes; provided however that the vote taken hereunder shall be expressly contingent upon approval by the voters at an election of a Proposition 2½, so-called, override question in accordance with G.L. c. 59, §21C, allowing such funds to be raised above the limit otherwise imposed by said law.

FINCOM: Recommends affirmative action unanimously 7-0.

A hold was placed on the following items: Westport Community Schools #300 and Appropriation for the Stabilization Fund

Motion to appropriate the amounts for all other line times as listed.

Vote: Carried Unanimously

#300: Discussion, Motion to approve the original appropriation for Westport Community Schools.

Vote: Carried

Stabilization Fund: Discussion, Call to Question (2/3 Majority), Motion to approve the original appropriation for Stabilization Fund.

Vote Carried

ARTICLE 7

To see if the Town will vote to appropriate and/or transfer from available funds a sum of money for the cost of various capital expenditures, including equipping vehicles, site clearing and demolition required for projects, and all other incidental and related costs, in accordance with the Town's Capital Improvement Planning Program, with each item to be considered a separate appropriation, as follows, to determine whether this appropriation shall be raised by borrowing or otherwise, and/or take any other action relative thereto.

CAPITAL IMPROVEMENT PLANNING COMMITTEE

Department	Project Description	Cost	Funding Source(s)
Treasurer	Financial Software	\$121,000	Free Cash
Town Hall	Repair Town Hall Parking Lot	\$ 20,000	Free Cash
Fire	Replace Heating System Fire Station # 2	\$ 30,000	Free Cash
Town Hall	Pickup Truck	\$ 45,000	Free Cash
School	Repair Westport Elementary Parking Lot	\$170,000	Free Cash
Highway	Mini Excavator	\$235,000	Free Cash
School	Westport Elementary Master Clock Paging	\$ 80,000	Free Cash
Police	Cruiser	\$ 60,000	Free Cash
	Total	\$761,000	Free Cash

Motion that the Town transfer from Free Cash the amounts specified in Article 7 of the warrant for the capital expenditures listed, in accordance with the Town's Capital Improvement Planning Program, including equipping vehicles, site clearing and demolition required for projects, and all other incidental and related costs, with each item being considered a separate appropriation.

FINCOM: Recommends affirmative action unanimously 6-0.

A hold was placed on the following items: Highway Mini Excavator

Motion to appropriate the amounts for all other line times as listed.

Vote: Carried Unanimously

Highway Mini Excavator: Discussion, Motion to approve the original appropriation for Highway Mini Excavator.

Vote: Carried Unanimously

ARTICLE 8

To see if the Town will vote to authorize the Town Treasurer, with the approval of the Board of Selectmen to borrow from time to time in anticipation of revenue of the fiscal year beginning July 1, 2023 in accordance with the provisions of the MGL, c. 44, § 4, and to issue a note or notes, payable within one year, and to renew any note or notes therefore, payable within one year, and to renew any note or notes as may be given for a period of less than one year in accordance with the MGL, c. 44, § 17, and/or take any other action relative thereto.

BOARD OF SELECTMEN

Motion that the Town adopt the provisions of Article 8 as printed in the warrant.

Vote: Carried Unanimously

ARTICLE 9

To see if the Town will vote to raise and appropriate and/or transfer from available funds the sum of \$40,000 to be used by the Board of Assessors to fund the fees and expenses necessary to update the Revaluation Program mandated by MGL, c. 40 § 56, as it may be amended from time to time to place the Town on a 100% valuation assessment basis, and/or take any other action relative thereto.

BOARD OF ASSESSORS

Motion that the Town adopt the provisions of Article 9 as printed in the warrant with the sum of \$40,000 to come from Free Cash.

Vote: Carried Unanimously

ARTICLE 10

To see if the Town will vote to accept the provisions of MGL c. 59, § 5, clause 41C, which authorizes an annual increase in the income (gross receipts) and asset (whole estate) limits for exemptions granted to senior citizens by increasing income eligibility limits to \$20,000 for single taxpayers and to \$30,000 for married taxpayers, and, further, by increasing the asset eligibility limits for single taxpayers to \$40,000 and for married taxpayers to \$55,000, and, further, to increase the exemption amount to \$1,000, with such increases to be applicable to exemptions granted for any fiscal year beginning on or after July 1, 2023, and/or take any other action relative thereto.

BOARD OF ASSESSORS

Motion that the Town adopt the provisions of Article 10 as printed in the warrant.

Vote: Carried Unanimously

ARTICLE 11

To see if the Town will vote to accept the provisions of MGL, c. 59, § 5, clause 22F, which will make certain otherwise eligible veterans, or a spouse or a surviving spouse, who have resided in the Commonwealth for 1 year prior to the date of filing for exemptions eligible for exemptions under clauses Twenty-second, Twenty-second A, Twenty-second B, Twenty-second C, Twenty-second D, Twenty-second E and twenty-second F, and/or take any other action relative thereto.

BOARD OF ASSESSORS/VETERANS' SERVICE OFFICER

Motion that the Town adopt the provisions of Article 11 as printed in the warrant.

Vote: Carried Unanimously

ARTICLE 12

To see if the Town will vote to accept the provisions of MGL, c. 41, § 110A, which authorizes the Town Clerk's office to remain closed on all Saturdays and to treat Saturdays as a legal holiday for purposes of calculating the time frame for filing matters in that office, and/or take any other action relative thereto.

TOWN CLERK

Motion that the Town adopt the provisions of Article 12 as printed in the warrant.

Vote Carried Unanimously

ARTICLE 13

To see if the Town will vote to raise and appropriate and/or transfer from available funds the sum of \$100,000 to be used by the Board of Selectmen to fund expenses to maintain, sell or reuse the former high school building located at 19 Main Road, including all incidental and related expenses, and/or take any other action relative thereto.

BOARD OF SELECTMEN

Discussion

Motion and Second to amend to remove the word "Sell" from Article 13.

The Moderator asked for several volunteers to act as tellers if needed for a hand count. Brian Valcourt, David Simcoe, and Tom Schmidt were appointed and were duly sworn in by the Town Clerk at 8:56pm.

Vote: Carried 119-110

ARTICLE 13 (as amended)

To see if the Town will vote to raise and appropriate and/or transfer from available funds the sum of \$100,000 to be used by the Board of Selectmen to fund expenses to maintain or reuse the former high school building located at 19 Main Road, including all incidental and related expenses, and/or take any other action relative thereto.

Motion that the Town adopt the provisions of Article 13 as amended in the warrant with \$100,000 from Free Cash.

Vote: Carried

ARTICLE 14

To see if the Town will vote to appropriate the sum of \$27,900 from Landfill Receipts Reserve to be used by the Board of Health for the purpose of replacing, repairing and maintaining equipment, at the

Landfill/Transfer Station, including all incidental and related expenses, and/or take any other action relative thereto.

BOARD OF HEALTH

Motion that the Town adopt the provisions of Article 14 as printed in the warrant.

Vote: Carried Unanimously

ARTICLE 15

To see if the Town will vote to raise and appropriate and/or transfer from available funds the sum of \$180,247 to operate the Marine Services Enterprise for the fiscal year beginning July 1, 2023 as follows, and/or take any other action relative thereto.

Salaries	\$ 78,152
Expenses	\$ 45,095
Capital Outlay	<u>\$ 2,000</u>
Total	\$125,247
Indirect Costs	\$ 55,000

and that \$180,247 be raised as follows:

User Charges	\$180,247
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BOARD OF SELECTMEN/DIRECTOR OF MARINE SERVICES

Motion that the Town adopt the provisions of Article 15 as printed in the warrant.

Vote: Carried Unanimously

ARTICLE 16

To see if the Town will vote to raise and appropriate and/or transfer from available funds the sum of \$283,050 to operate the Waterline Enterprise for the fiscal year beginning July 1, 2023 as follows, and/or take any other action relative thereto.

Salaries	\$ 2,500
Expenses	<u>\$265,550</u>
Total	\$268,050
Indirect Costs	\$ 15,000

and that \$283,050 be raised as follows:

User Charges	\$283,050
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BOARD OF SELECTMEN

Motion that the Town adopt the provisions of Article 16 as printed in the warrant.

Vote Carried Unanimously

ARTICLE 17

To see if the Town will vote to raise and appropriate and/or transfer from available funds the sum of \$105,800 to operate the Town Beaches Enterprise for the fiscal year beginning July 1, 2023 as follows, and/or take any other action relative thereto.

Salaries	\$ 50,500
Expenses	<u>\$ 40,300</u>
Total	\$ 90,800

Indirect Costs \$ 15,000

and that \$105,800 be raised as follows:

User Charges \$ 105,800

BEACH COMMITTEE/BOARD OF SELECTMEN

Motion that the Town adopt the provisions of Article 17 as printed in the warrant.

Vote: Carried Unanimously

ARTICLE 18

To see if the Town will vote to raise and appropriate and/or transfer from the Cable Television Special Revenue Fund the sum of \$173,485 to fund the Community Television budget for the fiscal year beginning July 1, 2023 as follows, and/or take any other action relative thereto.

Salaries	\$136,470
Expenses	\$ 22,515
In-Direct Costs	<u>\$ 14,500</u>
Total	\$173,485

and that \$173,485 be raised as follows:

User Charges \$173,485

BOARD OF SELECTMEN

Motion that the Town adopt the provisions of Article 18 as printed in the warrant.

Vote: Carried Unanimously

ARTICLE 19

To see if the Town will vote, pursuant to the provisions of G.L. c.44, §53E½ and **ARTICLE LXVII, REVOLVING FUNDS, Section 6704** to establish new annual spending limits for the revolving funds set

forth below, with such limits to apply from fiscal year to fiscal year unless revised by Town Meeting prior to July 1 in any fiscal year as follows.

<u>Revolving Fund</u>	<u>Maximum Expenditure</u>
Fire Department - Ambulance, Ambulance Equipment or Ambulance Expenses	\$180,000
Board of Health - Vaccine Purchases, Supplies & Expenses	\$ 20,000
Library - Programs & Operations, Purchasing & Maintaining Books & Tech	\$ 5,000

and/or take any other action relative thereto.

FIRE DEPARTMENT/LIBRARY DIRECTOR/ BOARD OF HEALTH

Motion that the Town adopt the provisions of Article 19 as printed in the warrant.

Vote: Carried Unanimously

ARTICLE 20

To see if the Town will vote pursuant to the provisions of Massachusetts General Laws, Chapter 44, §53E½, to establish FY2024 expenditure limits for the Revolving Funds set forth in Section 6706 of the Town By-Laws and, further, to authorize such expenditure limits to apply from fiscal year to fiscal year unless otherwise revised by Town Meeting prior to July 1 in any fiscal year, as follows, and/or take any other action relative thereto.

VARIOUS DEPARTMENTS

<u>Revolving Fund</u>	<u>Maximum Expenditure</u>
Council on Aging - Programs	\$ 55,000
Council on Aging- Social Day Care	\$155,000
Council on Aging - Outreach	\$ 10,000
Council on Aging - Transportation	\$ 55,000
Fire Department - Ambulance, Ambulance Equipment or Ambulance Expenses	\$180,000
Fire Department - Haz Mat Equipment or Related Expenses	\$ 40,000
Electrical, Plumbing and Gas Inspectors & Assistant Building Inspector - Fees for Inspections Performed, Mileage, Schooling, Clerical, Assistant Building Inspector Wages & Equipment	\$ 85,000
Planning Board/Zoning Board of Appeals - GIS Database Maintenance	\$ 20,000
Police Department - Cruisers, Associated Equipment or Cruiser Related Expenses	\$ 50,000
Westport Economic Development Task Force - Farmer's Market Expense & App	\$ 6,000
Board of Health - Vaccine Purchases, Supplies & Expenses	\$ 20,000
Library - Programs & Operations, Purchasing & Maintaining Books & Tech	\$ 5,000
Energy Conservation - Energy Conservation Projects & Services including Consultants	\$200,000

Motion that the Town adopt the provisions of Article 20 as printed in the warrant.

Vote: Carried Unanimously

ARTICLE 21

To see if the Town will vote to hear and act on the report of the Community Preservation Committee on the Community Preservation budget for the fiscal year beginning July 1, 2023, and to appropriate from the Community Preservation Fund a sum or sums of money to meet the administrative expenses and all other necessary and proper expenses of the Community Preservation Committee for the fiscal year beginning July 1, 2023; and further to reserve for future appropriation a sum or sums of money for the acquisition, creation and preservation of open space including land for recreational use; and in connection with such recreational land, for the restoration and rehabilitation of the same: a sum or sums of money for acquisition, preservation, restoration and rehabilitation of historic resources; and a sum or sums of money for the acquisition, creation, and preservation of community housing; and further, to appropriate from the Community Preservation Fund a sum or sums of money for Community Preservation projects or purposes, all as recommended by the Community Preservation Committee, and, as appropriate, to authorize the Board of selectmen to accept any restrictions or other interests in land, and/or take any other action relative thereto.

COMMUNITY PRESERVATION COMMITTEE

CPA Funding Sources for FY'24 Annual Town Meeting

OPEN SPACE/RECREATION

Snell Creek Conservation Restriction	\$ 150,000
Source of Funding:	
FY'24 Estimated Fund Revenues	\$ 150,000
WYAA Playing Fields Irrigation	\$ 180,450
Source of Funding:	
FY'24 Estimated Fund Revenues	\$ 180,450
Town Playgrounds Project	\$ 350,000
Source of Funding:	
Undesignated Reserves	\$ 350,000

COMMUNITY HOUSING

Affordable Housing Trust Housing Office	\$ 60,000
Source of Funding:	
FY'24 Estimated Fund Revenues	\$ 60,000

HISTORIC PRESERVATION

Town Hall Restoration	\$ 265,000
Source of Funding:	
FY'23 Budgeted Reserves	\$ 151,000
FY'24 Estimated Fund Revenues	\$ 114,000
Historic Sanford School Restoration and Rehabilitation	\$ 180,000
Source of Funding:	
FY'24 Estimated Fund Revenues	\$ 180,000
Historic Town Farm Apartment Preservation	\$ 36,625
Source of Funding:	
FY'24 Estimated Fund Revenues	\$ 36,625

COMMUNITY HOUSING RESERVES	\$ 34,000
Source of Funding:	
FY'24 Estimated Fund Revenues	\$ 34,000

ADMINISTRATIVE FUNDS	\$ 35,000
Source of Funding:	
FY'24 Estimated Fund Revenues	\$ 35,000

BUDGETED RESERVES:	\$ 50,000
Source of Funding	
FY'24 Estimated Fund Revenues	\$ 50,000

Motion that the Town adopt the provisions of Article 21 as printed in the warrant.

A hold was placed on the following item: Town Playgrounds Project.

Motion to adopt all provisions of Article 21 not on hold as printed in the warrant.

Vote: Carried Unanimously

Town Play Grounds Project: Discussion, Motion to approve appropriation for the Town Playgrounds Project as printed in Article 21.

Vote: Carried Unanimously

ARTICLE 22

To see if the Town will vote to raise and appropriate and/or transfer from available funds the sum of

\$30,000 to be used by the Board of Selectmen to fund the Town's match for state and federal grants, and/or take any other action relative thereto.

BOARD OF SELECTMEN

Motion that the Town adopt the provisions of Article 22 as printed in the warrant with \$30,000 from Free Cash.

Vote: Carried Unanimously

ARTICLE 23

To see if the Town will vote pursuant to MGL c. 164, §36 to acquire a municipal light plant and to authorize such plant to construct, purchase or lease and maintain such facilities as may be necessary for the distribution or the operation of a telecommunications system for municipal use or for the use of its customers, pursuant to Massachusetts General Laws, Chapter 164, §47E, or as otherwise authorized by law, and/or take any other action relative thereto.

INTERNET ADVISORY COMMITTEE/BOARD OF SELECTMEN

Discussion, Call to question - Vote Carried

Motion that the Town adopt the provisions of Article 23 as printed in the warrant.

Paper Ballot, Vote: Carried 180-12

ARTICLE 24

To see if the Town will vote to authorize the Board of Selectmen to petition the General Court for the special legislation authorizing the Town to authorize, issue and sell revenue bonds to finance the development of telecommunications facilities, fund any necessary reserves, pledge revenues from the operation of telecommunications facilities and all costs associated therewith, which special legislation shall be in the following form, and further, to authorize the General Court to make changes of form only to such petition unless first approved by the Board of Selectmen and to authorize the Board of selectmen to approve such changes as are within the public purposes of the petition, and/or to take any other action relative thereto.

INTERNET ADVISORY COMMITTEE/BOARD OF SELECTMEN

Motion that the town Passover Article 24.

Vote: Carried Unanimously

ARTICLE 25

To see if the Town will vote to raise and appropriate and/or transfer from available funds the sum of \$30,000 to be used by the Personnel Board to prepare an employee wage study and Personnel By-Law update, including but not limited to related fees and expenses, and including all incidental and related costs, and/or take any other action relative thereto.

Motion that the Town adopt the provisions of Article 25 as printed in the warrant with \$30,000 from Free Cash.

Vote: Carried Unanimously

ARTICLE 26

To see if the Town will vote to raise and appropriate, borrow and/or transfer from available funds an amount not to exceed \$200,000 to be expended under the direction of the Board of Selectmen for a feasibility study and project manager, to evaluate municipal buildings and the use of the Old High School building and property, 19 Main Road, Westport, for new uses including but not limited to municipal use, educational use, school administration use and housing, and/or take any other action relative thereto.

LONG TERM BUILDING COMMITTEE/BOARD OF SELECTMEN

Discussion – Motion to amend removal of the word “housing” from Article 26.

Vote: Not Carried

Motion that the Town adopt the provisions of Article 26 as printed in the warrant with \$200,000 from Free Cash.

Vote: Carried Unanimously

ARTICLE 27

To see if the Town will vote to amend the **TOWN OF WESTPORT BY-LAWS AND REGULATIONS**, entitled “**ARTICLE XXXVII NON-CRIMINAL DISPOSITIONS OF VIOLATIONS**”, by deleting in their entirety, the text and title of “**Sections 3702.5, 3702.5A, 3702.5B and 3801**” and/or take any other action relative thereto.

BOARD OF HEALTH

Motion that the Town adopt the provisions of Article 27 as printed in the warrant.

Vote: Carried 63-37

ARTICLE 28

To see if the Town will vote, pursuant to G.L. c.59, §5 clause 45, to authorize the Board of Selectmen to negotiate and execute payment in lieu of tax agreements (so-called “PILOT agreements”) with the owners of solar powered and energy storage systems located in the Town of Westport, and/or take any other action relative thereto.

BOARD OF SELECTMEN

Discussion – Call to Question – Vote: Carried by two thirds

Motion that the Town adopt the provisions of Article 28 as printed in the warrant.

Vote: Carried

ARTICLE 29

To see if the Town will vote to amend the **ZONING BY-LAWS, SECTION 3** entitled “**DEFINITIONS**” by deleting the ~~strike through text~~ and inserting the **bold underlined text** in appropriate alphabetical order:

Landowner/Owner - The legal or beneficial owner of land, including those holding the right to purchase or lease the land, or any other person holding ~~propriety~~ **proprietary** rights in the land.

and/or take any other action relative thereto.

PLANNING BOARD

Motion that the Town adopt the provisions of Article 29 as printed in the warrant.

Vote: Carried Unanimously

ARTICLE 30

To see if the Town will vote to amend the **ZONING BY-LAWS, SECTION 8.6** entitled “**FLEXIBLE FRONTAGE FOR REDUCED DENSITY**” by deleting the ~~strike through text~~ and inserting the **bold underlined text** as follows:

8.6 FLEXIBLE FRONTAGE FOR REDUCED DENSITY

8.6.1 PURPOSE AND INTENT

The purpose and intent of this Section is to encourage ~~reduction in potential residential development density reduce~~ **increased lot size and upland while reducing** future vehicular trips, road congestion, demand for public services and the number of curb cuts onto Town roadways; preserve the natural and cultural resources visible along these roadways; facilitate the movement of wildlife; protect traditional access to backland open space; and improve the design and site planning of smaller residential neighborhoods. To achieve this, the Planning Board may issue a special permit to allow a reduction in the otherwise applicable frontage requirements on a public way, a way approved by the Planning Board under the subdivision control law or a private way that the Planning Board votes to determine has been in existence since prior to the effective date of the Subdivision Control Law in the Town of Westport and has adequate, width, grade and construction within the meaning of G.L. c. 41, §81L for the proposed development, for one or more of the lots proposed, in exchange for a corresponding ~~reduction in development density~~ **increase in lot size and upland** and reliance upon common driveways, if applicable.

8.6.4 FRONTAGE REDUCTION RATIOS IN PROPORTION TO DWELLING DENSITY REDUCTION

A special permit may be issued so that the required lot frontage is decreased as a function of average ~~density decrease (average lot size and upland increase)~~ in equal proportions, to a minimum of fifty (50) feet of frontage, based on the following formulas:

Minimum Lot Size = 60,000 x (150 /proposed frontage)

Minimum Upland = .5 x Minimum Lot size

and/or take any other action relative thereto.

PLANNING BOARD

Motion that the Town adopt the provisions of Article 30 as printed in the warrant.

Vote: Carried

ARTICLE 31

To see if the Town will vote to amend the **ZONING BY-LAWS, SECTION 9.5** entitled “**ACCESSORY APARTMENT**” by inserting the following new section and renumbering subsequent subsections accordingly:

9.5.2 **OWNER DEFINITION**

For the purposes of Section 9.5 of these Bylaws, an “owner” shall be a natural person either a) listed as the record owner on a deed on file at the Bristol County Registry of Deeds, Southern District, or b) the owner of at least twenty five percent (25%) of a business entity, including a limited liability company, owning the property.

PLANNING BOARD

Motion that the Town adopt the provisions of Article 31 as printed in the warrant.

Vote: Carried Unanimously

ARTICLE 32

To see if the Town will vote to amend the **ZONING BY-LAWS, SECTION 9.6** entitled “**SOLAR ENERGY SYSTEMS**” by deleting the ~~strike through text~~ and inserting the **bold underlined text** as follows:

9.6.1 **PURPOSE**

The purpose of this Section is to provide as-of-right siting for small scale solar energy systems in all zoning districts and such development may proceed without need for discretionary approval as set forth herein and to limit large scale solar energy systems as set forth herein. The provisions set forth in this section of the Zoning By-Law shall apply to the construction, operation, repair, and/or removal of

solar photovoltaic installations, and to physical modifications that materially alter the type, configuration, or size of these installations or related equipment.

The intent of the By-Law is to create a reasonable regulation to ensure that the construction and operation of all solar photovoltaic installations be consistent with all applicable local, state and federal requirements, notwithstanding Chapter 40A, Section 3, including but not limited to all applicable nuisance (noise, odor, lighting etc.), stormwater, safety, construction, electrical, and communications requirements. **Additionally, the By-Law is intended to enhance the Town’s rural and agricultural heritage while enabling installations of photovoltaic and agrivoltaic systems.** All buildings, structures and fixtures forming part of a solar photovoltaic installation shall be constructed in accordance with the State Building Code.

H. Dimensional, Use and Access Requirements for Large Scale Systems (Lot Size, Frontage, Setbacks and Height)

	Residence/ Agricultural District	Business District
Minimum Lot Size	5 Acres	5 Acres
Minimum setbacks from property lines (1)	100 ft.	100 ft.
Minimum setbacks from street lines (1)	250 ft.	150 ft.
Minimum setback from wetlands resource areas (1)	100 ft.	100 ft.
Minimum protected open space	25%	25%

EXPLANATORY NOTES TO TABLE OF DIMENSIONAL, USE AND ACCESS REQUIREMENTS FOR LARGE SCALE SYSTEMS

(4) Clearing Area – Shall include all areas of the parcel being disturbed, the access drive shall also be included in this area. Clearing areas may be increased by up to 50% provided the Board finds that **there is no undue impact to the environment and** the visual impact (as described in 24.2.11.d) is not detrimental to the abutters or neighborhood. **Upon Board findings that a solar array is an agrivoltaic system, clearing areas may be increased by an additional 10%. In no circumstance shall total clearing area exceed 60%.**

K. Design Standards

4. Visual Impact

Siting of Large Scale Solar Energy Systems within the Residence-Agricultural District applicants shall consider the residential and farming character of the District, the larger general purpose of the Westport Zoning By-Law to promote land uses compatible with that existing character and the avoidance of visual impacts that large scale solar energy systems, by their commercial or industrial nature, would have on District vistas.

Existing topography, plantings and natural landscaped buffers shall be used to minimize the visual impacts of large-scale solar energy systems from residential uses, public streets or waterways. Large scale solar energy system designs shall not be approved unless the system design provides screening and buffers to protect scenic vistas and viewsheds from residential uses, public streets and waterways

Structures shall be reasonably shielded from view by vegetation and/or joined and clustered to minimize adverse visual impacts. Landscaping, natural features, opaque fencing and other suitable methods shall be utilized. A screening plan shall be submitted ensuring that the solar arrays and any appurtenant structures are screened from roads and from adjacent lots by a minimum twenty-five (25) foot wide and five (5) foot tall staggered and grouped planting of shrubs and small trees within the setbacks. The Planning Board may alter or waive this requirement if such screening would prove to be ineffective for the site. Fences may be required for safety and/or visual screening purposes with appropriate safety signage (see 9.6.3.K.2).

When possible, a diversity of plant species shall be used, with a preference for species native to New England. Use of exotic plants, as identified by the most recent copy of the “Massachusetts Prohibited Plant List” maintained by the Massachusetts Department of Agricultural Resources, is prohibited.

Such plantings shall use native plants, **pollinators**, and a mix of deciduous and evergreen species and may be located within the setback area. Said vegetative screening shall reach a mature form to effectively screen the installation within five years of installation. Planting of the vegetative screen shall be completed prior to final inspection and approval of the solar energy installation. ~~A landscape maintenance bond shall be required.~~ **The applicant shall provide surety (either through escrow account or other form of surety approved by the Planning Board) for a minimum of two (2) growing seasons to ensure that the site is properly revegetated and that the installed stormwater infrastructure is functioning properly.**

Pre-application clearing may negate the application for Large Scale Systems at the Planning Board's discretion.

7. Appurtenant Structures

All appurtenant structures to large-scale ground-mounted solar photovoltaic installations shall, be subject to reasonable conditions concerning the bulk and height of structures, setbacks, open space, parking and building coverage requirements. All such appurtenant structures, including but not limited to, equipment shelters, storage **and battery** facilities, transformers, and substations, shall be architecturally compatible with each other. Whenever reasonable, structures should be screened from view by vegetation and/or joined or clustered to avoid adverse visual impacts.

10. Fencing

Photovoltaic and agrivoltaic systems shall be surrounded by fencing of a minimum six (6) foot height. Fencing required under this section shall be installed six (6) inches above the ground.

11. Utility Connections

All utility connections and electrical transmission lines in service of photovoltaic and agrivoltaic installations and their appurtenant structures shall be installed underground to the greatest extent feasible, depending on appropriate site conditions. Electrical transformers for utility interconnections may be above ground as necessary, to be approved by the Planning Board.

Q. **Financial Surety for Removal/Remediation** ~~on~~ Municipal Property

The applicant shall provide surety (either through escrow account or other form of surety approved by the ~~Building Inspector or~~ Planning Board) to cover the cost of removal in the event the Town must remove the installation and remediate the landscapes, in an amount and form determined to be reasonable by the Planning Board. Such amount shall not exceed 150% of the estimated cost of removal and compliance with any additional requirements set forth herein. The project applicant shall submit a fully inclusive estimate of the costs associated with removal, prepared by a qualified engineer. The amount shall include a mechanism for calculating increased removal cost due to inflation. The estimate shall be verified by the Planning Board's consultant engineer or other expert who may be engaged pursuant to Section 9.6.4.

The ~~Building Inspector and the~~ Planning Board shall establish a procedure for engaging a professional engineers, and/or other technical consultant(s) to advise the Building Inspector and/or the Planning Board, and to review application plans and documents in the application phase and in the construction phase. The applicant shall pay for the cost of the consultant review(s) pursuant to the procedures specified in M.G.L. c. 44, §53G or §53A. Further, ~~the Building Inspector and the~~ Planning Board shall establish a procedure for engaging consultants to inspect and confirm compliance with any requirements during construction and maintenance. Refusal to pay the necessary consultant fees shall be a basis to deny the building permit, site plan, or special permit approval. Such procedure shall include prior notice to the owner or operator of the installation of the cause of such proposed engagement.

and/or take any other action relative thereto.

PLANNING BOARD

Discussion

Motion to remove the word “or” from Section 9.6.4 as follows: “The Building Inspector and the Planning Board shall establish a procedure for engaging a professional engineers, and/or other technical consultant(s) to advise the Building Inspector and/or the Planning Board, and to review application plans and documents in the application phase and in the construction phase.”

Vote: Carried Unanimously

MOTION: I move that the Town adopt the provisions of Article 32 as printed in the warrant after amendment.

Vote: Carried with two thirds majority

ARTICLE 33

To see if the Town will vote to amend the Personnel By-Laws as follows:

Item 1.

By deleting under Schedule A – Board of Health, the following:

<u>Position</u>	<u>Group</u>	<u>Hours</u>	<u>Pay Basis</u>	<u>Type</u>
Animal Control Officer	7c	30	Hourly	PT

<u>Position</u>	<u>Group</u>	<u>Hours</u>	<u>Pay Basis</u>	<u>Type</u>
Assistant Animal Control Officer	7c	N	Hourly	PT

and adding under Schedule A – Animal Control, the following:

<u>Position</u>	<u>Group</u>	<u>Hours</u>	<u>Pay Basis</u>	<u>Type</u>
Animal Control Officer	7c	40	Hourly	FT

<u>Position</u>	<u>Group</u>	<u>Hours</u>	<u>Pay Basis</u>	<u>Type</u>
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Item 2.

To see if the Town will vote to amend the Personnel By-Laws:

By adding under Schedule A – Board of Appeals, the following:

<u>Position</u>	<u>Group</u>	<u>Hours</u>	<u>Pay Basis</u>	<u>Type</u>
Zoning Board Administrator	2	-20	Hourly	PT

PERSONNEL BOARD/BOARD OF APPEALS

Item 3.

To see if the Town will vote to amend the Personnel By-Laws:

By adding under Schedule A – Council on Aging, the following:

<u>Position</u>	<u>Group</u>	<u>Hours</u>	<u>Pay Basis</u>	<u>Type</u>
Assistant to the Director	2	-20	Hourly	PT

COUNCIL ON AGING/PERSONNEL BOARD

and/or take any other action relative thereto.

Motion that the Town adopt the provisions of Article 33 as printed in the warrant.

Vote: Carried Unanimously

ARTICLE 34

To see if the Town will vote to raise and appropriate and/or transfer from available funds \$200,000 to the Stabilization Fund and/or take any other action relative thereto.

FINANCE COMMITTEE/BOARD OF SELECTMEN

Motion that the Town transfer \$200,000 from Free Cash to the Stabilization Fund.

Vote: Carried Unanimously

Motion to dissolve the Westport Annual Town Meeting at 11:04 p.m.

Vote: Carried Unanimously

True Attest Copy:

Kris Ste...

Town Clerk