

**TOWN OF WESTPORT
COMMONWEALTH OF MASSACHUSETTS
ANNUAL TOWN MEETING WARRANT
MAY 3, 2014**

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 High School on Saturday, May 3, 2014 at 9:00 a.m., 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 High School on the above date. The meeting was called to order at 9:05 a.m. by Moderator Steven W. Fors. Bernadette Oliver acted as timekeeper for the meeting in accordance with a by-law adopted under Article 45 of the Annual Town Meeting of 1963. All in attendance stood to salute the flag of our nation.

Motion and second to dispense with the reading of the warrant and the Constable's return of service.
Voted: Unanimously.

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: Unanimously.

Motion and second to adjourn the Annual Town Meeting at 9:25 a.m. until today at 12:30 p.m. Voted: Carried.

The Special Town Meeting was called to order at 9:32 a.m.

Motion and second to adjourn the Special Town Meeting until today at 12:45 p.m. Voted: Carried.

There were 262 registered voters and 7 visitors and press in attendance.

ANNUAL TOWN MEETING

The Annual Town Meeting was reconvened at 12:34 p.m. by Moderator Steven W. Fors. All in attendance stood to salute the flag.

Motion and second to appoint Shana Shufelt as Deputy Moderator and she was duly sworn by the Town Clerk.
Voted: Unanimously.

Charles Baron, Finance Committee Chairman, presented a report from the committee concerning the Town's Finances.

Motion and second to adjourn the Annual Town Meeting at 12:45 p.m. and to convene the Special Town Meeting.

**TOWN OF WESTPORT
COMMONWEALTH OF MASSACHUSETTS
SPECIAL TOWN MEETING WARRANT
MAY 3, 2014**

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 High School on Saturday, May 3, 2014 at 9:30 a.m., and then and there to act on the following articles, viz:

ARTICLE 1

To see if the Town will vote to raise and appropriate and/or transfer from available funds and/or transfer from 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, 2013, and/or take any other action relative thereto.

BOARD OF SELECTMEN

<u>FROM:</u>	<u>TO:</u>	<u>AMOUNT</u>
Waterline Retained Earnings	Waterline Enterprise	\$23,120.00
Available Funds	Veterans Benefits	\$15,000.00
Available Funds	Snow & Ice	\$148,274.00
Available Funds	Data Processing	\$60,000.00
Highway Personal Services	Highway Expenses	\$20,000.00
Selectmen Personal Services	Selectmen Expenses	\$15,900.00
		BOARD OF SELECTMEN

Motion and second to amend Article 1 by reducing the Veterans Benefits to \$9,000.00 and Data Processing to \$30,000.00 and to change the source of funding from Available Funds to Free Cash. Voted: unanimously.

Voted: Unanimously that the Town approve the line-item transfers as amended.

ARTICLE 2

To see if the Town will vote to accept Section 9A of Chapter 200A of the Massachusetts General Laws relating to an alternative procedure for disposing of abandoned funds held by the Town, and/or take any other action relative thereto.

TOWN TREASURER

Motion and second to accept 9A of Chapter 200A of the Massachusetts General Laws relating to an alternative procedure for disposing of abandoned funds held by the Town. Voted: unanimously.

ARTICLE 3

To see if the Town will vote to rescind the following authorized unissued borrowing:

<u>Article</u>	<u>Date</u>	<u>Description</u>	<u>Amount</u>
15	12/7/10	School Buildings Green Projects	\$498,335.00

Motion and second to rescind the authorized unissued borrowing listed in Article 3 of the warrant.

Voted: unanimously.

ARTICLE 4

To see if the Town will vote to transfer \$456,000.00 from either Free Cash or the Stabilization Fund for related medical expenses and administrative services related to the processing of bills for a public safety employee.

FIRE CHIEF/BOARD OF SELECTMEN

Motion and second that the Town vote to transfer \$456,000.00 from Free Cash for the purpose of Article 4 as printed in the warrant. Voted: unanimously.

ARTICLE 5

To see if the Town will vote to authorize the Selectmen to petition the General Court to enact legislation that would allow the Town to borrow money to fund certain payments of medical expenses incurred by public safety personnel resulting from injuries sustained in the line of duty; provided, however, that the General Court may make clerical or editorial changes of form only to such bill, unless the Board of Selectmen approves amendments to the bill prior to enactment by the General Court, and provided further that the Board of Selectmen is hereby authorized to approve amendments which shall be within the scope of the general public objectives of this petition:

AN ACT AUTHORIZING THE TOWN OF WESTPORT TO BORROW FOR THE PAYMENT OF CERTAIN MEDICAL EXPENSES

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

Section 1. Notwithstanding the provisions of sections 7 or 8 of chapter 44 of the General laws, or of any other general or special law to the contrary, the Town of Westport is hereby authorized to borrow up to \$500,000.00 in each of the 4 periods set forth below for payment of legally-obligated medical expenses incurred or to be incurred from March, 2014 through June, 2018 by certain public safety personnel resulting from injuries sustained in the line of duty: (1) March, 2014 through June, 2015; (2) July, 2015 through June, 2016; (3) July, 2016 through June, 2017; and (4) July, 2017 through June 2018, inclusive. The Town may issue bonds and notes for the amounts required to meet the Town's obligations as described herein, which shall be payable for a period not to exceed 20 years from the date of issuance. The Town may also issue temporary notes in anticipation of this borrowing under section 17 of chapter 44 of the General Laws. Bonds and notes may be issued under this act by the Town Treasurer with the approval of the Board of Selectmen, and the proceeds may be expended without further authorization or appropriation by the Town. Indebtedness incurred under this act shall not be included in determining the limit of indebtedness of the Town under section 10 of said chapter 44 but, except as provided in this act, shall otherwise be subject to said chapter 44.

Section 2. This act shall take effect upon its passage.

and/or take any other action relative thereto.

FIRE CHIEF/BOARD OF SELECTMEN

Motion and second to authorize the Board of Selectmen to petition the General Court for special legislation in the form set forth in the warrant under Article 5; provided, however, that the General Court may make clerical and editorial changes of form only to the bill, unless the Board of Selectmen approves amendments to the bill prior to enactment by the General Court, and to authorize the Board of Selectmen to approve amendments which shall be within the public purposes of the petition.

Voted: unanimously.

ARTICLE 6

To see if the Town will vote to authorize the Board of Selectmen to petition the General Court to enact legislation, as set forth below, which would

1. authorize the Board of Selectmen to present to the voters of the Town a "Proposition 2½ like" question, allowing the amounts needed to pay for the legally-obligated medical expenses of certain public safety personnel resulting from injuries sustained in the line of duty to be raised outside of the limitation on total taxes imposed by Proposition 2½ either on an annual basis, similar to a multi-year "capital outlay" or to allow the Town to repay principal and interest on debt incurred for such purposes, a "debt exclusion",

2. create a special purpose fund into which amounts raised or borrowed for such purposes would be maintained, and from which payments may be made by the Board of Selectmen, subject to the checks and balances imposed on municipal spending under the provisions of G.L. c. 40, §56, for the purposes described herein without any further appropriation by Town Meeting; and

3. and further, that when no further legally-obligated medical expenses exist, such fund would close to the general fund to be appropriated by Town Meeting to reduce the tax levy; provided, however, that the General Court may make clerical or editorial changes of form only to such bill, unless the Board of Selectmen approves amendments to the bill prior to enactment by the General Court, and provided further that the Board of Selectmen is hereby authorized to approve amendments which shall be within the scope of the general public objectives of this petition, or take any other action relative thereto.

AN ACT AUTHORIZING THE TOWN OF WESTPORT TO ASSESS AN ADDITIOANL AMOUNT OF REAL ESTATE AND PERSONAL PROPERTY TAXES, IN EXCESS OF THE AMOUNT PERMITTED BY LAW, FOR THE PURPOSE OF FUNDING PAYMENT OF LEGALLY OBLIGATED MEDICAL EXPENSES INCURRED BY CERTAIN TOWN OF WESTPORT PUBLIC SAFETY PERSONNEL RESULTING FROM INJURIES SUSTAINED IN THE LINE OF DUTY

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

- Section 1. Notwithstanding the provisions of Section 21C of Chapter 59 of the General laws, or any other general or special law, the Board of Selectmen may seek voter approval for the Town to assess an additional amount of real estate and personal property taxes, not to exceed five hundred thousand dollars (\$500,000.00) in any given fiscal year through Fiscal Year 2019, in excess of the amount otherwise permitted by law, for the purpose of funding payment of legally obligated medical expenses incurred or to be incurred by certain Town of Westport public safety personnel resulting from injuries sustained in the line of duty, or for debt issued for that purpose.
- Section 2. Prior to October 1 of each year the Town shall notify the Director of Accounts in the Department of Revenue of the amount the Board of Assessors shall raise on the tax rate for that purpose.
- Section 3. Authorization to place a quesiton on the ballot as set forth in section 1 of this act shall remain in effect as long as there are outstanding legally obligated medical expenses incurred or to be incurred from March , 2014 through June, 2018 by certain Town of westport public safety personnel resulting from injuries sustained in the line of duty.
- Section 4. Should the voters approve the assessment of additional funds as authorized under section 1, there shall be established on the books of the Town a special purpose fund, to be maintained by the Town Treasurer, into which such additional assessed amounts shall be deposited. Interest earned by the proceeds of said fund shall remain with said fund. Such additional amount assessed each year shall be considered an amount approved under paragraph (i½) or (k) of

Section 21C of Chapter 59 of the General Laws for purposes of calculating the “total taxes assessed” in paragraph (a), or the maximum levy limit in paragraph (f), of Section 21C of Chapter 59 of the General Laws.

Section 5. Money from said fund may be expended for payment of legally obligated medical expenses incurred by certain Town of Westport public safety personnel resulting from injuries sustained in the line of duty, or for debt issued for that purpose, and for no other purpose. The proceeds of such fund may be expended by the Board of Selectmen without further authorization or appropriation.

Section 6. Said fund shall be maintained as long as there are outstanding legally obligated medical expenses incurred or to be incurred from March, 2014 through June, 2018 by certain Town of Westport public safety personnel resulting from injuries sustained in the line of duty and until the Board of selectmen of said town of Westport shall vote that no such medical expenses remain outstanding.

Section 7. When said fund is closed the proceeds of said fund shall be appropriated by the Town as an available fund for the purpose of reducing the tax levy in accordance with instructions received from the Director of Accounts in the Department of Revenue.

Section 8. Any question submitted to the voters pursuant to this act shall be worded as follows, and shall be followed by a fair and concise summary of the question, including the effect of a “yes” vote and a “no” vote, prepared by Town Counsel:

“Shall the Town of Westport, in accord with a Special Act approved by the General Court in the year 2014, be allowed to assess an additional amount of real estate and personal property taxes, not to exceed \$500,000.00 in any fiscal year, for the purpose of funding payment of legally obligated medical expenses incurred by certain Town of Westport public safety personnel resulting from injuries sustained in the line of duty, or for debt issued for that purpose?”

YES _____ NO _____ ?”

Section 9. This act shall take effect upon its passage.

and/or take any other action relative thereto.

FIRE CHIEF/BOARD OF SELECTMEN

Motion and second to authorize the Board of Selectmen to petition the General Court for special legislation in the form set forth in the warrant under Article 6; provided, however, that the General Court may make clerical and editorial changes of form only to the bill, unless the Board of Selectmen approves amendments to the bill prior to enactment by the General Court, and to authorize the Board of Selectmen to approve amendments which shall be within the public purposes of the petition.

Voted: unanimously.

ARTICLE 7

To see if the Town will vote to raise and appropriate the sum of \$35,000.00 and/or transfer from available funds to purchase an insurance policy to cover public safety personnel injured while on duty, and/or take any other action relative thereto.

BOARD OF SELECTMEN

Motion and second that the Town vote to appropriate \$35,000.00 from Free Cash for the purpose of Article 7 as printed in the warrant. Voted: unanimously.

ARTICLE 8

To see if the Town will vote to raise and appropriate and/or transfer from available funds and/or borrow the sum of \$ 50,000.00 to pay the costs associated with the continued monitoring of the PCB levels of the Westport

Middle School, and/or take any other action relative thereto.

SCHOOL COMMITTEE

Motion and second that the Town vote to appropriate \$50,000.00 from Free Cash for the purpose of Article 8 as printed in the warrant. Voted: unanimously.

ARTICLE 9

To see if the Town will vote to increase the Social Day Care Revolving Account from the current limit of \$80,000.00 to \$96,000.00 for Fiscal Year 2014, and/or take any other action relative thereto.

COUNCIL ON AGING

Motion and second that the Town vote to increase the Social Day Care Revolving Account limits for FY2014 as printed in Article 9 of the warrant. Voted: unanimously.

ARTICLE 10

To see if the Town will vote to amend the Personnel By-Laws **SECTION 5. COMPENSATION PLAN, SUB-SECTION B.3** by deleting the following which pertains only to union employees:

3. Pay Rate

- a. **K** = Contract: **A** - Town Hall Departments, Cemetery and Library Agreement; **B** - Highway Department Agreement; **C** - Police Department Agreement; **D** - Fire Department Agreement.

and renumbering the former **SUB-SECTION B.4.** as the following:

3. Type

- a. **FT** = Full time
- b. **PT** = Part time
- c. **S** = Seasonal

and/or take any other action relative thereto.

BOARD OF SELECTMEN/PERSONNEL BOARD

Motion and second that the Town vote to amend the Personnel By-laws as printed in Article 10 of the warrant. Voted: carried.

ARTICLE 11

To see if the Town will vote to amend the Personnel By-Laws by deleting in its entirety **SECTION 5. COMPENSATION PLAN, SUB-SECTION E., SCHEDULE A.** and replacing it with the following, which has had all of the union positions removed:

SECTION 5. COMPENSATION PLAN

E. SCHEDULE A

<u>Department/Position</u>	<u>Group</u>	<u>Hours</u>	<u>Pay Basis</u>	<u>Type</u>
BOARD OF APPEALS				
Principal Clerk	2	-20	Hourly	PT
BOARD OF ASSESSORS				
Assistant Assessor/Appraiser	1	R	Salary	FT
BOARD OF HEALTH				
Public Health-Nurse	6	30	Hourly	PT
Recording Clerk	2	-20	Hourly	PT

BOARD OF SELECTMEN

Town Administrator	1	R	Salary	FT
Secretary	2	40	Hourly	FT
Confidential Clerk	2	40	Hourly	FT
Data Processing Coordinator	1	R	Annual	PT
Grant Program Manager/Writer	2	40	Hourly	FT
Grant Clerk	2	-20	Hourly	PT
Housing Rehab Specialist	2	N	Hourly	PT

BUILDING

Commissioner/Zoning Enforcement Officer	7c	40	Salary	FT
Gas/Plumbing Inspector	7c	R	Per Inspection	PT
Assistant Gas/Plumbing Inspector	7c	R	Per Inspection	PT
Wire Inspector	7c	R	Per Inspection	PT
Assistant Wire Inspector	7c	N	Per Inspection	PT

CABLE ADVISORY

Public Access Coordinator	2	35	Hourly	FT
Public Access Coordinator	2	-20	Hourly	PT
Public Access Equipment Operator	2	-20	Hourly	PT

CEMETERY

Laborer	4	N	Hourly	S
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COMMUNITY PRESERVATION COMMITTEE

Recording Clerk	2	-20	Hourly	PT
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CONSERVATION COMMISSION/SOIL CONSERVATION BOARD

Assistant Agent	2	-20	Hourly	PT
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COUNCIL ON AGING

Director	1	40	Salary	FT
Outreach Worker	2	-20	Hourly	PT
Social Day Care Director	2	35	Hourly	FT
Assistant Social Day Care Director	2	-20	Hourly	PT
Elder Visitor	2	-20	Hourly	PT
Volunteer Coordinator	4	-20	Hourly	PT
Social Day Care Program Aide	2	-20	Hourly	PT
Van Driver	2	-20	Hourly	PT
Transportation Clerk	2	-20	Hourly	PT

FINANCE COMMITTEE

Recording Clerk	2	-20	Hourly	PT
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FIRE DEPARTMENT

Chief	1	R	Salary	FT
Deputy Chief	1	R	Salary	FT
Administrative Assistant	2	35	Hourly	FT
Dispatcher	7b	N	Hourly	PT
Call Firefighter	7b	N	Hourly	PT
Call Firefighter/EMT	7b	N	Hourly	PT
Call Firefighter/Paramedic	7b	N	Hourly	PT

HARBORMASTER

Harbormaster	7c	R	Annual	PT
Assistant Harbormaster	7c	N	Hourly	PT

HIGHWAY DEPARTMENT

Temporary Laborer/Truck Driver	4		N	Hourly	S
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HOUSING PARTNERSHIP COMMITTEE

Recording Clerk	2	-20		Hourly	PT
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LANDING COMMISSION

Recording Clerk	2	-20		Hourly	PT
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LIBRARY

Director	1		R	Salary	FT
Library Aide	5	-20		Hourly	PT
Library Substitute	5	-20		Hourly	PT
After School Assistant	5	-20		Hourly	PT

PERSONNEL BOARD

Recording Clerk	2		N	Hourly	PT
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PLANNING BOARD

Town Planner	1		R	Salary	FT
Assistant Town Planner	2	40		Salary	FT
Recording Clerk	2	-20		Hourly	PT

POLICE DEPARTMENT

Chief	1		R	Salary	FT
Deputy Chief	1		R	Salary	FT
Administrative Assistant	2	35		Hourly	FT
Reserve Officer	7a		N	Hourly	PT
E-911 Dispatcher	2	-20		Hourly	PT
Animal Control Officer	7c		R	Annual	PT
Assistant Animal Control Officer	7c		N	Hourly	PT

REGISTRAR OF VOTERS

Registrar Clerk	2		N	Hourly	PT-S
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SEALER OF WEIGHTS & MEASURES

7c			R	Salary	PT
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SHELLFISH

Constable/Wharfinger	1		R	Salary	FT
Deputy Constable	7c		N	Hourly	PT

TAX COLLECTOR

Clerk	2		N	Hourly	PT-S
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TOWN ACCOUNTANT

Accountant	1		R	Salary	FT
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TOWN BEACH

Head Lifeguard	8	40		Hourly	S
Lifeguard	8	40		Hourly	S
Lifeguard	8	-20		Hourly	S

VETERANS SERVICES

Agent	1		R	Salary	FT
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and/or take any other action relative thereto.

BOARD OF SELECTMEN/PERSONNEL BOARD

Motion and second that the Town vote to amend the Personnel By-laws, Section 5, Compensation Plan, as printed in Article 11 of the warrant. Voted: unanimously.

Motion and second to dissolve the Special Town Meeting at 12:58 p.m. and to reconvene the Annual Town Meeting.

And you are hereby directed to serve this warrant by posting five or more copies in as many places within said Town at least seven days before the time of said meeting.

Hereof fail not and make due return of this warrant with your doings thereon to the Town Clerk at the time and place of meeting.

Given under our hands at Westport this 14^h day of April in the year two thousand and fourteen.

Antone C. Vieira Jr., Chairman

Richard M. Spirlet, Vice Chairman

Steven J. Ouellette

Craig J. Dutra

R. Michael Sullivan, Clerk

WESTPORT BOARD OF SELECTMEN

Marlene Samson
Town Clerk
Westport, MA 02790
April 17, 2014

On this 17th day of April 2014, I posted 5 true attested copies of the forgoing warrant in the following named places:

Briggs Road Fire Station
State Road Package Store
Briere's Inc. a.k.a. Country Liquor & Variety
Town Hall
Lees Supermarket

Sgt. Christopher Mello
Westport Police Officer

ARTICLE 1

To see if the Town will vote to transfer to reduce taxation certain sums of money from various articles approved by Town Meeting, when there is a balance remaining that is no longer required to accomplish the purpose for which the articles were originally passed, and/or take any other action relative thereto.

FINANCE COMMITTEE/BOARD OF SELECTMEN

Motion and second to pass over Article 1. Voted: unanimously.

ARTICLE 2

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

Charlton Memorial Hospital	\$577.00
Westport Tire	\$204.82
Michael P. Sullivan	<u>\$ 34.19</u>
Total	\$816.01

Motion and second to transfer from Free Cash the sum of \$816.01 for the purposes printed in the warrant under Article 2. Voted: unanimously.

ARTICLE 3

To see if the Town will vote to fix the salary and compensation of all elected Town Officers for Fiscal Year 2015, and/or take any other action relative thereto.

Moderator	\$ 775.00
Selectmen - Chairman	6,264.00
Board Members (4)	24,637.00
Assessors - Board Members (3)	16,500.00
Board of Health - Members (3)	8,759.00
Tax Collector	59,960.00
Town Clerk	59,960.00
Treasurer	<u>59,960.00</u>
Total	\$236,815.00

FINANCE COMMITTEE/BOARD OF SELECTMEN

Motion and second that the Town vote to fix the salary and compensation of all elected Town Officers as printed in the warrant under Article 3 with the following adjustments: Moderator - \$0.00; Selectman, Chairman - \$100.00 and Selectmen – Board Members (4) - \$400.00.

A hold was placed on the following offices: Moderator, Selectmen, Chairman and Selectmen, Board Members.

Motion and second that the Town vote to fix the salary and compensation of all remaining elected Town Officers without a hold, as printed in the warrant under Article 3. Voted: unanimously.

Motion and second to set the Moderator salary at zero. Voted: the vote was in question, therefor, the Deputy Moderator appointed Jeffrey Fitton, Kevin Rioux, Michelle Duarte and Tracy Priestner to act as Tellers for the meeting and they were duly sworn by the Town Clerk.

Voted: the motion to set the salary for the Moderator at zero was lost. Yes: 76 No: 103

Motion and second to set the salary for the Moderator at \$775.00 Voted:;; carried.

Motion and second to set the salary of the Selectmen Chairman at \$6264.00. Voted: carried.

Motion and second to set the salary of the Selectmen - Members at \$24,637.00. Voted: carried.

ARTICLE 4

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, 2014 and appropriate the same to several departments and/or take any other action relative thereto.

FINANCE COMMITTEE/BOARD OF SELECTMEN

Motion
and
second
that the
amounts
of
money
set forth
in the
printed
report of
the
Finance
Committ

ee 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 appropriations be funded as follows:

\$32,769,150.00 from Taxation
\$ 10,000.00 from Perpetual Care Interest Account
For a total of \$32,779,150.00

A hold was placed on the following line items: #114 Moderator; #163 Registrar of Voters and #300 Westport Community Schools.

Motion and second to amend the salary of the Moderator from zero to \$775.00 for a total budget of \$833.00.
Voted: as amended with \$775.00 from Free Cash. Carried.

Motion and second to amend the salary of the Registrars from \$42,447.00 to \$53,388.00 an increase of \$10,946.00 from Free Cash. Voted: the motion was defeated.

Motion and second to appropriate the original total for the Registrar of Voters of \$69,302.00. Voted: Carried.

Motion and second to increase the school dept line item by raising and appropriating the additional sum of \$815,415, to be added to the FY2015 Westport Community Schools Budget as set forth in the printed report of the Finance Committee, for a total FY2015 Westport Community Schools budget of \$16,829,043 provided, however, that the appropriation of this additional sum shall be expressly contingent upon approval by the voters of the Town of a Proposition 2 ½, so-called, override question pursuant to the provisions of G.L. c. 59, §21C(g).
Voted: Carried.

Motion and second to approve the remaining budget line items. Voted: Unanimously.

ARTICLE 5

To see if the Town will vote to authorize the Town Treasurer, with the approval of the Selectmen to borrow from time to time in anticipation of revenue of the fiscal year beginning July 1, 2014 in accordance with the provisions of the General Laws, Chapter 44, Section 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 General Laws, Chapter 44, Section 17, and/or take any other action relative thereto.

BOARD OF SELECTMEN

Motion and second that the Town adopt the provisions of Article 5 as printed in the warrant. Voted: unanimously.

ARTICLE 6

To see if the Town will vote to raise and appropriate and/or transfer from available funds a sum of \$1.00 for the purpose of maintaining during the ensuing year the mosquito control work as estimated and certified by the State Reclamation Board in accordance with the provisions of Chapter 112 of the Acts of 1931, and/or to take any other action relative thereto.

BOARD OF SELECTMEN

Motion and second that the Town adopt the provisions of Article 6 as printed in the warrant with \$1 transferred from Free Cash. Voted: unanimously.

ARTICLE 7

To see if the Town will vote to raise and appropriate and/or transfer from available funds the sum of \$770.00 to contract for environmental services directly related to Buzzards Bay, and/or take any other action relative thereto.

BOARD OF SELECTMEN

Motion and second that the Town adopt the provisions of Article 7 as printed in the warrant with \$770 transferred from Free Cash. Voted: unanimously.

ARTICLE 8

To see if the Town will vote, pursuant to the provisions of Massachusetts General Laws, Chapter 44, Section 53E ½, to establish and reauthorize revolving funds for certain Town departments and officers for the fiscal year beginning July 1, 2014 for the purposes defined from which costs not to exceed the amounts listed for these same services may be expended without further appropriation, and/or take any other action relative thereto.

VARIOUS DEPARTMENTS

<u>Revolving Fund</u>	<u>Authority To Spend</u>	<u>Revenue Source</u>	<u>Use of Fund</u>	<u>Maximum Expenditure</u>
Council on Aging - Programs	Council on Aging & Board of Selectmen	Receipts from health care promotion, recreational and social programs for seniors	Health care promotion, recreational and social programs for seniors	\$50,000.00
Council on Aging-Social Day Care	Council on Aging & Board of Selectmen	Receipts from the Social Day Care Program	Social Day Care Program	\$150,000.00
Council on Aging – Other Income Generating Activities	Council on Aging & Board of Selectmen	Receipts from income generating activities other than those from health care promotion, recreational and social programs for seniors, the Social Day Care Program and transportation for seniors	Building operating and maintenance expenses, excluding salaries and wages of all full and part time employees employed at the Senior Center	\$20,000.00
Council on Aging - Transportation	Council on Aging & Board of Selectmen	Receipts from transportation for seniors	Transportation for seniors	\$65,000.00
Fire Department - Ambulance	Fire Department	Receipts from Ambulance fees	Purchase of an ambulance, ambulance equipment and/or any incurred ambulance related expense, not to include salaries	\$110,000.00
Fire Department - Haz Mat	Fire Department	Receipts from Haz-Mat fees	Purchase of Haz-Mat equipment and/or any incurred Haz-Mat related expense, not to include salaries	\$50,000.00
Electrical, Plumbing and Gas Inspectors	Electrical, Plumbing and Gas Departments	Receipts from fees and fines paid for electrical, plumbing and gas permits	Fees for inspections performed and mileage, schooling, supplies, clerical wages, equipment and other miscellaneous expenses; any fund balance in excess of \$40,000.00 at the end of the fiscal year will be transferred into the General Fund.	\$85,000.00
Board of Selectmen	Board of Selectmen	Receipts from the	Cable services,	\$100,000.00

		yearly "Additional Cable License Fee"	equipment and/or supplies	
Planning Board/Zoning Board of Appeals	Planning Board	Receipts from subdivision and comprehensive permit filing fees	Maintaining the Assessor's parcel GIS database	\$20,000.00
Planning Board	Planning Board	Site Plan Approval & Low Impact Development fees collected for the purpose of technical review and construction inspection	Technical review & construction inspection	\$25,000.00
Police Department	Police Department and Board of Selectmen	Receipts from Police Cruiser fees associated with private details	Purchase of cruisers, associated equipment and/or any incurred police cruiser related expense, not to include salaries	\$50,000.00
Animal Control Department	Animal Control Department	Fees collected for animal control	Costs related to care and custody of animals and other related expenses	\$10,000.00
Board of Health	Board of Health	Receipts from vaccine purchases and administration reimbursements	Vaccine purchases	\$10,000.00
Conservation Commission	Conservation Commission	Wetland delineation and review related fees	Wetland delineation and review	\$40,000.00
School Department	School Committee	Receipts generated by the Special Education Department through tuition or service contracts generated by the school's specialists and administration	Special Education Program needs	\$20,000.00

Motion and second that the Town adopt the provisions of Article 8 as printed in the warrant. Voted: unanimously.

ARTICLE 9

To see if the Town will vote to raise and appropriate or transfer from available funds \$136,396.00 to operate the Harbor Enterprise, and/or take any other action relative thereto.

Salaries	\$ 51,975.00
Expenses	\$ 71,921.00
Capital Outlay	<u>\$ 12,500.00</u>
Total	\$136,396.00

and that \$136,396.00 be raised as follows:

User Charges	\$136,396.00
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BOARD OF SELECTMEN/HARBORMASTER/WHARFINGER

Motion and second that the Town adopt the provisions of Article 9 as printed in the warrant. Voted: unanimously.

ARTICLE 10

To see if the Town will vote to raise and appropriate or transfer from available funds \$267,863.00 to operate the Waterline Enterprise, and/or take any other action relative thereto.

Salaries	\$ 11,540.00
Capital Outlay	\$ 5,000.00
Expenses	<u>\$251,323.00</u>
Total	\$267,863.00

and that \$267,863.00 be raised as follows:

User Charges	\$267,863.00
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BOARD OF SELECTMEN

Motion and second that the Town adopt the provisions of Article 10 as printed in the warrant. Voted; unanimously.

ARTICLE 11

To see if the Town will vote to raise and appropriate or transfer from available funds \$59,250.00 to operate the Town Beaches Enterprise, and/or take any other action relative thereto.

Salaries	\$ 34,000.00
Expenses	<u>\$ 25,250.00</u>
Total	\$ 59,250.00

and that \$55,250.00 be raised as follows:

User Charges	\$59,250.00
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BEACH COMMITTEE/BOARD OF SELECTMEN

Motion and second that the Town adopt the provisions of Article 11 as printed in the warrant. Motion and second to amend Article 11 to transfer \$59,250. from User Charges. Voted: unanimously. (the amount of \$55,250 as listed above is incorrect, the total of \$59,250 for salaries & expenses is correct)

ARTICLE 12

To see if the Town will vote to appropriate and/or transfer from available funds a sum of \$15,000.00 for the purpose of updating the Town's Post Retirement Benefit Analysis, which was last completed as of July 1, 2012 and is a Government Accounting Standards Board (GASB) 45 reporting requirement, and/or take any other action relative thereto.

TOWN ACCOUNTANT

Motion and second to transfer the sum of \$9,500 from Free Cash. Voted: unanimously.

ARTICLE 13

To see if the Town will vote to appropriate a sum of \$15,000.00 from receipts reserve for the purpose of post closure costs and environmental monitoring expenses at the Landfill Site, and/or take any other action relative thereto.

BOARD OF HEALTH

Motion and second that the Town adopt the provisions of Article 13 as printed in the warrant.

Voted: unanimously.

ARTICLE 14

To see if the Town will vote to raise and appropriate and/or transfer from available funds a sum of \$10,000.00 for follow-up environmental maintenance work at the Westport Town Hall as required by the Department of Environmental Protection, and/or take any other action relative thereto.

BOARD OF SELECTMEN

Motion and second that the Town appropriate from Free Cash the sum of \$9,000 for the purpose of Article 14 as printed in the warrant. Voted: Unanimously.

ARTICLE 15

To see if the Town will vote to transfer \$42,000.00 from the Perpetual Care Interest account for the purchase of a dump truck with plow and associated equipment for the Cemetery Department, and/or take any other action relative thereto.

CEMETERY DEPARTMENT

Motion and second that the Town adopt the provisions of Article 15 as printed in the warrant. Voted: Carried.

ARTICLE 16

To see if the Town will vote to raise and appropriate and/or transfer from available funds and/or the Municipal Waterways Fund the sum of \$7,000.00 for the purchase of a new boat for the Shellfish Constable, and/or take any other action relative thereto.

SHELLFISH CONSTABLE

Motion and second that the Town transfer from the Municipal Waterways Fund the sum of \$7,000 for the purpose of Article 16 as printed in the warrant. Voted: Carried.

ARTICLE 17

To see if the Town will vote to transfer from available funds, including Transfer Station Receipts Received for Appropriation, the sum of \$11,000.00 for the purpose of building a retaining wall at the Landfill and Transfer Station, and/or take any other action relative thereto.

BOARD OF HEALTH

Motion and second that the Town transfer the sum of \$11,000 from Transfer Station Receipts Received for appropriation for the purpose of Article 17 as printed in the warrant. Voted: unanimously.

ARTICLE 18

To see if the Town will vote to appropriate a sum of \$500,000.00 for the cost of various capital expenditures in accordance with the Town's Fiscal Year 2015 Capital Improvement Planning Program, to determine whether this appropriation shall be raised by borrowing or otherwise, and/or to take any other action relative thereto.

<u>Department</u>	<u>Requests</u>	<u>Cost</u>	<u>Funding Source(s)</u>
Police	2 Cruisers	\$ 76,000.00	Avail. Funds
Fire	Pickup Truck	\$ 37,000.00	Avail. Funds
Animal Control	New Van	\$ 25,000.00	Avail. Funds
Highway	Truck w/ Plow	\$ 78,000.00	Avail. Funds
Highway	Waste Oil Furnace	\$ 14,000.00	Avail. Funds
School	High School Well	\$ 75,000.00	Avail. Funds
School	Macomber Parking Lot	\$110,000.00	Avail. Funds

School	Elementary School Roof Repairs	\$ 60,000.00	Avail. Funds
School	Elementary & Middle Schools		
	Student Desks & Chairs	\$ 25,000.00	Avail. Funds
	TOTAL	\$500,000.00	

CAPITAL IMPROVEMENT PLANNING COMMITTEE

Motion and second to pass over Article 18. Voted: unanimously.

ARTICLE 19

To see if the Town will vote to hear and act on the report of the Community Preservation Committee on the FY15 Community Preservation budget and to appropriate from the Community Preservation Fund a sum of money to meet the administrative expenses and all other necessary and proper expenses of the Community Preservation Committee for the Fiscal Year 2015; and further to reserve for future appropriation a sum of money for open space; a sum of money for historic resources; and a sum of money for 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/or take any other action relative thereto.

COMMUNITY PRESERVATION COMMITTEE

PURPOSE	AMOUNT	FUND SOURCE
<u>HISTORIC PRESERVATION</u>		
Town Hall Annex Gymnasium Rehabilitation and Accessibility	\$ 69,000	FY15 CPA Estimated Fund Revenues
Rehabilitation of the Sanford Road School #18: Roof	\$ 31,554	Historic Preservation Reserves
Rehabilitation of the Sanford Road School #18: Tight Tank	\$ 16,000	Historic Preservation Reserves
Historic Preservation of the Head Garage Exterior	\$ 22,044.81 \$139,455.19	Historic Preservation Reserves FY15 CPA Estimated Fund Reserves
<u>OPEN SPACE</u>		
Barrett Farm Agricultural Perservation Restriction	\$150,000	Open Space Reserves
Nisby Property Conservation Restriction	\$ 66,000 \$ 34,000	FY15 CPA Estimated Fund Revenues* Open Space Reserves
Open Space Reserves <i>10% distribution required</i>	\$ 66,000	FY15 CPA Estimated Fund Revenues
<u>RECREATION</u>		
Beach Avenue Accessibility	\$ 90,000	CPA Undesignated Fund Reserves
WUYS Athletic Fields	\$ 70,000	CPA Undesignated Fund Reserves
<u>COMMUNITY HOUSING</u>		
Community Housing Reserves	\$ 66,000	FY15 CPA Estimated Fund Revenues
<u>ADMINISTRATIVE EXPENSES</u>		
	\$ 21,000	FY15 CPA Estimated Fund Revenues

BUDGETED RESERVES

\$160,000

FY15 CPA Estimated Fund Revenues

Motion and second that the Town vote to appropriate or reserve from the Community Preservation Fund's annual revenues and available funds the amounts recommended for the purposes defined in the written recommendations of the Community Preservation Committee, with each item to be considered a separate appropriation.

A hold was placed on the following lines: "Open Space Reserves" and "Budgeted Reserves".

Motion and second to appropriate all lines without a hold. Voted: unanimously.

Motion and second to appropriate \$66,000 for Open Space Reserves. Voted: defeated.

Motion and second to amend Budgeted Reserves to \$226,000. Voted: unanimously.

Motion and second to appropriate \$226,000 for Budgeted Reserves. Voted: unanimously.

ARTICLE 20

To see if the Town will vote to raise and appropriate and/or transfer from available funds the sum of \$7,500.00 to provide for economic planning and coordination services and/or take any other action relative thereto.

WESTPORT ECONOMIC DEVELOPMENT TASK FORCE

Motion and second to pass over Article 20. Voted: unanimously.

ARTICLE 21

To see if the Town will vote pursuant to G.L. c.41, §1B to make the elected position of Treasurer an appointed position, such appointment to be made by the Board of Selectmen for a term not to exceed three years; provided, however that before such change may take effect, it must be approved by the voters of the Town at the 2015 Annual Town Election, and provided further that the incumbent elected Treasurer shall continue in said office until the expiration of his elected term or sooner vacating of office; and/or take any other action relative thereto.

BOARD OF SELECTMEN

Motion and second that the town adopt the provisions of Article 21 as printed in the warrant.

Voted: Carried.

ARTICLE 22

To see if the Town will vote to reaffirm the vote taken under Article 9 of the November 13, 2012 Special Town Meeting, which read "To see if the Town will vote to appropriate \$500,000.00 for the purpose of financing the following water pollution facility projects: repair, replacement and/or upgrade of septic systems, pursuant to agreements with Board of Health and residential property owners, including without limitation all costs thereof as defined in Section 1 of Chapter 29C of the General Laws; to determine whether this appropriation shall be raised by borrowing from the Massachusetts Water Pollution Abatement Trust or otherwise," or to take any other action relative thereto.

WESTPORT WATER RESOURCES MANAGEMENT COMMITTEE

Motion and second that the Town vote to affirm* the action taken by a 2/3 vote under Article 9 of the November 13, 2012 Special Town Meeting, which provided as follows:

to approve Article 9 as printed in the warrant; that to meet this appropriation the Treasurer with the approval of the Board of Selectmen is authorized to borrow \$500,000.00 and issue bonds or notes therefor under G.L. c. 111, §127B½ and/or Chapter 29C of the General Laws or any other enabling authority; that project and financing costs, including without limitation all costs as defined in G.L. c.29C, §1, shall be repaid by the property owners,

in accordance with agreements between the Board of Health and residential property owner,, but such bonds or notes shall be general obligations of the Town; that the Treasurer with the approval of the Board of Selectmen Is authorized to borrow all or a portion of such amount from the Massachusetts Water Pollution Abatement Trust established pursuant to said Chapter 29C and in connection therewith to enter into a loan agreement and/or security agreement with the Trust and otherwise contract with the Trust and the Department of Environmental Protection with respect to such loan and for any federal or state aid available for the projects or for the financing thereof; and that the Board of Selectmen, or other appropriate local board or official is authorized to enter into a project regulatory agreement with the Department of Environmental Protection, to expend all funds available for the projects and to take any other action necessary to carry out the projects. Voted: unanimously.

ARTICLE 23

To see if the Town will vote to authorize the Board of Selectmen to enter into one or more renewable energy power purchase and/or net metering credit purchase agreements, including agreements for power and net metering credits generated by a solar photovoltaic facility, each for a term of up to thirty years, and on such terms and conditions as the Board of Selectmen deems to be in the best interests of the Town, and to take all actions necessary to implement and administer such agreements, or take any action relative thereto.

BOARD OF SELECTMEN/ENERGY COMMITTEE

Motion and second that the Town adopt the provisions of Article 23 as printed in the warrant. Voted: Carried

ARTICLE 24

To see if the Town will vote to amend its By-Laws and Regulations by inserting the following new By-Law “**ARTICLE LXII, COMPLIANCE WITH THE PROVISIONS OF MASSACHUSETTS GENERAL LAW CHAPTER 268A**”:

ARTICLE LXII

COMPLIANCE WITH THE PROVISIONS OF MASSACHUSETTS GENERAL LAW CHAPTER 268A AND RELATED MATTERS

6201. Elected and appointed officers, officials and employees of the Town of Westport, whether or not compensated, and whether serving in a part-time, full-time or volunteer capacity, shall comply with the provisions of M.G.L. c.268A, and in that regard shall demonstrate, in their general conduct and in the performance of their duties and responsibilities, the highest ethical standards; recognize that they hold their offices or positions for the benefit of the public, and while acting in their official capacity, faithfully discharge the duties of their offices or positions in the public interest, regardless of personal considerations. Such persons shall not use their offices or positions to secure or grant special considerations, treatment, advantage, privilege or exemption to themselves or to any person or group beyond that which is available to every person. Further, elected and appointed officers, officials and employees of the Town of Westport shall not represent anyone other than themselves in matters in which the Town has a direct and substantial interest unless they comply with the provisions of M.G.L. c. 268A, §17 and, prior to undertaking such representation, file with the Town Clerk written notice thereof on a form prepared by the Town for such purposes. Such notices shall be maintained in a separate file, and shall be public record subject to mandatory disclosure upon requested.

BOARD OF SELECTMEN

Motion and second that the Town adopt the provisions of Article 24 as printed in the warrant. Voted: Carried.

ARTICLE 25

To see if the Town will vote to amend its By-laws and Regulations by revising “**ARTICLE II, PROCEDURE AT TOWN MEETING, Section 0201.**” by deleting the strike through text and inserting the bold underlined text as follows:

- 0201.** The procedure at Town Meetings shall be governed by the rules of practice contained in "~~Town Meeting Time~~" **the most recent edition of "Town Meeting Time, A Handbook of Parliamentary Law" published by the Massachusetts Moderators Association**, except as modified by these By-Laws.

and/or take any other action relative thereto.

TOWN MODERATOR

Motion and second that the Town adopt the provisions of Article 25 as printed in the warrant.

Voted: unanimously.

ARTICLE 26

To see if the Town will vote to amend its By-laws and Regulations by revising “**ARTICLE II, PROCEDURE AT TOWN MEETING, Section 0202.**” by deleting the strike through text and inserting the bold underlined text as follows:

- 0202.** When a question is under debate, no motion shall be entertained except to fix a time to which an adjournment may be made; or motions to lay on the table, for the previous question, to commit, to amend, ~~or~~ to postpone indefinitely **or to fix the method of voting**; which several motions shall have precedence in the order in which they are herein named.

and/or take any other action relative thereto.

TOWN MODERATOR

Motion and second that the Town adopt the provisions of Article 26 as printed in the warrant.

Voted: unanimously.

ARTICLE 27

To see if the Town will vote to amend its By-Laws and Regulations by inserting the following new By-Law “**ARTICLE LXI, DOOR TO DOOR SOLICITORS**”:

ARTICLE LXI

DOOR TO DOOR SOLICITORS

6101. DEFINITIONS: APPLICABILITY

- A.** As used in this section, the terms “solicit” and “canvass” shall mean and include any one or more of the following activities conducted at residences without the previous consent of the owner:

- 1.** Seeking to obtain the purchase, or orders for the purchase, of goods, wares, merchandise, foodstuffs, or services of any kind, character, or description whatsoever for any consideration whatsoever; or

2. Seeking to obtain subscriptions to books, magazines, periodicals, newspapers, and every other type or kind of publication.
- B. The provisions of this section shall not apply to officers or employees of the Town, county, state, or federal government, or any subdivision thereof when on official business, or to neighborhood youth and students who solicit for the shoveling of snow or cutting of lawns or similar services to residents, nor shall it be construed to prevent route salespersons or other persons having established customers to whom they make periodic deliveries from calling upon such customers.
 - C. If any solicitor or canvasser is under the age of 18 years and is selling goods or periodicals for a commercial purpose, the provisions of M.G.L. c. 101, § 34, shall apply.
 - D. The provisions of this section shall not apply to any person soliciting solely for religious, charitable, political or other non-commercial purposes.

6102. REGISTRATION REQUIRED

It shall be unlawful for any person to solicit or canvass or engage in or conduct business as a canvasser or solicitor without first having obtained a certificate of registration from the Chief of Police as provided in this section.

6103. APPLICATION FOR CERTIFICATE OF REGISTRATION

- A. Application for a certificate of registration shall be made upon a form provided by the Police Department along with a nonrefundable application fee of \$25.
- B. An authorized representative of the sponsoring organization shall apply to the Chief of Police or his/her designee either in person or by mail. All statements made on the application or in connection therewith shall be made under the pains and penalties of perjury. The applicant shall provide all information requested on the application, including:
 1. Name, address and telephone number of the sponsoring organization, along with a listing of all officers and directors;
 2. State and/or federal tax identification number of the sponsoring organization;
 3. Name, residential and business address, length of residence at such residential address, telephone number, social security number,* (*this information is provided on a voluntary basis, and is used to verify whether an applicant meets the criteria for issuance of a certificate under subsection (D) below) and date of birth of each representative of the sponsoring organization who will be soliciting or canvassing in the Town,
 4. Description sufficient for identification of the subject matter of the soliciting or canvassing in which the organization will engage;
 5. Period of time for which the certificate is applied (every certificate shall expire one year from date of issue);
 6. The date of the most recent previous application for a certificate under this section;
 7. Any previous revocation of a certificate of registration issued to the organization or to any officer, director, or representative of the organization by any city or town and the reasons therefore;

8. Any convictions for a felony, either state or federal, within five years of the application, by the sponsoring organization, any of its officers or directors, or any representative who will be soliciting or canvassing in the Town;
 9. Names of the three communities where the organization has solicited or canvassed most recently;
 10. Proposed dates, hours, and method of operation in the Town;
 11. Signature of authorized representative of the sponsoring organization.
- C. A photograph of each representative of the sponsoring organization who will be soliciting or canvassing in the Town shall be attached to the application.
- D. No certificate of registration shall be issued to any person or to any organization having an officer or director who was convicted of commission of a felony, either state or federal, within five years of the date of the application, nor to any organization or person whose certificate of registration has previously been revoked as provided below.
- E. Fully completed applications for certificates shall be acted upon within five business days of receipt. The Chief of Police shall cause to be kept accurate records of every application received together with all other information and data pertinent thereto and of all certificates of registration issued under this section and of all denials.
- F. Upon approval of an application, each solicitor or canvasser shall be issued a certificate of registration to carry upon his/her person at all times while soliciting or canvassing in the Town and to display the certificate whenever asked by any police officer or any person solicited.

6104. REVOCAION OF CERTIFICATE

- A. Any certificate of registration issued hereunder may be revoked by the Chief of Police for good cause, including violation of any of the provisions of this By-Law or a false statement in the application. Immediately upon such revocation, the Chief of Police shall give written notice to the holder of the certificate in person or by certified mail addressed to his/her residence address set forth in the application.
- B. Immediately upon the giving of such notice, the certificate of registration shall become null and void. In any event, every certificate of registration shall state its expiration date, which shall be one year from date of issue.

6105. DECEPTIVE PRACTICES

No solicitor or canvasser may use any plan, scheme, or ruse to misrepresent the true status or mission of any person conducting the solicitation or canvas in order to gain admission to the home, office, or other establishment of any person in the Town.

6106. DUTIES OF SOLICITORS AND CANVASSERS

- A. It shall be the duty of every solicitor and canvasser going onto any premises in the Town to first examine whether there is a notice posted stating that no solicitors are welcome. If such notice is present, then the solicitor or canvasser shall immediately and peacefully depart from the premises.
- B. Any solicitor or canvasser 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.

6107. LAWFUL HOURS TO SOLICIT OR CANVASS

All canvassing or soliciting under this section shall be confined to the hours between 8:00 a.m. and 9:00 p.m.

6108. PENALTY FOR VIOLATIONS

Violations of any provision of this By-Law may be enforced by any means available in law and in equity, including under Section 3702 of these By-Laws and Regulations and Section 21D of Chapter 40 of the General Laws and shall be punishable by a fine of \$150.00 for the first violation and \$300.00 for the second or any subsequent violations, with each day a violation exists being treated as a separate violation.

and/or take any other action relative thereto.

BOARD OF SELECTMEN/POLICE CHIEF

Motion and second that the Town adopt the provisions of Article 27 as printed in the warrant. Voted: Carried.

ARTICLE 28

To see if the Town will vote to amend its By-Laws and Regulations by inserting the following new By-Law “**ARTICLE LXII, WESTPORT SEX OFFENDER AND RESTRICTION ZONE**”:

ARTICLE LXII

WESTPORT SEX OFFENDER RESIDENCY AND RESTRICTION ZONE

6201. PREAMBLE, FINDINGS, INTENT

- A. It is the intent of this by-law to serve and protect the Town's compelling interest to promote, protect, and improve the health, safety, and welfare of the citizens of the Town by creating areas around locations where children, the elderly, and the mentally impaired regularly congregate in concentrated numbers wherein certain registered sex offenders are prohibited from loitering and establishing temporary or permanent residence.
- B. After careful consideration, the Town finds that this by-law is the most narrowly-tailored means of limiting, to the fullest extent possible, the opportunity for registered sex offenders to approach or otherwise come in contact with children, the elderly, and the mentally impaired in places where children and the elderly would naturally congregate, and that the protection of the health and safety of our children, the elderly, and the mentally impaired is a compelling governmental interest.
- C. By the enactment of this or any other by-law, the Town understands that it cannot remove the threat posed to or guarantee the safety of children, the elderly, and the mentally impaired, or assure the public that registered sex offenders will comply with the mandates of this law. This By-Law is intended to create a regulatory scheme in order to protect children, the elderly, and the mentally impaired to the extent possible under the

circumstances. Nothing contained herein shall constitute a specific assurance of safety or assistance.

- D. The Town finds that registered sex offenders pose a clear threat to the children, the elderly, and the mentally impaired residing in or visiting in Westport. Because registered sex offenders are more likely than any other type of offenders to re-offend for another sexual offense, the Town desires to impose safety precautions in furtherance of the goal of protecting the children, the elderly, and the mentally impaired in the Town of Westport. The purpose of this by-law is to reduce the potential risk of harm to the children, the elderly, and the mentally impaired of the community by restricting the ability of registered sexual offenders to be in contact with those persons in locations that are primarily designed for use by or are primarily used by children, the elderly, and/or the mentally impaired, namely, the grounds of a public or private school for children, a pre-school, a day care facility, parks or other public recreational facilities, facilities for the elderly, facilities for the mentally impaired, or public libraries.

6202.

DEFINITIONS

- A. **Child or Children** - Shall mean persons under eighteen (18) years of age.
- B. **Day Care Center** – Shall mean an establishment, whether public or private, which provides care for children and is registered with and licensed pursuant to the laws of the Commonwealth of Massachusetts by the Department of Early Education and Care.
- C. **Elder or Elderly** - Shall mean persons over fifty-five (55) years of age.
- D. **Establishing a Residence** - Shall mean to set up or bring into being a dwelling place or an abode where a person sleeps, which may include more than one location and may be mobile or transitory, including by means of purchasing real property or entering into a lease or rental agreement for real property (including a renewal or extension of a prior agreement whether through written execution or automatic renewal).
- E. **Facility for the Elderly** - Shall mean a building or buildings on the same lot which provides group residence for persons over fifty-five (55) years of age or serves as a center for such persons to gather.
- F. **Facility for the Mentally Impaired** - Shall mean any facility which provides group residence for the mentally impaired or serves as a center for the mentally impaired to gather.
- G. **Loiter** - Shall mean remaining in or around the location in question for a more than fifteen (15) minutes.
- H. **Park or Recreational Facility** - Shall mean public land or facilities designated for active or passive recreational or athletic use by the Town of Westport, the Commonwealth of Massachusetts, or other governmental subdivision, and located within the Town of Westport, including parks, beaches, playgrounds, and athletic fields and facilities.
- I. **Permanent Residence** - Shall mean a place where a person lives, abides, lodges, or resides for five (5) or more consecutive days or fourteen (14) or more days in the aggregate during any calendar year.
- J. **Public Library** - Shall mean a building, structure or other enclosure in which a library is located for use by the general public.
- K. **School** - Shall mean any public or private educational facility that provides educational services to children in grades pre-kindergarten through twelve (12).

- L. Sex Offender** - Shall mean a person who resides, works, or attends an institution of higher learning in the commonwealth and who has been convicted of a sex offense, or who has been adjudicated as a youthful offender or as a delinquent juvenile by reason of a sex offense, or a person released from incarceration or parole or probation supervision or custody with the Department of Youth Services for such a conviction or adjudication, or a person who has been adjudicated a sexually dangerous person under M.G.L. chapter 123A, section 14, as in force at the time of adjudication, or a person released from civil commitment pursuant to Section 9 of said Chapter 124A, whichever last occurs, on or after August 1, 1981.
- M. Sex Offender Registry** - Shall mean the collected information and data that is received by the Sex Offender Registry Board pursuant to M.G.L. Chapter 6, Sections 178C to 178Q, inclusive, as such information and data is modified or amended by the Sex Offender Registry Board or a court of competent jurisdiction pursuant to said Sections 178C to 178Q, inclusive.
- N. Temporary Residence** – Shall mean a place where a person lives, abides, lodges or resides for a period of less than five (5) consecutive days or less than fourteen (14) days in the aggregate during any calendar year, which is not the person's permanent address or place where the person routinely lives, abides, lodges or resides and which is not the person's permanent address.

6203.

SEXUAL OFFENDER RESIDENCE PROHIBITS, PENALTIES, EXCEPTIONS

- A.** It is unlawful for any sex offender who is classified as a level 2 or 3 offender pursuant to the guidelines of the Sex Offender Registry Board to establish a permanent residence or temporary residence within five hundred (500) feet of any school, day care center, park or recreational facility, facility for the elderly, facility for the mentally impaired, or public library if, after notice, and opportunity for a hearing before the Police Chief, or the Chief's designee, it is determined that the sex offender poses a risk to the public and therefore, that residency should be limited in accordance with this section and subsection (C). The Police Chief shall promulgate regulations to implement this section, including the time in which the Chief or the Chief's designee he shall issue a determination under this paragraph.
- B.** For purposes of determining the minimum distance separation, the distance shall be measured by following a straight line from the outer property line of the permanent residence to the nearest outer property line of a school, day care center, park or recreational facility, facility for the elderly, facility for the mentally impaired, or public library.
- C. Notice to Move:** Any sex offender who is classified as a level 2 or 3 offender pursuant to the guidelines of the Sex Offender Registry Board and who establishes a permanent residence or temporary residence within five hundred (500) feet of any school, day care center, park or recreational facility, facility for the elderly, facility for the mentally impaired, or public library in violation of the prohibition set forth in subsection (A) of Section 6203 shall within thirty (30) days of receipt of written notice of the sex offender's noncompliance with this chapter, move from said location to a new location, but said location may not be within five hundred (500) feet of any school, day care center, park or recreational facility, facility for the elderly, facility for the mentally impaired, or public library. It shall constitute a separate violation for each day beyond the thirty (30) days that the sex offender continues to reside within five hundred (500) feet of any school, day care center, park or recreational facility, facility for the elderly, facility for the mentally impaired, or public library. Furthermore, it shall be a separate violation each day that a sex offender shall move from one location in the Town of Westport to another

that is within five hundred (500) feet of any school, day care center, park or recreational facility, facility for the elderly, facility for the mentally impaired, or public library.

D. Penalties: Violation of Section 6203, or of any regulations adopted hereunder, may be enforced through any lawful means in law or in equity by the Westport Police Department or any police officer of the Town of Westport, including, but not limited to, enforcement by non-criminal disposition pursuant to M.G.L. Chapter 40, Section 21D. Each day a violation exists shall constitute a separate violation. The penalties shall be as follows:

1. First Offense: Notification to offender that he/she has thirty (30) days to move.
2. Subsequent Offense: Non-criminal penalty or fine of \$300.00 and notification to the offender's landlord, parole officer, and/or probation officer and the Commonwealth's Sex Offender Registry Board that the person has violated a municipal by-law.

E. Exceptions: A person residing within five hundred (500) feet of any school, day care center, park or recreational facility, facility for the elderly, facility for the mentally impaired, or public library does not commit a violation of this section if any of the following apply:

1. The person established the permanent residence and reported and registered the residence prior to the effective date of this By-Law;
2. The person was a minor when he/she committed the offense and was not convicted as an adult;
3. The person is a minor;
4. The school, day care center, park or recreational facility, facility for the elderly, facility, facility for the mentally impaired, or public library within 500 feet of the personal permanent residence was established after the person established the permanent residence and reported and registered the residence pursuant to the Sex Offender Registry Law;
5. The person is required to serve a sentence at a jail, prison, juvenile facility, or other correctional institution or facility;
6. The person is admitted to and/or subject to an order of commitment at a public or private facility for the care and treatment of mentally ill persons pursuant to M.G.L. Chapter 123; or,
7. The person is mentally ill person subject to guardianship or a mentally retarded person subject to guardianship residing with his or her guardian or residing within a licensed group residence.

6204.

SEX OFFENDER RESTRICTION ZONE, EXCEPTIONS, PENALTIES

A. Prohibitions

1. A sex offender who is classified as a level 2 or 3 offender pursuant to the guidelines of the Sex Offender Registry Board is prohibited from entering upon the premises of any school, day care center, park or recreational facility, facility for the elderly, facility for the mentally impaired, or public library, unless

expressly authorized in advance and in writing by the person or entity having control of said premises.

2. A sex offender who is classified as a level 2 or 3 offender pursuant to the guidelines of the Sex Offender Registry Board is prohibited, after having received notice from the Westport Police Department that he/she is loitering within five hundred (500) feet of a school, day care center, park or recreational facility, facility for the elderly, facility for the mentally impaired, or public library, from continuing to so loiter or from returning thereto. For purposes of determining the minimum distance separation under this section, the distance shall be measured by following a straight line from the sex offender in question to the outer property line of the school, day care center, park or recreational facility, facility for the elderly, facility for the mentally impaired, or public library.

B. Exceptions

1. The prohibitions in Section 6204.A. above shall not be construed or enforced so as to prohibit a sex offender from exercising his or her right to vote in any federal, state or municipal election, or from attending any religious service.
2. The prohibitions in Sections 6204.A. above do not apply to a sex offender's place of residence when such residence is excepted under Section 6203.E. above.

C. Penalties

Any violation of this Section 6204, or of any regulations adopted hereunder, may be enforced through any lawful means in law or in equity by the Westport Police Department or any police officer of the Town of Westport including, but not limited to, enforcement by non-criminal disposition pursuant to M.G.L. Chapter 40, Section 21D. Each day a violation exists shall constitute a separate violation. The penalties shall be as follows:

1. First Offense: a non-criminal penalty or fine of \$150.00;
2. Subsequent Offense: Non-criminal penalty or fine of \$300.00 and notification to the offender's landlord, parole officer and/or probation officer and the Commonwealth's Sex Offender Registry Board that the person has violated a Town By-Law.

6205. GENERAL EXEMPTION

The provisions of this By-Law, Article LXII, shall not apply to sex offenders incarcerated in any facility owned, maintained, and/or operated by the Town of Westport.

6206. LIST/MAP OF AREAS COVERED

A written list describing the prohibited areas defined in this By-Law, as well as a map depicting the residency restriction areas and safety zones shall be created and maintained by the Westport Highway Department and Westport Police Department, to be updated from time-to-time as necessary. The list, map, and copies of this By-Law will be available to the public at the Westport Town Clerk's Office and Westport Police Department.

6207. SEVERABILITY

If any clause, sentence, paragraph, subdivision, section or other part of this By-Law shall for any reason be adjudged by any court of competent jurisdiction to be unconstitutional, or otherwise invalidated, such judgment shall not affect, impair or invalidate the remainder of this By-Law,

and it shall be construed to have been the legislative intent to enact this By-Law without such unconstitutional or invalid parts therein.

6208. EFFECTIVE DATE

This By-Law shall become effective immediately upon approval by Town Meeting and after all the requirements of M.G.L. Chapter 40, Section 32 have been met.

and/or take any other action relative thereto.

SCHOOL COMMITTEE

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

Voted: unanimously.

ARTICLE 29

To see if the Town will vote to amend various sections of the Town of Westport Zoning By-Laws pertaining to Medical Marijuana Treatment Centers, with each amendment labeled as a separate "Item", as follows:

Item 1. To amend **Section 1.1, Definitions**, of the Westport Zoning By-laws by adding the following definition, in appropriate alphabetical order.

Medical Marijuana Treatment Center - shall mean a "not-for-profit entity, as defined by Massachusetts law only, registered by the Department of Public Health, that acquires, cultivates, possesses, processes (including development of related products such as food, tinctures, aerosols, oils or ointments), transfers, transports, sells, distributes, dispenses, or administers marijuana, products containing marijuana, related supplies, or educational materials to qualifying patients or their personal caregivers."

Item 2. By deleting **ARTICLE 25, TEMPORARY MORATORIUM OF MEDICAL MARIJUANA TREATMENT CENTERS** in its entirety and replacing it with a new **ARTICLE 25, MEDICAL MARIJUANA TREATMENT CENTERS** as follows:

ARTICLE 25

MEDICAL MARIJUANA TREATMENT CENTERS

25.1 Purpose

The purpose and intent of this Article is to regulate the siting of Medical Marijuana Treatment Centers, by minimizing the adverse impacts on adjacent properties, residential neighborhoods, schools and other places where children congregate, and other land uses potentially incompatible with said Centers.

25.2 Authority

Medical Marijuana Treatment Centers, other than agricultural operations meeting exemption standards under M.G.L. Chapter 40A Section 3, may be allowed by Special Permit from the Westport Planning Board provided the Planning Board finds that:

1. The Facility is designed to minimize any adverse visual or economic impacts on abutters and other parties in interest, as defined in M.G.L. Chapter 40A, Section 11.

2. The Facility is designed to maximize security measures including but not limited to lighting, fencing, visibility and gates. Alarms and video shall connect to the Police Station for security.
3. The Facility demonstrates that it will meet all the permitting requirements of all applicable agencies within the Commonwealth of Massachusetts and will be in compliance with all applicable state laws and regulations; and
4. The applicant has satisfied all of the conditions and requirements of this Section.

25.3

Requirements

1. Medical Marijuana Treatment Centers shall only be located in the Science and Technology Overlay District and the Business District with the exception of that portion of the Business District bounded to the south following an east-west line 50' parallel to and south of Kaila's Way; to the east by Route 88; to the north by the northern boundary of the Business District; and to the west by a line 1,000' from the westerly line of Main Road, currently the boundary of the Business District.
2. All Medical Marijuana Treatment Centers shall be contained within a permanent building or structure.
3. No other use shall be permitted on a lot containing a Medical Marijuana Treatment Center.
4. Buildings and parking areas shall be clearly visible from the street.
5. Medical Marijuana Treatment Centers shall meet the following dimensional requirements and any additional requirements listed in the district in which it is located.

Minimum Front Yard	50'
Minimum Side Yard	25'
Minimum Rear Yard	25'
Maximum Gross Floor Area	10,000 s.f.
6. The hours of operation of a Medical Marijuana Treatment Center shall be set by the Special Permit Granting Authority, but in no event shall said facilities be open between the hours of 8:00 PM and 8:00 AM. All visits shall be by appointment only.
7. Site Plan Approval under Article 15 is required for all Medical Marijuana Treatment Centers.
8. Medical Marijuana Treatment Centers that can demonstrate that they comply with the agricultural exemption under M.G.L. Chapter 40A, Section 3 must still apply for Site Plan Approval under Article 15.

25.4

Waiver Of Compliance

The Planning Board acting as the Special Permit Granting Authority, under this Section may waive strict compliance with the dimensional requirements, provided the Board finds that the waivers are in the public interest and not inconsistent with the purpose and intent of this Section.

25.5 Term Limit

A special permit granted under this Section shall have a term limited to the duration of the applicant’s ownership of the premises as a Medical Marijuana Treatment Centers. A special permit may be transferred only with the approval of the Planning Board in the form of an amendment to the special permit.

25.6 Lapse

A special permit shall lapse if not exercised within two years of issuance.

Item 3. To amend the **TABLE OF USE REGULATIONS** by adding to the Table of Use Regulations the permitted use, as described in Article 25 for Medical Marijuana Treatment Centers and the associated “Note (1)”, all as shown below:

TABLE OF USE REGULATIONS

X = Prohibited unless allowed in Underlying District

Y = Allowed By Right

N = Prohibited

SPBA = Special Permit Board of Appeals

SPPB = Special Permit Planning Board

SPA-PB = Site Plan Approval Planning Board

<u>USES</u>	<u>RESIDENTIAL</u>	<u>BUSINESS</u>	<u>UNRESTRICTED</u>	<u>STOD (Art. 22)</u>
Medical Marijuana Treatment Centers	N	SPPB/SPA-PB (1)	N	SPPB/SPA-PB

(1) Medical Marijuana Treatment Centers shall only be located in the Science and Technology Overlay District and the Business District with the exception of that portion of the Business District bounded to the south following an east-west line 50’ parallel to and south of Kaila’s Way; to the east by Route 88; to the north by the northern boundary of the Business District; and to the west by a line 1,000’ from the westerly line of Main Road, currently the boundary of the Business District.

Item 4. To amend the Table of Contents by adding the new Article 25 Medical Marijuana Treatment Centers.

and/or take any other action relative thereto.

PLANNING BOARD

Motion and second to adopt the provisions of Article 29 as printed in the warrant. Voted: unanimously.

ARTICLE 30

To see if the Town will amend various portions of the Towns Zoning By-Laws, with each amendment listed as a separate “Item”, as follows:

Item 1. To amend **Section 1.1, Definitions**, of the Westport Zoning By-laws by deleting the definitions of “Recreation”, “Way”, “ Roadway or Street” and “Roadway or Street Categories” and inserting, in appropriate alphabetical order the following:

Private or Unaccepted Way - A street, which has not been accepted as a public way.

Recreation Active - The refreshment of body and mind through forms of play, amusement, or relaxation, such as boating, or organized sports.

Recreation Passive - The refreshment of body and mind through forms of play, amusement, or

relaxation, such as enjoying the natural beauty of the shoreline, hiking, field trails or nature study.

Way – A public way or a way which the clerk certifies is maintained and used as a public way, or a way shown on a plan theretofore approved and endorsed in accordance with the subdivision control law, or a way in existence when the subdivision control became effective, having in the opinion of the Planning Board, sufficient width, suitable grades, and adequate construction to provide for the needs of vehicular traffic in relation to the proposed use of the land abutting thereon or served thereby and for the installation of municipal services to serve such land and the buildings erected or to be erected thereon.

Item 2. By deleting **Article 4, Section 4.0.1 D. Subparagraph 5**, and reserving the section for future use as follows:

5. Reserved

Item 3. By amending the reference in **ARTICLE 7, INTENSITY REGULATIONS, Section 7.5**, by changing the reference from “7.0.1” to “7.0”, so that section will read as follows:

7.5 The current provisions of Section 7.0 Intensity Regulations pertaining to frontage and/or area requirements shall not apply to a lot for single family residential use which at the effective date of this bylaw amendment was not held in common ownership with any adjoining land and had less than the current requirement, but at least 20,000 square feet of area and 100 feet of frontage. This bylaw shall apply only to such land as is currently recorded in the Registry of Deeds.

Item 4. By deleting the text of **ARTICLE 17, Section 17.3.9 Tower Uses** and inserting in place thereof the following new text:

17.3.9 Tower Uses

Unless approved by the Zoning Board of Appeals in accordance with Article 9, towers permitted for Wind Energy Facilities shall not be used for any purpose inconsistent with the definition of a Wind Energy Facility.

Item 5. By amending the **TABLE OF USE REGULATIONS** by removing the “*” in all locations and the associated note, and by inserting in proper alphabetical order the following uses, as well as the notes, all as shown below:

TABLE OF USE REGULATIONS

X = Prohibited unless allowed in Underlying District

Y = Allowed By Right

N = Prohibited

SPBA = Special Permit Board of Appeals

SPPB = Special Permit Planning Board

SPA-PB = Site Plan Approval Planning Board

<u>USES</u>	<u>RESIDENTIAL</u>	<u>BUSINESS</u>	<u>UNRESTRICTED</u>	<u>STOD</u> <u>(Art. 22)</u>
Recreation Active	SPBA	Y	Y	X
Recreation Passive	Y	Y	Y	X

Table of Uses Regulations Notes:

In the event of conflicts between the narrative text in the sections of this Bylaw and the Table of Use Regulations, the text of the sections shall control.

It is the intent and purpose of the Table of Use Regulations to conform with M.G.L. Chapter 40A, § 3 Exemptions from Zoning Regulations, and to the extent that any provisions of this table are in conflict with the exemptions of

said Chapter 40A, the provisions of Chapter 40A shall supersede and control the subject matter thereof.

Item 6. By amending **ARTICLE 21, DRIVEWAYS AND COMMON DRIVEWAYS, Section 21.6.1, Waiver of Compliance** by inserting “grade”, which text is underlined below for informational purposes, so that Section 21.6.1 will read as follows:

21.6.1 Waiver of Compliance

The Planning Board, under this section, may waive strict compliance with dimensional requirements (for grade, length and width) of this section, where such action is in the public interest and not inconsistent with the purpose and intent of the Zoning Act or this section.

and/or take any other action relative thereto.

PLANNING BOARD

Motion and second that the Town adopt the provisions of Article 30 as printed in the warrant with the following modification: Delete the entire definition of “Way” as presented above. Voted: Unanimously.

ARTICLE 31

To see if the Town will vote to amend various sections of the Town of Westport Zoning By-Laws pertaining to Flexible Frontage and Reduced Density as follows:

By deleting the provisions of **Article 23, Sections 23.1, Purpose and Intent, 23.2, Methods of Application, 23.4 Frontage Reduction Ratios in Proportion to Dwelling Density Reduction**, in their entirety and inserting in place thereof the following new **Sections 23.1, Purpose and Intent, 23.2, Methods of Application, 23.4 Frontage Reduction Ratios in Proportion to Dwelling Density Reduction** as follows:

ARTICLE 23

FLEXIBLE FRONTAGE FOR REDUCED DENSITY

23.1 Purpose And Intent

The purpose and intent of this Article is to encourage reduction in potential residential development density, reduce 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 and reliance upon common driveways, if applicable.

23.2 Methods of Application

In order to obtain a special permit under this by-law provision, an applicant shall file a yield plan showing the basic number of lots that could be created under a traditional subdivision meeting the requirements of the Town’s Rules and Regulations Governing the Subdivision of Land and all other applicable regulations.

23.4 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. By way of example, the required lot frontage for any lot shown on the plan being proposed to benefit from this Article may be decreased only by the proportionate increase in lot area and upland area for said lot(s). The standard lot frontage is 150 feet for a minimum 60,000 square foot lot containing a minimum of 30,000 square feet of contiguous upland ceteris paribus. To achieve a lot frontage reduction to 75 feet, the lot density of the benefited lots shall be halved by increasing their average lot size to at least 120,000 square feet and their average contiguous upland to at least 60,000 square feet. To achieve the minimum lot frontage of fifty (50) feet under this Article, the lot size shown on the plan shall be at least 180,000 square feet and the contiguous upland area at least 90,000 square feet. These examples are illustrated in the table below:

Residential Lot Size (SF)	Minimum Upland (SF)	Frontage (Feet)
60,000 Std. Min.	30,000	150
120,000	60,000	75
180,000	90,000	50

At no point shall the new lot lines create a width narrower than 50 feet, the width shall also be equal to or greater than the required frontage from the street line to the proposed dwelling. The width shall be measured in accordance with Section 7.6.1.1.2. If the Board determines that reducing the width improves the overall design of the project, the board may waive the width requirement.

The lots so benefiting from reduced frontage under this Article shall be indicated on the endorsed plan and the plan shall be recorded with the special permit decision which shall contain conditions that the lots shown on the plan shall not be further subdivided and that the clearing and building locations shall not be changed from what is shown on the plan without a modification of the special permit. The following notes shall also be placed on the plan:

1. "Lots shown on this plan benefiting from reduced frontage under Zoning By-law Article 23 shall not be further subdivided and no modification of the clearing restrictions and building locations shall occur without a corresponding modification of the special permit and recorded plan."

and;

2. "No lot clearing shall begin and no building permit shall be issued for lots shown on this plan benefiting from reduced frontage under Zoning By-law Article 23 until the Special Permit has been duly approved, executed and recorded and evidence of the recording has been filed with the Inspector of Buildings."

and/or take any other action relative thereto.

PLANNING BOARD

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

Voted: unanimously.

ARTICLE 32

To see if the Town will vote to request that the State place a question on the 2014 State Election Ballot for an up or down vote on whether to repeal the casino law that was passed in 2011, and/or take any other action relative thereto.

BOARD OF SELECTMEN

Motion and second that the Town adopt the provisions of Article 32 as printed in the warrant. Voted: Carried.

ARTICLE 33

To see if the Town will vote to amend the Personnel By-Law by adding under Schedule A Commission on Disability, the following:

<u>Position</u>	<u>Group</u>	<u>Hours</u>	<u>Pay Basis</u>	<u>Type</u>
Recording Clerk		2	-20	Hourly PT

and/or take any other action relative thereto.

PERSONNEL BOARD/COMMISSION ON DISABILITY

Motion and second to pass over Article 33. Voted: Unanimously.

ARTICLE 34

To see if the Town will vote to accept the layout, as a public way, of Estrela Lane, a copy of which is on file in the office of the Town Clerk, and authorize the Board of Selectmen to acquire by gift, purchase or eminent domain land or rights in land within said way as so laid out, for all purposes for which public ways are used in the Town of Westport, and/or take any other action relative thereto.

BY PETITION

Motion and second that the Town adopt the provisions of Article 34 as printed in the warrant.

Voted: Unanimously.

ARTICLE 35

To see if the Town will vote to accept the layout, as a public way, of Romano Village Drive, a copy of which is on file in the office of the Town Clerk, and authorize the Board of Selectmen to acquire by gift, purchase or eminent domain land or rights in land within said way as so laid out, for all purposes for which public ways are used in the Town of Westport, and/or take any other action relative thereto

BY PETITION

ARTICLE 36

To see if the Town will vote to accept the layout, as a public way, of Paul Drive, a copy of which is on file in the office of the Town Clerk, and authorize the Board of Selectmen to acquire by gift, purchase or eminent domain land or rights in land within said way as so laid out, for all purposes for which public ways are used in the Town of Westport, and/or take any other action relative thereto.

BY PETITION

Motion and second that the Town adopt the provisions of Article 36 as printed in the warrant.

Voted: Unanimously.

ARTICLE 37

To see if the Town will vote to raise and appropriate and/or transfer from available funds a sum of money to the Stabilization Fund and/or take any other action relative thereto.

FINANCE COMMITTEE/BOARD OF SELECTMEN

Motion and second to pass over Article 37. Voted: Unanimously.

Motion and second to adjourn and dissolve the Annual Town Meeting at 3:36 p.m. Voted: Unanimously.

There were 224 registered voters and 18 visitors and press in attendance.

A true record,
Attest:

Marlene MI Samson
Westport Town Clerk

And you are hereby directed to serve this warrant by posting five or more copies in as many places within said Town at least seven days before the time of said meeting.

Hereof fail not and make due return of this warrant with your doings thereon to the Town Clerk at the time and place of meeting.

Given under our hands at Westport this 14th day of April in the year two thousand and fourteen.

Antone C. Vieira Jr., Chairman

Richard M. Spirlet, Vice Chairman

Steven J. Ouellette

Craig J. Dutra

R. Michael Sullivan, Clerk

WESTPORT BOARD OF SELECTMEN

Marlene Samson
Town Clerk
Westport, MA 02790
April 17, 2014

On this 23rd day of April 2014, I posted 5 true attested copies of the forgoing warrant in the following named places:

Briggs Road Fire Station
State Road Package Store

Briere's Inc. a.k.a. Country Liquor & Variety
Town Hall
Lees Supermarket

Sgt. Christopher Mello
Westport Police Officer