

**TOWN OF WESTPORT
SPECIAL TOWN MEETING WARRANT
DECEMBER 7, 2010**

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 Tuesday, December 7, 2010 at 7:00 p.m., and then and there to act on the following articles, viz:

ARTICLE 1

To see if the Town will vote to amend the vote taken under Article 5 of the June 8, 2010 Annual Town Meeting appropriating funds necessary to defray the Town's expenses for a twelve month period beginning July 1, 2010 and appropriating the same to several departments for Town and general municipal purposes connected therewith for Fiscal Year 2011, by raising and appropriating or transferring from available funds, including but not limited to free cash, insurance proceeds and overlay surplus, such as are needed to balance said budget, and/or take any other action relative thereto.

BOARD OF SELECTMEN

ARTICLE 2

To see if the Town will vote to reduce the amount appropriated under Article 5 of the June 8, 2010 Annual Town Meeting for various Fiscal Year 2011 departmental operating budget line items to balance the Fiscal Year 2011 operating budget, and/or take any other action relative thereto.

BOARD OF SELECTMEN

ARTICLE 3

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, 2010, and/or take any other action relative thereto.

VARIOUS DEPARTMENTS

<u>FROM:</u>	<u>TO:</u>	<u>AMOUNT</u>
Highway Department Personnel Services	Highway Department Expenses	\$ 7,822.96

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SPECIAL TOWN MEETING

December 7, 2010

ARTICLE 4

To see if the Town will vote to raise and appropriate and/or transfer from available funds the sum of \$11,876.09 to be returned to the Highway Department expense budget for line striping and overtime and/or any other action relative thereto.

HIGHWAY SURVEYOR

ARTICLE 5

To see if the Town will vote to raise and appropriate or transfer from available funds the sum of \$7,400.00 for the supplemental Fiscal Year 2011 assessment to the Town from the Bristol County Agricultural High School, and/or take any other action relative thereto.

BOARD OF SELECTMEN

ARTICLE 6

To see if the Town will vote to:

(a) Amend Article XXII of the Town of Westport By-Laws, "Dog Officer and Restraint of Dogs" by:

Item 1

Deleting the words "Dog Officer" appearing in the title and throughout the text of said article and inserting in place thereof, in each instance, the words, "Animal Control Officer:"

Item 2

Reordering the definitions appearing in Section 2201 alphabetically as a result of said amendment.

Item 3

Revising the definition of "Dog Officer" in Section 2201 by inserting, after the words "relating to dogs," the following, "; said Animal Control Officer shall report to and be supervised by the Board of Health"; and

(b) Raise and appropriate or transfer from available funds the sum of \$15,000.00 to fund the position of Animal Control Officer for the remainder of Fiscal Year 2011.

BOARD OF SELECTMEN

ARTICLE 7

To see if the Town will vote to raise and appropriate, transfer or borrow the sum of \$19,137.50, more or less, for the Town's share of a wind measurement/feasibility study, including all necessary and related expenses, for the siting of a 1500 MW wind turbine for the benefit of the Town at Town-owned property located at 54 Hix Bridge Road, otherwise known as the Town Forest, for which the Town has also received a grant from the Massachusetts Clean Energy Center in the amount of \$57,412.50, and/or take any other action relative thereto.

ENERGY COMMITTEE

ARTICLE 8

To see if the Town will vote to transfer the sum of \$11,455.00, more or less, from the Town's Municipal Waterways Fund to the Harbor Enterprise Fund to cover a deficit in that amount, and/or take any other action relative thereto

HARBORMASTER

ARTICLE 9

To see if the Town will vote to amend the vote taken under Article 6 of the June 8, 2010 Annual Town Meeting establishing a Transfer Station Enterprise Fund effective the 3rd quarter of Fiscal year 2011, to provide that such fund shall instead be created effective "Fiscal Year 2012," and/or take any other action relative thereto.

BOARD OF SELECTMEN

ARTICLE 10

To see if the Town will vote to authorize the Board of Health to enter into a contract with a waste disposal facility for up to five (5) years for the purpose of establishing a set fee for trash disposal and/or take any other action relative thereto.

BOARD OF HEALTH

ARTICLE 11

To see if the Town will vote to raise and appropriate and/or transfer from available funds a sum of \$160,528.00 to be used by the Board of Health to fund personal services and expenses for the operation of the Transfer Station for the remainder of Fiscal Year 2011 and/or take any other action relative thereto.

BOARD OF HEALTH

ARTICLE 12

To see if the Town will vote to raise and appropriate or transfer from available funds a sum of money for payment of bills incurred in prior fiscal years, including, but not limited to, those set forth below, and/or take any other action relative thereto.

BOARD OF SELECTMEN

Frank Corp. Environmental Services	\$ 1,955.86
Kopelman and Paige, P.C.	\$24,575.93 (FY09)
Kopelman and Paige, P.C.	\$51,437.35 (FY10)

ARTICLE 13

To see if the Town will vote to raise and appropriate, transfer or borrow the sum of \$100,000.00, more or less, for the purpose of constructing improvements and remodeling, constructing, reconstructing, and making extraordinary repairs including design, site improvements, equipment, furnishings and costs incidental thereto, of the Highway Barn, located at 820 Main Road, including all necessary and related expenses; provided however, that the amount appropriated hereunder shall be expressly contingent upon approval by the voters of a so-called capital expenditure exclusion, pursuant to M.G.L. Chapter 59, Section 21C(1/2), that would allow

the Town to raise such sum outside the levy limit imposed by proposition 2½, so-called, and/or take any other action relative thereto.

BOARD OF SELECTMEN/HIGHWAY SURVEYOR

ARTICLE 14

To see if the Town will vote to raise and appropriate, transfer or borrow the sum of \$100,000.00, more or less, for the purpose of constructing improvements and remodeling, constructing, reconstructing, and making extraordinary repairs including design, site improvements, equipment, furnishings and costs incidental thereto, of the Highway Barn, located at 820 Main Road, including all necessary and related expenses; and to authorize the Treasurer, with the approval of the Board of Selectmen, to borrow said sum pursuant to M.G.L. Chapter 44, Section 7(3A) or any other enabling authority, and to issue bonds and notes therefore; provided, however, that the vote taken hereunder shall be expressly contingent upon approval by the voters of a so-called debt exclusion pursuant to M.G.L. Chapter 59, Section 21C(k), that would allow the Town to raise the funds required to pay principal and interest on such bonds outside the levy limit imposed by Proposition 2½, so-called, and/or take any other action relative thereto.

BOARD OF SELECTMEN/HIGHWAY SURVEYOR

ARTICLE 15

To see if the Town will vote to raise and appropriate, transfer from available funds or borrow \$2,500,000.00, more or less, for the purpose of constructing improvements and remodeling, constructing, reconstructing, and making extraordinary repairs to School buildings, including design, site improvements, equipment furnishings and costs incidental thereto; and to authorize the Treasurer, with the approval of the Board of Selectmen, to borrow said sum pursuant to M.G.L. Chapter 44, Section 7(3A) or any other enabling authority, and to issue bonds and notes therefore; provided, however, that the vote taken hereunder shall be expressly contingent upon approval by the voters of a so-called debt exclusion pursuant to M.G.L. Chapter 59, Section 21C(k), that would allow the Town to raise the funds required to pay principal and interest on such bonds outside the levy limit imposed by Proposition 2½, so-called, and/or take any other action relative thereto.

BOARD OF SELECTMEN/SCHOOL COMMITTEE

ARTICLE 16

To see if the Town will vote, pursuant to M.G.L. Chapter 40, Section 5B, to create a special purpose stabilization fund for capital improvements purposes, to be known as the Capital Improvements Stabilization Fund; and to raise and appropriate the sum of \$1.00 for such purpose, and/or take any other action relative thereto.

BOARD OF SELECTMEN

ARTICLE 17

To see if the Town will vote to sweep \$200,000 from previously appropriated and unused Oscar Palmer Farm community housing project monies to:

\$ 68,404 for community housing reserves; and
\$131,596 for undesignated fund balances.

COMMUNITY PRESERVATION COMMITTEE

ARTICLE 18

To see if the Town will vote to authorize the Community Preservation Committee to expend an amount not to exceed \$415,000 for the acquisition and preservation of the Cadman-White-Handy House and surrounding 25.2 acres. These funds will cover the acquisition of the property to be owned, managed and maintained by the Westport Historical Society with public accessibility, and the construction of a septic system to serve the intended use of the property. Funds to be used are:

\$136,000 from Historical Preservation reserves
\$279,000 from undesignated fund balances

COMMUNITY PRESERVATION COMMITTEE

ARTICLE 19

To see if the Town will vote to authorize acceptance by the Town of a donation of a parcel of vacant land containing approximately 8 acres, being Westport Assessors Map 54, Lot 41A, subject to Easement recorded with the Bristol County S.D. Registry of Deeds at Book 4016, Page 171, amendment to Conservation Restriction recorded with the Bristol County S.D. Registry of Deeds at Book 4016, Page 166, and Conservation Restriction recorded with the Bristol County S.D. Registry of Deeds at Book 1688, Page 210, being land that abuts the Town of Westport capped landfill on Hix Bridge Road, from donors Catherine M. Swanteson, Christine M. Swanteson and Carol Swanteson, the heirs and nieces of the late Eleanor Tripp. This donation is made in thanks to the Town for the support of the Community Preservation Committee of their late aunt's desire for preservation of the Cadman-White-Handy House, and for its accessibility to the people of Westport and elsewhere, and to take any other action necessary thereto.

COMMUNITY PRESERVATION COMMITTEE

ARTICLE 20

To see if the Town will vote to transfer the sum of \$17,692.00 already supplied by the Insurance Company to pay Henry's Diesel Performance Plus Inc. for work done on a 1999 Freightliner that was done last year.

BY PETITION

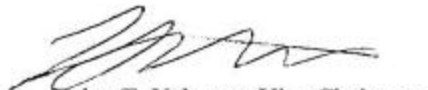
And you are hereby directed to serve this warrant by posting five or more copies in as many places within said Town at least fourteen days before the time of said meeting.

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 23rd day of November in the year two thousand and ten.



Steven J. Ouellette, Chairman



Brian T. Valcourt, Vice Chairman



Paul A. Schmid, II



Craig J. Dutra



Richard M. Spirlet, Clerk

WESTPORT BOARD OF SELECTMEN