

**TOWN OF WESTPORT
COMMONWEALTH OF MASSACHUSETTS
SPECIAL TOWN MEETING WARRANT
DECEMBER 1, 2015**

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 located at 19 Main Road in said Westport on Tuesday, December 1, 2015 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 2015 Annual Town Meeting by transferring from available funds and/or various line items within the current appropriations such sums of money necessary to supplement the budgets of various departments for the fiscal year beginning July 1, 2015:

FROM:	TO:	AMOUNT
Harbor Enterprise Retained Earnings	Harbor Enterprise Expenses	\$ 6,085.00
Free Cash	Tax Collector Expenses	\$ 4,700.00
Free Cash	Treasurer Expenses	\$ 5,510.00
Free Cash	Veterans Department Expenses	\$ 25,000.00
Town Hall Expenses	Town Hall Personnel Services	<u>\$ 22,000.00</u>
	TOTAL	\$ 63,295.00

and/or take any other action relative thereto.

BOARD OF SELECTMEN

Board of Selectmen recommended Article 1.

ARTICLE 2

To see if the Town will vote to transfer the sum of \$5,000.00 from Transfer Station Personnel Services to Board of Health Personnel Services for the purpose of paying overtime, and/or take any other action relative thereto.

BOARD OF HEALTH

ARTICLE 3

To see if the Town will vote to transfer from Free Cash to the School Department a sum of

\$316,000.00, with a non-binding recommendation as allowed by M.G.L. c. 71, s. 34 that such funds be used for the following items:

Two (2) Special Education Teaching Assistants	\$ 64,000.00
One (1) LPN	\$ 7,000.00
Four (4) Interventionists	\$ 180,000.00
One (1) .5 Director of Curriculum	\$ 45,000.00
Sports Uniforms	<u>\$ 20,000.00</u>
	\$ 316,000.00

and/or take any other action relative thereto.

SCHOOL COMMITTEE

ARTICLE 4

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:

SG Projectoco 3, LLC	\$51,067.11
K.T.R. Maintenance & Supplies	\$ 3,801.80
Southcoast Physicians Group	\$ 1,113.00
Carl J. Ferreira DMD	\$ 1,279.00
Drs Babin and Levine	\$ 136.00
WB Mason	<u>\$ 64.48</u>
Total	\$57,461.39

and/or take any other action relative thereto.

BOARD OF SELECTMEN

Board of Selectmen recommended Article 4.

ARTICLE 5

To see if the Town will vote to appropriate and transfer from the CDBG Community Development Recaptured Funds to the Westport Affordable Housing Trust Fund a sum of \$215,440.00 as a grant, pursuant to a grant agreement between the Board of Selectmen and the Trustees of the Affordable Housing Trust, upon such terms and conditions as said Board of Selectmen deem appropriate, to provide grants to low and moderate income homeowners or qualified property owners to rehabilitate their homes located in Westport, and/or take any other action relative thereto.

WESTPORT AFFORDABLE HOUSING TRUST

ARTICLE 6

To see if the Town will vote to authorize the Board of Selectmen to petition the General Court to enact legislation in the form set forth below to allow the Town to pay certain 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 INDEMNIFY FOR THE PAYMENT OF CERTAIN MEDICAL EXPENSES FOR A RETIRED FIREFIGHTER

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 section 100B of chapter 41 of the general laws or of any other general or special law to the contrary, the Town of Westport is hereby authorized to indemnify Steve Lopes for all co-payments for reasonable hospital, medical and surgical, chiropractic, nursing, pharmaceutical and prosthetic and related expenses and reasonable charges for podiatry incurred after his retirement as a firefighter; provided (1) that the expenses for which indemnification is sought were the natural and proximate result of the disability for which the firefighter was retired; (2) that the hospital, medical and surgical, chiropractic, nursing, pharmaceutical, prosthetic and related expenses and reasonable charges for podiatry to which such expenses relate were rendered within six (6) months before the filing of each request for indemnification under this act; (3) that such expenses were in no ways attributable to the firefighter being gainfully employed after retirement or to any other willful act or conduct on his part; and (4) that such expenses are reasonable under all the circumstances.

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

and/or take any other action relative thereto.

FIRE CHIEF/BOARD OF SELECTMEN

Board of Selectmen recommended Article 6.

ARTICLE 7

To see if the Town will vote to raise and appropriate, transfer from available funds and/or borrow the sum of \$580,000.00 for the design of a new police station, such station to be located adjacent to the Fire Station at 54 Hix Bridge Road, including all incidental and related costs, and/or take any other action relative thereto.

POLICE STATION BUILDING COMMITTEE

Board of Selectmen recommended Article 7.

ARTICLE 8

To see if the Town will vote to transfer the care, custody, management, and control of that portion of the Town's property located at 400 Old County Road and shown as Assessors Map 35, Parcel 35, presently occupied by the Westport Middle School, the boundaries of such portion being shown on a plan placed on file with the Town Clerk's office, which portion is currently held by the School Committee for school purposes, to the Board of Selectmen for general municipal purposes, and/or take any action relative thereto.

SCHOOL COMMITTEE/BOARD OF SELECTMEN

Board of Selectmen recommended Article 7.

ARTICLE 9

To see if the Town will vote to amend its By-Laws and Regulations by deleting **Article XXXVIII, SEWAGE DISPOSAL SYSTEMS** in its entirety and inserting the following new **Article XXXVIII, SEWAGE DISPOSAL SYSTEMS:**
ARTICLE XXXVIII

SEWAGE DISPOSAL SYSTEMS

- 3801.** No sewage disposal system shall be constructed or located within one hundred (100) feet of any waters of the Commonwealth or Waters or Water bodies as defined by Title 5, Section 15.002 or Wetland as defined by the Massachusetts Wetland Protection Act, M.G.L. Chapter 131, Section 40 and regulations promulgated pursuant thereto at 310 CMR 10.00 or pursuant to Section 404 of the Federal Water Pollution Control Act 33, U.S.C. 1341. A variance may be granted by the Board of Health subject to a Geohydrologic Study.
- 3802.** The minimum standards for the disposal of sewage are set by Title 5 (310 CMR 15.000). Where the provisions of the Westport Board of Health are more strict, they shall prevail.
- 3803.** Any sanitary sewage or gray water, no matter how treated, shall not be discharged into a wetland as defined by the Massachusetts Wetland Protection Act or Waters of the Commonwealth as defined by Title 5 and referenced in section 3801.

and/or take any action relative thereto.

BOARD OF HEALTH

ARTICLE 10

To see if the Town will vote to authorize the Board of Selectmen to enter into one or more agreements for payments in lieu of taxes pursuant to M.G.L. c. 59, s. 38H(b), M.G.L. c. 164, s. 1, or any other enabling legislation, for personal property in connection with one or more renewable energy projects located in Westport, for terms of up to thirty (30) years, and on such other terms and conditions as the Board of Selectmen deems in the best interests of the Town, and to authorize the Board of Selectmen to take such actions and sign such other instruments as may be reasonably necessary or desirable to implement and administer such agreements, and/or take any other action relative thereto.

BOARD OF SELECTMEN

Board of Selectmen recommended Article 10.

ARTICLE 11

To see if the Town will vote to discontinue a portion of Beach Avenue as a public way and further to authorize the Board of Selectmen to acquire, by purchase, gift, eminent domain, or other means, pursuant to agreements with record owners and upon such terms and for such consideration as the Board deems appropriate, interests in land within said discontinued portion of Beach Avenue for conservation and passive recreation purposes, and to provide for public access to Town and other conservation lands in a manner compatible with such purposes; and as funding therefore, to raise and appropriate, transfer from available funds and/or borrow a sum of money as may be needed; and further to enter into all agreements and take all other actions necessary or appropriate to carry out the

acquisitions authorized hereto, and/or take any other action relative thereto.

BOARD OF SELECTMEN

ARTICLE 12

To see if the Town will vote to transfer \$500,000.00 from Free Cash to the Stabilization Fund and \$200,000.00 from Free Cash to the Capital Improvement Stabilization Fund, and/or take any other action relative thereto.

BOARD OF SELECTMEN

Board of Selectmen recommended Article 12.