

**TOWN OF WESTPORT
COMMONWEALTH OF MASSACHUSETTS
ANNUAL TOWN MEETING WARRANT
MAY 3, 2016**

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, 19 Main Road, in said Town, on Tuesday, May 3, 2016 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 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

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.

Richard Anctil	\$ 75.00
Mass-RI Veterinary ER., Inc.	\$ 109.20
Bay State Mary Lane Hospital	\$ 195.74
Dr Medical LLC	\$ 640.07
Coastal Imaging	\$ 16.12
Prima Care PC	\$ 682.91
Anaesthesia Assoc. of MA	\$ 585.00
Cape Medical Supply Inc.	\$ 40.11
Southcoast Hospitals Group	\$ 1,963.88
Southcoast Physicians Group	\$ 56.02
City of Fall River	\$ 31,160.25
Eversource	\$ 4,634.39
Total	\$ 40,158.69

BOARD OF SELECTMEN

Board of Selectmen recommends.

ARTICLE 3

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, and/or take any other action relative thereto.

<u>FROM:</u>	<u>TO:</u>	<u>AMOUNT</u>
Treasurer Expenses	Treasurer Personnel Services	\$ 1,600.00
Registrar of Voters Expenses	Registrar of Voters Personnel Services	\$ 10,165.00
Free Cash	Veterans Benefits	\$ 35,000.00
Free Cash	Street Lights Expenses	\$ 5,500.00
Unneeded Prior Yr STM 2014 - Article # 4	Snow & Ice	\$100,000.00
Free Cash	Fire Department Personnel Services	\$ 71,644.00
	TOTAL	\$223,909.00

BOARD OF SELECTMEN

Board of Selectmen recommends.

ARTICLE 4

To see if the Town will vote to transfer a sum of money from Free Cash to the Capital Improvement Stabilization Fund, and/or take any other action relative thereto.

BOARD OF SELECTMEN

The amount is \$41,538.00 from Free Cash.

Board of Selectmen recommends.

ARTICLE 5

To see if the Town will vote to fix the salary and compensation of all elected Town Officers for Fiscal Year 2017, and/or take any other action relative thereto.

Moderator	\$ 798.00
Selectmen - Chairman	6,454.00
Board Members (4)	25,381.00
Assessors - Board Members (3)	16,999.00
Board of Health - Members (3)	9,024.00
Tax Collector	61,771.00
Town Clerk	61,771.00
Treasurer	61,771.00
	Total \$243,969.00

FINANCE COMMITTEE/BOARD OF SELECTMEN

Board of Selectmen recommends.

ARTICLE 6

To see if the Town will vote to revoke its acceptance, as voted under Article 6 of the June 8, 2010 Annual Town Meeting, of the provisions of M.G.L. Chapter 44, Section 53F½ for the purpose of establishing the Transfer Station as an enterprise fund, and/or take any other action relative thereto.

BOARD OF HEALTH

ARTICLE 7

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, 2016 and appropriate the same to several departments and/or take any other action relative thereto.

FINANCE COMMITTEE/BOARD OF SELECTMEN

ARTICLE 8

To see if the Town will vote to raise and appropriate and/or transfer from available funds a sum of money to fund the cost items of a two-year collective bargaining agreement between the Town and the Westport Permanent Firefighters Association, Local 1802, effective July 1, 2014, and further, to raise and appropriate and/or transfer from available funds a sum of money to fund the cost items of the first year of a one-year collective bargaining agreement between the Town and the Westport Permanent Firefighters Association, Local 1802, effective July 1, 2016, and/or take any other action relative thereto.

BOARD OF SELECTMEN

The amount is \$14,031.00 from Free Cash for FY2015 and \$34,661.00 for FY2017.

Board of Selectmen recommends.

ARTICLE 9

To see if the Town will vote to appropriate a sum of \$821,000.00 for the cost of various capital expenditures in accordance with the Town's Fiscal Year 2017 Capital Improvement Planning Program, including the cost of undertaking the projects and/or purchasing and equipping items as specified, as well as all incidental and related costs; and further to determine whether this appropriation shall be raised by borrowing or otherwise, and/or to take any other action relative thereto.

<u>Department Requests</u>	<u>Cost</u>	<u>Funding Source(s)</u>
Information Tech Equipment Upgrades	\$160,000.00	Free Cash
Mac School Parking Lot Rehab	\$100,000.00	Free Cash
Fire Station #2 Well	\$ 15,000.00	Free Cash
Highway Garage Roof	\$133,000.00	Chapter 90 Funds
Highway Truck (Large)	\$160,000.00	Free Cash
3 Police Cruisers	\$126,000.00	General Fund Revenue & Free Cash
Fire Department SUV	\$ 37,000.00	Free Cash

Senior Center Parking Lot	\$ 50,000.00	Free Cash
Marine Services Pick-Up Truck	<u>\$ 40,000.00</u>	Waterways Fund
Total	\$821,000.00	

CAPITAL IMPROVEMENT PLANNING COMMITTEE

ARTICLE 10

To see if the Town will vote to authorize the Town Treasurer, with the approval of the Board of Selectmen to borrow from time to time in anticipation of revenue of the fiscal year beginning July 1, 2016 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

Board of Selectmen recommends.

ARTICLE 11

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

Board of Selectmen recommends.

ARTICLE 12

To see if the Town will vote to raise and appropriate and/or transfer from available funds, a sum of \$40,000.00 to be used by the Board of Assessors to fund fees and expenses to update the Revaluation program mandated by M.G.L. Chapter 41, Section 56 and M.G.L. Chapter 59, Section 38 to place the Town on a 100% valuation assessment basis, and/or take any other action relative thereto.

BOARD OF ASSESSORS

ARTICLE 13

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

BOARD OF HEALTH

ARTICLE 14

To see if the Town will vote to transfer the sum of \$15,000.00 from the Sale of Cemetery Lots account for the maintenance and upkeep of cemeteries, avenues, paths, and structures situated therein, and/or take any other action relative thereto.

CEMETERY DEPARTMENT

ARTICLE 15

To see if the Town will vote to raise and appropriate and/or transfer from available funds the sum of \$1,155.00 to contract for environmental services directly related to Buzzards Bay, and/or take any other action relative thereto.

BOARD OF SELECTMEN

Board of Selectmen recommends.

ARTICLE 16

To see if the Town will vote to accept the provisions of Chapter 44, Section 53-F³/₄, of the Massachusetts General Laws establishing the PEG Access and Cable Related Fund (“PEG Fund”) as a separate revenue account effective Fiscal Year 2017 to reserve such funds for appropriation for PEG access and other cable-related purposes; and further, to transfer the sum of \$125,402.00 from cable-related receipts reserved in the Town treasury for Fiscal Year 2017 operations of the Town’s PEG services, of which \$104,252.00 shall be for salaries, and \$21,150.00 shall be for expenses; to transfer to the PEG Fund the remaining cable-related receipts reserved in the Town treasury; and further, to transfer to said PEG Fund the balance remaining in the Cable Revolving Fund at the close of Fiscal Year 2016, and/or take any other action relative thereto.

BOARD OF SELECTMEN

Board of Selectmen recommends.

ARTICLE 17

To see if the Town will vote, pursuant to the provisions of Massachusetts General Laws, Chapter 44, Section 53E¹/₂, to establish and reauthorize revolving funds for certain Town departments and officers for the fiscal year beginning July 1, 2016 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	\$40,000.00
Council on Aging- Social Day Care	Council on Aging & Board of Selectmen	Receipts from the Social Day Care Program	Social Day Care Program	\$146,000.00

Council on Aging - Transportation	Council on Aging & Board of Selectmen	Receipts from transportation for seniors	Transportation for seniors	\$55,000.00
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	\$150,000.00
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	\$40,000.00
Electrical, Plumbing and Gas Inspectors and Assistant Building Inspector	Electrical, Plumbing and Gas Departments and Building Department	Receipts from fees and fines paid for electrical, plumbing and gas permits and building 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
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	Receipts from Police Cruiser	Purchase of cruisers, associated	\$50,000.00

	Board of Selectmen	fees associated with private details	equipment and/or any incurred police cruiser related expense, not to include salaries	
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

Board of Selectmen recommends.

ARTICLE 18

To see if the Town will vote to raise and appropriate or transfer from available funds \$197,938.00 to operate the Marine Services Enterprise, and/or take any other action relative thereto.

Salaries	\$ 137,000.00
Expenses	\$ 47,938.00
Capital Outlay	<u>\$ 13,000.00</u>
Total	\$ 197,938.00

and that \$197,938.00 be raised as follows:

User Charges	\$ 142,938.00
General Fund Revenue	\$ 55,000.00

BOARD OF SELECTMEN/DIRECTOR OF MARINE SERVICES

Board of Selectmen recommends.

ARTICLE 19

To see if the Town will vote to raise and appropriate or transfer from available funds \$171,800.00 to operate the Waterline Enterprise, and/or take any other action relative thereto.

Salaries	\$ 3,500.00
Capital Outlay	\$ 5,000.00
Expenses	<u>\$ 163,300.00</u>
Total	\$ 171,800.00

and that \$171,800.00 be raised as follows:

User Charges	\$ 171,800.00
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BOARD OF SELECTMEN

Board of Selectmen recommends.

ARTICLE 20

To see if the Town will vote to raise and appropriate or transfer from available funds \$66,600.00 to operate the Town Beaches Enterprise, and/or take any other action relative thereto.

Salaries	\$ 40,800.00
Expenses	\$ 10,800.00
Capital Outlay	<u>\$ 15,000.00</u>
Total	\$ 66,600.00

and that \$66,600.00 be raised as follows:

User Charges	\$ 66,600.00
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BEACH COMMITTEE/BOARD OF SELECTMEN

Board of Selectmen recommends.

ARTICLE 21

To see if the Town will vote to raise and appropriate or transfer from available funds \$235,000.00 to operate the Transfer Station Enterprise, and/or take any other action relative thereto.

Salaries	\$ 132,183.00
Expenses	<u>\$ 102,817.00</u>
Total	\$ 235,000.00

and that \$235,000.00 be raised as follows:

User Charges	\$ 185,000.00
General Fund Revenue	\$ 50,000.00

BOARD OF HEALTH/BOARD OF SELECTMEN

Board of Selectmen recommends.

ARTICLE 22

To see if the Town will vote to appropriate a sum of money for the construction, original equipping and furnishing of a police station; to determine whether this appropriation shall be raised by borrowing or otherwise, and/or take any other action relative thereto.

POLICE STATION BUILDING COMMITTEE

The amount is \$8,000,000.00 authorized for borrowing and subject to a debt exclusion vote at a future election.

ARTICLE 23

To see if the Town will vote to raise and appropriate and/or transfer from available funds the sum of \$10,000.00 for the purpose of funding expenses related to the Southeastern New England Program for Coastal Watershed Restoration grant program, which appropriation will meet a portion of the Town's obligation for acceptance of the grant, and/or take any other action relative thereto.

PLANNING BOARD

ARTICLE 24

To see if the Town will vote to hear and act on the report of the Community Preservation Committee on the FY17 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 2017; and further to reserve for future appropriation a sum of money for the acquisition, creation and preservation of open space including land for recreational use; a sum of money for acquisition, preservation, restoration and rehabilitation of historic resources; and a sum of money for the acquisition, creation, preservation and support of community housing; and further to appropriate from the Community Preservation Fund a sum or sums of money for Community Preservation projects or purposes, all as recommended by the Community Preservation Committee, and/or take any other action relative thereto.

<u>Historic Preservation</u>	Restoration of Powder House at Head of Westport	\$ 11,392	FY'17 Estimated Fund Revenues
	Preservation of Stone Work at Head of Westport	\$ 89,000	FY'17 Estimated Fund Revenues
	Restoration of Fence & Posts at Linden & Maple Grove Cemeteries	\$ 55,000	FY'17 Estimated Fund Revenues
	Town Records Preservation, Phase IV	\$ 20,000	FY'17 Estimated Fund Revenues
	Westport Grange Foundation Preservation	\$ 22,000	FY'17 Estimated Fund Revenues

<u>Open Space</u>	Open Space Reserves	\$ 64,000	FY'17 Estimated Fund Revenues
<u>Community Housing</u>	Community Housing Reserves	\$ 64,000	FY'17 Estimated Fund Revenues
<u>Budgeted Reserves</u>		\$250,000	FY'17 Estimated Fund Revenues
<u>Administrative Expenses</u>		\$ 28,000	FY'17 Estimated Fund Revenues

COMMUNITY PRESERVATION COMMITTEE

ARTICLE 25

To see if the Town will vote to authorize the Town of Westport Board of Selectmen to acquire by gift and accept the donation by Ms. Patricia S. Kershaw of a parcel of vacant land containing approximately 0.34 acres, more or less, shown as Westport Assessors Map 3, Lot 134E for purposes, and if necessary for clearing title, to acquire such parcel by eminent domain, and/or take any other action relative thereto.

BOARD OF SELECTMEN

Board of Selectmen recommends.

ARTICLE 26

To see if the Town will vote to authorize the Town of Westport Board of Selectmen to acquire by gift and accept the donation by Mr. Ralph Guild of the following parcels of land located in Adamsville and more particularly identified as follows: Westport Assessors Map 79, Parcel 21; and the southerly portion (approximately 16,000+/- s.f.) of Assessors Map 79, Parcel 24, and/or take any other action relative thereto.

BOARD OF SELECTMEN

ARTICLE 27

To see if the Town will vote to raise and appropriate, or transfer from available funds, the sum of \$12,800.00 to pay legal bills and expenses previously authorized by vote under Article 40 of the 2009 Annual Town Meeting, and/or take any other action relative thereto.

BOARD OF SELECTMEN

Board of Selectmen recommends.

ARTICLE 28

To see if the Town will vote to amend the Personnel By-Laws XXI, Section 1 General Provisions, Sub-Section D Personnel Board, by inserting the following section:

6. The Personnel Board shall recommend revisions to the Personnel By-Laws, as well as

any new non-union positions including related job descriptions and any changes made to existing job descriptions; provided, however that this authority shall not extend to positions that the Board of Selectmen is authorized by law to enter into contracts with whether pursuant to the provisions of M.G.L. Chapter 41, Section 108N, or otherwise.

Once, the Personnel Board has approved the revisions or additions, authorized hereunder, the Personnel Board shall forward a copy of its vote thereon to the Secretary to the Board of Selectmen, or other person designated by said board. If such recommendation is in the form of a petition article in accordance with the provisions of M.G.L. Chapter 39, Section 10, such article(s) shall be included on the warrant; otherwise, whether to so include the article(s) is at the discretion of the Board of Selectmen.

Prior to taking effect, all Personnel By-Law revisions, new non-union positions and revisions to job descriptions of non-union positions addressed by this By-Law shall be approved by Town Meeting. The Personnel Board shall be considered the sponsor for any article(s) submitted under this section of the By-Laws, unless such article(s) shall be submitted by the Board of Selectmen or by petition. If a specific board has requested the new non-union position, that board shall be considered the co-sponsor of the article. The Personnel Board shall be prepared to either make a motion to approve the article or to answer questions, as such may be allowed by the Town Moderator.

and/or take any other action relative thereto.

PERSONNEL BOARD

ARTICLE 29

To see if the Town will vote to amend the Personnel By-Laws by deleting under Schedule A – Harbormaster and Shellfish, the following:

<u>Position</u>	<u>Group</u>	<u>Hours</u>	<u>Pay Basis</u>	<u>Type</u>
Harbormaster	7c	R	Annual	PT

<u>Position</u>	<u>Group</u>	<u>Hours</u>	<u>Pay Basis</u>	<u>Type</u>
Constable/Wharfinger	1	R	Salary	FT

and inserting under Schedule A – Marine Services, the following:

<u>Position</u>	<u>Group</u>	<u>Hours</u>	<u>Pay Basis</u>	<u>Type</u>
Director of Marine Services	1	R	Salary	FT

and/or take any other action relative thereto.

PERSONNEL BOARD/BOARD OF SELECTMEN

ARTICLE 30

To see if the Town will vote to amend the Personnel By-Laws by adding under Schedule A – Marine Services, the following:

<u>Position</u>	<u>Group</u>	<u>Hours</u>	<u>Pay Basis</u>	<u>Type</u>
Deputy Director of Marine Services	7c	R	Annual	FT

and/or take any other action relative thereto.

PERSONNEL BOARD/BOARD OF SELECTMEN

ARTICLE 31

To see if the Town will vote to amend the Personnel By-Laws by deleting under Schedule A – Board of Selectmen, the following:

<u>Position</u>	<u>Group</u>	<u>Hours</u>	<u>Pay Basis</u>	<u>Type</u>
Data Processing Coordinator	1	R	Annual	PT

and inserting therein:

<u>Position</u>	<u>Group</u>	<u>Hours</u>	<u>Pay Basis</u>	<u>Type</u>
Director of Information Technology	1	R	Annual	PT

and/or take any other action relative thereto.

PERSONNEL BOARD/BOARD OF SELECTMEN

ARTICLE 32

To see if the Town will vote to amend the Personnel By-Laws by deleting under Schedule A - Library, the following:

<u>Position</u>	<u>Group</u>	<u>Hours</u>	<u>Pay Basis</u>	<u>Type</u>
Library Substitute	5	-20	Hourly	PT

and inserting therein:

<u>Position</u>	<u>Group</u>	<u>Hours</u>	<u>Pay Basis</u>	<u>Type</u>
Library Aide I	5	-20	Hourly	PT

and/or take any other action relative thereto.

PERSONNEL BOARD/TRUSTEES OF FREE PUBLIC LIBRARY

ARTICLE 33

To see if the Town will vote to amend the Personnel By-Laws by deleting under Schedule A - Library, the following:

<u>Position</u>	<u>Group</u>	<u>Hours</u>	<u>Pay Basis</u>	<u>Type</u>
Library Aide	5	-20	Hourly	PT

and inserting therein:

<u>Position</u>	<u>Group</u>	<u>Hours</u>	<u>Pay Basis</u>	<u>Type</u>
Library Aide II	5	-20	Hourly	PT

and/or take any other action relative thereto.

PERSONNEL BOARD/TRUSTEES OF FREE PUBLIC LIBRARY

ARTICLE 34

To see if the Town will vote to amend the Personnel By-Laws by adding under Schedule A – Planning Board, the following:

<u>Position</u>	<u>Group</u>	<u>Hours</u>	<u>Pay Basis</u>	<u>Type</u>
Assistant Town Administrator for Planning	1	R	Salary	FT

and/or take any other action relative thereto.

PERSONNEL BOARD/BOARD OF SELECTMEN/PLANNING BOARD

ARTICLE 35

To see if the Town will vote to amend the Personnel By-Laws by adding under Schedule A – Registrar of Voters, the following:

<u>Position</u>	<u>Group</u>	<u>Hours</u>	<u>Pay Basis</u>	<u>Type</u>
Precinct Worker	2	N	Hourly	S

and/or take any other action relative thereto.

PERSONNEL BOARD/TOWN CLERK/BOARD OF REGISTRARS

ARTICLE 36

To see if the Town will vote to authorize the Board of Selectmen to petition the General Court for special legislation authorizing the Town to convey to the owners of the property located at 497 Old County Road, a non-exclusive easement for access purposes in a portion of the Town Landing property located at 493 Old County Road; and, to the extent necessary, for such permission as may be required by the provisions of Article 97 of the Amendments to the Massachusetts Constitution, all as set forth below; provided, however, that the General Court may make clerical or editorial changes of form only to the bill, unless the Board of Selectmen approves amendments to the bill before enactment by the General Court which are within the scope of the general public objectives of the petition, and to authorize the Board of Selectmen to approve such amendments:

AN ACT AUTHORIZING THE TOWN OF WESTPORT TO CONVEY A NON-EXCLUSIVE ACCESS EASEMENT IN A PORTION OF TOWN PROPERTY AT 493 OLD COUNTY ROAD TO BENEFIT 497 OLD COUNTY ROAD

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 any general or special law to the contrary, and specifically chapter 171, section 2 of the Acts of 1884, the town of Westport, acting by and through its board of selectmen, in

consultation with the Westport Landing Commission, is hereby authorized to convey to the owners of 497 Old County Road, upon such terms and conditions as the Board of Selectmen, in consultation with the Landing Commission, deems appropriate, a non-exclusive easement in a certain portion of the property known as the Westport Town Landing at the Head of the Westport River, located at 493 Old County Road, Westport and established pursuant to the aforementioned Act, for purposes of providing access to such land from the abutting public way in common with the public's right to make use of the Town Landing.

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

And further, to transfer said Town property as described above from the Westport Landing Commission for the purposes for which it is currently held to the Westport Landing Commission for such purposes, and also to the Board of Selectmen for the purpose of conveyance of the above-described interest in land, and to authorize the Board of Selectmen to convey such interest in land;

and/or take any other action relative thereto.

BOARD OF SELECTMEN

Board of Selectmen recommends.

ARTICLE 37

To see if the Town will vote to seek Mass Legislature approval to formalize an easement of unhindered right of way as it has historically been since 1795, the year of home construction, across Town Landing overseen by the Town Landing Commissioners to access home and barn of 497 Old County Road, and/or take any other action relative thereto.

BY PETITION

Board of Selectmen recommends.

ARTICLE 38

To see if the Town will amend the Town Zoning By-Laws:

Item. 1.

By deleting the definition of "Agriculture" found in section 1.1. of the Zoning By-Laws and inserting the following:

1.1 **Definitions:**

Agriculture – meaning the uses of land as enumerated in M.G.L. Chapter 61A, §§ 1 and 2; as described in M.G.L. Chapter 40a § 3; as defined in Westport Town By-Law LIV Right to Farm By-Law, including the conduct of:

- a. Agri-entertainment meaning entertainment, such as a seasonal event, festival, contest, music, party, or other time-specific events and commercial enterprises, designed specifically to bring the public to a Farm Enterprise for a farm-related educational experience by displaying a combination of the farm setting and products of the agricultural operations with the ultimate goal to encourage the purchase of agricultural products. Agri-entertainment is designed to enhance the agricultural viability of farm operations;
- b. Agri-tourism means tourism designed specifically to bring the public to a Farm Enterprise for a farm-related educational experience by displaying a combination of the farm setting and products of agricultural operations with the ultimate goal to encourage the purchase of agricultural products. Agricultural tourism shall include but not be limited to Farm-Stay programs, entertainment events on the farm, fundraising activities, and community events. Agri-tourism is designed to enhance the agricultural viability of the farm operations.
- c. Commercial activities designed to market to and bring the public to a Farm Enterprise for a farm related experience, and increase the sale of agricultural products to the public with the express purpose of enhancing the agricultural viability of the Farm operations.

Item 2.

By inserting the following as item number “6” in Section 4.0.1 B of the Zoning By-Laws:

- 6. Use of Agricultural Property having at least five(5) contiguous acres utilized in conformance with the uses of land as enumerated in M.G.L. Chapter 61A, §§ 1 and 2 and M.G.L. Chapter 40a § 3 shall include the use of said property for:
 - a. Agri-entertainment meaning entertainment, such as a seasonal event, festival, contest, music, party, or other time-specific events and commercial enterprises, designed specifically to bring the public to a Farm Enterprise for a farm-related educational experience by displaying a combination of the farm setting and products of the agricultural operations with the ultimate goal to encourage the purchase of agricultural products. Agri-entertainment is designed to enhance the agricultural viability of farm operations;
 - b. Agri-tourism means tourism designed specifically to bring the public to a Farm Enterprise for a farm-related educational experience by displaying a combination of the farm setting and products of agricultural operations with the ultimate goal to encourage the purchase of agricultural products. Agricultural tourism shall include but not be limited to Farm-Stay programs, entertainment events on the farm, fundraising activities, and community events. Agri-tourism is designed to enhance the agricultural viability of the farm operations.

- c. Commercial activities designed to market to and bring the public to a Farm Enterprise for a farm related experience, and increase the sale of agricultural products to the public with the express purpose of enhancing the agricultural viability of the Farm operations.

Item 3.

Amending the Table of Use Regulations of the Zoning By-Laws by adding:

AGRICULTURE	RESIDENTIAL/AGRICULURAL	COMMERCIAL	UNRESTRICTED
	Y	Y	Y

and/or take any other action relative thereto.

BY PETITION

ARTICLE 39

To see if the Town will vote to accept the layout, as a public way, of Devol Avenue, 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 40

To see if the Town will vote to accept the layout, as a public way, of Cortney 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 41

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