



Commonwealth of Massachusetts STATE ETHICS COMMISSION

One Ashburton Place - Room 619
Boston, Massachusetts 02108

Maria J. Krokidas
Chair

David A. Wilson
Executive Director

January 20, 2023

BY EMAIL (brian@mtclawyers.com)

Brian Winner
Mead, Talerman & Costa, LLC
730 Main Street, Suite 1F
Millis, MA 02054

Re: Robert R. Gotti, Chair
Town of Westwood Select Board

Dear Mr. Winner:

Pursuant to the Commission's municipal advisory opinion regulation, 930 CMR 1.03(3), I have reviewed your opinion to Town of Westwood Select Board Chair Robert R. Gotti dated December 23, 2022. I would concur with your conclusion regarding the applicability of the exemption in G.L. c. 268A, § 19(b)(3) to Mr. Gotti's participation in the Select Board's consideration of whether to approve the proposed Conservation Restriction if the population of homeowners (i.e., individuals who hold a personal ownership interest in a home) in the affected neighborhood is approximately 16.26% (or 10% or more) of the Town's population. In other words, individuals who reside in the affected neighborhood, but do not have a personal ownership interest in a home, should not be included to determine whether 10% or more of the population holds the same interest as Mr. Gotti. [EC-COI-92-34](#).

If you have any additional questions or need any further assistance, please do not hesitate to contact the Commission. Thank you.

Very truly yours,

/s/ Eve Slattery

Eve Slattery
General Counsel

cc: Robert R. Gotti (by regular mail)
Dottie Powers, Town Clerk, Westwood, Mass. (by email - dpowers@town.westwood.ma.us)