



SELECT BOARD MEETING MINUTES

Monday, January 8, 2024

Members Present: Richard W. Brewer, Chair
Steven J. Ouellette, Vice Chair
Ann Boxler
Shana Shufelt
Manuel Soares, Clerk

Also present, James Hartnett, Town Administrator

6:00 p.m. Call To order & Pledge of Allegiance

Under MGL Chapter 30A, section 20(f) – this meeting is being recorded.

Welcome Comments from the Chair

Acknowledgments & Recognitions

Dorothy Howarth, 105 Years Old, 12/12/18, Oldest Resident

Ms. Howarth was unable to make it, she will be recognized at the next meeting.

1. Appointments and Resignations

- a. Request to accept the resignation of Veronica Beaulieu from the Westport Housing Authority effective April 9, 2024.

Mr. Hartnett explained that there are several members of this board resigning, and he is in touch with the State to see what happens in this situation as this is not a Town Appointed Board.

MOTION by Mr. Ouellette to accept the resignation with a letter of appreciation, seconded by Ms. Shufelt. The Board voted 5-0 in favor.

- b. Request to appoint Michael Brouillard to the Cemetery Laborer II position.

Mr. Hartnett stated that Michael is currently employed at the cemetery and he has agreed to apply for his hoisting license within six months.

Mr. Soares questioned why this is a union position when the department has pulled out of the union, and that the Highway Department keeps stepping in, he suggests that the Highway Department just take over the cemetery.

Mr. Hartnett stated that the employees are not members of the union, but the positions are union positions.

MOTION by Mr. Ouellette to appoint Michael Brouillard to the Laborer II Position with the understanding he applies for the hoisting license within the 6 month time frame, seconded by Ms. Shufelt. The Board voted 5-0 in favor.

- c. Request to appoint Steve Souza to the Cemetery Foreman Position.

Mr. Hartnett stated that Steve has been interim foreman since July.

Mr. Soares asked if he has his Hoisting License, Mr. Hartnett answered he does not. Mr. Soares questioned how they have been digging graves, Mr. Hartnett answered that the Transfer Station Employees have been helping out.

Ms. Shufelt added that the town isn't paying enough to support these added licenses.

Mr. Soares stated something needs to be done and the cemetery should be bumped to the Highway Department.

MOTION by Mr. Ouellette to appoint Steve Souza to Foreman, seconded by Ms. Shufelt. The Board voted 5-0 in favor.

2. Action Items

- a. Request from Jim Hartnett, Town Administrator, to dispose of surplus property, valued at less than \$5,000

- 85 broken desks and chairs
- Fire Department light fixtures

MOTION by Mr. Ouellette to dispose of the surplus property, seconded by Ms. Shufelt. The Board voted 5-0 in favor.

- b. Request from Beverly Bisch, Council on Aging Director to approve her education incentive.

Mr. Hartnett stated this incentive is part of her contract.

MOTION by Mr. Ouellette to approve the education incentive, seconded by Ms. Shufelt. The Board voted 5-0 in favor.

- c. Request to approve the 2023 Alcohol Beverage Control Commission Annual Report Mr. Hartnett stated this is an annual renewal report.

MOTION by Mr. Ouellette to approve the annual renewal report, seconded by Ms. Shufelt. The Board voted 5-0 in favor.

- d. Request to approve the Deputy Police Chief Job Description.

Mr. Hartnett stated this was requested by Chief Dunn.

MOTION by Mr. Ouellette to approve the job description, seconded by Ms. Shufelt. The Board voted 5-0 in favor.

- e. Request from Matt Armendo, Board of Health Director to approve the education incentive for Linda Pierce, Town Nurse.

Mr. Hartnett stated that this incentive is part of the Town By-Laws.

MOTION by Mr. Ouellette to approve the education incentive, seconded by Ms. Shufelt. The Board voted 5-0 in favor.

- f. Request to approve contract extension for Rochester Bituminous Products, Inc.

Mr. Hartnett stated that this is a typical request with Chapter 90 Contracts.

MOTION by Mr. Ouellette to approve the extension, seconded by Ms. Shufelt. The Board voted 5-0 in favor.

- g. Request from Chris Leonard, Director of Marine Services and the Shellfish Advisory Committee to reduce hat Commercial catch limit of Oysters from (3) town baskets per day to (2) two town baskets per day.

Ronald Savaria from the Shellfish Advisory Board addressed the board stating that the beds are slowly disappearing, and the board feels it's time to reduce the allowable catch. He stated that there were quite a few oyster beds south of Hix Bridge that have disappeared, he is not sure if it is from being overfished or changes

in the river. Last year it took 2.5 hours to get the limit, this year it is taking 5 hours, it seems the beds are getting depleted.

Jack Skammels, challenged that statement saying it's not true, he stated he has been oystering for 40 years, and it has been good the past two seasons, and the beds south of Hix Bridge are growing to market size, and this year is even better. He added that by dropping the catch limit the oysters are going to get bigger and the baskets won't be worth as much. Mr. Skammels recommended this be tabled until after the next Shellfish Advisory Meeting.

MOTION by Mr. Soares to table until after the next Shellfish Advisory Meeting, seconded by Mr. Ouellette. The Board voted 5-0 in favor.

3. Discussion

a. East Beach Storm Damage

Mr. Soares began the discussion stating that in talking with Sean Leach and monitoring the Highway Department, it's time for a plan not a patch.

Mr. Leach a civil engineer addressed the Board, stating that the recent storms are a wakeup call, it's time to look at previous studies and get together with property owners to find a solution. It is possible if both sides work together. There are grants available, but it's all or nothing, everyone from Gooseberry to Dartmouth needs to get on board. Since the 90's 30 or 40 feet of frontage has been lost. He discussed some of the options suggested by past studies.

Mr. Soares added the Army Corps of Engineers is going to start dredging the federal channel, the plan is to dump offshore, he suggested bringing the sand to East Beach. Tony Vivenzio, 134 East Beach road added that a study is to be released by the Buzzards Bay Coalition on the impact of the Gooseberry causeway. He hopes the town and the residents form a partnership. As far as the cleanup he stated that 100 18yd truckloads of material was moved from the lots, there needs to be a policy that this material gets put back on the beach side properties.

Mr. Soares added that the road needs to be cleared for emergency access.

Mr. Leach stated something needs to be done quickly, he doesn't want East Beach disappear.

Deborah Attardo, who owns three lots, the Oceanside one is gone, and all the rock was taken away and she wants her rocks back. She added you have 100 property owners, there is no way all are going to be on the same page.

Kevin Curt, 85 East Beach Road, President of the East Beach Association is looking for cooperation from the town, they need answers. The town has a vested interest and we have a vested interest, we don't want to lose it.

Sean Leach stated that the access road and the beach are top priority.

After lengthy discussion about available grants, infrastructure vs. residential, how to attack this problem it was decided to form a committee, and have the Planning Board take the lead.

MOTION by Mr. Soares to form a committee, and have the Planning Board take the lead, seconded by Mr. Brewer. The Board voted 5-0 in favor.

b. FY2025 Budget Discussion

Mr. Hartnett provided updates to the Board, Free Cash was certified at \$2,302,219 which was below the preliminary estimate. The Governor's budget to be released the last week of January. There are still several unknowns, Chapter 70, School Choice, Charter and Regional School Assessments and also health and property insurance costs. Mr. Hartnett also touched upon the 5 Year Capital Plan. Budget discussion will continue at the next meeting on January 22, 2024 and approved by the Select Board at the February 12, 2024 Meeting and the Budget needs to be given to the Finance Committee by February 20, 2024.

c. Temporary use of the Old High School

Mr. Hartnett updated the board stating that UMass Dartmouth is no longer interested in utilizing the space.

4. Town Administrator Report

New Cannabis Control Commission Regulations

The Division of Local Services (DLS) has provided guidance on the recent regulatory changes affecting municipal finance promulgated by the Cannabis Control Commission pursuant to Chapter 180 of the Acts of 2022, an Act Relative to Equity in the Cannabis Industry. In addition to placing restrictions on Host Community Agreements the Act imposes a number requirements on licensing.

Chapter 90 Funding

Governor Healey announced that a total of \$100 million for Fiscal Year 2024 has been allotted from the Fair Share amendment to support local infrastructure projects. Westport's Fair Share apportionment for Fiscal Year 2024 is \$399,162. The funds will automatically be incorporated into the Town's existing Chapter 90 contract with MassDOT.

KPLAW Fee Changes

The Town received notification that the hourly rate for Town Counsel legal services will increase by \$10.00 to \$235. An increase of 4.4%, Tax Title legal services will also increase to \$185.00 per hour.

Mr. Ouellette added this hasn't gone out for bid in a while.

Infrastructure Oversight Committee (IOC) Meeting

The IOC has scheduled a public meeting at the New Middle/High School for January 24, 2024. The committee and Klienfelder Engineering will provide an update on design and permitting and discuss possible funding sources. Borrowing for the project will need Town Meeting approval and will likely need approval at the April municipal election.

Mr. Soares added this is a meeting not a forum, he would like to look at a different direction and purchase piping for the Macomber Loop with the \$1,000,000 set aside for Route 6.

Mr. Hartnett explained that ARPA funding needs to be obligated by June.

5. Charter Communications Increase

- 6.** The Town was notified by Charter Communications of a number of fee increases that will take effect on or after January 30, 2024. (See Attached)

7. Approve Minutes

- a.** December 18, 2023

MOTION by Mr. Soares to approve the December 18, 2023 Minutes, seconded by Mr. Ouellette. The Board voted 5-0 in favor.

8. Report on Bill Warrant

Mr. Brewer reported it was reviewed and signed.

9. Selectmen Liaison Committee Reports & Suggestions for Future Agenda Discussion / Action

Soares – covered within meeting

Ouellette – covered within meeting, the Bike Path Committee wants to remind residents no bikes are collected over the winter.

Brewer – Audit Committee is meeting at the end of the month.

Shufelt – would like an executive session to discuss the School Building Committee executive session meeting.

Boxler – nothing to report.

10. Comments and Statements

11. Boards/Committees/Commissions Vacancy List

12. Topics not reasonably anticipated forty-eight (48) hours in advance of the meeting.

13. Executive Session – pursuant to the provisions of MGL c 30A section 21(a), Chair declares an open meeting will have a detrimental effect to:

- a. Approve Injury on Duty status of Police Officer.
- b. Approve Minutes
 - December 4, 2023

Adjournment

MOTION by Mr. Ouellette to adjourn the meeting and enter into Executive Session at 8:01p.m., seconded by Ms. Shufelt. The Board voted 5-0 in favor via roll call vote: Soares aye, Ouellette aye, Shufelt aye, Boxler aye and Brewer aye.

Respectfully submitted, Paula Brown, Administrative Assistant/Confidential Clerk

APPROVED: 
Manuel Soares, Clerk, Select Board Member

FILE ATTACHMENTS:

3a East Beach Info

Budget

1a Veronica Beaulieu – Resignation

1b Brouillard – Cemetery

2a WCS – Furniture

2b Beverly Bisch - Education Incentive

2d WPD Chief Dunn Request

2d WPD DeputyChief Job Description

2e Linda Pierce - Education Incentive

2f Rochester Bituminous

5a 12182023 Minutes

6 12292023 Signed Bill Warrant

ABCC - Annual Report - Calendar Year 2023

EAST BEACH-exhibit-parking area-Layout1

east-beach

Harbor Master - commercial oyester catch limit

TA Report Documents