

**BOARD OF SELECTMEN
REGULAR MEETING MINUTES
MONDAY
JULY 24, 2017**

Members Present: Steven J. Ouellette, Chairman
Shana M. Shufelt, Vice Chair
R. Michael Sullivan
Craig J. Dutra
Brian T. Valcourt, Clerk
Absent: Timothy J. King, Town Administrator

Chairman Ouellette called the Board of Selectmen meeting to order at 6:00 P.M. in the Westport Town Hall, 2nd floor meeting room, 816 Main Road, Westport, MA.

Pledge of Allegiance

Chairman's Announcement – Under MGL Chapter 30A, section 20(f) – Meeting being recorded.

Public and/or Board Member Comments

Mr. Ouellette noted the Ceremony held on the Town Hall front lawn by the Animal Advocate Group and thanked them for holding a peaceful gathering.

Mr. Ouellette also noted that Town Administrator King was on vacation this week; if there are any emergencies this week, Asst. Town Administrator Jim Hartnett is standing in.

Acknowledgments & Recognitions - None.

Appointments and/or Resignations

1. **Motion** made by Mr. Dutra to appoint Maurice May and Philip Weinberg as BOH Alternate Representatives to the Animal Action Committee. Second by Mr. Valcourt. The Board voted unanimously in favor.
2. **Motion** made by Mr. Sullivan to accept the resignation of Michael Duval from the Conservation Commission and to send a letter of thanks. Second by Ms. Shufelt. The Board voted unanimously in favor.
3. **Motion** made by Mr. Dutra to appoint Richard Lambert to the Conservation Commission. Second by Mr. Sullivan. The Board voted 4 in favor, 1-opposed (Valcourt). Mr. Sullivan will speak with Mr. Burton.
4. **Motion** made by Ms. Shufelt to accept the resignations of Jay Tripp and Shirley D'Agostino-Robbins, AgCom Reps from the Animal Action Committee. Second by Mr. Sullivan. The Board voted unanimously in favor.
5. **Motion** made by Mr. Sullivan to appoint Carole Mann and Geralynn Gaskell as AgCom Reps to the Animal Action Committee. Second by Ms. Shufelt. The Board voted unanimously in favor. Present: Carole Mann & Geralynn Gaskell.
6. **Motion** made by Mr. Valcourt to appoint Gay Gillespie as WRWA Rep to the Open Space Committee. Second by Mr. Dutra. The Board voted unanimously in favor.
7. **Motion** made by Mr. Sullivan to appoint Ed Carey as WRWA Rep to the Water Resources Management Committee. Second by Mr. Dutra. The Board voted unanimously in favor.
8. **Motion** made by Mr. Valcourt to appoint Ransom Morse as Deputy Shellfish Constable and Assistant Harbormaster. Second by Mr. Sullivan. The Board voted unanimously in favor. Present: Ransom Morse and Christopher Leonard.
9. **Motion** made by Mr. Sullivan to appoint Roger Menard as a Regular Member of the Zoning Board

of Appeals. Second by Ms. Shufelt. The Board voted unanimously in favor.

10. **Motion** made by Mr. Sullivan to post the vacancy of the Zoning Board of Appeals Associate Member for 30 days and to post the vacancy of the Beach Committee for two more weeks (position became vacant July 1st) before considering any requests (request for appointment to ZBA & Beach were made by Constance Gee). Second by Ms. Shufelt. The Board voted unanimously in favor. Present: Ms. Gee (was advised of the posting time-line).
11. **Motion** made by Mr. Valcourt to appoint Gail Roderigues to the Bike/Walking Path Committee. Second by Mr. Sullivan. The Board voted unanimously in favor. Present: Gail Roderigues.
12. **Motion** made by Mr. Valcourt to appoint Bette Low to the Bike/Walking Path Committee. Second by Mr. Sullivan. The Board voted unanimously in favor.
13. **Motion** made by Mr. Sullivan to appoint Michael Jacques and Zackary Shay as Full-time Police Officers. Second by Mr. Valcourt. The Board voted unanimously in favor.
14. **Motion** made by Mr. Sullivan to appoint Jordan Costa as a Skilled Laborer/Truck Driver for the Highway Department. Second by Mr. Valcourt. The Board voted unanimously in favor. Present: Jordan Costa and Christopher Gonsalves.

Attorney Kathleen O'Donnell – RE: Request for Execution of Confirmatory Deed for Noquochoke Village, 1175 American Legion Highway, Map 33, Parcels 45 & 47.

Present: Attorney Kathleen O'Donnell and Elizabeth Collins. Attorney O'Donnell stated she is before the Board again to request the execution of the Confirmatory Release Deed from the Town of Westport to the Trustees of the Westport Affordable Housing Trust Fund; this relates to property located on Route 177, known as the Noquochoke parcels. Attorney O'Donnell explained that the Title Company and the Title Attorneys who are handling the closing for the housing project at this site, are the entity that is requesting a Confirmatory Release Deed. This has the same description that was in their previous deed but adds language conveying any right, title and interest in and to the existing 40ft way leading to Lots 45 & 47, subject to the rights of others in and to said way. Mr. Sullivan stated he appreciated the clarification and based on conversations with the abutters, Mr. Sullivan **motioned** to approve of the sign-off of the Confirmatory Release Deed. Second by Mr. Valcourt. The Board voted unanimously in favor.

Action Items

1. Discussion ensued on a request received from Nance Carroll for a 25mph speed sign on Cherry & Webb Lane. This matter was tabled until Mr. Sullivan and Mr. Valcourt speak with Lt. Bell regarding his recommendation and the possibility of lowering the speed limit to 25mph.
2. **Motion** made by Mr. Sullivan to approve the request of the Elephant Rock Beach Club for a “no parking” exception on Atlantic Avenue on Saturday, August 5, 2017 from 10AM to 4PM for their annual Sandcastles & Sundaes event per the Police recommendation being followed. Second by Mr. Valcourt. The Board voted unanimously in favor.
3. **Motion** made by Mr. Valcourt to approve the request of Tony Connors, Historical Society for parking on Beach Avenue on Sunday, August 6, 2017 from 11AM to 4PM to host a tour of two houses in the Harbor area, with the hiring of a Police detail. Second by Mr. Dutra. The Board voted unanimously in favor. Present: Tony Connors.
4. **Motion** made by Mr. Dutra to approve the request of the Coalition for Buzzards Bay for the Watershed Ride to be held on Sunday, October 1, 2017 between the hours of 8:30 – 10:00AM, per the Police recommendation being followed. Second by Mr. Valcourt. The Board voted unanimously in favor.
5. **Motion** made by Mr. Valcourt to approve the format of the Town of Westport Public Records Access Guideline and to forward a copy to all the Records Access Officers and to post the guidelines on the Town's website. Second by Mr. Dutra. The Board voted unanimously in favor.
6. **Motion** made by Mr. Sullivan to approve of the contract with Hi-Way Safety Systems for the painting of Town road lines. Second by Ms. Shufelt. The Board voted unanimously in favor. Mr. Ouellette read the list of road to be painted. Mr. Sullivan stated there was conversation about

changing the lines down at the Head of Westport and that is not mentioned on the list; is there a reason why that was not captured. Mr. Ouellette asked that this be checked with Mr. King.

7. **Motion** made by Mr. Sullivan to approve the request of the Narragansett Bay Wheelmen for their 46th Flattest Century in the East Ride on Sunday, September 10, 2017 per the Police recommendation being followed. Second by Mr. Valcourt. The Board voted unanimously in favor.
8. **Motion** made by Mr. Dutra to reconsider the matter of the previous Highway Surveyor's legal bill for payment. Second by Ms. Shufelt. The Board voted 3 in favor, 2-opposed (Ouellette, Valcourt). **Motion** made by Mr. Sullivan to reimburse the former Highway Surveyor's estate or his widow in the amount of \$3,000 for legal fee reimbursement for two incidents where Town Meeting actually approved \$15,000 and \$7,000. Second by Ms. Shufelt. Discussion. Mr. Sullivan pointed out that as a Board, although some of the members were not here when this issue first came up in 2010 and he believed they made the right decision, which was, without a lot of information and a lot of cross-checking, the \$15,000 that was requested for reimbursement and Town Meeting approved, could not be reconciled; and in addition to that, some of the bills were for legal action against this Board and the Board properly acted. Mr. Sullivan stated the former Highway Surveyor did ask me to look into this. Mr. Sullivan stated he did look at the bills, history/background and all of the Board's objections (double billing, discussions, etc) and he discovered that the Board considered paying \$7,000, so a motion was brought to Town Meeting this past spring for that amount, which Town Meeting approved. Mr. Sullivan stated that subsequent to that, he confirmed what payments have been made, has spoken to all parties involved many times and what has been determined is that we can't be certain other than \$3,000 has been paid. Mr. Sullivan stated he has spoken with Mrs. Sisson and she is accepting of the fact that this is all that we have, all that we have confirmation of and she would be appreciative if we would follow through on this small amount given the original request. Mr. Sullivan stated he understands it is hard to revisit a decision but he is asking the Board to pay the \$3,000 and put this matter behind us and properly close it up. Discussion ensued. The Board voted 2 in favor, 3-opposed (Ouellette, Valcourt, Dutra).

Licenses – None.

Town Administrator Report

In the absence of Mr. King, Mr. Ouellette read aloud the Town Administrator's report. No actions were taken by the Board.

Discussion Items – None.

Minutes

1. **Motion** made by Ms. Shufelt to approve the Regular Meeting Minutes of July 10, 2017. Second by Mr. Valcourt. The Board voted unanimously in favor.

Selectmen Liaison Committee Reports

1. Ms. Shufelt mentioned that the School Building Committee is in the final stages of putting together the design and preparing everything to go out to bid in the next couple of weeks. The School Building Committee is meeting pretty much every Wednesday, so put a special spot on your calendar for Wednesday, September 6, 2017 for a joint meeting of the School Committee and the Board of Selectmen to finalize the material to be sent to the MSBA.

Question and Answer Period – None.

Boards/Committees/Commissions Vacancy List

Mr. Valcourt reviewed the list of vacancies for Boards, Committees and Commissions.

Board Members Suggestions for Future Agenda Discussion / Action

1. Mr. Ouellette mentioned consideration of whether the Board is still wanting to go forward with a DPW, we need to start talking about Special Fall Town Meeting if we are going to have one and Evaluations.
2. Mr. Valcourt mentioned for Special Town Meeting, the Recall Petition; still no response from Attorney Jenkins. Mr. Ouellette stated he will follow up.
3. Ms. Shufelt asked if the Streetlights matter could be on a future agenda when Mr. King's research is completed.

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

Other Business

1. Mr. Ouellette mentioned that Lt. Governor Polito will be at the Head of Westport at 5:30PM on Wednesday, July 26, 2017 to speak on the Seaport Council Economic Development Grant for anyone wishing to attend.

6:45 PM – Executive Session

Motion made by Ms. Shufelt to enter into Executive Session pursuant to the provisions of MGL c.30A, section 21 to approve Executive Session Minutes of July 10, 2017. Second by Mr. Sullivan. The Board voted unanimously in favor.

Roll Call Vote: Ms. Shufelt-aye. Mr. Sullivan-aye. Mr. Ouellette-aye. Mr. Valcourt-aye. Mr. Dutra-aye.

Mr. Ouellette announced the Board would return to Open Session in order to adjourn.

6:47 PM – Open Session

Motion made by Ms. Shufelt to adjourn the Board of Selectmen's Meeting. Second by Mr. Sullivan. The Board voted unanimously in favor.

Adjournment.

Respectfully submitted,
Diane Pelland
Administrative Asst/Confidential Clerk to the Board of Selectmen

APPROVED: Brian T. Valcourt, Clerk