

**BOARD OF SELECTMEN  
REGULAR MEETING MINUTES  
WEDNESDAY, DECEMBER 27, 2017**

Members Present: Steven J. Ouellette, Chairman  
Shana Shufelt, Vice Chair  
Craig J. Dutra  
Brian T. Valcourt, Clerk

Members Absent: R. Michael Sullivan

Also Present: Timothy J. King, Town Administrator

Chairman Ouellette called the Board of Selectmen's meeting to order at 6:00 p.m. in the Westport Town Hall second floor meeting room, 816 Main Road, Westport, MA. The meeting commenced with the Pledge of Allegiance.

**Chairman's Announcement:** Under MGL Chapter 30A, section 20(f), the meeting was being recorded.

**Acknowledgements & Recognitions:** A letter from Deborah & Larry White, 109 Briggs Road, commending Reserve Police Officer Brian Souza for saving their lives when their house caught fire was read by the chair. At about 5:30 a.m. on Sept. 8, 2017, Officer Souza was on duty with utility crews replacing a damaged utility pole nearby when he noticed smoke coming from their house; he called 911 and banged on the door to awaken the four residents of the home, who all escaped safely.

**Appointments and/or Resignations:** A letter of resignation from the Community Preservation Committee was received from Elizabeth Squire. Ms. Shufelt made a motion to accept the resignation with regrets, and send a letter of appreciation for her service; seconded by Mr. Valcourt, the motion passed unanimously.

**6:05 PM Public Hearing:** The application of the Sousa Family LLC, 692 Pleasant Street, Fall River, MA 02140 for a six-month trailer permit for business purposes to locate a trailer at 222 State Road, Westport, MA, Assessor's Map 3, Lot 144G was reviewed by the board. Sean Leach of SITEC Engineering, representing the applicant, noted that the site plans had been reviewed and approved by the Planning Board and Conservation Commission; the temporary trailer will be used until a permanent office can be constructed in the spring. There was no comments from board members or abutters, and Ms. Shufelt made the motion to approve the permit; seconded by Mr. Valcourt, the motion passed by unanimous vote.

**6:10 PM Public Hearing:** The application of John Sousa, d/b/a Affordable Auto Sales for a Class II Motor Vehicle Sales License for 222 State Road, Westport, MA was reviewed by the board. With no comment from board members or abutters, Ms. Shufelt made a motion to grant

the license, seconded by Mr. Valcourt, and approved by unanimous vote. The license terms include a maximum of 70 vehicles, and hours of operation from 9 a.m. to 5 p.m. Monday through Saturday.

**Action Item 1:** The board received a letter from Police Lt. John Bell requesting a street light be installed at the intersection of Sodom Road and Narrow Avenue, due to a number of reports of motor vehicle accidents, vandalism, and larcenies in that area. Mr. Ouellette noted that Mr. King is supervising an LED street light installation project, which won't be completed until summer; the installation would be undertaken as part of that LED conversion effort. A motion to approve the installation of a light on utility pole #9 -102 was made by Mr. Dutra, seconded by Mr. Valcourt, and approved unanimously.

**Action Item 2:** A motion to accept a \$2,500 donation from Ann Plamondon to the Animal Gift Fund, and to send a letter of appreciation to the donor, was made by Mr. Valcourt and seconded by Mr. Dutra. The motion passed with a unanimous vote.

**6:20 PM Appointment:** Water Resource Management Committee (WRMC) and Board of Health members Maury May and Phillip Weinberg met with the board to discuss the proposed Denitrification Septic System Regulations, intended to reduce the amount of nitrogen reaching the Westport River and help the town meet its Total Maximum Daily Limits (TMDLs) for nitrogen in the river set by the state Dept. of Environmental Protection. Mr. Weinberg narrated a PowerPoint presentation indicated the regulations would be the first component of a town-wide integrated management system for protecting water resources.

Main components of the regulations would be to require denitrification systems in a zone within 200 feet of all waterways and wetlands for new construction, and repairs to failed septic systems; as well as the replacement of cesspools at the time of property transfers. The regulations would not apply to sites outside the prescribed impact zone, or areas where municipal sewer systems might be installed in the future. Mr. May noted that the WRMC voted 3-2 to recommend the regulations be sent to town meeting for approval as a bylaw; Mr. Valcourt felt the impact zone was too small, and should be expanded to 400 or 500 feet from any waterway or wetland; Ms. Shufelt suggested that a BOH regulation would be more effective than a bylaw.

Planning Board Chair James Whitin indicated his committee voted 5-0 not to support the proposed regulations, mainly because the impact zone was too small, including only about 15 percent of the town's land area; he agreed a BOH regulation would be a better way to implement the policy than a bylaw, and suggested that any regulations should apply to all new construction in town. WRMC member Sean Leach felt that a zoning bylaw was the best option for implementation, and noted that slow DEP approvals for denitrification systems is a potential obstacle for landowners to install such systems. Korrin Petersen, senior attorney for the Buzzards Bay Coalition, noted Wareham used a BOH regulation to effectively implement denitrification systems for all new construction within 500 feet of a waterway; their policy covers about 85 percent of the town. She indicated the BBC does not support the proposed Westport regulations in its current form.

Mr. Dutra made a motion to support the continued development of denitrification regulations by the WRMC and BOH, seconded by Mr. Valcourt, and approved by unanimous vote. A request that selectmen support re-loading the Community Septic Program with another \$500,000 loan from the State Revolving Fund was made by Mr. May. Mr. Dutra made a motion to support a town meeting article to authorize the borrowing from the state fund, seconded by Ms. Shufelt; the vote was unanimous.

**6:45 PM Appointment:** Stephen Sloan and Ross Moran met with the board to discuss the Westport Land Conservation Trust (WLCT) ownership of the 21-acre camp core at the St. Vincent de Paul Society property. Mr. King outlined the town's recommended final commitments to the \$2.1 million acquisition by the WLCT: the use of \$350,000 in Community Preservation Act funds for the purchase of a conservation restriction on the property, to be held by the town, with \$196,000 of that amount to be reimbursed to the town by grants. For the 21-acre parcel, the town would provide \$445,000 in funding, consisting of \$200,000 in Community Preservation Act funding, and \$245,000 in Agricultural/Open Space Preservation funding; the WLCT would use \$1,305,000 of its own funds to complete the financial arrangements.

Mr. King recommended that the board support an annual town meeting article for the town's contributions as stated, including acceptance of the conservation restriction. He noted that the town would require WLCT approval of any proposed use of the property for community recreation purposes, and that the Recreation Commission would be involved in negotiating town use of the gymnasium on the site, or other uses. Ms. Shufelt made a motion to support the proposed town funding for the financial plan, seconded by Mr. Valcourt; the motion passed on a 3-0 vote, with Mr. Dutra abstaining.

**Action Item 3:** A vote to approve an agreement with Paul S. Kapinos & Associates, Inc., d/b/a pk Valuation Group, for FY 2019 valuation services was requested. Mr. King recommended approval, noting that the Assessing Department went through the proper procurement process for the services, to be provided at a contract price of \$45,000. Mr. Valcourt made the motion to approve the contract, seconded by Ms. Shufelt, and the vote was unanimous.

**Action Item 4:** A letter from Atty. Thomas J. Percy requested the release of a 60,100 square foot lot on Narrow Avenue, identified as Map 64, Lot 4, from the Chapter 61A program. A motion to approve the release was made by Mr. Valcourt, and seconded by Ms. Shufelt; the vote was unanimous.

**Action Item 5:** The board considered making recommendations for articles for the Jan. 23, 2018 special town meeting. No action was taken on this agenda item.

**Town Administrator's Report:** Mr. King indicated no recent updates from the state on the Hix Bridge project; resident Wayne Sunderland reported that work seems to be at a standstill. His update on the police station project reported the recent installation of parking lot light bases and the carport; application of exterior stone work is continuing; spray foam insulation is being

applied to the interior; and one of the subcontractors is installing interior walls. The work remains on schedule; Mr. King will arrange a tour of the building for the board in the near future.

The town administrator reported that legislation naming a portion of Route 88 as Governor Argeo Paul Cellucci Circle has been approved; a dedication ceremony is being planned in April. He also indicated that the Dept. of Revenue has approved the Fiscal Year 2018 tax rate at \$8.17 per \$1,000 in valuation, and reported the receipt of monthly reports from the senior center, Marine Services Department, and Animal Control Officer.

Member Questions/Concerns: Mr. Ouellette indicated that he would like to have budget updates on the agenda for all meetings in the near future. Ms. Shufelt said she would like to have a representative of the board attend all Finance Committee meetings and report back on their deliberations. Mr. Valcourt expressed his disappointment with the recent actions by the Historical Commission, resulting in the departure of Revolution Lobster's retail store from the Westport Point Historic District; he felt the picnic tables and lobster sign should not have been an issue for the commission to dispute in a commercial fishing port. Ms. Shufelt reminded those present and watching on community cable television that the School Building Committee will be holding another public forum on the proposed building project on Saturday, Jan. 6 at the Free Public Library.

Resident Questions: Kathy Feininger asked why the annual barn book inspections had not yet been completed; the ACO indicated that the part-time person doing the inspections had just started the work, and was asked to help complete them for a small stipend. Mr. King reported the inspections are about half done. Mr. Ouellette said the barn inspections may be added to the job description for the animal inspector in the future, after a pending review of the position by the Animal Action Committee.

Mr. Ouellette reported the board's next meeting was scheduled for 6 p.m. on Jan. 8. With no other business on the agenda, Ms. Shufelt made a motion to adjourn at 7:39 p.m., seconded by Mr. Valcourt; the vote was unanimous.

Respectfully submitted,

  
Robert Barboza, Recording Clerk

APPROVED:   
Brian T. Valcourt, Clerk